

A STUDY OF SOCIO LEGAL CHALLENGES OF NAXALISM IN INDIA

**THESIS
SUBMITTED TO THE
BABASAHEB BHIMRAO AMBEDKAR UNIVERSITY
LUCKNOW**



**FOR AWARD OF THE DEGREE OF
DOCTOR OF PHILOSOPHY
IN
LAW**

**SUPERVISOR
DR. PRADEEP KUMAR
(ASSISTANT PROFESSOR)**

**SUBMITTED BY
RANJEET BHARTI
ENROLLMENT NO.: 086/12**

**DEPARTMENT OF LAW
SCHOOL OF LEGAL STUDIES
BABASAHEB BHIMRAO AMBEDKAR
UNIVERSITY
(A CENTRAL UNIVERSITY)
VIDYA VIHAR, RAEBARELI ROAD
LUCKNOW -226025**

2021



Babasaheb Bhimrao Ambedkar University

(A Central University)

Vidya Vihar, Raebareli Road, Lucknow – 226 025 (UP)

बाबा साहेब भीमराव अम्बेडकर, विश्वविद्यालय

(केन्द्रीय विश्वविद्यालय)

विद्या विहार, रायबरेली रोड, लखनऊ-226025 (उ०प्र०)

DECLARATION

I, **RANJEET BHARTI**, hereby declare that research work embodied in this Ph.D. thesis titled “**A STUDY OF SOCIO LEGAL CHALLENGES OF NAXALISM IN INDIA**” has been carried out by me under the supervision of **Dr. PRADEEP KUMAR, Assistant Professor**, Department of Law, School of Legal Studies, Babasaheb Bhimrao Ambedkar University (A Central University) Lucknow, 226025.

This Research work is an original work and it has not been previously submitted in part or full for any other degree or diploma in this university or any other university. This is also declared that the thesis is essentially free from all kinds of plagiarism.

Ranjeet Bharti

(Ranjeet Bharti)

Date:

Place: Lucknow

Research Scholar

Enrollment No.- 086/12

Department of Law

School of Legal Studies

Babasaheb Bhimrao Ambedkar University,

Lucknow-226025



Babasaheb Bhimrao Ambedkar University

(A Central University)

Vidya Vihar, Raebareli Road, Lucknow – 226 025 (UP)

बाबा साहेब भीमराव अम्बेडकर, विश्वविद्यालय

(केन्द्रीय विश्वविद्यालय)

विद्या विहार, रायबरेली रोड, लखनऊ-226025 (उ०प्र०)

Letter No.....

Date.....

CERTIFICATE

This is to certify that the thesis titled “A STUDY OF SOCIO LEGAL CHALLENGES OF NAXALISM IN INDIA” submitted by **Mr. RANJEET BHARTI** is an original research work and has not been previously submitted in part or full for the award of any other degree or diploma to this or any other university.

The thesis submitted to Babasaheb Bhimrao Ambedkar University, Lucknow satisfies all the requirements as stipulated in the *Doctor of Philosophy (Ph.D.) Regulation 1999 as amended in 2013* and it is fit for submission and evaluation for the award of the Degree of Doctor of Philosophy of the university.

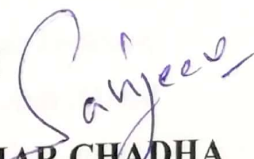
Date:


Supervisor

Place:

Dr. PRADEEP KUMAR
(Assistant Professor)
Department of Law
School of Legal Studies

Head


Dr. SANJEEV KUMAR CHADHA
Department of Law
School of Legal Studies

CONTENTS

S.NO	TITLE	Page No.
i	List of Table	i-xii
ii	List of Figure	i-v
iii	List of Histogram	i
iv	List of Abbreviation	i-v
v	List of Cases	i-ii
CHAPTER I- INTRODUCTION.....		1-36
1.1 INTRODUCTION.....		1-2
1.2 CONCEPTUAL CLARIFICATION OF NAXALISM.....		2
1.2.1 Who are Naxalite.....		2
1.2.1.1 Procedural Aspect.....		3
1.2.1.2 Peoples Liberation Guerilla Army.....		3
1.2.1.2.1 Base Area Force.....		3
1.2.1.2.2 Secondary Force.....		3
1.2.1.2.3 Main Force.....		4
1.2.1.3 Joint Front.....		4
1.2.1.3.1 Procedure.....		4
1.2.1.3.1.1 Survey of Geographical Area.....		4
1.2.1.3.1.2 Lal Pratirodh.....		4
1.2.1.3.1.3 Guerrilla Zones.....		4-5
1.2.1.3.1.4 Base Areas /Adhar Ilaka.....		5
1.2.2 Objective of Naxalites.....		5

1.2.3 The Theory of Naxalism.....	5-6
1.3 STATEMENTS OF PROBLEMS.....	6
1.4 LITRATURE REVIEW.....	7-20
1.4.1 Books.....	7-14
1.4.2 Articles.....	15-20
1.5 LACK OF AUTHORITATIVE MATERIALS.....	20
1.6 RESEARCH OBJECTIVES.....	20
1.7 HYPOTHESIS.....	21
1.8 RESEARCH METHODOLOGY.....	21-28
1.8.1 Scope of The Study.....	22-23
1.8.1.1 Selection of Geographical Areas.....	22
1.8.1.2 Responses From The Sources.....	22
1.8.1.2.1 Group A: General Public.....	22
1.8.1.2.2 Group B: Surrendered Naxalites/others.....	22
1.8.1.2.3 Group C: Experts.....	23
1.8.1.3 Interview Schedule.....	23
1.8.1.4 Field Visits.....	23
1.8.1.5 Variables Under Study.....	23
1.8.2 Survey Research.....	24
1.8.3 Population and Sampling.....	24-25
1.8.4 Statistical Tools used for Data Analysis.....	25-28
1.8.4.1 Reliability Data Analysis.....	25
1.8.4.1.2 Factor Analysis.....	26

1.8.4.1.3 Chi-Square (χ^2) Analysis.....	27
1.8.4.1.4 Multiple Linear Regression Analysis.....	27-28
1.8.4.1.5 Mean analysis.....	28
1.8.4.1.6 Mode of result analysis.....	28
1.8.4.1.7 Analysis of Data.....	28
1.9 ETHICAL ISSUES.....	29
1.10 LIMIT OF THE STUDY.....	29-32
1.10.1 Geographical Limitation.....	29-30
1.10.2 Security Limitation.....	30
1.10.3 Limitation Regarding Time Factor.....	30
1.10.4 Confidentiality.....	30
1.10.5 Literacy of The Local Native.....	30-31
1.10.6 Sensitivity to Questions.....	31
1.10.7 Gender Biasness.....	31-32
1.11 SIGNIFICANCE OF THE STUDY.....	32
1.12 RESEARCH WORK: AT A GLANCE.....	33
1.13 FRAMEWORK OF THE RESEARCH STUDY.....	34-36
CHAPTER II- HISTORICAL PERSPECTIVE OF NAXALISM IN INDIA.....	37-110
2.1 INTRODUCTION.....	37-38
2.2 FIRST PART.....	38-43
2.2.1. Telangana Armed Struggle.....	41-43
2.3 SECOND PART.....	44-101

2.3.1 Organizational Period 1967 to 1972: First Phase.....	44
2.3.1.1 Naxalbari Movement 1967.....	44-46
2.3.1.2 Srikakulam Armed Struggle.....	46
2.3.1.3 West Bengal, Midnapur and Birbhum Movement.....	47
2.3.1.4 Bihar and Uttar Pradesh.....	47-50
2.3.1.5 Organizations in First Phase of Naxalism.....	50-51
2.3.2 Fragmentary Period 1972 to 1991: Second Phase.....	51-52
2.3.2.1 Communist Party of India (Marxist-Leninist) Liberation.....	53
2.3.2.1.1 Leadership and Organization.....	54
2.3.2.2 The Peoples War Group.....	54-60
2.3.2.2.1 Organizational Concept.....	59-60
2.3.2.3 Maoist Communist Centre.....	60-63
2.3.2.3.1 Organizational Set Up.....	61-63
2.3.2.4 Peoples War Group.....	63-67
2.3.2.5 The New Left in Bihar.....	67-69
2.3.3 Reconsolidation Period 1991 to Present: Third Phase.....	69-101
2.3.3.1 Communist party of India (Maoist).....	70-79
2.3.3.1.1 Protracted War.....	73
2.3.3.1.2 Compact Revolutionary Zone.....	73-74
2.3.3.1.3 Constitution.....	75-78
2.3.3.1.4 Constitution of Cadre and Recruitment.....	79
2.3.3.2 Proliferation.....	79
2.3.3.3 Party Programme.....	80-81
2.3.3.4 Nexus.....	81-85

2.3.3.4.1 Extra-territorial Nexus.....	81-85
2.3.3.5 Financial Assistance.....	85
2.3.3.6 Political Objectives.....	85-94
2.3.3.6.1 Political Strategy.....	87
2.3.3.6.2 Militant Strategy.....	87-94
2.3.3.7 Two Stages of the Indian Revolution.....	94-97
2.3.3.7.1 Party Organization.....	96
2.3.3.7.2 Party Organization: An Apparatus.....	96-97
2.3.3.8 Three Magic Weapons.....	97-101
2.3.3.8.1 The Proletariat.....	98-100
2.3.3.8.2 People's Army: Need and Importance.....	100
2.3.3.8.3 Revolutionary United Front: Aim and Objective.....	101
2.4 PART THIRD.....	101-108
2.4.1 Urban Naxalism/White Collar Maoist.....	101-103
2.4.1.1 Urban Work: Objectives.....	103-104
2.4.1.2 Constitution of Party.....	104-105
2.4.2 Tactical United Front.....	105-107
2.4.3 Revolutionary Democratic Front.....	107-108
2.5 PART FOURTH.....	108-110
2.5.1 People's Government /Janatana Sarkar.....	108-110
CHAPTER III- NAXALISM: CAUSES OF EMERGENCE AND DEVELOPMENT.....	111-129
3.1 INTRODUCTION.....	111-113
3.2 BASIC CAUSES OF THE GROWTH OF NAXALISM.....	113-129

3.2.1 Immediate Cause.....	114
3.2.2 Historical Reason.....	115
3.2.3. Ideological Brainwashing.....	115-117
3.2.4 Social Reasons.....	117-119
3.2.4.1 Poverty.....	118
3.2.4.2 Alienation of Land in the Naxal Affected Areas.....	118
3.2.4.3 Literacy.....	118
3.2.3.4 Casteism.....	118-119
3.2.3.5 Reservation.....	119
3.2.5. Economic Reason.....	119-121
3.2.5.1 Poverty.....	120-121
3.2.5.2 Effect of Liberalization, Privatization and Globalization.....	121
3.2.6. Political Reason.....	121-122
3.2.7. Cultural Scheme.....	122
3.2.8. Geographical Backwardness.....	122-123
3.2.8.1 The Growing Inter and Intra- Regional Disparities.....	122-123
3.2.9. Environmental Crisis.....	123-124
3.2.9.1 Mismanagement of Forest.....	123
3.2.9.2 Environmental Exploitation.....	123-124
3.2.10 Legal Cause.....	124-129
3.2.10.1 Constitutional Failure.....	124-125
3.2.10.2 Rehabilitation and Resettlement Policy, 2007.....	125-126
3.2.10.3 Forest Rights Act, 2006.....	126
3.2.10.4 Chhattisgarh Special Public Securities Act, 2006.....	126

3.2.10.5 Effectiveness of the Legal Provision.....	127
3.2.10.6 Delayed Justice.....	127-128
3.2.10.7 Empowerment of Tribal.....	128
3.2.10.8 No Proper Implementation of Local Welfare Laws.....	128-129

CHAPTER IV- LEGISLATIVE FRAMEWORK: AN ANALYTICAL APPROACH..... 130-196

4.1 INTRODUCTION.....	130
4.2 NAXALISM: HOW IT DIFFER FROM TERRORISM?.....	130-133
4.3 PART FIRST.....	133-188
4.3.1 National Legislative Framework: An Analytical Analysis..	133-134
4.3.2 The Criminal Justice System.....	134-136
4.3.3 Objects of Criminal Justice System Vis -a- Vis Theory of Punishment.....	136-144
4.3.3.1 Theory of Punishment.....	136-142
4.3.3.1.1 The Deterrent Theory.....	137-138
4.3.3.1.2 The Preventive Theory.....	138-139
4.3.3.1.3 The Reformatory Theory.....	139-140
4.3.3.1.4 The Retributive Theory.....	140-141
4.3.3.1.4.1 Retribution Means What?.....	141
4.3.3.1.5 The Compensatory Theory.....	141-142
4.3.4 Criminal Justice System and its Working.....	143-144
4.4 ADMINISTRATIVE SYSTEM.....	144-154
4.4.1 Police System.....	144-145
4.4.2 Union Home Ministry.....	145-148

4.4.2.1 Under the MHA the Following Departments Are In Existence.....	145
4.4.2.2 Department of Internal Security Have a Jurisdiction Over.....	146
4.4.2.3 Ministry of Home Affairs and Its Working.....	147-148
4.4.3 Central Police Organization.....	148-152
4.4.3.1 Central Police Forces.....	148
4.4.3.2 Central Reserve Police Force.....	148-149
4.4.3.3 Assam Rifles.....	150
4.4.3.4 Border Security Force.....	150
4.4.3.5 Central Industrial Security Force.....	150
4.4.3.6 Indo -Tibetan Border Police Force.....	150
4.4.3.7 Sashastra Seema Bal.....	150-151
4.4.3.8 National Security Guards.....	151
4.4.3.9 India Reserve Battalions.....	151
4.4.4 Issues Related to Union Home Ministry.....	152-154
4.4.4.1 The National Security Council.....	152-153
4.4.4.1.1 The Strategic Policy Group.....	153
4.4.4.1.2 The Joint Intelligence Committee.....	153
4.4.4.1.2 The National Security Advisory Board.....	153
4.4.4.2 National Security Advisor.....	153
4.4.4.2.1 Defense Intelligence Agency.....	154
4.5 LEGISLATIVE ENACTMENT TO COMBAT NAXALISM....	154-188
4.5.1 The Constitution of India, 1950.....	155-163
4.5.1.1 To Maintenance of Internal Security.....	155-156
4.5.1.2 Co-Operative Federalism to Combat Naxalism.....	156-157

4.5.1.3 Role Play by Centre to Maintain Internal Security.....	157
4.5.1.4 Article 355 of the Indian Constitution.....	157-158
4.5.1.5 National Security V. Internal Security: An Evaluation.....	159-160
4.5.1.6 Central Law Enforcement Agency.....	160-161
4.5.1.7 The National Investigation Agency.....	161-163
4.5.2 Central Legislation.....	163-176
4.5.2.1 The Police Act, 1861.....	163
4.5.2.2 The Indian Penal Code, 1860.....	163-164
4.5.2.3 Prevention of Seditious Meetings Act, 1911.....	164-165
4.5.2.4 Arms Act, 1959.....	165
4.5.2.5 Indian Explosives Act, 1884 (As Amended in 1978).....	166
4.5.2.6 The Explosives Substance Act, 1908.....	167
4.5.2.7 National Security Act, 1980.....	168
4.5.2.8 Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982.....	167-168
4.5.2.9 The Terrorist Affected Arrears (Special Courts) Act, 1984.....	168
4.5.2.10 The Civil Defence Act, 1968.....	169
4.5.2.11 The Conservation of Foreign Exchange and Prevention of Smuggling Act, 1974.....	169
4.5.2.12 The Disturbed Area (Special Courts) Act, 1976.....	170
4.5.2.13 Customs and Central Excise Act, 1944.....	170
4.5.2.14 Foreign Exchange Regulations Act, 1973.....	171
4.5.2.15 Foreign Exchange Management Act, 1999.....	171-172
4.5.2.16 Narcotic Drugs and Psychotropic Substance Act, 1985.....	172-173
4.5.2.17 Import and Export (Control) Act, 1947.....	173-174

4.5.2.18 Defence of India Act, 1971.....	174-175
4.5.2.19 Information Technologies Act, 2002.....	176
4.5.2.20 Criminal Procedure Code, 1973.....	176
4.5.3 State Legislation.....	176-178
4.5.3.1 The Maharashtra Control of Organised Crime Act, 1999.....	176-178
4.5.3.2 Andhra Pradesh Suppression of Disturbances Act, 1948.....	178
4.5.4 Specific Legislations.....	179-188
4.5.4.1 The Unlawful Activities (Prevention) Act, 1967.....	179-182
4.5.4.2 The Terrorist and Disruptive Activities (Prevention) Act, 1987.....	182-185
4.5.4.3 The Prevention of Terrorism Act, 2002.....	185-186
4.5.4.4 The Chhattisgarh Special Public Safety Act 2005.....	187
4.5.4.5 The National Investigation Agency Act, 2008.....	187-188
4.6 PART SECOND.....	188-192
4.6.1 International Legal Perspective.....	188-192
4.6.1.1 Geneva Conventions, 1949.....	189
4.6.1.1.1 Convention 107 of 1957.....	190
4.6.1.1.2 Convention 169 of 1989.....	190-191
4.6.1.2 UNWGIP Draft Declaration of Indigenous Peoples.....	192
4.7 CONCLUSION.....	192-196
4.7.1 The Constitution of India.....	193
4.7.2 Central Legislation.....	193
4.7.3 State Legislations.....	193-194
4.7.4 Specific Legislation.....	194-196

CHAPTER V- NAXALISM AND STATE RESPONSE.....	197-242
5.1 INTRODUCTION.....	197-198
5.1.1 Theory of Response.....	197
5.1.1.1 Realist Theory.....	197-198
5.1.1.2 Pacifist and Developmentalist Approach.....	198
5.2 PART FIRST STATE RESPONSE: ORGANIZATIONAL PERIOD 1967 to 1972.....	198-199
5.2.1 West Bengal Government Response.....	198-199
5.2.2 The Central Government Response to West Bengal Problems.....	199
5.3 STATE RESPONSE: FRAGMENTARY PERIOD 1972 to 1991.....	199-202
5.3.1 Bihar Government Response from 1972 to 1991.....	199-200
5.3.2 Operations by Bihar and Central Government.....	200
5.3.3 The Central Government Response.....	200-202
5.4 STATE RESPONSE: CONSOLIDATION PERIOD FROM 1991 to PRESENT.....	202-236
5.4.1 Bihar Government Response.....	203-205
5.4.1.1 Surrender Policy in Bihar 2001.....	203
5.4.1.2 Aapki Sarkar Appke Dwar Program, 2006.....	204
5.4.1.3 Surrender Policy Amended, December 3, 2013.....	204
5.4.1.4 Operation Green Hunt, July 2009 to Present.....	204-205
5.4.2 Chhattisgarh.....	205-211
5.4.2.1 Andhra Pradesh Greyhounds and its Effect.....	206

5.4.2.2 Surrender and Rehabilitation Policy 2004.....	206
5.4.2.3 Establishment of Salwa Judum, 2005.....	207
5.4.2.4 Forest Rights and their Implementation.....	207
5.4.2.5 Ban on Salwa Judum and Special Police Officers.....	207
5.4.2.6 Operation Green Hunt.....	207-208
5.4.2.7 Counter Propaganda Campaign of Police.....	208-209
5.4.2.8 Achievements of Anti Naxal Operations Chhattisgarh.....	209-211
5.4.2.8.1 Special Intelligence Bureau.....	209
5.4.2.8.2 Rehabilitation and Surrender Policy.....	209
5.4.2.8.3 Joint Command Control Centre.....	209-210
5.4.2.8.4 Encouragement on The Success of The Encounter.....	210
5.4.2.8.5 Chhattisgarh Special Public Security Act, 2005.....	210
5.4.2.8.6 Ideological War Against Maoist.....	210
5.4.2.8.7 New Vacancies in DRG and STF.....	210
5.4.2.8.8 To Increase Inam Amount Surrendered Naxalites.....	210-211
5.4.3 Jharkhand.....	211-214
5.4.3.1 Shanti Sena and Special Police Officers, 2000.....	212
5.4.3.2 Surrender and Rehabilitation Policy (Nayi Disha), 2001.....	212
5.4.3.3 Peaceful Settlement of January 2010.....	212
5.4.3.4 Saranda Action Plan (Jharkhand) 30 January 2012.....	213
5.4.3.5 Formation of Splinter Groups, July 2004 Onwards.....	213-214
5.4.4 Uttar Pradesh Policy.....	214-216
5.4.4.1 Recording of Sharecroppers in Uttar Pradesh.....	215
5.4.4.2 Surplus Land Distribution by Government.....	215

5.4.5 Central Government Response.....	216-236
5.4.5.1 Peace Dialog with Naxal Outfits.....	217
5.4.5.2 The Chief Minister's Standing Committee.....	217-218
5.5.5.3 Central government Policy and Naxalism.....	218-219
5.4.5.4 Naxal Management Division.....	219
5.4.5.5 Strategy.....	220-230
5.4.5.5.1 Two Pronged Strategy.....	220
5.4.5.5.1.1 The Law and Order Approach.....	221
5.4.5.5.1.1.1 Modernisation of Police Forces.....	221
5.4.5.5.1.1.2 Inter-State Joint Anti-Naxal Operations.....	221
5.4.5.5.1.1.3 Strengthening Intelligence Networks.....	221-222
5.4.5.5.1.1.4 Aiding States in Security-Related Infrastructure.....	222
5.4.5.5.1.1.5 Deployment of Central Paramilitary Forces.....	222
5.4.5.5.1.1.6 Special Infrastructure Scheme.....	222
5.4.5.5.1.1.7 Ban on the CPI (Maoist).....	223
5.4.5.5.1.1.8 Strengthening Monitoring and Coordination Mechanisms.....	223-224
5.4.5.5.1.1.9 Construction/ Strengthening of Fortified Police Stations.....	224
5.4.5.5.1.1.10 Deployment of Central Armed Police Forces.....	224
5.4.5.5.1.1.11 India Reserve Battalions.....	224
5.4.5.5.1.1.12 CIAT Schools.....	224
5.4.5.5.1.1.13 Scheme for Special Infrastructure.....	224
5.4.5.5.1.1.14 Recruitment in Central Armed Police Forces.....	225
5.4.5.5.1.1.15 Fortified Police Stations.....	225
5.4.5.5.1.2 Developmental Programmes.....	225-228
5.4.5.5.1.2.1 Monitoring and Implementation.....	226-227

5.4.5.5.1.2.2 The Ministry of Environment and Forest.....	227
5.4.5.5.1.2.3 Road Requirement Plan-I.....	228
5.4.5.5.1.2.4 Road Connectivity Project.....	228
5.4.5.5.1.2.5 LWE Mobile Tower Project.....	228
5.4.5.5.1.2.6 Implementation of Act, 2006.....	228
5.4.5.5.1.2.7 Surrender and Rehabilitation Policy.....	228
5.4.5.5.2 Three Pronged Strategy.....	229
5.4.5.5.4 Four Pronged Strategy.....	229
5.4.5.5.5 Eight Pronged Strategy.....	229-230
5.4.5.5.6 Problems in Police Response.....	230-233
5.4.5.5.7 Short coming of Developmental Response.....	233-236
5.6 PART SECOND RESPONSE OF NON-STATE ACTORS.....	236-240
5.6.1 Involvement of Local Groups against Naxalites.....	237-238
5.6.1.1 Chhattisgarh: Local Groups Salwa Judum and Naxaite.....	238
5.6.1.2 Jharkhand: Local Groups and Naxalites.....	238
5.6.2 Media Plan.....	239-240
5.7 CONCLUSION.....	240-242
CHAPTER VI - NAXALISM AND JUDICIAL RESPONSE.....	243-288
6.1 INTRODUCTION.....	243
6.2 ASPECTS OF JUDICIAL CASES.....	244-257
6.2.1 Procedural Aspect.....	244-247
6.2.2 Judicial Delineation.....	247-257
6.2.2.1 Urban Maoist/Naxalism.....	247-253

6.2.2.2 The Ideology of Naxalism and Judiciary.....	253-255
6.2.2.3 Judicial Opinion.....	255-257
6.3 HUMAN RIGHTS AND NAXALISM.....	257-260
6.3.1 Power of Police to combat Naxalism and judicial response...	257-260
6.4 CIVIL SOCIETY AND NAXALISM.....	260-262
6.5 TRANSFER TO NAXAL PRONE AREA.....	262-265
6.6 APPOINTMENT ON THE COMPENSATE GROUND.....	265-270
6.7 THIRD DEGREE METHODS.....	271-272
6.8 VALIDITY OF TADA.....	273
6.9 ATTACK ON POLICE CAMP.....	273-274
6.10 SENIORITY.....	274-275
6.11 EXTORTION BY NAXALITES.....	275-278
6.12 PROPAGATING NAXAL METHODOLOGY.....	278-280
6.13 COOPERATIVE FEDERALISM.....	281-284
6.14 FREE AND FAIR ELECTION.....	284-286
6.15 OBSERVATION.....	287
CHAPTER VII - ISSUES AND CHALLENGES OF NAXALISM: A SOCIO LEGAL ANALYSIS.....	289-511
7.1 INTRODUCTION.....	289-290
7.2 PART FIRST: PLACE VISITED AND OBSERVATION.....	290-310
7.2.1 The Places Visited.....	290
7.2.2 Dimension of Naxalism in Chhattisgarh.....	291
7.2.2.1 Bastar Region: A Study.....	291

7.2.3 Field Visits.....	291-310
7.2.3.1 Social Challenge.....	291
7.2.3.1.1 Educational Set Up.....	292-294
7.2.3.1.2 Health Issues and Medical Facility.....	294-295
7.2.3.1.3 Good Governance and Corruption.....	295-296
7.2.3.1.4 Accessibility of Minimum Support Price.....	296
7.2.3.1.5 Cash Crops and Drug Cultivation.....	296
7.2.3.1.6 Social Discrimination.....	297
7.2.3.1.7 Lack of Sufficient Means of Livelihood.....	297-298
7.2.3.1.8 Tribal at Last.....	298
7.2.3.1.9 Absence of Infrastructure.....	298-299
7.2.3.1.10 Women as a Naxalite.....	299-300
7.2.3.1.11 Developmental Work and Naxalite.....	300-301
7.2.3.1.12 Survival of Tribals at Stake.....	301-302
7.2.3.1.13 Prospective of Employment in Bastar Region.....	302
7.2.3.1.14 Displacement of Tribal People.....	302-303
7.2.3.1.15 Nature of Naxalism.....	303-304
7.2.3.1.16 Behaviourial Attitude of Police Authorities.....	304
7.2.3.1.17 Abuse of Children.....	304-305
7.2.3.1.18 Reality of Naxalism on Indian Soil.....	305
7.2.3.2 Legal Challenges.....	306-310
7.2.3.2.1 Law and Order Issues.....	306-307
7.2.3.2.2 Naxalism V. Terrorism.....	308
7.2.3.2.3 Governmental Laxity to Land Reforms.....	308-309

7.2.3.2.4 Management of Forest Lands.....	309-310
7.3 PART SECOND: DATA ANALYSIS, INTERPRETATION AND HYPOTHESIS TESTING.....	310-482
7.3.1 Demographic Profile of the Respondents.....	310-323
7.3.2 Factor Analysis: Identifying Most Important Factors.....	323-390
7.3.2.1 Factor Analysis: Most Important Ideological and Historical Factors/Variables.....	324-332
7.3.2.1.1 Factor Analysis: General Public.....	324-326
7.3.2.1.2 Factor Analysis: Surrendered Naxalites.....	326-329
7.3.2.1.3 Factor Analysis: Experts.....	329-332
7.3.2.2 Factor Analysis: Most Important Legal Factors/Variables..	333-344
7.3.2.2.1 Factor Analysis: General public.....	333-336
7.3.2.2.2 Factor Analysis: Surrendered Naxalites.....	336-340
7.3.2.2.3 Factor Analysis: Experts.....	340-344
7.3.2.3 Factor Analysis: Most Important Social Factors/Variables.	344-353
7.3.2.3.1 Factor Analysis: General Public.....	344-347
7.3.2.3.2 Factor Analysis: Surrendered Naxalites.....	347-350
7.3.2.3.3 Factor Analysis: Experts.....	350-353
7.3.2.4 Factor Analysis: Most Important Governanceand Political Factors/Variables.....	354-363
7.3.2.4.1 Factor Analysis: General Public.....	354-356
7.3.2.4.2 Factor Analysis: Surrendered Naxalites.....	356-359
7.3.2.4.3 Factor Analysis: Experts.....	359-363
7.3.2.5 Factor Analysis: Most Important Economic Factors/Variables.....	363-373

7.3.2.5.1 Factor Analysis: General Public.....	363-366
7.3.2.5.2 Factor Analysis: Surrendered Naxalites.....	366-369
7.3.2.5.3 Factor Analysis: Experts.....	369-373
7.3.2.6 Factor Analysis: Most Important Security Factors/Variables.....	373-382
7.3.2.6.1 Factor Analysis: General Public.....	373-376
7.3.2.6.2 Factor Analysis: Surrendered Naxalites.....	376-389
7.3.2.6.3 Factor Analysis: Experts.....	389-382
7.3.2.7 Factor Analysis: Most Important Non-Security and Environmental Factors/Variables.....	383-390
7.3.2.7.1 Factor Analysis: General Public.....	383-385
7.3.2.7.2 Factor Analysis: Surrendered Naxals.....	385-387
7.3.2.7.3 Factor Analysis: Experts.....	388-390
7.3.3 Chi Square Analysis: Association between Respondents and Variables.....	391-464
7.3.3.1 Association between Respondents and Ideological Variables.....	391-397
7.3.3.2 Association between Respondents and Historical Variables.....	397-401
7.3.3.3 Association between Respondents and Legal Variables.....	401-411
7.3.3.4 Association between Respondents and Social Variables.....	411-417
7.3.3.5 Association between Respondents and Political Variables.....	417-423
7.3.3.6 Association between Respondents and Governance Variables.....	423-429
7.3.3.7 Association between Respondents and Economic Variables.....	430-442
7.3.3.8 Association between Respondents and Security Variables.....	442-450
7.3.3.9 Association between Respondents and Non-Security Variables.....	450-458
7.3.3.10 Association between Respondents and Environmental Variables.....	458-464

7.3.4 HYPOTHESIS RELATED DISCUSSION.....	464-482
7.3.4.1 Correlations Analysis and Hypothesis 1.....	464-467
7.3.4.2 Chi- Square Test, Mean Analysis and Hypothesis 2.....	467-469
7.3.4.3 Chi- Square Test, Mean Analysis and Hypothesis 3.....	470-472
7.3.4.4 Chi- Square Test, Mean Analysis and Hypothesis 4.....	473-475
7.3.4.5 Chi- Square Test, Mean Analysis and Hypothesis 5.....	476-478
7.3.4.6 Chi- Square Test, Mean Analysis and Hypothesis 6.....	479-481
7.3.4.7 Final Result of Hypothesis Testing.....	482
7.4 PART THIRD: INDEXING METHOD.....	482-511
7.4.1 Index for Problems of Naxalism.....	482
7.4.2 Process of Developing Index/Scale: Level of Problems: Z score based analysis.....	483
7.4.2.1 Administration & Scoring.....	484-486
7.4.3 Multiple Linear Regression Analysis.....	487-491
7.4.4 Index 1: Total Problem Level of Naxalism.....	491-492
7.4.5 Index II: Ideological Issues.....	493-494
7.4.6 Index III: Historical Issues.....	495-496
7.4.7 Index III: Legal Issues.....	497-498
7.4.7 Index III: Social Issues.....	499-500
7.4.8 Index III: Political Issues.....	501-502
7.4.9 Index III: Economic Issues.....	502-503
7.4.10 Index III: Governance Issues.....	504-505
7.4.11 Index III: Security Issues.....	506-507

7.4.12 Index III: Non- Security Issues.....	508-509
7.4.13 Index III: Environmental Issues.....	510-511

CHAPTER VIII - CONCLUSION AND SUGGESTIONS..... 512-551

8.1 CONCLUSION.....	512-514
8.2 OBJECTIVE OF THE STUDY AND ITS IMPLICATION.....	514-526
8.2.1 Emergence and Development of Naxalism in India.....	514-516
8.2.2 Impact of Criminal Justice System and Naxalism.....	516-519
8.2.3 State Response and Naxalism.....	520-522
8.2.4 Judiciary and Naxalism.....	522-524
8.2.5 Issues and Challenges of Naxalism	525-526
8.2.6 Interdisciplinary Solution to Curb Naxalism.....	526
8.3 EMPIRICAL ASPECT OF RESEARCH.....	526-529
8.3.1 Questionnaire Method.....	528
8.3.2 On The Spot Question Answer Method.....	528
8.3.3 Door To Door Survey.....	528
8.3.4 Separate and Independent Interview Method.....	528
8.3.5 Visit to the Actual Spot of the Occurrence of Incidence.....	529
8.4 DEMOGRAPHIC PROFILE OF THE RESPONDENTS: A FINDING.....	529-531
8.5 FACTOR ANALYSIS METHOD AND FINDINGS.....	531-536

1.5.1	Ideological and Historical Factors: A findings.....	531-532
1.5.2	Legal Variables: A Findings.....	532
1.5.3	Social Factors/Variables: A Findings.....	533
1.5.4	Governance And Political Factors/Variables: Findings.....	533-534
1.5.5	Economic Factors/Variables: A Findings.....	534
1.5.6	Security Factors/Variables: A Findings.....	535
1.5.7	Non-Security And Environmental Factors/Variables: A Findings.....	535-536
8.6	MULTIPLE LINEAR REGRESSION METHOD: FINDINGS..	536-537
8.7	INDEXING/SCALE METHOD: A FINDINGS.....	537-539
8.7.1	Findings.....	538-539
8.8	TESTING OF HYPOTHESIS: A FINDINGS.....	539-540
8.9	ANALYTICAL STUDY.....	540-541
8.10	SUGGESTIONS.....	541-551
8.10.1	Analytical Aspect and Suggestions.....	541-543
8.10.2	Empirical Aspect and Suggestions.....	543-551
	BIBLIOGRAPHY.....	i-xiii
	ANNEXURE.....	1-70

LIST OF TABLE

	Page No.
• Table-1.1: variables	23
• Table 1.2: Area Wise Distribution of Respondents	24
• Table -5.1 Involvement of Local Groups against Naxalites	237
• Table 7.1: The Specific Areas of the Naxal Affected State That were visited	290
• Table 7.2: The State-wise break up of LWE violence profile.	306
• Table 7.3: Civilians Killed By Maoist, Bastar Range for Period- Year 2001 to 15 September 2020	307
• Table-7.4 Respondents	310
• Table-7.5 Crosstab: Respondent's age.	311
• Table-7.6 Crosstab: Respondent's Gender	312
• Table- 7.7 Crosstab: Respondent's Class/ Caste	313
• Table- 7.8 Crosstab: Respondent's Location	314
• Table- 7.9 Crosstab: Respondent's State	315
• Table-7.10 Crosstab: Respondent: Are you the victim or affected by Naxalism directly/indirectly	316
• Table- 7.11 Qualification: General Public	317
• Table- 7.12 Profession: General Public	318
• Table- 7.13 Qualification: Surrendered Naxalities	319
• Table- 7.14 Past Association: Surrendered Naxalites	320

• Table- 7.15 Qualification: Experts	321
• Table- 7.16 Profession: Experts	322
• Table-7.17 KMO and Bartlett's Test	324
• Table-7.18 Total Variance Explained	324
• Table-7.19 Rotated Component Matrix	325
• Table-7.20 KMO and Bartlett's Test	326
• Table- 7.21 Total Variance Explained	327
• Table -7.22 Rotated Component Matrix	328
• Table- 7.23 KMO and Bartlett's Test	329
• Table-7.24 Total Variance Explained	330
• Table- 7.25 Rotated Component Matrix	331
• Table -7.24 Final Findings- Most Important Ideological and Historical Factors	332
• Table-7.25 KMO and Bartlett's Test	333
• Table-7.26 Total Variance Explained	333-334
• Table- 7.27 Rotated Component Matrix	335
• Table-7.28 KMO and Bartlett's Test	336
• Table-7.29 Total Variance Explained	337
• Table-7.30 Rotated Component Matrix	338-339
• Table-7.31 KMO and Bartlett's Test	340
• Table-7.32 Total Variance Explained	341

• Table-7.33 Rotated Component Matrix	342-343
• Table- 7.34 Final Findings- Most Important Legal Factors/Variables	343-344
• Table-7.35 KMO and Bartlett's Test	344
• Table-7.36 Total Variance Explained	345
• Table-7.37 Rotated Component Matrix	346
• Table-7.38 KMO and Bartlett's Test	347
• Table-7.39 Total Variance Explained	348
• Table-7.40 Rotated Component Matrix	349
• Table-7.41 KMO and Bartlett's Test	350
• Table-7.42 Total Variance Explained	351
• Table-7.43 Rotated Component Matrix	352
• Table- 7.44 Final Findings- Most Important Social Factors/Variables	353
• Table-7.45 KMO and Bartlett's Test	354
• Table-7.46 Total Variance Explained	354
• Table- 7.47 Rotated Component Matrix	355
• Table-7.48 KMO and Bartlett's Test	356
• Table-7.49 Total Variance Explained	357
• Table-7.50 Rotated Component Matrix	358
• Table-7.51 KMO and Bartlett's Test	359

• Table-7.52 Total Variance Explained	360
• Table-7.53 Rotated Component Matrix	361
• Table 7.54 Final Findings- Most Important Governance and Political Factors/Variables	362-363
• Table-7.55 KMO and Bartlett's Test	363
• Table-7.56 Total Variance Explained	364
• Table-7.57 Rotated Component Matrix	365
• Table-7.58 KMO and Bartlett's Test	366
• Table-7.59 Total Variance Explained	367
• Table-7.60 Rotated Component Matrix	368
• Table-7.61 KMO and Bartlett's Test	369
• Table-7.62 Total Variance Explained	370
• Table-7.63 Rotated Component Matrix	371
• Table 7.64- Final Findings- Most Important Economic Factors/Variables	372-373
• Table-7.65 KMO and Bartlett's Test	373
• Table-7.66 Total Variance Explained	374
• Table-7.67 Rotated Component Matrix	375
• Table-7.68 KMO and Bartlett's Test	376
• Table-7.69 Total Variance Explained	377
• Table-7.70 Rotated Component Matrix	378

• Table-7.71 KMO and Bartlett's Test	379
• Table-7.72 Total Variance Explained	380
• Table-7.73 Rotated Component Matrix	381
• Table- 7.74 Final Findings- Most Important Security Factors/Variables	382
• Table-7.75 KMO and Bartlett's Test	383
• Table-7.76 Total Variance Explained	383
• Table-7.77 Rotated Component Matrix	384
• Table-7.78 KMO and Bartlett's Test	385
• Table-7.79 Total Variance Explained	386
• Table-7.80 Rotated Component Matrix	387
• Table-7.81 KMO and Bartlett's Test	388
• Table-7.82 Total Variance Explained	388
• Table-7.83 Rotated Component Matrix	389
• Table-7.84 Final Findings- Most Important Non-Security and Environmental Factors/Variables	390
• Table-7.85 Crosstab: IV-3Naxals' claim that Indian independence is false, is not right	391
• Table-7.86 Chi-Square Tests	392
• Table-7.87 Crosstab: IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training	393

• Table-7.88 Chi-Square Tests	394
• Table-7.89 Crosstab: IV-7 Naxalism has been high jacked.	395
• Table-7.90 Chi-Square Tests	396
• Table-7.91 Crosstab: HV-1 Naxalism emerged with the Indian struggle of independence.	397
• Table-7.92 Chi-Square Tests	398
• Table-7.93 Crosstab: HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism	399
• Table-7.94 Chi-Square Tests	400
• Table-7.95 Crosstab: LV-2 Naxalism is a socio- legal problem.	401
• Table-7.96 Chi-Square Tests	402
• Table-7.97 Crosstab: LV-5 Whether the justice delay justice deny lead Naxalism?	403
• Table-7.98 Chi-Square Tests	404
• Table-7.99 Crosstab: LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.	405
• Table-7.100 Chi-Square Tests	406
• Table-7.101 Crosstab: LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.	407
• Table-7.102 Chi-Square Tests	408
• Table-7.103 Crosstab: LV-18 There are human rights violations in Naxal Affected Areas.	409

• Table-7.104 Chi-Square Tests	410
• Table-7.105 Crosstab: SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).	411
• Table-7.106 Chi-Square Tests	412
• Table-7.107 Crosstab: SV-3 Caste system is a responsible factor of Naxalism.	413
• Table-7.108 Chi-Square Tests	414
• Table-7.109 Crosstab: SV-11 Naxalites sexually harass the women in organization.	415
• Table-7.110 Chi-Square Tests	416
• Table-7.111 Crosstab: PV-2 Naxalites oppose the conducting elections	417
• Table-7.112 Chi-Square Tests	418
• Table-7.113 Crosstab: PV-3 Naxalites want to capture state through the barrel of the gun.	419
• Table-7.114 Chi-Square Tests	420
• Table-7.115 Crosstab: PV-7 Political unawareness leads to Naxalism	421
• Table-7.116 Chi-Square Tests	422
• Table-7.117 Crosstab: GV-3 E-Governance has been given the requisite impetus to improve situation on ground.	423
• Table-7.118 Chi-Square Tests	424
• Table-7.119 Crosstab: GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corrupti	425-426

ons, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government

• Table-7.120 Chi-Square Tests	427
• Table-7.121 Crosstab: GV-5 Naxalites believe in good governance	428
• Table-7.122 Chi-Square Tests	429
• Table-7.123 Crosstab:EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism	430
• Table-7.124 Chi-Square Tests	431
• Table-7.125 Crosstab:EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA	432
• Table-7.126 Chi-Square Tests	433
• Table-7.127 Crosstab: EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA	434
• Table-7.128 Chi-Square Tests	435
• Table-7.129 Crosstab:EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization	436
• Table-7.130 Chi-Square Tests	437
• Table-7.131 Crosstab:EV-11 Due to Liberalization, Privatization & Globalization, tribal people are facing displacement	438
• Table-7.132 Chi-Square Tests	439
• Table-7.133 Crosstab:EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA	440

• Table-7.134 Chi-Square Tests	441
• Table-7.135 Crosstab:SEV-1 Naxalism is challenge for security of India	442
• Table-7.136 Chi-Square Tests	443
• Table-7.137 Crosstab:SEV-7 State agencies like police/CRPF/ forest officers harass local people	444
• Table-7.138 Chi-Square Tests	445
• Table-7.139 Crosstab:SEV-10 Whether civil intelligence provide reliable information	446
• Table-7.140 Chi-Square Tests	447
• Table-7.141 Crosstab:SEV-14There is a problem of tri junction in tracing to Naxalites	448
• Table-7.142 Chi-Square Tests	449
• Table-7.143 Crosstab:NSV-1 Naxalism has been supported by the local people voluntarily	450
• Table-7.144 Chi-Square Tests	451
• Table-7.145 Crosstab:NSV-2 State agency could not win the hearts and mind of local people	542
• Table-7.146 Chi-Square Tests	453
• Table-7.147 Crosstab:NSV-3 NGOs support Naxalism	454
• Table-7.148 Chi-Square Tests	455
• Table-7.149 Crosstab:NSV-6 Civil society is capable to counter the Naxalism	456

• Table-7.150 Chi-Square Tests	457
• Table-7.151 Crosstab:ENV-1 Environmental crisis leads Naxalism	458
• Table-7.152 Chi-Square Tests	459
• Table-7.153 Crosstab:ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.	460
• Table-7.154 Chi-Square Tests	461
• Table-7.155 Crosstab:ENV-3 Naxalite preserve, protect and defend the environment	462
• Table-7.156 Chi-Square Tests	463
• Table-7.157 Correlations Matrix	465
• Table-7.158 Crosstab:IV-10 Naxal ideology criminalizing innocent people.	466
• Table-7.159 Chi-Square Tests	468
• Table 7. 160- Mean Analysis	469
• Table-7.161 Crosstab: LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism	470
• Table-7.162 Chi-Square Tests	471
• Table-7.163 Mean Analysis	472
• Table-7.164 Crosstab: SEV-8 Naxalism can be considered as full-fledged civil war in India.	473
• Table-7.165 Chi-Square Tests	474
• Table-7.166 Mean Analysis	475

• Table-7.167 Crosstab:SV-7 Naxalites are not true emancipator of the downtrodden people of India	476
• Table-7.168 Chi-Square Tests	477
• Table-7.169 Mean Analysis	478
• Table-7.170 Crosstab:EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	479
• Table-7.171 Chi-Square Tests	480
• Table-7.172 Mean Analysis	481
• Table-7.173 Result of Hypothesis Testing	482
• Table-7.174 Statistics:Administration & Scoring	483
• Table-7.175 Statistics	484
• Table-7.176 Reliability Statistics	486
• Table-7.177 Descriptive Statistics	486
• Table-7.178-Regression: Model Summary	487
• Table-7.179-: Regression Coefficients	488
• Table-7.180 Crosstab: Total Problem Level of Naxalism	491
• Table-7.181 Crosstab: Ideological Issues	493
• Table-7.182 Crosstab: Historical Issues	495
• Table-7.183 Crosstab: Legal Issues	497
• Table-7.184 Crosstab: Social Issues	499
• Table-7.185 Crosstab: Political Issues	501

• Table-7.186 Crosstab: Economic Issues	502
• Table-7.187 Crosstab: Governance Issues	504
• Table-7.188 Crosstab: Security Issues	506
• Table-7.189 Crosstab: Non- security Issues	508
• Table-7.190 Crosstab: Environmental Issues	510

LIST OF FIGURE

	Page No.
• Figure-1.1 Research Work: At A Glance	33
• Figure-2.1 The Red Corridor	74
• Figure-2.2 Maoist organization Strachure	77
• Figure-7.1 Age	312
• Figure-7.2 Gender	313
• Figure-7.3 Class/Caste	314
• Figure-7.4 Location	315
• Figure-7.5 State	316
• Figure-7.6 Are you the victim or affected by Naxalism directly/indirectly	317
• Figure-7.7 IV-3Naxals' claim that Indian independence is false, is not right	392
• Figure-7.8 IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training	395
• Figure-7.9 IV-7 Naxalism has been high jacked	397
• Figure-7.10 HV-1 Naxalism emerged with the Indian struggle of independence.	399
• Figure-7.11 HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism	401
• Figure-7.12 LV-2 Naxalism is a socio- legal problem	403

- Figure-7.13 LV-5 Whether the justice delay justice deny
leadNaxalism? 405
- Figure-7.14 LV-14 In tackling the problem of the Naxalism mere
the existing laws and constitutional provisions are not sufficient. 407
- Figure-7.15 LV-15 Reformatory theory of law would be effective
mechanism to abolish the Naxalism. 409
- Figure-7.16 LV-18 There are human rights violations in Naxal
Affected Areas 411
- Figure-7.17 SV-2 Naxalites fight for Jal (water), Jangal (forest),
Zamin (land). 413
- Figure-7.18 SV-3 Caste system is a responsible factor of Naxalism. 415
- Figure-7.19 SV-11 Naxalites sexually harass the women in
organization. 417
- Figure-7.20 PV-2Naxalites oppose the conducting elections 419
- Figure-7.21 PV-3 Naxailites want to capture state through the
barrel of the gun. 421
- Figure-7.22 PV-7 Political unawareness leads to Naxalism. 423
- Figure-7.23 GV-3 E-Governance has been given the requisite
impetus to improve situation on ground. 425
- Figure-7.24 GV-4 Naxalites are the organized victim of the
draconian laws, governance, maladministration, corruptions,
illiteracy, unemployment and lack of opportunities, ineffective
implementation of welfare schemes and policies and of their
livelihood snatched by the government 427
- Figure-7.25 GV-5 Naxalites believe in good governance 429

- Figure-7.26 EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism 432
- Figure-7.27 EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA 434
- Figure-7.28 EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA 436
- Figure-7.29 EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization 438
- Figure-7.30 EV-11 Due to Liberalization, Privatization & Globalization, tribal people are facing displacement 440
- Figure-7.31 EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA 442
- Figure-7.32 SEV-1 Naxalism is challenge for security of India 444
- Figure-7.33SEV-7 State agencies like police/CRPF/ forest officers harass local people 446
- Figure-7.34 SEV-10 Whether civil intelligence provide reliable information 448
- Figure-7.35 SEV-14There is a problem of tri junction in tracing to Naxalites 450
- Figure-7.36 NSV-1 Naxalism has been supported by the local people voluntarily 452
- Figure-7.37 NSV-2 State agency could not win the hearts and mind of local people 454
- Figure-7.38 NSV-3 NGOs support Naxalism 456

• Figure-7.39 NSV-6 Civil society is capable to counter the Naxalism	458
• Figure-7.40 ENV-1 Environmental crisis leads Naxalism	460
• Figure-7.41 ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.	462
• Figure-7.42 ENV-3 Naxalite preserve, protect and defend the environment	464
• Figure-7.43 IV-10 Naxal ideology is criminalizing innocent people.	469
• Figure-7.44 LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism.	472
• Figure-7.45 SEV-8 Naxalism can be consider as full-fledged civil war in India.	475
• Figure-7.46 SV-7 Naxalites are not true emancipator of the downtrodden people of India	478
• Figure-7.47 EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	481
• Figure-7.48 Total Problem Level of Naxalism	492
• Figure-7.49 Ideological Issues	494
• Figure-7.50 Historical Issues	496
• Figure-7.51 Legal Issues	498
• Figure-7.52 Social Issues	500
• Figure-7.53 Economic Issues	503
• Figure-7.54 Governance Issues	505

• Figure-7.55 Security Issues	507
• Figure-7.56 Non- security Issues	509
• Figure-7.57 Environmental Issues	511

TABEL OF HISTOGRAM

	Page No.
• Histogram-7.1 Respondents	310
• Histogram-7.2 Qualification: General Public	318
• Histogram-7.3 Profession: General Public	319
• Histogram-7.4 Qualification: Surrendered Naxalites	320
• Histogram-7.5 Past Association: Surrendered Naxalites	321
• Histogram-7.6 Qualification: Experts	322
• Histogram-7.7 Profession: Experts	323

21. <i>Parmananda Katara v. Union of India</i> 1989 AIR 2039.....	294
22. <i>Phul Singh v. State of Haryana</i> (1980 Cri. L. J. 8).....	138
23. <i>Rakesh Kaushik v. Superintendent, Central Jail</i> (1980 Supp. S.C.C. 183).....	139
24. <i>R. Thirunavukkarasu v. The State of Tamil Nadu</i> W.P.No.35716 of 2007.....	276
25. <i>Romila Thapar and Ors. v. Union of India and Ors</i> (Writ Petition (Crl.) No. 260 of 2018 decided on 28.09.2018).....	250
26. <i>Rudul Sah v. State of Bihar and Anr</i> A.I.R 1983 1086.....	271
27. <i>Santosh Yadav v. State of Chhattisgarh & Ors</i> (SLP (Cr) 7532/2016).....	249
28. <i>Shyam Balakrishnan v. State of Kerala</i> WP(C).No. 24902 of 2014 (K).....	261
29. <i>Sau. Rajani W/O Ghanshyam Kapse @ ... v. Zilla Parishad, Chandrapur</i> , Writ Petition No. 3641 of 2018.....	262
30. <i>Sourav Kumar v. The Chairman Staff Selection CWJC</i> No. 6786 of 2013 [Unreported].....	263
31. <i>Smt. Suchita Tukaram Askar v. State of Maharastra. Thr. Secr Bombay High Court</i> , Writ Petition No. 3262 of 2018 [Unreported].....	264
32. <i>Shakamuri Apparao and Ors v. Government of Andhra Pradesh</i> (1996), 102, CRILJ, 3936.....	306
33. <i>Sunil Batra (II) v. Delhi Administration</i> (1980 3 S.C.C. 488).....	139
34. <i>Unni Krishnan JP v. State of Andhra Pradesh & Others</i> 1993, AIR 2178.....	292
35. <i>Vinod Kumar Tewari v. State of U.P. & Others</i> WRIT - A No. - 17468 of 2010.....	273

PREFACE

The Naxalism derives its name from a small village Naxalbari on the tri junction of India, Nepal and East Pakistan (Presently Bangladesh). The Movement owes its origin to the Communist Party of India (Marxist) in West Bengal. Two Communist leaders Charu Mazumdar and Kanu Sanyal ignited the first spark of Naxalite movement to achieve peasant rights at Naxalbari in West Bengal. The first clash was triggered between peasants and landed gentry on 22nd May 1967 when a landlord attempted to forcibly evict a poor tenant from his land. This incident received unprecedented publicity in the national press. Naxalism focus, broadly, on the resistance against social inequality, corruption, poverty, and injustice associated socio economic evils for creation of a just society based on democratic principles. Naxalism is a result of high hardness and the atrocities along with barbaric activities of the affluent persons upon the innocent tribal population of the local area. To protect them from these atrocities and to provide them as a sharer in each and every benefit derived from the jungle. Naxalite movement focuses and highlight the naked feudal mentality of the Indian society. This thesis along with the doctrinal study mainly rest and best upon the socio legal study. A great emphasis was laid down on empirical study. India is victim of Naxalism since long time. When the security of nation is on threshold then we look towards Criminal Justice System of the state as a means to provide solution. To combat the Naxalism Governments of India and various state governments have launched systematically two pronged strategy adopted by the government at the beginning to combat Naxalites movements but with the passage of time it increases its potentiality and convert into three pronged strategy, fourth pronged strategy and present the government launched a very sophisticated and detailed strategy covering all the aspects related with Naxalism in the shape of eight pronged strategy commonly known as SAMADHAN. But still exist a serious multifaceted issue before the India. Despite of all the effort made by the government there is no sea change in the Naxalites problems rather they grow more and more day by day. So to makes an end to this headache of the government a serious well prepared and well organized action is required on the part of the government to makes an end the story of Naxalite movement forever.

This study includes critical evaluation of the provisions relating to constitution of India and other legislative enactments and to trace their suitability

and applicability to combat the Naxalism. Some pages of this thesis is also devoted to reason cause objective purpose origin of Naxalism and its effect upon native population. The supporting and opposing to Naxalism is also the subject matter of research. With the help of the decision relating to Naxalism the judicial response on Naxalism is also subject matter of our study and to find out how and in what way judiciary acted and reacted to the problem of Naxalim. In a great detail the thesis will cover the socio legal challenges of Naxalism in India with the help of on the spot study consisting of questionnaire methodology, meeting method, individual interview and visit to the place of occurrence and having a meeting with some persons having specialized knowledge regarding Naxalism and belong to the category of person who at one or another time themselves were Naxalites. On the basis of the entire materials collected through these strategy will form the basis of socio legal study and after observing the validity and testing it by statistical tools. The final result shall be drawn.

Naxalism is a contagious disease so it is very difficult to combat the Naxalites movement unless and until government adopt all measures necessary to check the mushrooming growth and development of the Naxalites movement. On the basis of the study one can conclude that the area heavily dominated by Naxalites is an area where criminal justice system is failed to produce the proper result. The scholar is of the view these inefficiency or shortage in mechanism adopted by criminal justice system should be plugged off or remedies otherwise the fate of the tribal is at the hand of Naxalites.

INTRODUCTION

1.1 INTRODUCTION

Naxalism is a problem which is very easy to touch or to observe it with a naked eye. Rather Naxalism is a movement full with violence and Naxalites have no hesitation to kill the person without any if and buts. In the present study the research scholar have to find out the factors responsible for emergence and development of Naxalism in India and sufficiency and efficiency of Indian criminal justice system to check Naxalism. To explore the ambit and scope of the socio legal challenges of Naxalism in India with the help of empirical study will be taken into account. To make the development index of the problem of Naxalism in the states of Chhattisgarh, Jharkhand, Madhya Pradesh, Bihar and Uttar Pradesh which are facing the problem of Naxalism in India very heavily.

Naxalite movement for the first time occurs during British regime with the intention of socio economic emancipation. The movement was highly influence by Russian revolution of Marxism and Leninism. Our entire independence of freedom struggle was broadly led by two groups. One moderate group which believe in non-violence and other group was extremist in nature. Both play a great and positive role in the freedom struggle of India and with their effort India gets freedom from the clutches of British imperialism on 15th August 1947. Due to conflict of opinion and its leaders of the Communist Party of India was in troublesome and facing a series of problem and Naxalite raised a question whether the Indian independence is true or false. And In February 1948, B.T. Randive declared Independence of 15th August 1947 as false and called for armed struggle against Indian government, due to the call given by the B.T. Randive, the Telangana armed struggle was initiated. After Telangana armed struggle this extremist ideology supported and propagated by Charu Mazumdar through his various articles popularly known as “*Historic Eight Documents*” based on Marx, Lenin and Mao’s ideology and formed the ideological basis of Naxalite movement. And Charu Mazumdar has been treated as father of Naxalism in India. He propounded the theory of ‘Annihilation of Class Enemies.’

The term Naxalites comes from Naxalbari, a small village in West Bengal, where a section of the Communist Party of India (CPI-M, Marxist) led by Kanu Sanyal and Jangal Santhal initiated a violent uprising in 1967. On 18th May 1967, the Siligury Kishan Sabha of which Jangal was the president, declared their support for the movement initiated by Kanu Sanyal and willing to adopt armed struggle to redistribute land to landless. Just thereafter a sharecropper near Naxalbari village was attacked by the landlord's men over land dispute. On 24th May 1967, when a police team arrived to arrest the peasant leaders, it was ambushed by a group of tribal's lead by Jangal Santhal and a police inspector was killed in a hail of arrows. This event encouraged many Santhal Tribals and other poor people to join the movement and to start attacking local landlords. From 1967 Naxalism strengthen and marched forwards. All forms of Naxalite organizations have been declared as terrorist organizations under the law.¹

1.2. CONCEPTUAL CLARIFICATION OF NAXALISM

Karl Marx and Lenin propounded the theory of classless and egalitarian society in which Mao has added armed struggle that is known as Maoism, under the leadership of Charu Mazumdar and Kanu Sanyal the peasants has started armed revolution in village of Naxalbari Darjeeling District of West Bengal on 22nd April 1967. On the principles of Maoism in respect of Naxalbari Village, this is coined as Naxalism. The word Naxalism is derived from the place of occurrence that is Naxalbari and ideological help is taken from Maoism. Basically it is a Maoist ideology.

1.2.1 Who are Naxalite

Naxalites are the person belonging to Farmer, Laborer, Proletariat and National Capitalist.² These four groups join together and form a joint front. They were in favor of establishment of new democratic revolution through the protracted people's war and by capturing political power. Naxalites have three magic weapons like Party, Peoples Liberation Guerilla Army and Joint Front. With the help of these three magical weapon they are thinking to bring new democratic pattern of the

¹ Unlawful Activities (Prevention) Act, 1967

² National Capitalist means who are exploited by the system.

society based on socialism and communism. Out of the various Naxalites groups Communist Party of India (Maoist) is more in favor of Maoist ideology and made the Jal, Jangle, Zamin as motto of their organization.

1.2.1.1 Procedural Aspect

Naxalite adopted a procedure for their organization conducting survey of the areas and meeting to find out the contradictions of local issues and to recruit the local masses. And supply their propaganda that they recruited people as member and having surveillance on the activities of recruited members for a period of six months. After having a heavy surveillance of them for a period of six month they are accepted as party membership. The main function of these persons are to solve the issues regarding Jal, Jangle and Zamin.³

1.2.1.2 Peoples Liberation Guerilla Army

It is an army which is establish to fight by using hit and run method. To capture the arms and ammunition from the police official and other authorities. PLGA has three types of force, which are as follows.

1.2.1.2.1 Base Area Force

Its primary function is to provide security at village level. Make an arrangement for food grains and to collect information regarding police functioning. This Militia includes ASSG, Area Reserve Guard, District Reserve Guard and this Militia is well equipped with Tir-Dhanus weapon.

1.2.1.2.2 Secondary Force

They cover more area in comparison to base area force which has been deemed to be Thana or division of Platoon. And their duty includes counter attacks upon police officials and to provide security to their leader for the safe journey and also to provide a helping hand in the supply of rationing. They are well equipped with modern weaponry like A.K 47 Rifles, etc.

³ Personal interview with I.P.S., P. Sundar Raj, D.I.G, Anti Naxal Operation Chhattisgarh at Raipur Chhattisgarh.

1.2.1.2.3 Main Force

The highest authority is main force which have no limit with regard to area of operation. They can fight with police or opposite organization anywhere. It broadly consist of Military, Company, Battalion, Action Team. The incidence of Tarmetla, Jahanbad, Girinid, Korepote are some of the example of their working and operational scheme.

1.2.1.3 Joint Front

On the issues of differences regarding profession they established a joint front of female, worker, laborers, and farmers. For Rao Ghat movement- the joint front was established in the name of Rao Ghat Bachawo Joint Front.

1.2.1.3.1 Procedure

1.2.1.3.1.1 Survey of Geographical Area

A joint front was established after a thorough survey of geographical area which are suitable for training, ambush to hide, push and other course of activities. The Naxalites on the ground of caste, religion, occupation and other problems relating to society will make survey and on the basis of the survey conducted by them they established a separate joint front of women, labour, child front.

1.2.1.3.1.2 Lal Pratirodh

Lal Pratirodh belongs to the first stage of their cadre and are in a position to induce the people for insurgency. This cadre is found in every Naxal dominated states but the cadre of Maharashtra, Chhattisgarh and Madhya Pradesh are well equipped to fight with the governmental police personnel having an ability and capacity even to raise a war against the government.

1.2.1.3.1.3 Guerrilla Zones

In guerrilla zone, Naxalites are as powerful as recruitment of military company or battalion. Villagers were convinced to provide harbor, foods and shelter to the Naxalites in the guerrilla zone. They possess very sophisticated and high

quality of weapons. These guerrilla zone has been established in West Bengal, Kerala, Tamilnadu, Andhra Pradesh and Karnataka. Under this zone the Naxalites adopt the policy of hit and run which was the technique of Shiva Ji used against the Akbar the Great, the emperor of India. In this all of a sudden they attack upon police authorities and looted their weapons after killing them. They also indulge in the activities of ambushing the police officer or in police camp taking advantage of the darkness of night.

1.2.1.3.1.4 Base Areas /Adhar Ilaka

Base areas or Adhar ilaka are those area under which Naxalites are running their own government named People's Government/ Jantana Sarkar in which they decide the matter mostly related with the land including other problems to. To work properly for base area are broadly classified in Nine Committee. Dandakaranya, Bihar, Jharkhand areas are the base areas of the Naxalites.

1.2.2 Objective of Naxalites

The Naxalites with Naxalism came to India to enhance their potentiality with certain purposes. The objectives behind the establishment of Naxalites movement are as follows.

1. To established CPI (Maoist) rule in India through the protracted people's war.
2. To organize the peasant's class or proletariat class,
3. To established rule of peasants through the peasants committees.
4. The Maoist rule over for transfer land to farmer,
5. Last but not least to establish socialism and thereafter communism.

1.2.3 The Theory of Naxalism

The main Naxalites groups Maoism and Marxism, Leninism basically based on the theory of contradiction i.e. the law of the unity of opposites. As Mao says, this is the basic law of materialistic dialectics. According to the theory, contradictions arise by means of concrete analysis of concrete conditions or grounds. There are contradictions between the idealist outlook and the materialist outlook of the world, between proletariat and bourgeois; between labour and capital; between

feudalism and common masses and so on. As per Maoism Contradiction is universal and it is in everything.⁴ As per the theory, the contradictions of the modern society are colonies and imperialism, the great masses of people and the feudal system. In India, the Maoists are of the view that, there are four major contradictions:

1. The contradiction between imperialism and the Indian people
2. The contradiction between feudalism and the broad masses
3. The contradiction between industrialist and worker
4. The internal contradiction between the ruling classes.

They further assert that the first two contradictions are the fundamental contradictions in the present Indian society. While the contradiction between feudalism and the broad masses is the principal contradiction. However, the fundamental contradiction has the potentiality to turn into the principal contradiction. It is the principle contradiction which is mostly responsible for the development of class struggle through antagonism. Any stage of the revolution it based on principal contradiction.

1.3 STATEMENTS OF PROBLEMS

The Naxalites laid down the idea that the Indian State is a bourgeois institution and is not working within the framework of the Constitution of India. They advocated a Maoist protracted people's war to overthrow the Indian government. These Naxalites basically belongs to a band of criminal and extortionist group frequently involve in series of killing, senseless violence, kidnapping, smuggling and extortion of money and poses serious challenge to the Indian criminal justice system.

However, The Constitution of India established federal security system, each State and Centre has its own police force and reserve armed police, but these organizations have not make a sufficient effort to protect the law and order problem more or less failed to discharge their constitutional responsibility satisfactorily. A claim was made by the Naxalites that they being true emancipator of the people or in favour of establishment of socialism and communism.

⁴ The contradiction in Mathematics is plus and minus; in Physics, it is positive and negative electricity in Mechanics, it is action and reaction; in Social Science, it is the class struggle and so on.

1.4 LITERATURE REVIEW

For the study of the problem related to Naxalism the use and utility of the literature is of a great importance. For the fulfillment, completion and finalization of the research work. The research scholar has consulted a number of books. Some of which have a great reflection and utility for our research work, are as follows.

1.4.1 Books

1. Karl Marx and Friedrich Engels, in his book *The Communist Manifesto* (1848)⁵ addressing the issue of class antagonism. Marx writes, “The history of all hitherto existing society is the history of class struggles.” There is no better conclusion than the one which ends the Communist Manifesto that the proletarians have nothing to lose but their chains. They have a world to win.
2. Mohan Ram’s in his two books *Indian Communism-Split within a Split* (1969)⁶ and *Maoism in India* (1972)⁷ talk over Naxalbari and describes it as the welcome revival of Indian Maoism and Maoist armed struggle in India. His analysis takes a sympathetic turn when he comments on the situations of Indian countryside and finds ‘vast revolutionary potential’ there. Citing reasons for the failure of the Naxal Movement, Mohan Ram blames it on CPI (ML)’s adventurism and Charu Majumdar’s obsession with annihilation tactics.
3. J.C. Johari in his book *Naxalite Politics in India* (1972)⁸ He starts his analysis by appealing that Naxal Movement had not a spontaneous beginning rather it was a well-engineered plan. He moves on to describing Naxalite politics menacing and Naxal leadership as the inconvenient children of Marxist ideology. Likewise he equates Naxal movement with terrorist developments. Johari, in deed, tries to expand his focus into the states of West Bengal, Kerala, Andhra Pradesh, Bihar, and Tamil Nadu etc.
4. Bharbhari Sengupta in his book *Communism in Indian Politics* (1972)⁹ talks about the prospect of Maoism in India. He also analyses the Communist

⁵ Karl Marx and Friedrich Engels, *The Communist Manifesto* (Grapevine India Publishers Pvt. Ltd, New Delhi, 2014).

⁶ Mohan Ram, *Indian Communism: Split within a Split* (Vikash Publications, Delhi, 1969).

⁷ Mohan Ram, *Maoism in India* (Vikash Publications, Delhi, 1972).

⁸ J.C. Johari, *Naxalite Politics in India* (Institute of Constitutional & Parliamentary Studies/Research Publications, Delhi, 1972).

⁹ Bharbhari Sengupta, *Communism in Indian Politics* (Columbia University Press, 1972).

Movement. The author also deals with communism in India, emphasizing upon the role of Communist Party of India and Communist Party of India (Maoist).

5. Sankar Ghosh in his book *The Naxalite Movement: A Maoist Experiment (1974)*¹⁰ gives historical analysis with a sympathetic attitude towards Naxals. Telengana, Naxalbari, Srikakulam, Oebra-Gopiballabhpurall these particular Maoist Movements have been studied. Ghosh shows Telengana as the first armed struggle in India organized on the Chinese model. To him, Naxalbari movement was not abruptly conceived in 1967, but Charu Majumdar was preparing for such a movement right from 1962. Srikakulam and Debra Gopiballabhpur represent the testing ground for the policy of offensive terror 'annihilation'. On the whole Sankar Ghosh gives sufficient justifications, for the Naxal movement's calf of denial of parliamentary democracy and faith on extremist measures.
6. Biplab Dasgupta in his book *The Naxalite Movement (1974)*¹¹ challenge to the fundamental theoretical principles of the Naxal Movement. Biplab Dasgupta points out that there were wide variance in the theory and practice of Maoism by Naxalites. Dasgupta has observed that Indian situations were not suitable for an armed revolution and criticize the Naxalite leadership for not making use of parliamentary politics. To him, 'the assessment of the Indian ruling class' by the Naxal leaders was basically wrong.
7. Asish Kumar Roy in his book *The Spring Thunder and After: A Survey of Maoist and Ultra-Leftist Movements in India: 1962-75 (1975)*¹² gave an analysis, that though Naxalbari movement was launched with a sharp ideological tactical break through, soon it became neo-anarchist. He finds deficiency of strong party organization, inability to build a powerful mass base and ignorance of military affairs, are the main reasons for the failure of Naxalbari Movement.
8. Manoranjan Mohanty in his book *Revolutionary Violence: A Study of Maoist Movement in India (1977)*¹³ presents an investigation on the theory and

¹⁰ Sankar Ghosh, *The Naxalite Movement: A Maoist Experiment* (Firma K.L. Mukhopadhyay, Calcutta, 1974).

¹¹ Biplab Dasgupta, *The Naxalite Movement* (Allied Publishers, Calcutta, 1974).

¹² Asish Kumar Roy, *The Spring Thunder and After: A Survey of Maoist and Ultra-Leftist Movements in India (1962-75)* (Minerva Associates, Calcutta, 1975).

¹³ Manoranjan Mohanty, *Revolutionary Violence: A Study of Maoist Movement in India* (Sterling Publishers, New Delhi, 1977).

practice of Mao's ideology and in the light of this study he examines how properly or not the Indian Maoists have applied the same. It is definitely thought provoking when Mohanty claims that Indian Maoists didn't match their Chinese counterparts when it comes to following Maoism. Ideology, Strategy, Dynamism, United Front and Organization everywhere CPI (ML) differed from the principles laid down by Mao. To him, the ideological inaction and pre-organizational character of the movement were accountable for the obstacles in CPI (ML)'s performance. Mohanty's study also take account of the methods taken by Government of India to handle the Maoist movement. Unsympathetic police action, launching of alternative groups to counter Maoists and formulation of economic policies, according to Mohanty, were the main components in Government's response towards Naxal movement. However, the Government's core weapon was police actions. The author though doesn't deny the serious influence of Maoist movement in India and is convincing when he accepts, the prospect of revolutionary politics in India.

9. Sumanta Banerjee in his book *In the Wake of Naxalbari - A History of the Naxalite Movement in India. (1980)*¹⁴ presents the comprehensive Indian situation (during 1966-67). He considers Naxalism to be the product of poverty of the urban and rural poor. His compassion with the politics of Naxalism vanishes once he goes deep in discussing the strategies of CPI (ML), particularly Charu Majumdar's 'annihilation' doctrine. Banerjee holds that it was a sincere Maoist beginning which failed from succeeding its chief objective of a radical transformation of the socio-political system of India. He discussed, even though the movement surely highlighted popular sentiments, in due course, it isolated itself from the masses due to some serious lapses. Moreover, Banerjee comes down heavily on Mrs. Gandhi and her government for their lack of will power to improve the conditions of poor in India. His concluding remarks are value declaring here, as he doesn't deny the possibility of future armed struggle in India.
10. Ravindra Ray, in his book *The Naxalites and Their Ideology (1988)*¹⁵ describe the Naxalites and their ideology (1988), speaks of a dualistic character of the

¹⁴ Sumanta Banerjee, *In The Wake of Naxalbari: A History of The Naxalites Movement in India* (Subarnarekha, Calcutta, 1980).

¹⁵ Ravindra Ray, *The Naxalites and Their Ideology* (Oxford University Press, Delhi, 1988).

Naxalite movement, comprising two ideologies- the literate and existential. There are two approaches to the literate ideology of the Naxalite movement. One of them rests on the idea of poor and landless peasants fighting for political power. The other approach views the Naxalite movement as a socio- economic one arising as a response to the exploitation and subjugation prevalent in the semi feudal and semi colonial, socio economic structure.

11. Sohail Jawaid, in his book *The Naxalite Movement in India: Origin and Failure of the Maoist Revolutionary Strategy in West Bengal (1989)*¹⁶ Focusing on West Bengal, Jawaid underlines on the socio economic inequalities as the root cause of Naxalite movement. His analysis on the agrarian, tribal and student aspect of Naxalite movement is something that keeps him at the center-stage of a debate. He gives praise to the Congress Government at the center for initiating a series of public policies and welfare schemes aimed at the growth of poor. At the same time he puts the blame on the Naxalites for they rejected the prospect of peaceful change initiated by the Central Government. On the whole, his analysis was based on the fact that a large-scale revolution based on Maoist ideology was neither feasible nor possible.
12. Ranjit Kumar Gupta, in his book *The Crimson Agenda: Maoist Protest and Terror (2004)*¹⁷ presents a powerful impression, when he says that present day Naxalite is changed from that of 1967. He traces the cause of Maoist movement in India into socio-economic wrongs. Denial of equality, liberty and justice, a rigid caste system, an ineffective Panchayat Raj system, nonexistence of cooperatives are some of the causes recorded by Gupta.
13. Prakash Singh in his book *The Naxalite Movement in India (2006)*¹⁸ describe the course of Naxal movement in India. Prakash Singh, writes from his experience of assignments in the Home Ministry, and claims that Naxal movement represented a sincere even if misguided attempt to change the system. He finds enough justifications with the issues raised by Naxalites but he is critical over their modus operandi. The profile of violence as presented by the author is very much significant to note the improvements the Naxalites have

¹⁶ Sohail Jawaid, *The Naxalite Movement in India: Origin and Failure of Maoist Revolutionary Strategy in West Bengal* (Associate Publishing House, New Delhi, 1979).

¹⁷ Ranjit Kumar Gupta, *The Crimson Agenda: Maoist Protest and Terror* (Wordsmiths, Delhi, 2004).

¹⁸ Prakash Singh, *The Naxalite Movement in India* (Rupa Publication India Pvt. Ltd Daryaganj, New Delhi, 2006).

gone through over the years with their knowledge of military affairs. On the other hand, Prakash Singh acknowledges the effect of use of police methods by the Government. However, he cautions that, Police action by itself would never lead to a solution, the stress should be on tackling the basic causes.

14. Thomas Mathew in his book *Re Reding Ambedkar Marxist - Ambedkarite Praxis* (2007)¹⁹ deals what is class? Mao's formulation denotes further evolution of the concepts of class, class struggle and consciousness. The Cultural Revolution put forth the ideas of moral incentives instead of economic incentives. Mao emphasized reduction of the gap between mental labour and manual labour, bridging the gender gap and also tackling the contradiction between rural and urban areas. Mao redefined the concept of class in the world dominated by knowledge capital and capitalized knowledge.
15. David Pristland in his book *The Red Flag Communism and The Making of The Modern World* (2009)²⁰ analyze that today there are only two communist powers in the traditional sense left in the world. They are North Korea and Cuba, neither of them exactly a shining advertisement for the success of Marxist-Leninist ideology. Other communist powers notably the People's Republic of China have followed the well-worn advice to adapt or die. But if they nowadays offer textbook examples of economic growth, they have long since ceased to hold out any paradigm of collective political organization.
16. V.Venkatesan in his book *Human Rights and Peace-Ideas, Laws, Institutions and Movements* (2009)²¹ says that peace and human rights both are important entities by themselves, however one is likely to face dilemma if one seeks to know which of these is more basic than the other and therefore more desirable. It is common for constitution to try and attempt a gradation of human rights, giving preferences to civil and political rights over socio-economic rights.
17. P.K. Aggarwal in his book *Naxalism: Causes and Cure* (2010)²² says that Naxalism is the greatest threat to the internal security of India. According to him the root cause of Naxalism is the glaring inequality in the rural India based

¹⁹ Thomas Mathew, *Re Reding Ambedkar Marxist -Ambedkarite Praxis* (Samyak Prakashan, New Delhi).

²⁰ David Pristland, *The Red Flag Communism and The Making of The Modern World* (Penguin Publishing Group, 2009).

²¹ V.Venkatesan, *Human Rights and Peace-Ideas, Laws, Institutions and Movements* (Sage Publication, Pvt. Ltd, 2009).

²² P.K. Aggarwal, *Naxalism: Causes and Cure* (Manas Publications, 2010).

on unequal distribution of land. He elucidates upon the causes and nature of the problem leading to uncontrolled violence in states like Andhra Pradesh, Bihar, Jharkhand, Orissa, Madhya Pradesh, West Bengal, Karnataka and Maharashtra.

18. M L Kumawat IPS & Dr.Nazrul Islam, IPS in his book ***Police and Naxalism Strategy for Solutions*** (2011)²³ says that in the present democratic system of government, the liabilities and duties of the police are more socialistic in comparison to the other types of governments. Police being an integral part of the government, its actions are concerned with the detection of crime, maintaining law and order besides enforcing social legislations and also to protect the weak and the defenceless. A step forward, the role of the police forces has now undergone rapid transformation since the country, at present, is facing three challenges to internal security i.e. terrorism, insurgency in the north - east and thirdly left wing extremism or Naxalism. On many occasions, prime minister has rightly cautioned the nation that Naxalism posed the “biggest internal security challenge” to India. Police is the instrument to confront and defeat these challenges. There is a great need for the central government and the state governments to work together in a spirit of partnership since the police reforms have not, by now, received the attention they deserve. This book gives a kaleidoscopic view of the police and bring into force various situations, multifaceted problems and difficulties that come in the way of better policing vis a vis constitutional liabilities concerning the criminal justice system and internal security challenges.
19. Rahul Pandita in his book ***Hello BastarThe Untold story of India's Maoist Movement*** (2011)²⁴ narrate the history of Naxalism in India. Rahul Pandita has spent considerable amount of time with the Naxals in order to understand their life and thoughts. So this gives a feel of an insider who has knowledge of the working of Naxal movement writing this book even though Rahul Pandita is not part of the Naxal movement as such.

²³ M L Kumawat IPS & Dr.Nazrul Islam, *IPS Police and Naxalism strategy for solutions* (Manas Publications New Delhi, India, 2011).

²⁴ Rahul Pandita, *Hello BastarThe Untold story of India's Maoist movement* (Tranquebar Press, 2011).

20. V.R. Raghavan in his book *The Naxal Threat Causes, State Responses and Consequences (2011)*²⁵ This book is a compilation of five papers presented at a workshop organized by CSA in August 2010. Left Wing Extremism is a major internal security threat faced by India. Though Naxalism predates independence, it was limited to small pockets of areas but now has spread to underdeveloped areas from Bihar to Tamil Nadu. It is a well-organized underground movement with an ideological base in rural areas spread over in the interior of many states. The Naxal movement is a complex socio-politico-economic phenomenon. Their violent methods against the government officials, law and order agencies and business community are causes, needing immediate and serious attention. In course of addressing the Naxal issue, both the central government and the affected state governments need unified and focused attention of every element of the government machinery to nullify the Naxal movement and at the same time bring inclusive development to the areas that are affected by the movement reflecting human rights, environment issues, livelihood, life and liberty of the tribal and marginalized sections of the society and development and security. This book provides a constructive and pertinent insight into the consequences on the tribal population, the challenges for the para-military forces as well as a perspective on the state's responses.
21. Nirmalangshu Mukherji in his book *The Maoist in India (2012)*²⁶ says that the Maoists in India delves deep into one of the most intractable but under-reported insurgencies in the developing world - the decades long battle between the Indian state and Maoist groups who control significant parts of tribal India. Nirmalangshu Mukherji explains the devastating impact on India's tribal population of neoliberalism and armed aggression by the State, as well as the impact of the armed struggle by the Maoists.
22. Uday Kumar in his book *Defeating Naxalite: Ways and Means to Defeat Naxalism (2012)*²⁷ says that Naxalism is an agrarian and social problem. It has changed its color in course of time. The author says that Naxalism will melt with the time due to positive policies of the government. The implementation of

²⁵ V.R. Raghavan (eds.), *The Naxal Threat Causes, State Responses and Consequences* (Vij Books India Pvt Ltd New Delhi India 2011).

²⁶ Nirmalangshu Mukherji, *The Maoist in India* (Manjul Publishing House Pvt. Ltd. Daryaganj, New Delhi 2012).

²⁷ Uday Kumar, *Defeating Naxalite: Ways and Means to Defeat Naxalism* (Lucky International, 2012).

the government rural scheme is vital for engaging the tribal, who provide the support and manpower to Naxal cadre.

23. Sundeep Chakravarti in his book *Red Sun (2014)*²⁸ says that in 1967, Naxalbari, a village in West Bengal, became the centre of a Mao inspired militant peasant uprising guided by firebrand intellectuals. Today, Naxalism is no longer the Che Guevara-style revolution that it was. Spread across 15 of India's 28 states, it is one of the world's biggest, most sophisticated extreme-Left movements, and feeds off the misery and anger of the dispossessed.
24. P V Ramana in his book *Understanding India's Maoists: Select Documents (2014)*²⁹ Talks about The Constitution of the CPI (Maoist) consists of 13 Chapters and 61 Articles. The Constitution unambiguously describes the Maoist agenda and declares: "The ultimate aim is to bring about communism by continuing the revolution under the leadership of the proletariat." Members of the outfit are of two types, viz. Professional Revolutionaries and Part Timers.
25. S.Narayan in his book *Naxalism and Maoism in India (2015)*³⁰ deals with the anthropological and sociological and imperial study on causes, nature and dimensions of violence amongst the tribal's in various part of India. Researcher has occasions to visit Baster area of Chhattisgarh which is now divided into separate revenue districts of Kanker, Baster, and Dantewada and interact with anthropologists, sociologists working in the area, as well as tribal's and other people living in the Baster.
26. Dr. P. K. Agrawal, IAS (Retd) in his book *Solutions to Naxalism (2016)*³¹ describes the policy of UPA-II and NDA government at the centre and how the problem of Naxalism can be solved through the implementation of land reforms measures. This book has specific suggestions on policy and practical tips for implementation of land reforms and development for all the Naxal- affected states of India.

²⁸ Sundeep Chakravarti, *Red Sun* (Penguin Publishing Group, 2014).

²⁹ P V Ramana, *Understanding India's Maoists: Select Documents* (Pentagon Press, New Delhi, 2014).

³⁰ S. Narayan, *Naxalism and Maoism in India* (Gyan Publishing House Daryaganj, New Delhi, 1stedn., 2015).

³¹ Dr. P. K. Agrawal, IAS (Retd), *Solutions to Naxalism* (Manas Publications New Delhi, India, 2016).

1.4.2 Articles

Not only the books but the help of the important articles are also taken into consideration having relevance to our study to finalize the writes up of our research work. Though the researcher has gone through number of articles of distinguish scholar, jurist, experts and others and keeping in view the applicability of articles in research work the following have been selected. They are-

1. Mao Zedong in his very popular article **‘On Contradiction August 1937’**³² Describe the law of contradiction in things, that is, the law of the unity of opposites, is the basic law of materialist dialectics. Lenin said, “Dialectics in the proper sense is the study of contradiction in the very essence of objects.” The problems are: the two world outlooks, the universality of contradiction, the particularity of contradiction, the principal contradiction and the principal aspect of a contradiction, the identity and struggle of the aspects of a contradiction, and the place of antagonism in contradiction.
2. Charu Majumdar in his various famous article **“Historic Eight Documents”**³³ Charu Mazumdar had written various articles based on Marx Lenin Mao thought. These articles were later known as *“Historic Eight Documents ”* and formed the ideological basis of Naxalite movement. Charu Majumdar laid down the idea that the Indian State is a bourgeois institution and that the main Indian communist parties had embraced revisionism by agreeing to operate within the framework of the Constitution of India. Charu Majumdar proposed a Maoist protracted people’s war to overthrow the Indian Government. They denounced the Soviet Union both for being revisionist, as well as for supporting the Indian State.
3. Priyanka Vora & Siddhant Buxy in their joint article **“Marginalization and Violence: The Story of Naxalism in India”**³⁴ analyse the inextricable link between the behaviour of Naxals, the intent of using violence against the State

³² Prof. William A. Joseph, “Mao Zedong on Contradiction August 1937”, available at <http://academics.wellesley.edu/Polisci/wj/China/Mao%20Readings/OnContradiction.pdf>(Last Visited on December 30, 2017).

³³ Charu Majumdar, “Historic Eight Documents”, available at <https://cpindiaml.wordpress.com/2013/02/16/the-historical-eight-documents-respected-leader-comrade-charu-mazumdar/>(Last Visited on December 30, 2017).

³⁴ Priyanka Vora & Siddhant Buxy, “Marginalization and Violence: The Story of Naxalism in India”, 6 *IJCJS* 358-371(2011). Available at <https://www.sasev.org/ijcjs/pdfs/vohrabuxiicjs2011i&iind.pdf> Last Visited on December 30, 2017).

and the State's acts for causing this act of violence, and propose interdisciplinary solutions on a comparison with other countries which dealt with eminent domain in forest lands and hence, resolving the issue in the Indian scenario. The State's response can be primarily considered at two levels that is the security-centric external approach by the State, and Land Acquisition.

4. Prof. Manoranjan Mohanty in his article **The Course of Naxalism**,³⁵ traces the developing trends of the Naxal Movement. This article points out at the dilemma faced by the government over the question of handling the problem of Naxalism. Mohanty has a fact to prove when he says that despite of several organizational and political changes the Naxal movement never lost its emphasis over the question of agrarian revolution. He totally blames the Union government for its policy of liberalization; at the same time he also blames the state governments of Naxalite affected states for not making any authentic attempt over the issue of land reforms. Broadly speaking, Mohanty points out that the Naxal challenge rests upon agrarian transformation, tribal people's rights, the nationality movement and resisting imperialism and globalization. Undoubtedly, the article presents a forceful plea that the Naxal movement is not just a law and order problem, and several socio-economic issues are linked with the problem of Naxalism.
5. Ajay Sahni in his article **Naxalism: The Retreat of Civil Governance**³⁶ point out numerous conflicting characteristics of the existing Naxal Movement. In a thought provoking exercise the article raises some genuine questions answer of which holds the key to the decades old problem of Naxal violence. The article marks a departure from the dominant trend of romanticism in analysis and attempts to address the basic realities of Naxal violence. He points out that the downtrodden and the underprivileged are not the usual instigators of Naxal violence rather Naxal violence is mostly planned by the better educated and relatively affluent ideologues and mobilizes, who purport to speak on their behalf.
6. Sanjay Kumar Jha in his article **Naxalite Consolidation in Orissa**³⁷ explains in details the pattern of Naxalite growth in different pockets of Orissa. Beginning

³⁵ Manoranjan Mohanty, "The Course of Naxalism", *Himal South Asian*, September 2005.

³⁶ Ajay Sahni, "Naxalism: The Retreat of Civil Governance", 5 *FICM* (May 2005).

³⁷ Sanjay Kumar Jha, "Naxalite Consolidation in Orissa", 2, No. 3, *SAIR* August 4, 2003, South Asia Terrorism Portal, available at www.satp.org (Last Visited on December 23, 2017).

his analysis with the impact of the Naxalbari movement in Orissa this article points out that the formation of Andhra-Orissa Border Special Zone by People's War in 2001 the highpoint in the long history of the Naxal movement of the state. Though the article makes all effective event analysis it somehow lacks the issue analysis and in that sense the scope of the article is limited. By providing the details of Naxal related incidents, the writer successfully highlights the gravity of the situation, but there is missing information about what really designed the violent character of the Naxal movement in the state.

7. Sumanta Banerjee in his article **Naxalbari: Between Past and Present**³⁸ squarely puts the blame on the government's failed economic policies and socio-economic strategies and attributes these reasons for the growth of Naxalite movement. Banerjee makes us believe that not much has changed in terms of societal conditions and similarly nothing has changed in terms of Naxal modus operandi. However, this argument of Banerjee fails to accommodate the organizational change and policy shifts at the government level. Naxals may not have changed their slogan but they have changed in terms of their strategies of goal achievement. Naxals may have ignited fire among the poor and marginalized but aren't the poor worst sufferers of the Naxal violence and counter violence? These are the questions, which are not addressed by Sumanta Banerjee, but his assessment on the government failure is an astounding revelation of facts. The last line of the article where the writer highlights the need of reconciliation among the fighting factions is both relevant and proves Sumanta Banerjee's keen observation.
8. Sumanta Banerjee in his article **Naxalites: Time for Retrospection**³⁹ tries to provide a balance sheet of Naxal violence and in the process categorize the state as dominating force and the Naxals as repressed force. The author cites the instances of human rights violation by the security forces, which undoubtedly has to be condemned in the strongest possible words. However, this does not undermine the effect of violent modus operandi by the Naxal outfits, which is less highlighted in the article. Sumanta Banerjee displays his deep understanding of the Naxal movement when he throws some unconventional

³⁸ Sumanta Banerjee, "Naxalbari: Between Past and Present", Economic and Political Weekly, June 01, 2002.

³⁹ Sumanta Banerjee, "Naxalites: Time for Retrospection", Economic and Political Weekly, November 1, 2003.

questions before the Naxal leadership. He wants know why despite the Naxal claim of controlling Gadchiroli and Gondia in Maharashtra, the Shiv Shena is on rise there. Similarly why the Naxals are silent over the religious political agenda of the Hindu fundamentalist forces in India? Looking for the answers, Banerjee points out that the Naxal organizations are still dominated by the upper and middle caste Hindus and Hinduised tribal, and this organizational deficiency have somehow detached the Naxal movement from the ground realities. He makes an interesting comparison between the growth of Hindu fundamentalism and Naxal Movement, and concludes that it is because of its underground character that the Naxal brand of politics has been reduced to a minority in the contemporary Indian political scenario.

9. Sanjay Kumar Jha in his article **Political Bases and Dimensions of the Naxalite Movement**⁴⁰, attempts to provide an anthology of organizational exercise within the Naxal Movement. Jha, starts the paper with the formation of the CPI (Maoist) and cautions about the escalation of violence due to the merger of PW and MCC(I) and later course of events prove, his assumptions. He critically examines the Naxalite agenda and programmes and observes that while the Naxal Movement has a fragmented character it remained somewhat consistent as far as their core ideology is concerned. This article brings out several internal and external dimensions, which forced a merger between the MCC (I) and PW. His observations regarding the factors responsible for the growth of Naxal movement are very important and well researched. He points out criminalization of the movement, the nexus between contractors, mafia and Naxal and most importantly its linkages with the mainstream political parties that have resulted in the metamorphic rise of violent incidents.
10. Suba Chandran and Mallika Joseph in their article **India: The Naxalite Movement**⁴¹ trace the history of Naxal movement and in the process look into the process of organizational build up. After examining a number of variables the writers emphasize that though the Naxal Movement is fragmented, the

⁴⁰ Sanjay Kumar Jha, "Political Bases and Dimensions of the Naxalite Movement", Paper presented at the Workshop on the Naxalite Movement Organised by Observer Research Foundation, Chennai, India, January 28-29, 2005.

⁴¹ Suba Chandran and Mallika Joseph, "India: The Naxalite Movement", Searching for Peace in Central and South Asia, Global Partnership for the Prevention of armed conflict, 2002. Available at <http://www.conflictprevention.net/page.php?id=40&formid=73&action=show&surveyid=44#2#2> (Last Visited on December 23, 2017).

differences between these Naxalite groups that continue along the no parliamentary path have to do more with personal clashes among the leadership and less with their ideology. The article finds that all the Naxalite groups work toward the same objectives, and use the same methods. The article highlights several issues of violence, counter violence, land reforms, and underdevelopment and links it with the growth of Naxal movement.

11. Richard Mahapatra in his article **Unquiet Forests: A Comprehensive Look at How Forest Laws are Triggering Conflicts in India with a Focus on Naxalite Movement**⁴² presents an argument where natural resource conflict, forest is being seen as the primary cause of escalation of Maoist violence in India. Discussing the causes, Mahapatra argues that the Naxalites are fast spreading into forest areas exploiting the increasing tribal alienation from forests, caused by repressive colonial forest laws. A contemporary picture of Indian forest has got a prominent, but not so beautiful, feature besides the natural trees and their intimately dependent tribal residents Naxalites. The paper, though limited in its scope, is a genuine piece of research where the writer points that forest and forest law hold the key to suffice the growing alienation among the tribal who live in the forest.
12. P V Ramana in his article **Left Wing Extremism in India**⁴³ addressing the complexities of contemporary Naxalism. This paper discuss the scope and scale of the activities of Left-wing extremist groups in India, especially in Andhra Pradesh, and examines the probability of a peaceful resolution of the problem of Left-wing extremism. Analyzing the Home Ministry data, the writer presents an area profile of the Maoist influenced states in India. The article exposes the crucial internal and external linkages of the Naxal groups. He gives a number of instances from Andhra Pradesh to prove that the failures of Panchayat Raj institutions have ultimately helped the Naxals to establish base areas. Examining the surrender and rehabilitation policy of Andhra Pradesh government he says that the policy has not been successful in giving the desired results. He ends up with a rather pessimist view when he says that the Naxalite

⁴² Richard Mahapatra, "Unquiet Forests: A Comprehensive Look at how Forest Laws are Triggering Conflicts in India with a Focus on Naxalite Movement", Prem Bhatia Memorial Trust under the Scholarship for Young Indian Journalists, 2004-2005.

⁴³ P. V. Ramanna, "Left Wing Extremism in India", Observer Research foundation, available at http://www.observerindia.com/analysis/A_072.htm(Last Visited on December 23, 2017).

movement it is unlikely to come to an end because the rebel's objective is to overthrow the democratically elected government. Though the article highlights the complexities of the problem it fails to suggest any long-term solution and this is the basic problem with the article.

1.5 LACK OF AUTHORITATIVE MATERIALS

Surprisingly, the study of the Naxalite movement is more extensive in India itself. But the problems seems to be not given much important as there are a shortage of materials relevant and important for the research work concerning Naxalite movements in India. However some work on the Naxalites activities are extensive but most of the literature seems to be biased in approach either favoring sympathizers or even in favor of Maoist revolutionary. Having an analytical evaluation of available material the researcher come to a conclusion that materials are not comprehensive for research pertaining to socio legal challenge of Naxalism in India. And with the enhancement of Naxal activities in the recent past it is the high time for the socio legal study , the topic adopted by the research scholar with a view to fill up the gap or plug the loopholes. And the challenge was readily accepted by the research scholar.

1.6 RESEARCH OBJECTIVES

The fundamental objectives of the research work is to check the atrocities committed by the Naxalites upon local people, governmental officials and a person belonging to different walk of life. The most important objectives of the research work is given follows. In the course of study a great emphasis shall be laid down on these objectives. Some of the objective are-

1. The emergence and development of Naxalism in India.
2. Impact of Indian criminal justice system on Naxalism.
3. The responsibility of the states while dealing with the Naxalism.
4. The impact of judiciary on Naxalism.
5. The issues and challenges of Naxalism.
6. Interdisciplinary approach to curb Naxalism.

1.7 HYPOTHESIS

Our study will centered around the following hypothesis-

1. Factors such as ideological, historical, legal, social, political, economic, security, non-security, governance, and environment are associated with Naxalism.
2. Naxal ideology is criminalizing innocent people.
3. The criminal justice system is not sufficient to tackle the problem of Naxalism
4. Naxalism can be consider as full-fledged civil war in India more than law& order problem.
5. Naxalites are not the true emancipator of the downtrodden people of India.
6. Naxalites oppose developmental work in Naxal Affected Areas.

1.8 RESEARCH METHODOLOGY

The present study related with Naxalismis explorative research and is based on both doctrinal and empirical method. The doctrinal method includes the material of primary nature which includes books, articles, reports, journals and judicial decisions. While the empirical method involves the opinions of the respondents through questionnaire methods, meeting method and individual interview method. The questionnaire is prepared having 101 question affecting three groups of 500 respondents. Group A consist of 300 respondents belonging to person of general public in nature including both male and female, youth and persons of different age groups while Group B is totally restricted to the person belonging to surrendered Naxalites category including the persons escaped from the custody of the Naxalites and the members of Salawa Judum Camp and Group C is a very distinguish group and comprises only the person who have specialized knowledge or expertize in dealing with Naxalism. The number of these group is 100 each. In explorative research mixed methodology was used, meaning by emphasis is laid down on quantative as well as qualitative methodology of research. While on the socio legal research a questionnaire is prepared having 101 questions and distributed amongst the persons belonging to three groups A, B and C.

1.8.1 Scope of The Study

1.8.1.1 Selection of Geographical Areas

Out of the several Naxal affected states only five states are selected for the purpose of our study which are heavily dominated by Naxalites movements and more and more atrocities for violent activities are committed by the Naxalites group in these areas. The states selected are Madhya Pradesh, Chhattisgarh, Jharkhand, Bihar and Uttar Pradesh.

1.8.1.2 Responses From The Sources

For the purpose of the study respondents⁴⁴ have been divided into three groups and total number of Respondents is 500. Out of 500, 300 respondents belongs to group A including General Public while 100 each respondents belongs to group B and C comprising Surrendered Naxalites and persons having expertize knowledge in Naxal problem.

1.8.1.2.1 Group A: General Public

Consisting of the people local area including farmer, labourer, village elder, forest officials, teachers, youth etc. however, the one great problem which research scholar face was the unawareness regarding local dialects and not adequate knowledge of Hindi or English to the general public.

1.8.1.2.2 Group B: Surrendered Naxalites/Others

The second part of the primary source of respondent or person belonging to surrendered Naxalites, persons escaped from the custody of the Naxalites and members of the various camps established by the government of Naxal Affected Areas.

⁴⁴ Respondent means the person selected for the distribution of questionnaire to them and after some time to collect the questionnaire from them. It also includes the persons who participated in group meeting and individual interview etc.

1.8.1.2.3 Group C: Experts

Group C belongs to the person only because they expertize knowledge regarding Naxalism. It includes the high ups of the government officials including I.A.S, I.P.S., Academicians and Defense Personnel etc.

On the basis of the questionnaire collected by the research scholar a final result can be prepared during the course of our study.

1.8.1.3 Interview Schedule

To make the study more clear, comprehensive and well equipped with factual knowledge at the gross root level an interview was organized by the research scholar from the persons having a specific knowledge regarding Naxalites problem. The person includes D.I.G, Police Official, Surrendered Naxalites and others. The opinion of these persons, which are loaded with expertise knowledge, will provide a helping hand to the research scholar to draw his conclusion in reality.

1.8.1.4 Field Visits

Fourth part of the research pertains to field visits undertaken by the researcher to observe, study and analysis the critical issues that have caused Naxalism, alienation of the people, rush of people for Naxalism are the grounds of conflict for a number of years. This part is extremely important as the researcher had travelled extensively and interacted with people, in the Naxal Affected Area, and made direct observation of the spot of conflict and people who participated and suffer thereof including few hardcore Naxalites.

1.8.1.5 Variables Under Study

They are broadly classified as dependent variable and independent variables.

Table 1.1:Variables

VARIABLES UNDER STUDY	1. Dependent variable –Naxalism
	2. Independent variables -Ideological, Historical, Legal, Social, Political, Economic, Security, Non-Security, Governance and Environment

1.8.2 Survey Research

Survey research is based on rigorous procedures that endeavor to eliminate as many sources of bias as possible, so that the results could be replicated if the same method were used again. From the literature, ways to design a survey that will produce results that are as accurate and precise as possible can be set out. Surveys can be classified as cross-sectional⁴⁵ or longitudinal.⁴⁶ This study is a cross-sectional survey, during which data was collected at one point in time from samples to determine relationships between variables at the time of the study. Cross-sectional studies are especially suitable for describing certain phenomena as current opinions which occur in different groups.

1.8.3 Population and Sampling

In this research, we have to select the population on the basis of demographic characteristics; i.e. designation. The population have been characterized as General Public, Surrendered Naxalites and Experts. The target population, is that population from which we would like to draw inferences, which comprises of total 500 respondents. This is the population actually surveyed.⁴⁷ Out of total 500 respondents, 300 respondents were General Public, 100 respondents were Surrendered Naxalites and 100 respondents were Experts. To collect information/data for the research purpose researcher used *Quota sampling technique*.⁴⁸

Table 1. 2: Area Wise Distribution of Respondents

Area Wise Distribution of Respondents							
Respon Dents 500		Chhattisgarh	Madhya Pradesh	Uttar Pradesh	Bihar	Jharkhand	Total
	General Public 300	140	40	12	18	90	300
	Surrendered Naxalites 100	69	5	4	3	19	100
	Experts 100	41	16	22	10	11	100
	Total	250	61	38	31	120	500

⁴⁵ The survey information is collected at one point in time.

⁴⁶ Collected over a period of time.

⁴⁷ The survey population.

⁴⁸ A non-random method of sampling.

Out of 300 number of general public 140 belongs to Chhattisgarh and only 12 to Uttar Pradesh. In between 40 from Madhya Pradesh, 90 from Jharkhand and 18 from Bihar. To the same out of 100 Surrendered Naxalites highest number of Naxalites i.e. 69 are from Chhattisgarh and lowest only 3 from Bihar in between 4 from Uttar Pradesh, 5 from Madhya Pradesh and 19 from Jharkhand. In the same way in case of experts amounting to 100 the highest number of experts comes from Chhattisgarh amounting 241 while lowest are from Bihar amounting 10 and in between 11 comes from Jharkhand and share of Madhya Pradesh and Uttar Pradesh are 16 and 22 respectively.

1.8.4 Statistical Tools used for Data Analysis

1.8.4.1 Reliability Data Analysis

The purpose of the reliability is to determine whether data are trustworthy or not. Testing reliability or measure consistency in the data that is defined as

“An assessment of the degree of consistency between multiple measurements of variables.”

A commonly accepted type of measuring reliability is internal consistency between the variables in assumed scale. The concept of internal consistency is that individual items or indicators of the scale should all be measuring the same construct and thus be highly correlated. Furthermore it is suggested that a series of diagnostic measures are to be used to access internal consistency.

Inter- item correlation⁴⁹ which measure correlation among items. Another method is item to total correlation as correlation should exceed 0.40, that measures the correlation of items to the summated scale. Both these measures are relating to each separate item.

Reliability investigation through Cronbach's Alpha is a method that is frequently used for assessing the consistency of entire scale. Due to its heavy usage, it is generally agreed that Cronbach's Alpha should exceed 0.60 to have reliability.

⁴⁹ Should exceed 0.30.

1.8.4.1.2 Factor Analysis

Factor analysis is the presumption of multivariate statistical methods primarily used to identify the underlying structure in data.⁵⁰ Factor analysis refers to the cluster of interdependence techniques where it summarizes the information from a large number of variables into factors, depending upon their relationships. The purpose of the factor analysis is to simplify the understanding of the data, which can be achieved from either an exploratory or confirmatory perspective. Confirmatory factor analysis and exploratory factor analysis are two statistical approaches used to examine the internal reliability of measure. Factor analysis is primarily an exploratory technique because of researcher's limited control over, which variables are indicators of which latent construct.

One of the major uses of factor analysis is to summarise the data to be more manageable without losing any of the important information therefore making it easier to test theories. There are three main reasons for using factor analysis to develop a scale to measure an underlying theme such as quality of the rural retailing, to reduce the variables to a manageable size and to have a better understanding of the variables.

The factor analysis is a technique used for specific computational techniques. These factors, also called latent variables, aim to measure things that are usually hard to measure directly, such as attitudes and feelings. This is a way to explain the relationships among variables by combining them into smaller factors. The scales usually start with many questions, and then by using factor analysis are reduced to a smaller number. These reduced results are then used for other analysis such as multiple regression analysis.

The researcher will use exploratory factor analysis using principal component analysis with varimax rotation to reduce and to analyze the collected data of owners/managers of Micro Enterprise/Small Enterprise. Factor analysis is heavily used for the questionnaires for studying emotional quotients.

⁵⁰ i.e. to determine correlations among a large number of variables.

1.8.4.1.3 Chi-Square (χ^2) Analysis

The symbol χ^2 used here is to denote the Chi-Square distribution whose value depends upon the number of degrees of freedom⁵¹. As we know, chi-square distribution is a skewed distribution particularly with smaller d.f. As the sample size and therefore the d.f. increases and becomes large, the χ^2 distribution approaches normality.

Chi-Squares tests are nonparametric or distribution-free in nature. This means that no assumption needs to be made about the form of the original population distribution from which the samples are drawn.

It should be noted that all parametric tests make the assumption that the samples are drawn from a specified or assumed distribution such as the normal distribution. The chi-square test is an important test amongst the several tests of significance developed by statisticians.

It was developed by Karl Pearson in 1900. Chi Square Test is a non-parametric test not based on any assumption or distribution of any variable. This statistical test follows a specific distribution known as chi square distribution.

In general the test we use to measure the differences between what is observed and what is expected according to an assumed hypothesis is called the chi-square test. This test⁵² is based on frequencies and not on the parameters like mean and standard deviation.

The test is used for testing the hypothesis

1.8.4.1.4 Multiple Linear Regression Analysis

Regression analysis is known as simple regression analysis if there is only one independent variable and is known as multiple regressions if there is more than one independent variable. Regression analysis is used for finding the relationship between one dependent variable and one or more independent variables and has become famous in many research areas. Regression is another method to determine

⁵¹ d.f.

⁵² As a non-parametric test.

the association between variables; this is near to bivariate correlation as it assumes that there exists a connection between the dependent and independent variable. Multiple regression analysis is used for finding the capacity of a set of independent variables in forecasting the dependent variable.

The limit of R square ranges from 0-1 the higher the R square, the powerful the association between the dependent variable and the independent variable.

Multiple regression analysis requires following assumptions of Sample size to be fulfilled that is the size of the sample needs to be big enough for the results of the regression analysis to be significant. The sample size needs to be $N \geq 50 + 8 * m$ for testing multiple correlations, where m depicts the number of independent variables. In this study multiple regression analysis was used because there is more than one independent variable.

1.8.4.1.5 Mean Analysis

The Mean analysis⁵³ have been carried out to identify the respondents views on each statement. This analysis would help interpret the mean of the respondents response to the each statement.

1.8.4.1.6 Mode of Result Analysis

The study of socio legal challenges of Naxalism in India. For conducting the study, following modes have been employed:

1. Microsoft Office- Excel 2016
2. PASW-SPSS 26 (Trial Version).

1.8.4.1.7 Analysis of Data

Based on the field visits, and direct observation in five states namely Chhattisgarh, Jharkhand, Bihar, Madhya Pradesh, Uttar Pradesh, conduct of surveys, and getting response to the questionnaires circulated in three groups A, B and C. Interview schedule the collected data has been analyzed and findings recorded. The exact details of analysis of data are given at chapter 7.

⁵³ The mean is the arithmetic average of a set of values, or distribution.

1.9 ETHICAL ISSUES

1. The pros and cons of the use and application of questionnaire formulated was discuss in detail.
2. The respondents were under no compulsion to accept the questionnaire and give answer to the question inbuilt in the questionnaire. It was purely optional. They may give the answer to the questionnaire or may not.
3. Confidentiality was observed strictly.
4. The result will be prepare on the basis of the questionnaire leaflets submitted to research scholar by the respondents including general public, surrender Naxalites and experts. .

1.10 LIMIT OF THE STUDY

Nothing is absolute in this world likewise the research work is also not limitless or absolute o in nature. A research work on the same topic have several dimensions it is one of dimension of my topic “*A Study of the Socio Legal Challenges of the Naxalism in India.*” This shows that still a great scope is lying for further study and research work with another dimensions. Despite of the fact that an exhaustive study was made by the research scholar from his point of view, living nothing, still other dimensions are open for research and other purposes regarding Naxalism. The study is supposed to be limited on these limitations which are given bellow.

1. Geographical limitation
2. Security limit
3. Limitation regarding Time factor
4. Limitation concerning Literacy level of the people
5. Limitation with relates to Sensitivity of the questions, etc.

1.10.1 Geographical Limitation

With regard to geographical limitation to Naxalites activities covers a numbers of states including a very huge and broad geographical area, which affect a very large number of population or inhabitant therein. So practicably it is not

possible for anyone to cover the entire geographical area affected by the Naxalism. One will not do justice for his research work if the entire geographical area will become the subject matter of study. Keeping in view this short coming the researcher have selected the heavily Naxal dominated states including Chhattisgarh, Jharkhand, Madhya Pradesh, Bihar and Uttar Pradesh.

1.10.2 Security Limitation

Naxalites, once, were very simple and kind hearted people but with the incresement of power and time span Naxalites becomes the extremely cruel person and famous for their very barbaric, unhuman and cruel violence. Despite of the fact that sword was hanging on the neck of the research scholar, he with a prior permission of high officials visited a number of area to find out the ground realities of atrocities committed by the Naxalites.

1.10.3 Limitation Regarding Time Factor

Every research is supposed to be within the time frame otherwise it makes no sense. Our study is also circumscribed by the time slot allotted by the University Grant Commission.

1.10.4 Confidentiality

The conflict between government and Naxalites are a continuous process and still going on, hence no party is willing to disclose their strategy to maintain confidentiality. Despite of the fact that none is agree to disclose but on the basis of answers given in questionnaire or interview which is joint and individual in nature, it pave a way to draw some inferences without leaking the confidentiality of it. The research scholar has taken all precaution not to disclose the confidentiality of any person and information supplied by them.

1.10.5 Literacy of The Local Native

Since the local native predominantly belong to tribes including Gond, Bhils, Abhujmarias and Halbis most of them are illiterate. So it was very difficult for research scholar to explain the questionnaire and others to them and in the same way

the local dialect was not known to the research scholar also poses the problem regarding understanding what was actually said by them to overcome the problem related with research, the research scholar made a request to a person to act as interpreter which makes the working of the research scholar more easy and understandable.

1.10.6 Sensitivity to Questions

Though research scholar has taken every precaution to formulate the question in such a way so that it may not affect the sentiment of any persons. However, there were some questions which was thought by the local people as sensitive in nature and were hesitant to answer them. On their request some of the question were amended or replaced another set of questions. There were certain other questions which were not liked by the tribes and they avoided the discussion in an open meeting. For example what excess committed by the Naxalites or by the security forces only due to counter action. And also not very sweet in replying the question regarding modus operandi of Naxalites while committing violent activity. A liberal approach was adopted by the research scholar and the question not suited them were taken into back or some changes is made as per their request.

1.10.7 Gender Biasness

The research scholar was more in favor of having response from females but there was a great difficulty to take their willingness. Because of hesitant and shyness and illiteracy they were also not able to understand either Hindi or English. This poses a great threat for the answer to the given question in questionnaire. The presence of respondents makes it clear that the female participant in category A, B, and C were very less in comparison to their male participants. However, there were certain women's having a sound knowledge of Naxalites movements and a great experience of once at a time serving the Naxal organizations but few of them were very hesitant to answer the questions poses by the research scholar. However, on a great persuasion by the research scholar the ladies become ready to open their mouth and speak the truth of their involvement of Naxalite movements. So the result prepared by the research scholar rightly show that male participation was more in

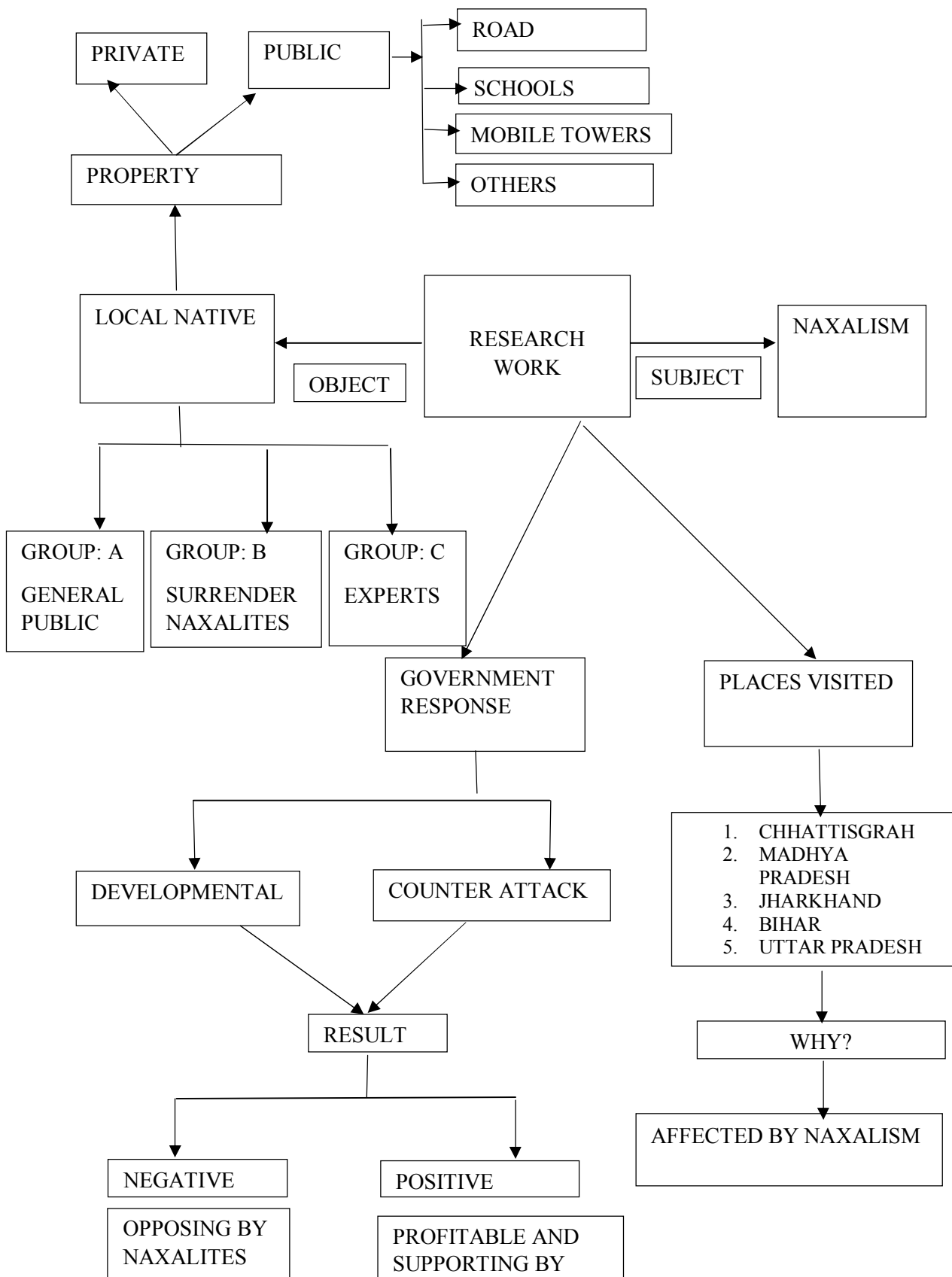
comparison to female and male were more vocal and courageous than female. The same was the result of literacy rate of male and female.

1.11 SIGNIFICANCE OF THE STUDY

Naxalism, once a movement, now is more or less a civil war against the government and because of it the government suffer a lot. A number of life as well as loss of property becomes the victim of Naxalite movement which increases day by day and become a subject of great concern for the government and at the same time poses a problem for the government to immediately resolve the issue of Naxalism and curb the Naxalite movement. The study under this research work is primarily a socio legal study based on statistical data collected by the research scholar by his personal visit to the places of Naxalite dominated states, to find out the grass reality regarding issues challenges and prevalent of Naxal movement and how to check it properly and what actually any effort is by the government to restrict the cart of Naxalism. Side by side study also cover factors responsible for Naxalism and the impact of Indian criminal justice system to arrest the wheels of Naxalism.

1.12 Research Work: At A Glance

Chart 1.1: Research Work: At A Glance



1.13 FRAMEWORK OF THE RESEARCH STUDY

For the purpose of systematic, smooth and coherent study the entire research work is broadly classified into Eight chapters.

Chapter *one* introduces the subject matter of study and defined the scope of the work. chapter one being introductory in nature introduces the subject matters including statement of problem, significance of the study, analytical review of related literature, objective, hypothesis, research methodology, and limitation of the research work.

Chapter *second* is entirely devoted to the historical development of the Naxalite movement and Naxalism in India. The chapter deals with the organizational set up of Naxalism and broadly classified in four part. Part first is only to deal with the origin of Naxalism and Naxalites movement from 1920 to 1967 of Naxalbari incidents and including others movement of Naxalites. The second stage is from 1970 to 1991 covering the CPI (ML) Liberation, Communist Party of India (Marxist Leninist), and Maoist Communist Centre of India inter alia including others. While the third stage is from 1991 till present. Including the movement of Communist Party of India (Maoist) which is working with a motto to overthrow the current government and established socialism and communism rule in India.

The third part of chapter second is totally devoted to urban Naxalism consisting of object, structure and revolutionary activities done by them. The last part fourth deals with the matter regarding people's government.

The *third* chapter covers the root cause of Naxalism and analytical observation of reasons to oppose the feudalism, imperialism but support Naxalism like Historical, Ideological brainwashing, Social, Economic, Political, Cultural, Geographical, Environmental Crisis, Constitutional and legal failure, Liberalization, privatization and globalization.

The *Fourth* chapter is entirely devoted to the jurisdiction and significance of the legislative enactments regarding Naxalism. There is a high time to gone through the provision of the constitution of India and Indian criminal justice system to find out how and in what way they are if any are effectively tackle the Naxalites

problems. This chapter is divided in two part. the first part deal with law and Indian scenario covering object, organ and sufficiency of criminal justice system and others legislation to cover the Naxalism while the second part is specially devoted to international scenario from Geneva Convention 1949 till present. What action is formulated at international level to check the menace of Naxalism, which become more or less, equal to terrorism.

Chapter *fifth* is a separate chapter covering the response of the state government to check the dragon of Naxalism. This chapter is divided into two part. Part first cover the theory of state Response deals with the response of central government towards Naxalism by passing few policy. And this is totally for the responses of the state government towards Naxalism .particularly the Bihar, Madhya Pradesh, Jharkhand, Chhattisgarh and Uttar Pradesh while part four takes care of non-state actors, NGOs towards Naxalism.

Chapter *sixth* deals with judicial delineation regarding the issue of Naxalism. Though the view taken by the judiciary regarding Naxalism seems to be very harsh and against the Naxalites and judiciary also advocated that certain precaution should be taken by the state government in the form of principle formulated by the judiciary. However it is upon the government to give a priority in implementing the decisions of the course on Naxalism and to enact a law. These are the certain question the answer of which research scholar will try to find out in the course of his study.

Chapter *seven* is a chapter which is crux of our study and being a main chapter a great emphasis and attention was laid down by the research scholar that is why the research scholar has his willingness to personally visit the Naxal dominated areas of five states including Bihar, Jharkhand, Madhya Pradesh, Chhattisgarh and Uttar Pradesh in near future. And with the help of questionnaire, a group or joint congregation to discuss the problems of Naxalism with local native administrative authorities and surrendered Naxalites. Along with interview at individualistic level with the person well versed with a problem of Naxalism will also be made in the course of our study. And with the help of Factor Analysis, Chi Square, Mean Analysis, Cross Tabulation, Regression, Multiple Linear Regression. And indexing methods the final results can be drawn.

Chapter *eight* is a chapter which will be the result of our study knowing as conclusion and suggestions. on the basis of the entire study the research scholar will make an attempt to conclude the entire study and also on the basis of the entire working of Naxalism and problem related to , find out a way to check the menace of Naxalism, rather to abolish the Naxalism on the soil of India. If there is any laxity or lacuna found either in statutory provision or any where because of empirical study of research scholar, an attempt shall be made to suggest the actual or reasonable remedy to plug the loopholes or to fill up the gap or lacuna.

HISTORICAL PERSPECTIVE OF NAXALISM IN INDIA

2.1 INTRODUCTION

The chapter two provides organizational set up of Naxalism from Communist Party of India to Communist Party of India (Maoist). This chapter has been divided in four parts.

First part deals with the origin of Naxalism traced with communist movement in India from 1920 to Naxalbari movement in 1967.

Second part is concerned with the Naxal movements and organizations from 1967 to 2020, it has been divided into three stages.

First stage comprises the organizational period (1967 to 1972), Naxalbari movement 1967, Srikakulam Armed Struggle 1968 to 1970, West Bengal Midnapur and Birbhum 1967 to 1971, Bihar and Uttar Pradesh 1968 to 1970, Organizations of organizational period of Naxalism Communist Party of India (Marxist) 1966, All India Coordination Committee for Communist Revolutionary 1969, Communist Party of India (Marxist Leninist), Dakshin Desh Group, Maoist Communist Centre and the Central Organizing Committee of Communist Party of India (Marxist Leninist).

Second stage deals with the fragmentary period (1972 to 1991) CPI (ML) Liberation, 1974, CPI (ML) Party Unity, Communist party of India (Marxist-Leninist), Peoples War Group 1980, Maoist Unity Centre 1997 and the Maoist Communist Centre of India. While the third stage deals with the reconsolidation period 1991 till present. Communist Party of India (Maoist) in late 2004, the two largest Naxalite organizations-the People's War Group and the Maoist Communist Centre of India- merged to form the Communist Party of India Maoists commonly known as Naxalites seek to overthrow the current government and to establish socialist-communist rule in India to address vast inequities within the population.

In third part Urban Naxalism takes cognizance of the India and the objective of Urban Naxalism is urban work, party structure, Revolutionary Democratic Front.

While the fourth part is exclusively confined to the people's government.

2.2 FIRST PART

After the successful completion of Bolshevik revolution of Russia in 1917, it paved a way to the elite of the world that revolution in their country is also possible. Fidel Castro and Mao Tse-tung took clue from these three amendments for initiating the revolution in their countries which was based upon the help of the farmers.

A new labour revolution theory was propounded by Karl Marx. Karl Marx came to the conclusion that the society maintains all the things in his theory. Where it was attempted to Paris Commune but failed. Lenin started to think that, how the Marx theory can be successfully implemented among economically weakened Russian poor people, labour exploited and how to make equality among people emancipation from exploitation and no need of Police Stations. After this analysis, Lenin drew a conclusion that one stage revolution is not possible. It will be in many stages as per him the stage after the success of people's revolution where the circumstances will be favorable then socialism revolution can put forward. After these two revolutions Marxism will come in picture, and then society will be structured according to Marx or communism. After all Lenin amended Marxism according to the need of the Russian society. The founder of the Russian revolution Lenin had made three amendments in the theory of Karl Marx.

1. In first chain of the imperialism is weak.
2. Second deals with that no revolution is possible without the help and assistance of the farmers.
3. Third revolution mainly confined to dealing with the scope of the revolution by saying that revolution means armed revolution. Lenin had completed Russian revolution successfully with the help of these three amendments.

The chain of imperialism had been weak in Russia as witnessed by the first amendments. There were maximum number of farmers in Russia and industries labourer highly exploited so the second amendment will be with the help of farmers

considering the general mass of the Russia. The Third amendment reveals that revolution will be at the time when Czar Regime was very cruel and hard for the Russian masses and there was no democracy in Russia, then Lenin rightly comes to the conclusion that armed revolution is the only answer.

On the basis of these three amendments a slogan was aired which was of three stages

1. Give land to farmers
2. Give bread to hunger
3. Give rest to army.

These three slogans become very popular in Russia. Due to the First World War facing starvation and farmers required land while army needs rest. People were maximally in favor of that war should come to an end. While the general people was not well aware about Marxism but they supported Leninism. With the support of the bourgeois classes Lenin revolution was successfully completed. Thus Lenin becomes the founder of revolution. On the basis of the same hypothesis Mao Tse-tung, Vachimen Cheng, Fidel Castro were initiated revolution in their own countries. There were similar circumstances in China and India too. Maximum population were farmers, industrial growth was not up to the marks. Many imperialist countries¹ were get over China. Under these circumstances China was not a colony but it was in clutches of these super power countries. Physical conditions as well as people of China were in favor for revolution, since to the situation of the country, Mao Tse-tung gave societal slogan like Lenin and become national hero of China and successfully completed Chines Revolution. Russian revolution had already been successfully completed and possibility of revolution in China looks bright. Therefore, the Indian people also started a thinking about emancipation from capitalism, imperialism and feudalism but unfortunately revolution was not last long. The theory of imperialism with the help of farmer organization and laborers and party capitalist then rule of law which are based on capitalism, imperialism and feudalism can be abolished. This was a theory which was based on the principles advocated by Swami Sahajanand Sarswati in India.

¹ Japan, France, Russia and America

The seeds of Naxal Movement have been embedded in the struggle of Indian independence. Indian Naxal movement's seeds, ideologically and conceptually were enshrined in the struggle of independence, like all formula of agrarian revolution, ideological and implementations, strategy and tactics were formulated by Swami Sahajanand Sarswati in '*Kranti aur Sanyukta Morcha*' which based on a book '*Sanyukat Morcha*', written by Adger Sano and another book '*State and Revolution*', by Lenin. Thus a seed of Naxal movement has been embedded in theory propounded by Sahajanand Sarswati.

When Mao acquired the power through armed revolution, then there was no doubt to anyone that armed revolution is appropriate path for Indian independence too.

To understand the genesis of Naxal Movement one needs to locate it within the framework of the Communist movement in India. There are different views exactly when the Indian Communist Party was founded.² The CPI officially stated that it was formed on 25th December 1925. However, the CPI (M) claims that it was founded on 17th October 1920 soon after the second congress of the Communist International. The founder members of the party were M.N. Roy, Evelyn Trend Roy, Abani Mukherjee, Rosa Fiting, Mohammad Ali, Mohammad Shafiq Siddiqui, Rafiq Ahmad, M.P.B.T. Acharya, and Comrade Sultan Ahmad Khan. According to the party reports there were many Communist groups formed by Indians with the help of foreigners in the different parts of the World and the Tashkent group was one of them. However, during 1930 and 1960 the Communist Party was not well organized. Moreover, the British authorities banned all the Communist activities and hence, CPI worked underground by organizing several workers and peasants movements. After Independence the party faced a lot of hurdles because of divergent views and locations. In June 1948 a leftist ideological document entitled '*Andhra Letter*' laid the revolutionary strategies in India based on Mao Tse-tung's New Democracy and justified violent revolution.

When India gets freedom from the clutches of British imperialism on 15th August 1947 the Communist Party of India was in troublesome and facing a series

² Om Gupta, *Encyclopaedia of India, Pakistan & Bangladesh* Vol. III (Isha Books, New Delhi, 2006).

of problem because of conflict of opinion whether the Indian independence is true or false. And there were two views whether be celebrate the independence or takes action towards revolution. In February 1948, B.T. Randive called for armed struggle and declared Independence of 15th August 1947 is false.

2.2.1. Telangana Armed Struggle³

The revolutionary communism against Indian state did not began with the birth of Naxalism. In Telangana movement 1946-1951. The Rebellion focused its opposition against the land owned by the elite classes was given by the communist at the time of spreading the propaganda against the land owner. Objective of the movement was to establish its own rule of law, which would only be by a Telgu-speaking majority population.

At the beginning of the movement the Communist ideology was not the point of the rebellion. Due to existing land rights disputes, people had made them sympathies with the Communist Party members, who in turn helped the Telangana movement to become more wide spread and better organized. Eventually this conflict was ended by the security forces of the newly independent India state.

The Telangana peasant's armed struggle was a communist led peasant rebellion against the feudal lords of the Telangana region, and later against the princely state of Hyderabad, between the period 1946 and 1951.

The Communist Party of India had led the rebellion. The revolt started in 1946 in the Nalgonda district against the feudal lords and quickly spread to Warangal and Bidar districts in around 4,000 villages. Peasant farmers and laborers revolted against the local feudal landlords.⁴ The Telangana armed struggle 1946 to 1951 has been broader base and had no parallel in Indian history since the Sepoy Mutiny of 1857. After independence, certain amount of land reforms did take place in the affected areas; as a result of which the movement petered away.⁵

³ 1946 to 1951

⁴ Jagirdars and Deshmukhs

⁵ Lt General Vijay Kumar Ahluwalia, *Problem of Naxalism in India: Ground Realities and Strategic Challenge towards Conflict Resolution* (2016) (Unpublished Ph.D. thesis, Amity University, Noida, Uttar Pradesh).

To be more specific any study on the Naxal Movement cannot over look the importance of the rise and fall of Telangana Movement. Because for Indian Communists, Telangana would always remain the glorious chapter in the history of peasant struggles.

In fact it was the first serious effort by sections of the Communist Party leadership to learn from the experiences of the Chinese revolution and to develop a comprehensive line for India's democratic revolution. On the other hand the experience in Telangana also facilitated the growth of three distinct lines in the Indian communist movement. The line promoted by Ranadive and his followers rejected the significance of the Chinese revolution, and advocated the simultaneous accomplishment of the democratic and the socialist revolutions based on city-based working-class insurrections. The group drew inspiration from Stalin and fiercely attacked Mao as another Tito.

The second line mainly professed and propagated by the Andhra Secretariat drew heavily from the Chinese experiences and the teachings of Mao in building up the struggle of Telangana. The Andhra leadership, successfully spearhead the movement against the Nizam, however, it failed to tackle the complex question of meeting the challenge of the Government of India.⁶ The Nehru government embarked on the road to parliamentary democracy, conditioning it with reforms like the 'abolition of Zamindari system.' All these objective conditions facilitated the dominance of a centrist line put forward by Ajay Ghosh and Dange.⁷

This line characteristically pointed out the differences between Chinese and Indian conditions and pushed the Party along the parliamentary road, which articulated third line in the communist movement. The third ideological line was translated in 1957 the communists succeeded in forming a government in Kerala, which however, was soon overthrown and following the India-China War, the Party split into two during 1964, viz. Communist Party of India and Communist Party of India (M). While the CPI preached the theory of "peaceful road to non-capitalist

⁶ Bidyut Chakrabarty, *Left Radicalism in India* 167 (Routledge Taylor and Francis Group London and New York, 1stedn. 2015).

⁷ Ibid

development”, the CPI (M), went ahead with the centrist line.⁸ Though there were serious differences on ideological and tactical lines both the Parties went ahead with their parliamentary exercises and formed the United Front Government in West Bengal.⁹

Consequently, by July 1948, around 2,500 villages from Andhra Pradesh organized into ‘communes’ as part of peasant movements which was famously known as ‘Telengana Struggle’. However, in due course the Communist Party shifted its position rapidly between left wing and right wing. For instance, in some areas like Tripura, Telengana and Kerala the party led armed struggle against the local monarchs and land lords. The Communists built up a people's army for total revolution but they were crushed. In 1957 the CPI emerged as the largest opposition party at the National level and they won the state election in Kerala as the first opposition party under E.M.S. Namboodarypad. However, in 1962 during the Indo-China War, the party split into three factions- Internationalist, Centrist and Nationalist. The Internationalist faction has supported the Chinese stand of waging war against India whereas the nationalist faction backed India and opposed Chinese stand. The ideological differences led to the split in the party in 1962 and CPI happened to be the only national political party from India to have contested all the general elections using the same electoral symbol. Though CPM opposed multi-party democracy, it also started participating in multi-party election by postponing the arms struggle. Consequently in 1965, Charu Mazumdar published an ideological document based on the principle Marx- Lenin -Mao, which later came to be known as “Historic Eight Documents” which formed the basis for the Naxalite movement in India.

⁸ Bidyut Chakrabarty, *Communism in India: Events, Process and Ideologies* 128 (Oxford University Press, 2014).

⁹ *ibid.*

2.3 SECOND PART

2.3.1 Organizational Period 1967 to 1972: First Phase

2.3.1.1 Naxalbari Movement 1967

Telangana movement provided an inspiration for the Naxalite movement but the political scenario of the late 1960 is also important. Indian communist movement was having its discussion throughout the decade about which strategic approach would be best in the Indian society, the revolutionary or reformist. Communist Party (Marxist) had split from the Communist Party of India (CPI) in 1964, influenced by the Sino-Indian War of 1962 but also by the differences of opinion on what stage the revolution be carried on.

Congress formed the united front government along side CPI (M) in 1967 in West Bengal. The day the new chief minister Ajoy Mukherjee was sworn in, there were news of the first incident in the village of Naxalbari. Tribal youth named Bimal Kissan obtained a judicial order permitting him to plough his land. Incident began were Bimal Kissan was going to plough his land and attacked by landlords and their goons.¹⁰ Other Tribal people attacked the land lords. Chaotic period of Indian history were the food shortages caused by rationing after the Indo- Pakistan Border conflict in 1965-1966. Tribal people of the area retaliated and started forcefully capturing back their lands.¹¹ What followed was a rebellion, which left one police sub inspector and nine tribals dead. This particular incident acquired a larger appeal in about two months on the basis of open support it garnered from cross sections of communist revolutionaries belonging to the state units of the CPI (M) in West Bengal, Bihar, Orissa, Andhra Pradesh, Tamil Nadu, Kerala, Uttar Pradesh and Jammu & Kashmir. Though the United Front Government of West Bengal headed by

¹⁰ Snail Awashti, and Ayush Mishra (eds.), "The Naxalite Movement in India" 1 IJLMH 1(2018). Available at <https://www.ijlmh.com/wp-content/uploads/2019/03/The-Naxalite-Movement-in-India.pdf> (Visited on May 24, 2019).

¹¹ Bidyut Chakrabarty and Rajat Kumar Kujur, *Maoism in India: Reincarnation of Ultra-Left Wing Extremism in the Twenty First -Century* 41-42 (Routledge Taylor and Francis Group Landon and New York, 1st edn., 2010).

CPI (M), with all repressive measures, was able to contain the rebellion within 72 days, these units had a formal meeting in November 1967.¹²

Subsequently, on May 1967, the dream of Charu Mazumdar was fulfilled when the armed assault was launched against landlord to loot his granary by 150 members led by Kanu Sanyal. In the following months 200 violent incidents that involved robbery, assault and the stealing of armaments were witnessed. This earned them the praise of Chinese authorities and the condemnation of moderates Communist Party of India Marxist CPI (M)¹³. The moderator of CPI (M) started criticizing the extremist supporters and distanced the party from Chinese Communist Party. Since the moderates were unable to control the extremist violence, they were forced to confront it. In July CPI (M) expelled Charu Mazumdar and his associate members from the party for involving in violent activities.¹⁴ The expulsion of Charu Mazumdar in turn, benefitted the extremists and helped the members of the party. For instance, the followers of Charu Mazumdar started involving in many violent activities which prompted the government to suppress the movement with iron hand.

However, the influence of Naxalism started spreading in other states such as Bihar, Odisha, Andhra Pradesh, West Bengal and Karnataka. In 1969 All India Coordination Committee of Communist Revolutionaries¹⁵ formed a new party CPI (ML) on the birth anniversary of Lenin. Charu Mazumdar was elected as the Secretary of Central Organizing Committee and consequently AICCCR dissolved itself. Likewise MCC which has a strong base in Bihar was also formed in the year 1969.

During the Indo-Pakistan War of 1971, Indira Gandhi suppressed the Ultra-leftist movement and arrested its leaders including Charu Mazumdar on 16th July 1972 and was reported to be dead by 28th July 1972 itself. Similarly, during emergency period 1975, Prime Minister Mrs. Indira Gandhi banned the Naxalite organization across India and arrested more than 40,000 Naxal cadres which was a great setback to the movement. However after the emergency, the release of

¹² A K Agarwal, *The Third Dimension: Air Power in Combating the Maoist Insurgency* 73 (Vij Books India Pvt., Ltd, New Delhi India, 2013).

¹³ Marcus F. Franda, *Radical Politics in West Bengal* 159 (Cambridge: M.I.T. Press, 1971).

¹⁴ Rabindra Ray, *The Naxalites and Their Ideology* 140-142 (Delhi: Oxford University Press, 1988).

¹⁵ AICCCR

Naxalite leaders helped them to organize different groups. For instance, in 1980 alone around 30 different Naxal groups were formed across India mainly in Andhra Pradesh and Bihar.

Conflict in Naxalbari was a slow, simmering one with the occasional flare up eventually in July 1967, after the death of policeman and nine Adivasi, the state government had to formulate a response to the Naxalite problem. Solution was to speed up land reform, set up distribution committees and tackle the violence with police response. Government itself was questionable and protests in favor of Naxalbari were increasing in the state capital Kolkata. In 1968, president's rule imposed in state.

2.3.1.2 Srikakulam Armed Struggle¹⁶

Srikakulam lies in the north-eastern coastal portion of Andhra Pradesh, bordering Odisha. It is a hilly-cum- forest area in the Eastern Ghats, inhabited predominantly by the landless Girijans or tribes, who were exploited by the Sahukars or money lenders. While the movement in Srikakulam is known as early as 1961, it remained to low key affair until the Naxalbari uprising in May 1967. The Naxalbari uprising was a turning point in the history of armed struggle from which the people of Bihar, Uttar Pradesh and Andhra Pradesh drew great inspiration. During the years 1968 to 1970, the Revolutionary Communist Committee of Andhra Pradesh, led by T. Nagi Reddy, and Srikakulam movement brought under their control large areas of the northern districts of Telangana and Srikakulam. Based on a strong response from the state government, by July 1970, a large number of police personnel and leaders of the uprising were killed. Charu Majumdar had written his ideological - political thoughts in the "Eight Historic Documents", in 1965 to 1970. The untiring efforts of Charu Majumdar and Kanu Sanyal, and the success of the Naxalbari uprising saw the mushrooming of other Maoist organizations and spread of the Naxal movement into a number of other states.¹⁷

¹⁶ 1968 to 1970

¹⁷ Ibid.

2.3.1.3 West Bengal, Midnapur and Birbhum Movement¹⁸

The Midnapur district of West Bengal bordering Bihar and Odisha witnessed a well-planned and well organized Naxalite movement in the Debra and Gopi Bhallavpur police stations. The district has a sizeable tribal population of Santhals, Oraons and Lodhas. The majority were landless labourers. A small proportion owned small plots of land or cultivated the jotedar's land under the Barga system. Gopibhallavpur has a long forested border with Odisha and Bihar. After the Naxalbari uprising in 1967, a section of CPI (M) workers in Midnapur started propagating the extremist line. They supported the Kisan and bargadars and worked for a movement against the jotedars. Santosh Rana, Ashim Mukherjee, both first class postgraduates of Calcutta University and a host of students from well to do upper caste families from Calcutta lived and worked among the tribal, identifying themselves whole heartedly with them. From September 1969, big tribal group armed with spears, bows and arrows attacked the houses of jotedars killed some of them, looted cash and burnt all deeds of lands. The State Government alarmed at the spate of killings sent several companies of CRPF and state police and by March 1970, the area was brought under control. The Naxalite uprising in Birbhum district was also masterminded by several students from Calcutta University. The state government reacted by deputing CRPF, State Armed Police companies and in Army Infantry Company for cordoning and searching the area. Nearly 150 CPI (ML) Cadre were arrested and movement died down.¹⁹

2.3.1.4 Bihar and Uttar Pradesh²⁰

The Mushahari block of Muzaffarpur district of Bihar covers 12 villages with population of about 10,000 people. There were various forms of oppression by the upper class on them. In April 1968, the peasants of Gangapur harvested the arahar crop of landlord in broad daylight. Retaliation was quick. Bijli Singh the Zamidar of Narsingpur organized an attack on the peasants with 300 men armed with lathis, swords and firearms with the landlord leading on an elephant. In the

¹⁸ 1967-1971

¹⁹ E. N. Rammohan, " *Rise of Naxalism, Its Implications for National Security and the Way Forward*" in V.R. Raghavan (ed.), *The Naxal Threat Causes, State Responses and Consequences* 99 (Vij Books India Pvt. Ltd. New Delhi, India, 2011).

²⁰ 1968-1970

fight that ensured, the landlord and his hoodlums were routed. The humbling of this powerful landlord by the Chamar peasants had a magical effect on the surrounding villages.²¹

Kisan Sangram Samitis were formed and there were incidents of seizing of land by the peasants. In April 1969, landless peasants forcibly harvested the crop on 14 acres of land of a landlord. There was a clash in which the retainer of the landlord was killed. In June 1969, an attack was made in Paharchat village. The landlord and two associates were killed. Hundreds of peasants gathered after the raid. In their presence all the deeds and documents were burnt and the pawned ornaments returned to the owners. This was followed by a series of similar events. Alarmed, the state sent the police force and after several combing operations, the movement died down. The Mushari struggle caused ripples to spread into Dharbangha, Champaran and Chhota Nagpur. Here in May 1970, 54 Adivasis were arrested in the Jaduguda forest during police operations.

A British national Mary Tyler wrote poignantly about the movement that

“The Naxalite crime was the crime of all those who cannot remain unmoved and inactive in an India where a child crawls in the dust with a begging bowl, where a poor girl can be sold as a rich man’s plaything, where an old woman must half starve herself in order to buy social acceptance from the powers that be in her village, where countless people die of sheer neglect, where many are hungry while food is hoarded for profit, where usurers and tricksters extort the fruits of labour from those who do the work, where the honest suffer, while the villainous prosper, where justice is the exception and injustice the rule and where the total physical and mental energy of millions of people is spent in the struggle for mere survival.”²²

The Naxalite violence that erupted in Singhbhum and Ranchi capital of Jharkhand had more serious dimensions. Jamdeshpur became a mini Calcutta, with instances of attacks on schools and government officers and police piquets. Schools were also attacked in Jamdeshpur. There were also large scale attacks in Ranchi. In Uttar Pradesh, the Palia area is part of the Lakhimpur district in the Tarai region. It was inhabited by Tharu tribals. The state governments encouraged poor peasants to get the Palia area, allotting 10-12 acres of land to each family. The landlords had forcibly occupied big chunk of land, ejecting the poor peasants. This provided the

²¹ Ibid at 100

²² Ibid, at.100.

Naxalites with fertile ground for agitation. Their object was to clear the area of big farmers, thugs, corrupt political leaders and moneylenders. A series of attacks and raids on land lords ensued, in which a number of firearms were also snatched only after the deployment of the armed police in the area brought the situation under the control.²³

In all these states the Naxalite movements were organized and coordinated by various CPI (ML) Groups. Unfortunately the top Marxist-Leninist leaders like Charu Mazumdar in West Bengal, Satyanarain Singh of Bihar, were not tactically sound in their approach. They thought that there would be mass uprisings and they could build up a Peoples Liberation Army from the rag-tag band of peasants who had revolted against the atrocities of landlords and money lenders. Charu Mazumdar succeeded in arousing the students of Calcutta who left their studies to live in the forest villages and share the tribulations of the tribals. The vital element of building up a guerilla force and training and equipping them to take on the might of the state was lacking. One by one the movement fizzled out as the Paramilitary Forces with the State Police were deployed in the interior areas and well planned raids and search operations were carried out. The CPI (ML) leadership lacked the vision to organize the poor peasants against the might of the state, though the cause was just. Also, lumpen elements infiltrated the Leftist groups and affected the discipline of the groups.²⁴

Probably there were about 4000 incidents of Naxalite violence from the middle of 1970 to the middle of 1971, with 3500 in West Bengal, 220 in Bihar and 70 in Andhra Pradesh. The government of India made a plan for joint operation in west Bengal, Bihar and Orissa with the army, parliamentary forces and state police. The operation was under taken from 1st July to 15th August 1971. This was operation Steeplechase. The broad strategy was to surround an area that was a known stronghold with an outer cordon of the army, an inner cordon of the CRPF, and local police operating inside. The operation disrupted the network of the Naxalite cadres and the movement stalled. Meanwhile internal dissension between the factions of the CPI (ML) also disrupted the movement. A number of top leaders

²³ Ibid, at.101.

²⁴ Ibid at 101

were arrested, including Charu Mazumdar. When he died shortly after, it marked the end of a phase of Naxalite movement in India. However, it was only a lull. The movement was to surface again, for the Indian government had not removed the causes of the insurgency. This movement was deep rooted in going to be finished with cosmetic remedies. The causes were deep rooted in caste, the crucial factor behind the exploitation of the poor and the downtrodden.²⁵

2.3.1.5 Organizations in First Phase of Naxalism

This period was dominated by the fragmentation of Naxalite groups, though several mergers did occur as well. Some of the notable developments from the period include the following-

In 1966, Kanhai Chatterjee, a member of the Communist Party of India (Marxist) group, forms a group known as Dakshin Desh, also within the CPI (Marxist). In 1968-69, extreme left-wing elements within the CPI (Marxist) organize themselves under the banner of All India Coordination Committee for Communist Revolutionaries. On 22nd April 1969, International Lenin Day- the AICCCR group within the CPI (M) splits. CPI (ML) is formed under the leadership of Charu Mazumdar. Meanwhile, Tarimela Nagi Reddy splits from the AICCCR and forms the Committee of Revolutionary Communists. This eventually becomes a part of CPI (ML). On 20th October 1969, the Dakshin Desh group of Kanhai Chatterjee splits from CPI (M) because of disagreements over whether to embrace the ideology of Mao Tse-tung or Karl Marx, and renames itself the Maoist Communist Centre. In October, 1971, Tarimela Nagi Reddy, Asit Sen and Satyanarayan Singh part ways with CPI (ML) and Charu Mazumdar. On July 28th, 1972, Charu Mazumdar passes away due to ill health while in prison. CPI (ML) splits into various factions led separately by Vinod Mishra, Mahadev Mukherjee, Santosh Rana, Chandra Pulla Reddy, Tarimela Nagi Reddy, Appalsuri, and others. In 1972, the Central Organizing Committee, CPI (ML), is formed as a break away faction of the CPI (ML). Various factions emerge within the Central Organization Committee of CPI (ML).²⁶ This was the period of downfall of Maoist movements. The person were not

²⁵ Ibid at 102

²⁶ P. V. Ramana, "Measure to Deal with Left Wing Extremism/Naxalism", 20 *IDS* 7-8 (2011).

in favor of Maoist when there is every likelihood that the Maoist movement must come to an end.

As a former chief of the C.B.I. of the views that

Firstly, the leadership and the middle-level activists were all thoroughly ideologically motivated.

Secondly, the movement drew into its vortex not only the political elements on the extreme fringe but also a large number of students. Indeed, several extremely brilliant students of Delhi University went all the way to the forest of Bihar to hone their revolutionary skills.

Thirdly, almost 200 revolutionary journals and publications of different shapes and sizes were brought out in English and other languages. The level of ideological content and enthusiasm was, thus, high. At that point in time, the movement received the complete backing of China. The Communist Party of China extended guidance, financial support and training to the leadership. The Peking Review consistently devoted several column lengths to the movement, extolling it and the leadership provided by its founder, Charu Mazumdar.²⁷

2.3.2 Fragmentary Period 1972 to 1991: Second Phase

The second phase of the movement-which continues to the present day is dominated by mergers. There have been some splits, though they are largely insignificant and have had no impact on the lethal capabilities and influence on the chief rebel factions.²⁸

After the death of Charu Mazumdar the CPI (M-L) was deprived of any credible central leadership and the party withered away to be finally reborn as CPI (M-L) Liberation in 1974. In 1974, Chandra Pulla Reddy's group merges with the groups of Tarimela Nagi Reddy and Satyanarayan Singh.

²⁷ K.P.Singh "*The Trajectory of the Naxal Movement*," in P.V.Ramana, (ed.), *The Naxal Challenge: Causes, Linkage and Policy Options* 11-12 (Pearson- Longman, New Delhi, 2007).

²⁸ Supra 26

In 1976, Central Organizing Committee (Party Unity), a splinter group of the CPI (ML), regroups as CPI (ML) Party Unity led by Dr. Viniyan and Jung Bahadur. In 1982, Appalsuri's COC (CPI ML) merges with Party Unity. Over time, Narayan Sanyal alias Naveen Prasad, alias Niranjana Prasad assumes mantle as general secretary of Party Unity.

In January 1978, parting ways with the Chandra Pulla Reddy faction, another COC CPI (ML) faction is formed under the leadership of Jagjit Singh Sohal alias Sharma, Kondapalli Seetharamaiah, and Suniti Ghosh.

On International Lenin Day 1980, Kondapalli Seetharamaiah splits from the COC CPI (ML) and founds the Communist Party of India (Marxist-Leninist), People's War Group, in the Karimangar district of Andhra Pradesh.

In 1992, Muppala Lakshmana Rao alias Ganapathy ousts Kondapalli Seetharamaiah and assumes the post of general secretary of the PWG. Ganapathy is also the incumbent general secretary of the CPI (Maoist). A majority of the Central Committee members of the CPI (Maoist) are erstwhile members of the Central Committee of the PWG.²⁹

In 1997, the Maoist Unity Centre is formed as an amalgam of Naxalites from the Kerala Communist Party and Maharashtra Communist Party. In 1998, after years of negotiations, Party Unity merges with PWG and PWG is renamed the Communist Party of India-Marxist Leninist (People's War), heralding the first major and significant merger among competing and rival Naxalite groups. In 1999, the Naxalbari branch of CPI-ML merges with MUC. Later, a faction of Red Flag merges with CPI-ML (Naxalbari). In January 2003, the Revolutionary Communist Centre of India (Marxist-Leninist-Maoist) merges with the MCC and the resultant group is named the Maoist Communist Centre of India (MCCI).³⁰ In May 2003, CPI (ML) 2nd CC merges with MCCI CPI-ML (Naxalbari), CPI-ML Red Flag and MUC merge.

²⁹ Ibid.

³⁰ Supra 6

2.3.2.1 Communist Party of India (Marxist-Leninist) Liberation

Historically speaking, the origin of CPI (ML) Liberation dates back to, 1974. However, the post emergency phase of 1977, when most leaders of the Communist Movement were released from the jail was the time when the activity of Liberation was first noticed. The Party Central Committee in a move to unite the splinter groups owing their origin to CPI (ML) called a meeting during 30th January to 2nd February 1981. However the meet could not derive the expected results.

“From this point onwards whereas the PCC group goes on to become irrelevant and splits up into various factions, the Marxist-Leninist movement begins to polarize between the Marxist-Leninist line of CPI (ML) and the anarchist line of CPI (ML) (People’s War).”³¹

During 1982 Indian People’s Front was launched in New Delhi at a national conference. In due course of time, IPF became Party’s open political platform actively intervening in national politics. At the end of the year the Third Party Congress takes place at Giridih, Bihar where the issue of participation in election is clinched. This shift in the outlook of CPI (ML) Liberation proved to be vital in designing later course of activity within the Naxal Movement. As one scholar observes, “Even though the Liberation group considers itself the true inheritor of the CPI (ML) legacy, its political line has changed dramatically from that of the original CPI (ML).”³² With this strategic shift in functioning the CPI (ML) (Liberation) recorded its first electoral victory under banner of IPF in 1989 and “Ara”³³ sends the first ‘Naxalite’ member to Parliament.”

In a special conference convened in July 1990, the party decided to resume open functioning. This decision was formalized at its fifth Congress in December 1992. In 1994, the Indian People’s Front was disbanded. The Election Commission recognized the party in 1995 and since then the CPI (ML) is contesting successive elections at national and state levels.

The CPI (ML) Liberation, though functioning over ground within the Parliamentary Democracy set up, has not completely disbanded the path of armed rebellion.

³¹ Thirty Years of Naxalbari, an undated publication of CPI (ML) Liberation.

³² Bela Bhatia, Naxalite Movement in Central Bihar, Economic and Political Weekly, April 9, 2005.

³³ One Lok Sabha Constituency in Central Bihar.

“The Party does not rule out the possibility that under a set of exceptional national and international circumstances, the balance of social and political forces may even permit a relatively peaceful transfer of central power to revolutionary forces. But in a country where democratic institutions are based on essentially fragile and narrow foundations and where even small victories and partial reforms can only be achieved and maintained on the strength of mass militancy, the party of the proletariat must prepare itself for winning the ultimate decisive victory in an armed revolution. A people’s democratic front and a people’s army, therefore, remain the two most fundamental weapons of revolution in the arsenal of the Party.”³⁴

This again points out at the dilemmas within the ultra-left movement, which is very often reflected, in the unpredictable character of the Naxal movement.

2.3.2.1.1 Leadership and Organization

Subrata Dutta Alias Jauhar is being widely regarded as the founding father of CPI (ML) Liberation. However, it is Vinod Mishra and Nagbhushan Pattnaik who transformed both the ideological and operational face of the Party. The apex decision-making body of the Party is known as the Central Committee.

2.3.2.2 The Peoples War Group

PWG is the most important among all the splinter groups representing Naxal movement because today the dominant line within the Naxal politics is the PWG line of thought. Though it is popularly known as PWG or PW its official nomenclature is Communist Party of India-Marxist-Leninist (People’s War). If Naxalism today is being considered as the greatest internal security problem, and if today Naxals are claiming of running parallel government in different parts of the country, its credit mostly goes to PWG. “The CPI (ML) (People’s War) was formed on the Lenin’s birth anniversary on 22nd April 1980.”³⁵ Kondapalli Seetharamaiah, one of the most influential Naxalite leaders from Andhra Pradesh and a member of the erstwhile Central Organizing Committee of the Communist Party of India-Marxist-Leninist, (CPI-ML), is the founding father of PWG; however he was later expelled from the group.

³⁴ A Party Document of CPI (ML) Liberation titled *The General Programme*.

³⁵ 30 years of Naxalbari, an undated Maoist literature, Vanguard Publication, 30 (Vanguard was the organ of the PWG).

“The Programme of our Party has declared that India is a vast ‘semi colonial and semi-feudal country’, with about 80 percent of our population residing in our villages. It is ruled by the big-bourgeois big landlord classes, subservient to imperialism. The contradiction between the alliance of imperialism, feudalism and comprador-bureaucrat- capitalism on the one hand and the broad masses of the people on the other is the principal contradiction in our country. Only a successful People’s Democratic Revolution i.e. New Democratic Revolution and the establishment of People’s Democratic Dictatorship of the workers, peasants, the middle classes and national bourgeoisie under the leadership of the working class can lead to the liberation of our people from all exploitation and the dictatorship of the reactionary ruling classes and pave the way for building Socialism and Communism in our country, the ultimate aim of our Party. People’s War based on Armed Agrarian Revolution is the only path for achieving people’s democracy i.e. new democracy, in our country.”³⁶

Rejecting the Parliamentary Democratic System of the country and branding individual annihilation as individual terrorism, PWG declares people's war is the only path to bring about a people’s government in the country.³⁷

From the above quote of an important PWG party document it is clear that there was a set of organizational, strategic and tactical conflict going on within the CPI (ML), which paved the way for the split and creation of a more radical party. Broadly speaking the party programmes of CPI (ML) Liberation were mostly focused on the cause of peasants, while the group led by K. Seetharamaih wanted the party to be a platform for peasants, workers, tribal and other weaker sections of the society. It was the prime agenda of Liberation to build up a political front focusing on peasant struggles, whereas PWG was more interested in the formation of mass organizations instead of any democratic front. One of the renowned guerrilla leaders of the erstwhile PWG summarizes the essence of conflict between CPI (ML) Liberation and CPI (ML) People’s War.³⁸

“In the Liberation group, which at one time was one of the strong groups defending Charu Mazumdar’s revolutionary line, after the martyrdom of Com. Johar, with the leadership falling into the hands of Vinod Mishra, they began betraying the Indian revolution. As part of a conspiratorial plan, a once revolutionary party was gradually changed into a revisionist party, like the CPI and CPM. The armed resistance struggles against the state's attacks, taking place under the then leadership of Liberation, was ended. The armed struggle to crush the feudal private armies was made a secondary task. In this way, they diverted the entire group away from the basic path outlined by the unified CPI (ML), and particularly

³⁶ Supra 6

³⁷ Ibid.

³⁸ Supra 8

of its founder, Com. CM - that of protracted people's war into becoming agents of the ruling classes, by surrendering them to the parliamentary path. They converted the Com. Johar- led Liberation, from being a revolutionary movement, into a legalist, reformist and parliamentary movement; and changed the underground organization into an open opportunist and revisionist organization."³⁹

The above mentioned official statements of PWG clearly suggest that the birth of PWG which resulted due to another split within the CPI (ML-Liberation) was mostly designed due to the dynamics of conflict among lots of its cadres. For a considerable period after its birth PWG's activities were limited to Andhra Pradesh only whereas CPI (ML) Liberation continued to hold its turf in Bihar. It was during this period another organization came into existence on January 1, 1982. It was named as Communist Party of India (ML) Party Unity, which came into existence with a merger between CPI (ML) Unity Organizations and Central Organizing Committee CPI (ML). Here after the Left Wing Extremism in India witnessed some of the worst ever conflicts which again forced many of the organizations to take a position and adopt new tactics. Bihar has always remained a strong battle ground for Naxal operations and ironically in Bihar most of the clashes were between CPI (ML) Party Unity and CPI (ML) Liberation.

In August 1998, Party Unity merged with CPI (ML) People's War Group and the group came to be known as People's War.

"The merger of the two parties is the culmination of the unity process which began in March 1993 and continued for over five years during which differences on several political, ideological and organizational questions were resolved through thread-bare discussion."⁴⁰

The statement continues,

"The emergence of the united Party-the Communist Party of India (Marxist-Leninist) (People's War) - does not mark the completion of the process of unification of the genuine communist revolutionary forces in India. The newly Unified Party will continue its efforts in right earnest to achieve this unification. We also call upon the other genuine revolutionary elements in the various Marxist-Leninist parties in India who are being led astray by both right and left opportunist leadership, to fight against these deviations and rally under the banner of the United Party. The United Party pledges itself to avenge the death of thousands of martyrs who fell in the course of the ongoing democratic revolution in India paved with

³⁹ Ibid.

⁴⁰ People's War Literature titled *Joint Declaration by Communist Party of India (ML) People's War and CPI (ML) (Party Unity)* August 1998.

blood by these martyrs until their cherished goals are accomplished. This is the era of Revolutions.”⁴¹

By this merger PWG became another force to reckon with in Bihar and in other areas where PU had a presence. Further developments suggest that with this merger the armed rebellion path of the Naxal Movement became stronger, while on the other hand with its parliamentary practices Liberation was losing its turf to PWG. The same Liberation who once was controlling the whole of Central Bihar was losing its territory and supporters to PWG and MCC. Not only in Bihar, but everywhere Liberation was being systematically reduced from the map of Naxalite politics. By participating in electoral methods and by not being able to make an impressive mark the Liberation way of movement became weak and the PWG's armed operation started gaining momentum.

So when the Liberation with its changed modus operandi was being reduced to any other small political party, PWG in the same period managed to register its presence outside Andhra Pradesh and gradually made strong holds in different areas of Bihar, Orissa, Madhya Pradesh, Jharkhand, Chhattisgarh, and Maharashtra. Of course due to this conflict between PU and Liberation, both the groups suffered in terms of loss of considerable number of their cadres, but as we saw this conflict also resulted in the merger of PU and PWG and ultimately resulted in the violent consolidation of the movement.

The formation of People's War also resulted in tactical changes in several aspects of the Naxal movement in general.

“In our agenda for a new democratic revolution, there are two aspects - the agrarian revolution and fight for nationality.”⁴²

This statement shows the amount of organizational change witnessed by the Naxal movement in all those years. In 1967, it started in the name of agrarian revolution, which gradually took the stance of replacement of the Parliamentary form of government, but the question of nationality was never there. This reflects the pattern of conflict between PW and Liberation. By questioning nationality PW

⁴¹ Ibid.

⁴² Interview of Muppalla Lakshmana Rao alias Ganpathy, the then head of the Communist Party of India Marxist Leninist People's War. *available at* <http://www.rediff.com/news/1998/oct/07gana.htm> (Last Visited on May 26, 2019).

wanted to make it clear that it wanted a broad revolutionary pattern and 'land to tillers' could be a programme but not the sole agenda of the revolution.

In between 15th to 30th November 1995 the PW conducted an All India Special Conference in some unknown locality of Dandakaranya. There it adopted two important party documents. The Party Programme as adopted in the Conference reads,

"India is a semi-feudal, semi-colonial society; here the New Democratic Revolution has to be completed victoriously paving way to the Socialist Revolution and to advance towards the ultimate goal of Communism. The Indian people are weighed down by three big mountains: feudalism, imperialism and comprador bureaucrat capital; these are the targets to be over thrown in the present stage of NDR. The four major contradictions in the present-day Indian society are: the contradiction between feudalism and the broad masses; the contradiction between imperialism and the Indian people; the contradiction between capital and labour and the contradiction within the ruling classes. While the first two are fundamental contradictions to be resolved through the NDR, the contradiction between feudalism and the broad masses is the principal contradiction at the present stage. India is a multi-national country a prison house of nationalities and all the nationalities have the right to self-determination including secession. When NDR is victoriously completed, India will become a voluntary and genuine federation of all national people's republics."⁴³

The second document, which was adopted in the conference, was the document on the 'Strategy and Tactics'. It reads that,

"The political strategy to be pursued in the present stage of NDR in India is one of forming a broad united front of all the anti-feudal, anti-imperialist forces the working class, the peasantry, the petty bourgeoisie and the national bourgeoisie under the leadership of the working class to overthrow the common enemies feudalism, imperialism and comprador bureaucratic capital. The military strategy or the path of Indian Revolution is the path of protracted people's war i.e., liberating the countryside first through area wise seizure of power establishing guerilla zones and base areas and then encircling the cities and finally capturing power throughout the country."

"The unevenness in the economic, social and political development of Indian society calls for different tactics i.e., forms of struggle and organization, to be pursued in different regions of the country, while the political tactic line throughout the country remains the same. In urban areas the political and mass work should be carried out observing utmost precaution and the organizational work should proceed keeping in view the long-range perspective. Caste is a peculiar problem in India and appropriate forms of organization and struggle should be evolved vigorously to fight

⁴³ Quoted in Rajat Kumar Kujur, *The Naxal Movement: A Case study of the Naxal Politics in Orissa: 1990-2005*(2006) (Unpublished Ph.D. Thesis, Jawahar Lal Nehru University, New Delhi).

out untouchability, caste discrimination and to finally root out the caste system. The tactics of boycott of elections have to be pursued for a long time in the prevailing conditions in India; and participating in parliamentary and assembly elections under any pretext only weakens the class struggle.”⁴⁴

These two documents containing different organizational aspects of PW makes a clear-cut demarcation for the issues pertaining organizational conflict between the Liberation and PW. The Peoples War, on the basis of its assessment of the people’s level of preparedness for an armed struggle, discarded total annihilation of ‘class enemies’ as the only form of struggle and stressed on floating mass organizations. It established several front organizations. During the 1980s, the Radical Students Union and Rayatu Kuli Sangham had emerged as organizations with an impressive mass following and most of the PWG’s present base and political cadres had developed through that practice. However, during the 1990s, growth of militarization became the characteristic feature of the PWG. The formation of People’s Guerrilla Army, Special Guerrilla Squads, Permanent Action Team and Special Action Team were the distinctive features of PWG activities for quite some time before it merged with MCC to form the CPI (Maoist).

2.3.2.2.1 Organizational Concept

After expelling its founding father K. Seetaramaiah in 1992, Muppala Lakshman Rao, Alias Ganapathi established himself as the undisputed leader of PWG. He heads the highest policy making body of the group that is the Central Committee. Elections to the CC were last held in March 2001 in which the 21 leaders made it to the highest body of the group. Apart from these 21 there are also six alternate members who participate in the meeting in case of absence or death of any permanent member.⁴⁵

PWG functions purely on a bureaucratic model. Adopting the approach of functional specialization, the PWG at the top is divided into two wings, i.e. Political and Military wing. On the political side the organizational hierarchy of the PWG consists of the Central Committee at the apex, Regional Bureaus, Zonal or State Committees, District or Division Committees and Squad Area Committees. In the

⁴⁴ Ibid.

⁴⁵ The Communist Party of India (Marxist Leninist) (People’s War) Party document titled “Left Wing Extremist Group” available at https://www.satp.org/satporgtp/countries/india/maoist/terrorist_outfits/PWG.htm (Last Visited on May 26, 2019).

military sphere, the Central Military Commission headed by the General Secretary Ganapathi stands at the top. And there are military commissions parallel to the political committees at each level. At the bottom is the Village Defence Squad, consisting of a handful of people in a village, organized as a people's militia, and possessing basic training in handling small arms. At the political level, the Village Governance Committee is the mirror committee.⁴⁶

Andhra Pradesh is the red cradle that nurtured the movement and served for long as the main guerilla base for PWG. Orissa, Chhattisgarh, Madhya Pradesh, Bihar, Karnataka, Maharashtra, Uttar Pradesh, Jharkhand, and West Bengal the other states where the PWG has established a strong guerilla network. The range of activities undertaken by the PWG involves, but is not restricted to, land grabbing, political assassinations, elimination of 'class enemies', theft of weapons from police stations, kidnapping police officers, assaulting civilians, extorting money from construction firms, and vandalizing infrastructure. Overall Naxal activities result in about 1500 incidents and over 500 deaths each year.⁴⁷

2.3.2.3 Maoist Communist Centre

The other important group within the broad spectrum of Naxal movement is the Maoist Communist Centre. Among a number of organizations it stands apart as conventionally speaking it never was part of the CPI (ML), which many claim as the mother of all Naxal organizations.

“The MCC, while supporting the Naxalbari struggle, did not join the CPI (ML) because of some tactical differences and on the question of Party formation.”

The MCC was formed on 20th October 1969, during the same time when the CPI (ML) was formed, however during those days it was known as Dakshin Desh. It was in 1975 that the group renamed itself as Maoist communist Centre. In 2003, MCC merged with the Revolutionary Communist Centre of India-Maoists to form the Maoist Communist Centre-India.

Right from its inception, the MCC stood for taking up armed struggle as the main form of struggle and waging protracted people's war as the central task of the

⁴⁶ Ibid

⁴⁷ Ministry of Home Affairs, *Annual Report 2004-2005* (New Delhi, Ministry of Home Affairs, 2005).

party. This position of MCC has been repeatedly expressed and emphasized by a number of Maoist literatures. This armed revolutionary war is the war of the armed people themselves; it is Protracted People's War as shown by Mao Tsetung. The concrete economic and political condition of India leads to the very conclusion that the path shown by the great leader and teacher, Mao Tse-tung, the path of the Chinese Revolution, that is, and to establish a powerful people's army and people's militia and to establish dependable, strong and self-sufficient base areas in the countryside, to constantly consolidate and expand the people's army and the base areas, gradually to encircle the urban areas from the countryside by liberating the countryside, finally to capture the cities and to establish the state system and political authority of the people themselves by decisively destroying the state power of the reactionaries- this very path of the protracted People's War is the only path of liberation of the people of India, the path of victory of the new democratic revolution.⁴⁸

2.3.2.3.1 Organizational Set Up

If Kanhai Chatterjee is regarded as the founding father of MCC, his fellow comrade Amulya Sen is seen as the architect of the organizational set up of MCC. Other notable leaders who had the honour to lead the group are Shivenji, Pramod Mishra and Sanjay Dusadh. At the top of the organizational structure there is one Central Committee headed by the General Secretary, which is followed by Zonal Committees, Sub-zonal committees, Regional committees and Village committees. Krantikari Kisan Committee, the Red Defense Corps and the Youth and Women Fronts are the three underground units of the party. Apart from a military wing the MCC over the years have formed several front organizations, viz. the Naujawan Pratirodh Sangharsh Manch, Krantikari Budhijivi Sangh, Krantikari Sanskritik Sangh, Krantikari Chhatra League, Communist Yuva League, Naari Mukti Sangh and Mazdoor Mukti Sangh.⁴⁹

⁴⁸ Alok Banerjee, "MCC in India Three Decades Leading Battalions of the Poor", June, 2003 available at http://bannedthought.net/International/RIM/AWTW/2004-30/mcc_india.htm (Last visited on May 26, 2019).

⁴⁹ Dr. Sanjay K Jha, "Naxalite Movement in Bihar and Jharkhand", available at <https://www.asthabharati.org/Dia Apr05/Sanj.htm> (Last visited on May 26, 2019).

MCC has a formidable base in different areas of Jharkhand, Bihar, and Orissa. It does have a varying degree of influence over certain areas in Uttar Pradesh, and West Bengal.

“The KKC exercises power in the villages. This involves distributing land and crops seized from the class enemy, organizing improvement works, such as digging ponds for fish production, resolving disputes and ensuring the security of the people. Cultural teams use song and dance as one means to carry the line of the revolution.”

A closer look into MCC’s modus operandi during the past decade or so reveals that like the PWG, the MCC-I is also involved in land grabbing, political assassinations, elimination of ‘class enemies,’ theft of weapons from police stations, kidnapping police officers, assaulting civilians and extorting money.

General consensus is that the movement has ceased its most of the activities during the implementation of the emergency by Prime Minister Indira Gandhi which was imposed in 1975. In 1977 there was subsequently a split in radical left wing thinking in India movement began favoring participation in elections and trade unions, while others still saw armed struggle as the way to move forward. Post emergency communist movement splitting yet again to give birth to the CPI (ML) (Peoples War Group) 1982 formation of the Indian People’s Front, which would later become the political front of the CPI(ML) Liberation.

Original CPI(ML) was committed to an “armed struggle” against the Indian state, the CPI (ML) Liberation adopted a more centrist line advocating participation in the larger parliamentary democratic process. Under the banner the IPF, its political front, emerged as victorious in the Ara, Lok Sabha constituency. Bihar was also first state to witness the Naxalite movement in the year 1994.

1994, the Indian People Front was disbanded and the election commission recognized the CPI (ML) political outfit. CPI (ML) Liberation adopted more moderate instances and participated in parliamentary election.

Similarities between the PWG line of thought and that of the Kanhai Chatterjee faction of the AICCCR which formed the Maoist Communist Centre advocated for creating of it, which later lead to a merger of the two outfits.

During the end of 1980s and throughout the 1990s, the groups seeking the armed struggle had established militant peasant bases in Bihar, MP, Maharashtra and Odisha. Activities took place in what would eventually be titled 'the red corridor' and area stretching from the north-east Bihar, across the subcontinent to the south-west Maharashtra. Where dominated by the Naxalites.

India's first wave of insurgent violence ended badly for this domestic left-wing extremist movement but did not eliminate the conditions inspiring the movement or all of those willing to hold to the Naxalite cause. The movement fractured into more than 40 separate small groups.⁵⁰ Slowly-over the course of a decade-these groups began to remobilize and consolidate. Particularly in the south eastern Indian state of Andhra Pradesh, a new Naxalite organization called People's War emerged. Its leader, Kondapalli Seetharamaiah, sought a more efficient structure to boost morale, recruitment, and funding. By 1978 Naxalite peasant revolts had spread to the Karimnagar District of Telangana and Adilabad District of Andhra Pradesh. The major grievance was unpaid wages. Second-wave Naxalite insurgents kidnapped landlords and forced them to confess to crimes, apologize to villagers, and repay forced bribes. By the early 1980s insurgents had established a stronghold and sanctuary in the interlinked North Telangana village and Dandakaranya forests areas along the Andhra Pradesh and Orissa border.

2.3.2.4 Peoples War Group

Andhra Pradesh has a radical tradition going back to the Telangana struggle of 1946-51. The Girijan awakening in Srikakulam had preceded the Naxalite movement. The forces of the state squelched the uprising by 1970. The movement however continued to simmer. After Charu Mazumdar's death, his associates Kondapalli Seetharamaiah, KG Satyamurthy and Suniti Kumar Ghosh formed a Central Organising Committee in December 1972, concentrating on organizing and mobilizing the masses. They decided to eschew militancy until such time as the party was strong enough to embark on a course of violence. Kondapalli Seetharamaiah encouraged the party workers to 'commit money action' a euphemism for dacoity or robbery. He was arrested on 26th April 1977, but jumped bail and thereafter organized underground activities on a large scale. He broke away from the

⁵⁰ Supra 30

COC CPI (ML) on 20th April, 1980 and formed the CPI (ML) Peoples War Group. For the next ten years he moved from strength and the Peoples War Group emerged as the most formidable Naxalite formation in the country.⁵¹ What led to resurgence of Naxalism in the Telangana area? The basic reason was the continued economic exploitation of the tribals by the landlords, traders and government officials especially those of the Forest Department. As P.S. Sundaram wrote

“The tribal owning small pieces of land are expropriated and sharecroppers impoverished. They are all kept under perpetual bondage towards repayment of a small debt supposedly taken generations ago. The forest wealth is freely smuggled out by the contractors in connivance with the forest staff. The tribal get neither a remunerative price for their produce nor a fair wage for their labour.”

The social dimensions of exploitation were for a more revolting. The landlords of the region were commonly known as Dora /lord, C. Lokeswara Rao has described the high-handedness of the Doras and the tyranny of Doras in Telangana is unmatched. Tribal girls working on the Doras land are forcibly taken in his household and are at the disposal of the master and his guests. She is forced to have abortions when she gets pregnant. She has to subsist on the left overs passed on the cook, but has to satisfy the appetite of just about any male in the master's household. Naxalite songs are replete with reference to rape by landlords and to girls growing up with the knowledge of the inevitability of rape that awaits them. Only a few such practices have disappeared and the pace of change is very slow.⁵²

On 20th May 1981, the Naxalites had called for a meeting of tribals at Indraveli in Adilabad district. More than 30,000 tribals had turned up. But the administration refused permission for meeting, apprehending a clash between landlords and tribals, however the tribals were determined to have the meeting. There was a Lathi charge and then firing in which 13 Gond Tribals were died on the spot. The PWG exploited the anger of the tribals and consolidated their hold on the area. Kondapalli Seetharamiah was arrested for the second time on 2nd January, 1982 but escaped from hospital on 4th January, 1984. He now concentrated on organization of the PWG cadres and constituted Forest Committees for the forest areas and Regional Committees for the plain areas. Armed squads or Dalams

⁵¹ E.M. Ramohan, IPS (Ret), *Countering Insurgencies in India: An Insider's View* 207 (Vij Books India Pvt. Ltd, New Delhi, India, 2011).

⁵² Ibid at 208

comprising 6 to 10 members were formed and about 50 Dalams were soon active in Telangana.⁵³

The PWG believed to have redistributed nearly half a million acres across Andhra Pradesh. The modus operandi was to forcibly occupy excess land of big land lords and give them to the landless or to the labourers working for the landlord. As per the state government's own admission, counter affidavit 68/82 filed by the state against the Naxalites, the radicals had forcibly redistributed 80,000 acres of agricultural land and 20,000 acres of forest land. What was government doing all this time since the Land Ceiling Act came into being? This is the crux of the matter in Andhra Pradesh and in many states of India where the Land Ceiling Act is not enforced. Party activists insisted on a hike in the daily minimum wages from Rs. 15 to Rs. 25 and the annual fee for jeetagadu /yearlonglabour from Rs. 2000 to Rs. 4000. The poorer sections were particularly happy at these two measures but found that this can be turned into reality only with the intervention of the Naxalites. Gorakala Doras /lord of the bushes is how the Naxalites came to be known in the interior forest areas.⁵⁴

Revolutionary writers helped in furthering the Naxalite ideology. The moving spirit of the Jana Natya Mandali, the cultural front of the PWG was Gummadi Vital Rao, better known as Gaddar. This wandering minstrel's ballads inspired the simple tribal. He became a legend in Andhra Pradesh.

The PWG fought successive battle with the Telgu Desam Government. When the Congress came to power in 1989 they were soft on the Naxalites and freed many of them under detention and in prison. They however did nothing to control the exploitation of the tribals like enforcing the Land Ceiling or controlling the money lenders. The Naxalites began organizing, extorting money and running peoples courts, giving the general impression of a parallel government. As a result, Congress resumed their hard line strategy.

Soon the PWG had spread to the adjoining areas of Maharashtra, Madhya Pradesh, and Odisha and into some areas of Tamil Nadu and Karnataka. They also

⁵³ Ibid.

⁵⁴ Ibid.

acquired 50- 60 AK 47 rifles, probably from the LTTE. Naxalite violence gradually stepped up and peaked in 1991 with several attacks on railway and electrical installations, police stations and patrols. On 8th May 1992, the PWG was banned and coordinated operations commenced against them by the Central Paramilitary Forces and the State Police. The operation was successful with 3500 cadres arrested and 8500 surrendering. By 1993, the Naxalites surged back with rising violence.⁵⁵

They now spread to the Bastar district of Chhattisgarh, which till then was a sleepy forest outpost. The tribals of Bastar were used to a life of deprivation. They made the truant teacher to take classes regularly and the absentee of doctor to attend his patients. This made the tribals look at the Naxalite cadres with awe and respect. Writing about Bastar the Peoples Union of Civil Liberties explained that a lopsided socio- economic development of the district caused by exploitation through cheating and duping was an ideal setting for the Naxalites to take root in the areas. With their idealism, free of corruption or other vested interests, they could win the confidence of the tribals. They even punished corrupt officials and made the tendu leaf contractors increase the wages. The movement spread to Balaghat and Rajnandgaon districts.⁵⁶

Gadchiroli district of Maharashtra is largely inhabited by tribals. The jungle is spread through 10,495 square kilometers out of the district area of 15,434 square kilometers. The entire life of the tribals revolves around the forests, yet the tribals were denied access to the forests due to the obtuse interpretation of the Forest Act and Rules. With the coming of the Naxalites, the forest officials abdicated their jurisdiction. The best testimonial of the presence of the Naxalite was given by an innocent tribal who got a lift from the commissioner of schedule castes and tribes during his visit in Gadchiroli district. The Naxalites are called Dadas in Gadchiroli district. When asked about the Dadas, tribal replied-

“There is at least one change since the Dadas have come. The government atrocities are over and the police cannot harass us.”

There were 113 incidents of Naxalite violence in the district in 1990 with 16 deaths. On 12th November 1991, ten CRPF personnel were killed and 13 injured in a

⁵⁵ Ibid

⁵⁶ Ibid

landmine explosion under their vehicle. The PWG has attained a high degree of expertise in making and detonating improvised explosive devices.⁵⁷

2.3.2.5 The New Left in Bihar

Arvind N Das-“Bihar’s economy has been at stand still for decades. The discriminatory nature of public and private investments, the green revolution bypassing the state, principally on account of non-implementation of land reforms, the willful subversion of whatever social security system existed, all these has pushed the people into poverty, the economy into backwardness, the society into violence. The resentment of the oppressed sections in this environment found an outlet in the emergence of a ‘New Left’ manifested in the form of three Naxalite groups in the beginning of 1980- The Maoist Communist Centre, CPI ML (Anti Lin Biao Group) and the CPI-ML Party Unity. In May 1982, the Bihar Government reported that 47 out of the 857 blocks were affected by the Naxalite movement. Subsequently the movement has grown enormously in the face of a corrupt, casteist and incompetent administration. When the CPI-ML was formed, one Naxalite group Dakshin Desh had remained aloof. Amulya Sen and Kanai Chatterjee were its leaders. They considered mass mobilization as a precursor to armed action. The group choose Jungle Mahal area of Burdwan, with a sizeable population of schedule castes and tribals, for its operations. Agricultural land was inadequate, irrigation virtually nonexistent, and the wages rates dismally low, all conditions suitable for a Naxalite uprising. The landlords generally belonged to the upper castes, while the sharecroppers and landless labour were scheduled castes or tribals, providing the ideal mix for the Naxalite to enter. By 1973, the party had 37 militias who organized actions like looting of food grains, killing of class enemies and snatching of arms.

In 1975, the group was renamed as the Maoist Communist Centre. The MCC gradually spread over Central Bihar. Its membership exceeded 10,000 and they had stockpiled about 700 weapons including some AK 47 rifles. There were gruesome slaughters of Rajputs by Yadavs in the MCC. These were more in the form of feuds between the two communities and mainly because of the way the Rajputs treated the Yadavs. On 29th May 1987 the Yadav cadres of the MCC slaughtered 42 Rajputs of Baghaura and Dalelchak villages of Aurangabad district. On 12th February 1992, 37

⁵⁷ Ibid.

members of the landowning Bhumihaar caste were hacked to death by the MCC cadres in Bara village of Gaya district.

Vinod Mishra formed the CPI-ML anti Lin Biao faction in December 1973. It struck roots in Bhojpur district and spread to Rohatas, Jehanabad, Patna and Nalanda districts. They had 50 underground armed squads and weapons, mostly country made guns, a few rifles and sten guns. The Indian People Front was the political front of the anti Lin Biao fraction.

The CPI (ML) Party Unity was formed in 1982 by the merger of the COC CPI (ML) of Andhra Pradesh and the Unity Organization of CPI-ML of West Bengal. The Party Unity has about 30,000 members. It has 25 armed squads holding about 150 weapons, including a few sten guns.⁵⁸

In 1985 Naxalite insurgents began ambushing police. After they killed a police sub-inspector in Warangal, Telangana, Andhra Pradesh responded by creating a special task force called the Greyhounds to establish control in the seven worst affected districts. An elite anti-Naxalite commando unit that still exists today, the Greyhounds were drawn from within the Andhra Pradesh police forces and given special treatment. A 2,000-strong force in 2015, the Greyhounds were given preferred payment and training-better than federal or state paramilitary forces. They were also highly supported by the entire state police force. The Greyhounds played a minimal role in combatting the Naxalites during the second phase of the Maoist insurgency.

In 1987 the Naxalite Political Party (People's War) and other Maoist groups in Andhra Pradesh were barred from elections after kidnapped government officials were exchanged for Naxalite prisoners. The ban was briefly lifted in 1991. In December of that year, however, insurgent attacks increased. Affected states responded by establishing special laws that enabled police to focus on capture, detention, and extra-normal means of violence against Naxalite cadres fighters and presumed supporters. Andhra Pradesh and Orissa invited additional central paramilitary forces in Telangana to augment state and federal government security forces already there. Besides brute force, the state set up rival mass organizations to

⁵⁸Ibid.

attract youth away from the Naxalites, started rehabilitation programs, and established new informant networks.

The new counter insurgency strategy reduced violent incidents, and nearly 9,000 Naxalites surrendered. Consequently in 1994 the ban on ostensibly moderate Naxalite political parties was lifted. The second wave of the Naxalite insurgency had been stopped. However, and as at the end of the first phase of the Naxalite insurgency, the socio economic conditions underpinning Naxalism remained largely unchanged in many regions of eastern India.

2.3.3 Reconsolidation Period 1991 to Present: Third Phase

The period described mostly reconsideration of the Naxalite and extremist movement in India. The Communist Party of India (Maoist), is the largest and most lethal Naxalite/left-wing extremist group in India. The Maoists have a presence in 106 districts, across 10 states. Their underground armed cadre strength is estimated to be around 6,000 men and women.⁵⁹

From the mid-1990 to the early 2000 the Naxalite insurgency remained largely out of the public eye, but the movement totally not comes to its maximum. Taking advantage of rising local support for violent response to economic conditions, fragmented Naxalite groups created a united front: the People's War, Party Unity, and the Maoist Communist Center combined to form the People's War Group. Naxalism manifested itself in episodic spurts of violence by the PWG, which had its most pronounced presence in Adhra Pradesh. From 1999- 2002, local level violence increased. The PWG accelerated attacks on state government locations in Andhra Pradesh, Orissa, and Chhattisgarh. By 2000 an estimated 3,000 armed Naxalite rebels were reportedly active in India's east.

Indian government took actions that accelerated grievances among the poor and displaced with sympathies for left-wing violence. First, economic growth and development led to local and state government appropriation of land for infrastructure and resource development, displacing many underprivileged people who had no political voice. Second, governments responded to Naxalite violence

⁵⁹ P.V.Ramana "Maoist Finance" 1 *IDS* 59(2018). available at <https://idsa.in/system/files/jds/jds-12-2-2018-maoist-finances.pdf> (Last visited on May 26, 2019).

with acute violence, reportedly including the extra-judicial murder and torture of suspected rebels and rebel families. The MCC intensified its campaign of violence against Indian security forces and government agencies in 2002-2003 after its leader was killed by police.

In 2004, the PWG was superseded by the CPI-M. From this 2004 merger of the two largest Naxalite factions-the PWG and MCC-into the CPI-M, Maoist ideology was fused with a cadre of armed groups for the first time. A third and more lethal wave of violence-more sophisticated and more destructive-rapidly spread throughout eastern India. Naxalite leaders expanded control over natural resource rich areas for example, coal, gas, precious minerals, and timber. They also collected taxes and extortion money to fund weapons production, including the production of crude but effective improvised explosive devices.

2.3.3.1 Communist party of India (Maoist)

On 21st September 2004, PW and MCCI merge, resulting in the formation of the largest and most lethal Naxalite outfit in India - the CPI (Maoist)-with a then-estimated strength of 9,500 underground armed men and women. In 2008, CPI-ML (Naxalbari) and the Kerala unit of a group known as the CPI (ML) Janasakthi merge with CPI (Maoist). In the months ahead, a strong possibility exists that other state units of the Janasakthi party will merge with the CPI (Maoist).⁶⁰

With these mergers, there has been a consolidation of forces. The mergers should also be seen in the context of security operations against the rebels, turf wars leading to internecine clashes, and the proscription imposed on the rebels from time to time by the central government and the affected states. In a manner of speaking, the rebels seem to have realized that strength lies in unity. The effect the merger was explained by Narayan Sanyal

“This is the most significant incident in the CPI-ML history after the martyrdom of Charu Mazumdar. It was the desire of the rank and file that there should be a unified leadership so that the revolution can be quickened. On the other hand, CPI (Maoist) general secretary Muppala Lakshmana Rao, alias Ganapathy, had this to say about the significance of the merger”

⁶⁰ Supra 26

“In our agenda for a new democratic revolution, there are two aspects- the agrarian revolution and the fight for nationality. For the development of a new democratic revolution, the unification of the two is needed. Our merger is a cue for such unification.”⁶¹

Naxal Movement in India entered into yet another phase of organizational transformation with the merger of two of the principal armed organizations, viz. People’s War (PW) and the Maoist Communist Centre of India (MCC-1), which resulted in the formation, of the Communist Party of India (Maoist).

Maoists⁶² aims to overthrow the current government and establish socialist-communist rule in India to address vast inequities within the population. In late 2004, the two largest Naxalite organizations - the People’s War Group and the Maoist Communist Centre of India - merged to form the Communist Party of India (CPI-Maoist).⁶³

Communist Party of India (Maoist) came into existence in September 2004 following the merger of the Maoist Communist Centre and the peoples War Groups. Merger was officially recognized in November 2004 at a press conference in Hyderabad on the eve of the peace-talks between the PWG and Andhra Pradesh Government. Merger reenergized the movement through their goals remain the same agrarian revolution through peoples war for seizure of power from the state. Coming together of PWG and the MCC was not a smooth ride and was fraught with hurdles along the way clashes between the MCC and PWG would occur on regular basis. People’s war group lines of thought completely rejected the idea of parliamentary democracy most important of all the splinter groups as the prevalent Naxal ideology and policies of today arise primarily from the principles espoused by the PWG. Creation of the state Jharkhand in the year 2000 and the security offensive mounted by the administration acted as the ballast for closer cooperation between the PWG and MCC which resulted in their coming together under one umbrella which later come to be known as the CPI (MAOIST) in 2004.

“The formation of the unified Communist Party of India (Maoist) is a new milestone in the history of the revolutionary communist movement of India. A

⁶¹ Ibid

⁶² Commonly Known as Naxalites

⁶³ India Maoist Insurgency (1980 First Combat Deaths) *available at* https://ploughshares.ca/pl_armed_conflict/india-maoist-insurgency-1980-first-combat-deaths/ (Last Visited on April 25, 2019).

unified Maoist party based on Marxism-Leninism-Maoism is a long delayed and highly cherished need of the revolutionary minded and oppressed people of the country, including all our ranks, and also all the Maoist forces of South Asia and internationally. Now, this long-aspired desire and dream has been transformed into a reality.”⁶⁴

This statement given by the first Secretary of CPI (Maoist) Ganapathy, assumes a great deal of importance as it reflects the organizational politics that was going on all these years between these two organizations representing the Naxal movement. The improvised aim of the CPI (Maoist) as announced on the occasion of its formation is to establish a compact revolutionary zone stretching from Nepal to Bihar to Andhra Pradesh and beyond. While continuing their goal of people’s democracy the ultimate aim of the CPI (Maoist) is to seize power through protracted armed struggle.

“The immediate aim and programme of the Maoist party is to carry on and complete the already ongoing and advancing New Democratic Revolution in India as a part of the world proletarian revolution by overthrowing the semi-colonial, semi-feudal system under the neo-colonial form of indirect rule, exploitation and control. This revolution will remain directed against imperialism, feudalism and comprador bureaucratic capitalism. This revolution will be carried out and completed through armed agrarian revolutionary war, i.e. protracted people’s War with the armed seizure of power remaining as its central and principal task, encircling the cities from the countryside and thereby finally capturing them. Hence the countryside as well as the PPW (Protracted People’s War) will remain as the ‘center of gravity’ of the party’s work, while urban work will be complimentary to it. According to the same press release, the CPI Maoists “will still seek to unite all genuine Maoist groups that remain outside this unified party.”

It is important to examine the significance of the merger particularly when earlier attempts were not successful. In fact, the merger is largely being seen as a result of the gradual convergence of views of these two groups on areas such as the role of the party, approaches to revolution and adoption of strategies and tactics. In the formative years, Charu Mazumdar and Kanhai Chatterjee represented two irreconcilably different lines and approaches to ‘revolution’. At the time of the formation of, the Communist Party of India (Marxist-Leninist) CPIML in 1969, the Dakshin Desh, earlier form of the MCC, remained opposed to the process due to sharp differences with the CPI-ML over issues such as formation of a communist

⁶⁴ Ganapathy, in an Interview given on the occasion of the formation of CPI (Maoist). People’s March, vol.5, No. 11-12, November-December 2004.

party, existence of revolutionary mass struggle and preparedness of the people to participate in it. They highlighted the essence of merger.

“In the past history there were many splits within the M-L movement. But splits are only one side of the coin; the brighter side was that there were continuous efforts to unify the revolutionaries. The CPI (ML) (PU), though it had its origins in Bengal, it spread and strengthened by unifying several revolutionary groups. The CPI (ML) (PW), though it originated in Andhra Pradesh and Tamil Nadu, it unified with revolutionaries in almost all the states where it was working. The MCC too, had originated in Bengal, unified many revolutionaries groups in it in many States and became the MCCI.”⁶⁵

This statement underlines the continuous process of organizational politics within the broad spectrum of Naxalite movement in the process which resulted with the organizational conflict.

Looking back, the need for a joint unified platform was felt by the leadership of both the Parties as early as 1981.

“The PW and MCC began unity talks from their very first meeting in 1981. However, the reason for the delay in the process was the lack of continuity of leadership. The arrest of Comrade Kondapally Seetaramaiah, the leader of the PW, and later the internal crisis of the PW and split in the Central Committee delayed the unity process for several years. In the early eighties, the MCC lost its two top leaders Comrades Amulya Sen and Kanhai Chatterjee, which had some negative impact, resulting in further delay in the unity process.”⁶⁶

2.3.3.1.1 Protracted War

The strategy Naxalites have adopted was a Protracted War with the aim of capturing political power by armed struggle as a prelude to the subsequent unification of liberated areas. The strategy adopted has ensured simultaneity of active operations by the military wing as well as the front organisations.

2.3.3.1.2 Compact Revolutionary Zone

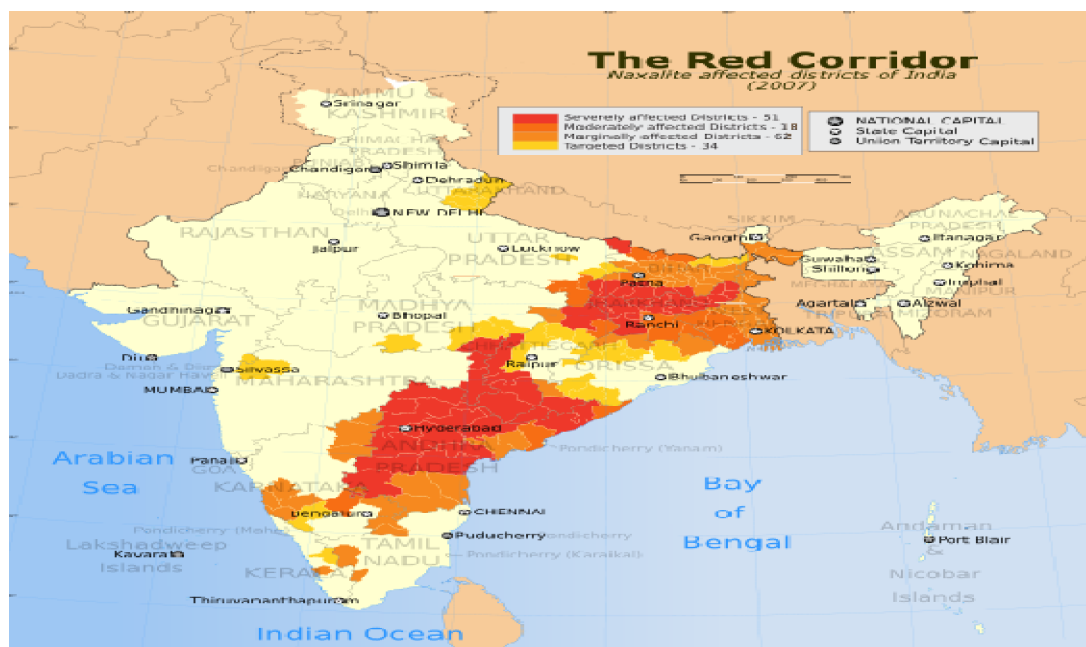
The Naxalites in collusion with their counter parts in Nepal have planned and are working to create a red corridor, starting from the border with Nepal and extending up to Kerala. The intention is to have a continuous stretch of territory under their influence and control, with the ultimate goal of eventually ‘liberating’ the

⁶⁵ Ibid.

⁶⁶ Ibid.

entire zone. This would provide the Naxal organization added impunity to coordinate their operations and extend their Area of Influence.

Figure-2.1 : The Red Corridor



Source⁶⁷

The fighting force of the PWG is organised as the People's Guerrilla Army. The Naxalists initially attack isolated posts and subsequently attack the centralized and powerful posts. They capture rural areas at first and then only hold the urban areas. When opposition is in numerical superiority then they encircle and completely destroy them. They make full use of adverse condition for maximum surprise and deception and fight with detailed preparation. They utilise the period of ceasefire for rest, refit & training. They target vital economic infrastructure so as to cripple transport and logistics capabilities and also slow down any development activity. This helps them sustain their ideology of deprivation and neglect. They resort to eliminating important political leadership so as to instil a feeling of fear in the local populace. Main source of weapons for Naxalite has been through raids on police stations. Another source of weapon procurement is from illegal arms markets. Weaponry in their possession include AK-47 rifles, SLR, .303 rifles, country guns, hand grenade, explosive, detonators, mortars, and LMGs. Other than firearms the

⁶⁷http://en.wikipedia.org/wiki/Naxalite%E2%80%93Maoist_insurgency, <http://www.pib.nic.in/newsite/erelease.aspx?relid=50833>

Naxalites, in their operations, have used IED made from gelignite & locally manufactured grenade.

2.3.3.1.3 Constitution

As per a document, entitled Constitution of CPI (Maoist) (2004), the highest body of the Party shall be the Party Congress. The Party Congress shall be held once in five years as per the decision of Central Committee. Between the two Congresses, the Central Committee, which is elected by the Party Congress, shall be the highest body of the Party. In between two CC meetings, Politburo formed by the CC enjoys the same rights as the CC does. The CC elects the General Secretary of the Party, who ex officio heads the PB. The CC and the PB consist of 37 and 14 members respectively. After the CC, the sequential hierarchy is following:⁶⁸

1. Special Area Committee/Special Zonal Committee/State Committee
2. Regional Committee
3. Zonal Committee/District/Divisional Committee
4. Sub-Zonal/Sub-Divisional Committee
5. Area Committee
6. Local level committees i.e. village/Factory/College party committee

The basic unit of the Party is Party Cell which consists of three to five members. Party Cell can be formed area-wise, profession wise or production wise. For the maintenance and supervision of the people's army, the CC constitutes Central Military Commission.

Following departments are under the direct command of the CMC:

1. Technical Research and Arms Manufacturing Unit
2. Regional Commands
3. Special Action Teams
4. Military Intelligence
5. Publications and Editorial Board of 'Jung'
6. Central Military Instructors Team Communications

⁶⁸ Sandeep Kumar Dubey "Maoist Movement in India: An Overview", *IDSA* (2013). Available at https://idsa.in/system/files/BG_MaoistMovement.pdf (Visited on May 26, 2019).

7. Tactical Counter Offensive Campaign
8. People's Liberation Guerrilla Army

The Maoists have decentralized all the central units of their Party to increase the efficacy of each unit. For example, at the State level, they have State Committees, State Military Commission etc. The various Special Area Committees/Special Zonal Committees/State Committees are following:

1. Dandakaranya Special Zonal Committee
2. Andhra Orissa Border Special Zonal Committee
3. North Telangana Special Zonal Committee
4. Bihar Jharkhand North Chhattisgarh -Special Area Committee
5. West Bengal State Committee
6. Punjab State Committee
7. Maharashtra State Committee

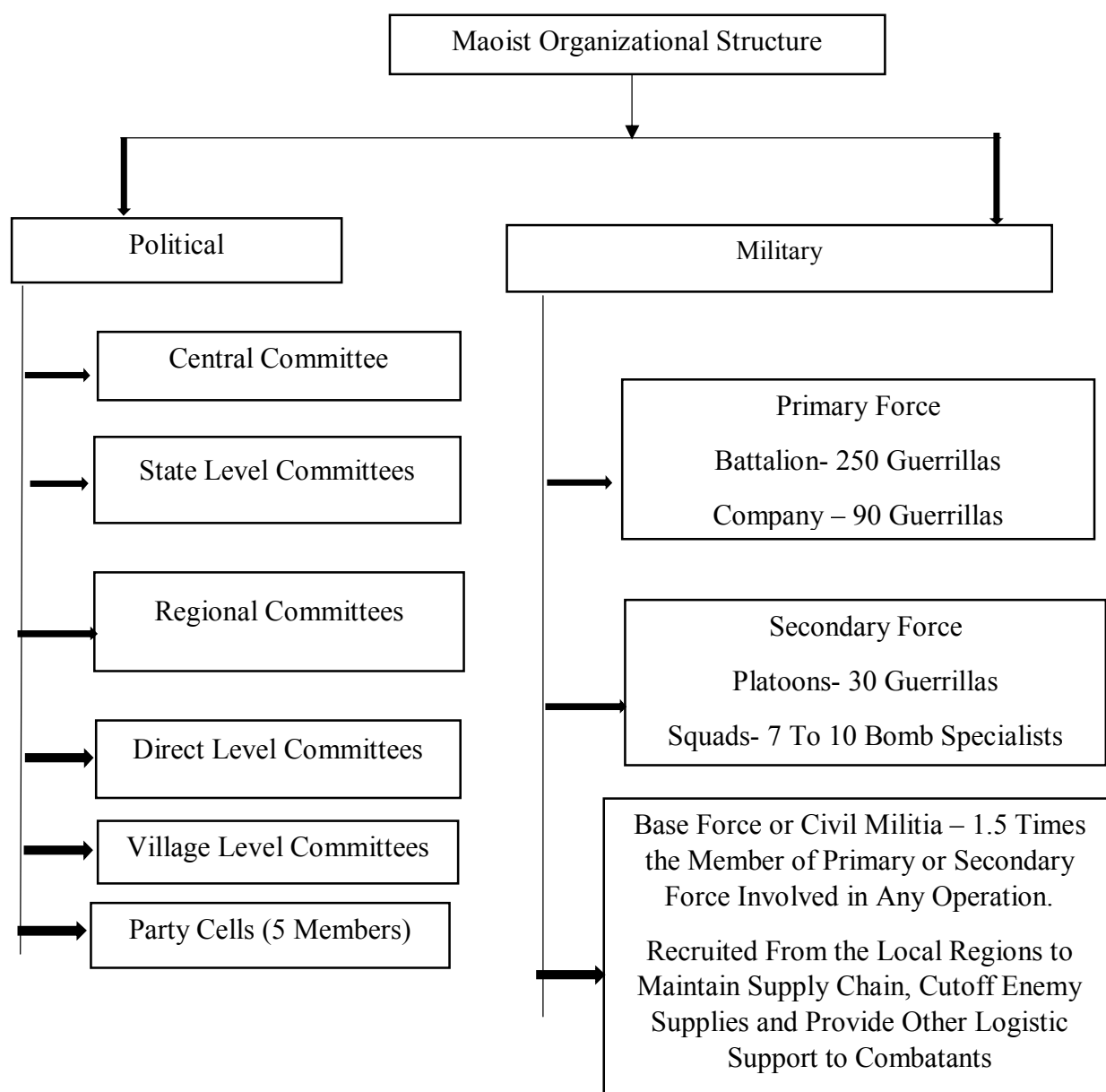
Along with the above division the Maoist also constituted Regional Bureaus to monitor and coordinate the activities of the Party in various parts of the country. The Bureaus are following:

1. North Regional Bureau
2. South Western Regional Bureau
3. East Regional Bureau
4. Central Regional Bureau
5. Odisha-Chhattisgarh Regional Bureau

By the constitution of the above agency a strong and well equipped intelligence network was developed in the area of their dominance. These intelligence set up is commonly known as the intelligence set-up is known as the People's Security Service.

As per the version of ministry of home affairs the front organization was in existence in 20 state of Indian Territory having a different organization and function as well as the name.

Chart 2.2: Maoist Organization Structure



The head of The CPI (Maoist) is General Secretary of the organizational set up. The current General Secretary of the CPI (Maoist) is Nambala Keshav Rao alias Basavaraj. He appointed after Muppala Lakshmana Rao alias Ganapathy. The outfit's organizational structure is hierarchical. At the apex is the all-powerful Central Committee. As in January 2014, it is believed that the CC consists of 17 members. A smaller core group of seven people constitute the Politburo that runs the affairs of the outfit on a day-to-day basis. The Regional Bureau a conglomerate of areas in different States reports to the CC. The State Committee and its equivalent Special Zone Committee reports to the RB. Each State/SZC is responsible for all

activities of the outfit within its jurisdiction. Each State is further divided into zones and sub-zones, below which are District/Division Committees. Below the District/Division level, there are Squad Area Committees, which are responsible for activities within a cluster of villages in which the guerrilla squad operates. A village/town cell is at the bottom of the hierarchy.⁶⁹

A seven-member Central Military Commission is at the apex of the Maoist military machine and the People's Liberation Guerrilla Army. There exists a Military Commission corresponding to each of the committees. Besides, there is an overlap between the political and military structures of the CPI (Maoist), i.e., while there are separate political and military structures, their membership is common in the largest measure. In other words, at each level a large number of members are common to both the committees and commissions.

The Maoist propaganda machinery is guided by the Central Propaganda Bureau, whose members are also members of the CC. The CPB is responsible for dissemination of all internal circulars of the CPI (Maoist), as well as distribution of its periodicals. All the major decisions are taken by the CC after a careful assessment of their pros and cons. The CC then leaves it to the individual field-level commanders to plan and execute the decisions. After every major action an attack on a police station, looting an armory or killing of an important public person or a well-protected security official or a detailed de-briefing is conducted to assess strengths, mistakes and weaknesses and, thus, learn lessons for future tactics. The CPI (Maoist) gathers intelligence in pursuit of its activities, and has a dedicated intelligence wing, which was once headed by Patel Sudhakar Reddy and later by Sakhamuri Appa Rao, both of whom were killed in separate encounters with the Andhra Pradesh police. Also, there is enough indication that, sooner than later, there are plans to institute a Disciplinary Committee.⁷⁰

⁶⁹ P V Ramana, *Understanding India's Maoists: Select Documents 3* (Pentagon Press, New Delhi, 2014).

⁷⁰ Ibid at 3-4

2.3.3.1.4 Constitution of Cadre and Recruitment

By Bimal, a Central Committee member are the Maoists have

“A party controlled mechanism under which they receive proposals from the locals personnel. After obtaining the consent of the parents of applicants, we forward the proposals to one of our committees. It vets them and takes a final call on whether or not to recruit, based on the person’s antecedents, class and disposition towards others in his or her village”.

2.3.3.2 Proliferation

Maoist strategy is to expand the ongoing war against the Indian State in space, time and material. The Maoists have already spread into almost one-third of the country’s geographical area. So far as time is concerned, they have managed to sustain the movement for almost 40 years. And as to material, they have already acquired modern weapons and artillery; they have Central Military Commission in place to expedite their research and development for the in-house development of arms and ammunitions. Recently, it was reported that the Maoists have already stockpiled 6000 rocket launchers.⁷¹

Reportedly, they have a grand design to create a Compact Revolutionary Zone or Red Corridor from Pashupati of Nepal to Tirupati of Andhra Pradesh. This includes most of the area of Eastern Ghat. They are also making efforts to replicate the same in the Western Ghat too, although they have not been so successful. Their presence in the forest of Karnatka has been reported in media quite recently. Tamil Nadu and Kerala are not averse to their penetration. The eastern part of Maharashtra which includes Gadchiroli, Gondia etc. is largely affected by the Maoist presence. It is reported that they have already penetrated in the Golden Corridor which stretches from Pune to Ahmedabad, including Nashik, Surat and Vadodara. In fact, Maoists have succeeded in penetrating into the National Capital Region. Moreover, it is now no more secret that some Maoists have been arrested from Delhi, the national capital, as well.⁷²

Recent reports in media indicate their presence in North-East India too. Maoist cadres, under the umbrella of the Upper Assam Leading Committee of the

⁷¹Supra 68

⁷² Ibid.

CPI (Maoist), have already sneaked into Dhemaji, Tinsukia, Dibrugarh, Sonitpur and Chirang districts of Assam and Lohit and lower Dibang valley districts of Arunachal Pradesh. Apparently, Maoist's strategy is to give their movement a pan-India shape to wage an all-out war against the Indian State in one go to create panic at all-India level as to get leverage vis-à-vis the Indian government in psychological warfare.

Reportedly, they have identified seven strategic areas in the country. Those areas are corridors stretching between:

1. Bihar-Jharkhand-Chhattisgarh-Andhra Pradesh;
2. Chhattisgarh-Orissa;
3. Bihar-Jharkhand-West Bengal;
4. West Bengal-Assam;
5. Manipur-Tripura;
6. Jammu and Kashmir
7. Uttarakhand-Punjab-Haryana-Delhi; and
8. Gujarat-Maharashtra

2.3.3.3 Party Programme

The document, entitled Party Programme (2004), gives details of the Maoists' programmes as to their so-called Indian revolution. Programme, in Maoist parlance, sets up guiding principles for the formation of strategy. The Programme of the CPI (Maoist) can be summarized in the following points:⁷³

1. To declare the Independence of India in 1947 fake in essence
2. To take the path of armed struggle for the seizure of political power
3. To follow the Chinese path of armed struggle
4. To capture political power by encircling from countryside to countrywide
5. To unite with the Maoist forces of South Asia to overthrow Indian State
6. To declare India as a prison house of nationalities
7. To support unequivocally the nationalities struggles
8. To promote woman/Dalit/minority/nationality question as a class question

⁷³ Ibid.

9. To raise the slogan of 'Boycott Election'
10. To carry forward armed agrarian revolutionary war
11. To introduce New Democracy or People's Democracy
12. To establish a People's Democratic Federal Republics of India
13. To promote proletarian internationalism

2.3.3.4 Nexus

There are about forty Naxalite groups operating under various labels in different parts of the country. Ten of them could be considered significant. They are

1. The Communist Party of India (Maoist) which was formed with the merger of the People's War Group and the Maoist Communist Centre;
2. The CPI (ML) Liberation Group;
3. The CPI (ML) Party Unity;
4. The CPI (ML) K. Ramchandran faction;
5. The CPI (ML) Jan Shakti;
6. The CPI (ML) New Democracy;
7. the Kerala Communist Party;
8. The CPI (ML)
9. Red Flag and
10. The Communist Organization of India (ML).

The heterogeneous formations have had varying degrees of influence in their areas of operation. The erstwhile PWG had dominant influence in Andhra Pradesh, Orissa, Chhattisgarh, Karnataka, Maharashtra and Tamil Nadu. The former MCC had influence in Bihar, Jharkhand, and West Bengal, Uttar Pradesh, Uttarakhand and parts of Madhya Pradesh.

2.3.3.4.1 Extra-territorial Nexus

The Chinese presume that

“The revolutionary group of the Indian Communist Party have thrown off the shackles of modern revisionism and smashed the trammels that bound them.”

Subsequently, the formation of the CPI (ML) in 1969 was also welcomed by the Chinese Communist Party, which published the party's political resolution in

People's Daily. Beijing Radio welcomed the uprising. Recognition also came from the Marxist-Leninist groups of other countries like the United Kingdom, Albania, and Sri Lanka. In due course, the CPI (ML) developed a close nexus with these parties and also with the Marxist-Leninist groups of other countries like Australia, U.S., Canada, Cuba, Indonesia, Italy, Nepal, and East Pakistan. The Chinese extended financial assistance and supplied propaganda literature to the Naxalites. They also directed the Naga rebels to provide some arms and ammunition out of the consignment they had received from China. The Naga rebels are thought to have given one light machinegun and ten rifles to the Naxalites of Assam. The Communist Party of Great Britain remitted 1,000 pounds to the party's central committee. The CPI (ML) functioned as a contingent of the international Communist movement. The extra-territorial links of the party weakened after the death of Charu Mazumdar and the subsequent fragmentation of the party. Marxism, Leninism nevertheless continued to be quoted, and Mao remained the source of inspiration. A significant development in this direction was the formation of Coordination Committee of Maoist Parties and Organizations of South Asia in June 2001.

“To unify and co-ordinate the activities of the Maoist parties and organization in South Asia to confront this developing situation by spreading protracted people's war in the region, in the context of hastening and advancing the world proletarian socialist revolution.”

The joint declaration was signed by the Marxist-Leninist parties of Bangladesh, Nepal, Sri Lanka, and India. The CCOMPOSA, through a declaration adopted in August 2002, enunciated the following principles to achieve unity of the Maoist parties and organizations of South Asia:

Marxism -Leninism-Maoism to be the scientific ideology of the constituent units. New Democratic Revolution shall be the goal. Revisionism of all shades to be opposed solidarity with anti-imperialist struggles throughout the world. A broad front with the ongoing armed struggles of the various nationality movements in the sub-continent. Journals/periodicals to be brought out as instruments of propaganda.

The third conference of CCOMPOSA held on 19th March 2004 was attended by Marxist-Leninist groups from Bangladesh, Nepal, and India; the Indian groups

included CPI (ML) PWG, CPI (ML) Naxalbari, Revolutionary Communist Center of India, and the MCCI. The conference, in its political resolution, observed that

“In South Asia, powerful people’s wars under Maoist leadership are developing in Nepal, India, and to some extent Bangladesh,” and stressed the “necessity to preserve, develop, and extend these people’s wars in the entire region and initiate new ones.”

The CPI (ML) PWG, the Communist Party of Philippines, and the Communist Party of Turkey (Marxist-Leninist), in a joint statement on 20th March 2003, condemned the U.S. war in Iraq and said that their struggle against imperialism was inseparable from the general class struggle. The merger of the PWG and MCCI on 14th October 2004 was followed by a declaration that the unified party would support people’s wars led by Maoist parties in other countries including the Philippines, Peru, and Turkey. Replying to a question in the parliament in March 2012, the minister of state in the Ministry of Home Affairs stated that the Maoist movement had drawn support from several organizations located in Germany, France, Holland, Turkey, and Italy. Besides, the Maoist groups had participated in conferences and seminars conducted in Belgium and Germany. He also said that the CPI (Maoist) party has “close links” with Maoist organizations in Philippines and Turkey.

The CPI (Maoist) has formed a web of linkages with both fraternal groups as well as non-fraternal outfits. In fact, the Maoists have ties with 22 fraternal groups across the globe. Some of these include:

1. Unified Communist Party of Nepal (Maoist)
2. Shining Path of Peru
3. Workers Party of Belgium
4. Turkey Communist Party (Marxist-Leninist)
5. Communist Party of Philippines
6. Revolutionary Communist Party, USA
7. Purba Banglar Sarbahara Party-Bangladesh
8. Communist Party of Bhutan (Marxist-Leninist-Maoist)
9. Communist Party of Ceylon (Maoist) - Sri Lanka
10. Communist Mazdoor Kisan Party- Pakistan
11. Maoist Communist Party - Italy

12. Marxist Leninist Communist Organisation - Tunisia
13. Revolutionary Communist Group -Colombia
14. Workers Party of New Zealand
15. Communist Party of Afghanistan
16. Communist Party of Iran (Marxist-Leninist-Maoist)

The non-fraternal ties were entirely opportunistic, and ideological compatibility was never a factor. These linkages exist within the country, within the region and stretch across continents. While speaking in the Lok Sabha, Bandaru Dattatreya, former Union Minister of State for Railways, said on 10th December 1991 that the then PW had acquired 60 AKs and 20 sten guns from the now defunct Liberation Tigers of Tamil Eelam. He was quoting the then Home Minister of Andhra Pradesh as having said so on the floor of the State Legislature on 20th August 1991. On another occasion, two video cassettes containing LTTE's training modules were recovered in December 2001, from an arms dump of the erstwhile PW in Visakhapatnam district. Further, reports of late-December 2002 indicated that the PW and the LTTE had some months earlier struck an arms deal, but the modalities or pricing had to be finalized. Besides, in the aftermath of the failed 1st October 2003 assassination attempt on the then Andhra Pradesh Chief Minister, and as landmines acquired focus as a cheap and lethal form of weapon, the then Deputy Prime Minister, L K Advani, said that the erstwhile PW has links with the LTTE. It had received expertise in using Improvised Explosive Devices from the LTTE. Alluding to such links when questioned about LTTE instructors conducting training camps for erstwhile PW squads 'Ganapathy' said during an interview in 1998,

"They were not LTTE. They were ex-LTTE. What happened was that these people came to India after leaving their organisation and formed communist groups. The PW had relations with these groups. As part of that, they held training camps for us."

Even as the denial was unconvincing, Ganapathy added,

"We have had no relations with the LTTE till now. But we are not against having relations with them. We will certainly have links with them if an opportunity arises. We feel that such a relation would be conducive to the revolutionary movement."

In fact, a senior police officer from Andhra Pradesh told this researcher that a leader of the erstwhile PW had visited Dhaka and met with leaders of the Indian terrorist outfit, the United Liberation Front of Asom and inquired of them the fate of the money they paid to ULFA somewhere to the tune of rupees 10 million for purchase of sophisticated arms. The ULFA's links with the ISI are by now well-known, and are well-documented. Lately, the Maoists linkages with the People's Liberation Army of Manipur have come to light. A few years back the CPI (Moist) signed a MoU with the PLA. The unstated objective in forming this linkage is to procure weapons with the assistance of PLA which has access to the grey arms market and gun-runners.

2.3.3.5 Financial Assistance

The financial assistance for the Maoists comes from abductions, extortion and by setting up unofficial administrations to collect taxes in rural areas where official government appears absent.⁷⁴ Poppy cultivation is another major source of funding for Maoists in the Ghagra area of Gumla District. In Jharkhand and in parts of Gumla, Kishanganj and Purnia districts in Bihar. Naxalites have been charged by the government with running an extortion economy in the guise of a popular revolution, extorting vast amounts of money from local branches of mining companies and other businesses. According to a 2008 report titled "Naxalite scenario in Jharkhand State" prepared by the Jharkhand Police, Maoists were using illegal mining as a tool to fund their campaign. The movement is not playing itself out in jungles alone. It is being backed by 'bigshots' living in metro cities.

2.3.3.6 Political Objectives

Maoists justify and glorify violence to achieve their political objective. They believe in Mao's clarion call that power flows from the barrel of the gun and Charu Majumdar's that only that person can be called revolutionary who has dipped his hands into the blood of class enemies. Charu Majumdar advocated the annihilation of class enemies. Maoists call their violence as counter violence in reaction to state violence. They don't believe in parliamentary democracy and except the CPI (ML)

⁷⁴ Personal interview with Umashankar Jangade, Sub Inspector, Special Intelligence Bureau, Anti Naxal Operation Chhattisgarh, at Raipur.

led by Deepankar Bhattacharya, all other Maoist groups do not have any intention to participate in the electoral process and call for its boycott.

Maoist are annihilating class enemies, landlords and moneylenders, who are responsible for the misery of poor schedule caste and scheduled tribes and liberate them from their clutches. Therefore, they are popular among the oppressed poor people. They organize Jan Adalat /People's Court, a type of Kangaroo Court and dispense instant justice in their liberated zone. Maoist also kill police informers, security forces, and all those who collaborate with the state thereby creating a deterrent.

Maoist top leadership is highly educated and usually come from well off families, who aim at capturing political power through revolutionary violence. They have been outraged by the ruthless exploitation and oppression of the poor people in the country. But their cadres are poor illiterate, who do not have any political ambition. They are interested in their socio- economic emancipation and development of their region with equity and justice. Poor Adivasis are opposed to alienation from their land and forest and their displacement for sake of development, which is benefiting outsiders and not the poor indigenous Adivasis.

The three most prominent intra- state struggles in India are right wing religious extremism in Kashmir and some others part of the country, ethnic violence in Northern east India and Maoist/Naxal violence in the East and Central India. Maoist unlike the first two are not secessionists. Maoist are not questioning Indian sovereignty. They treat India as their country but are opposed to semi feudal and bourgeois Indian state. They aim at establishing people democracy through the protracted armed struggle; the revolutionary path suggested by Marx, Lenin, Mao, Che Guvera, Charu Majumdar and other revolutionaries. Mao's Red Book is their bible and Mao's Guerilla warfare is the strategy to achieve it.⁷⁵

At the founding of the CPI (Maoist), on 21st September 2004, a document entitled Strategy and Tactics of the Indian Revolution was adopted by the rebels. In

⁷⁵ Dr. Sanjeev Bhadauria, *Naxal/Maoist Challenges to the Indian State*. In Arun Kumar Dixit, Pankaj Kumar Verma (eds.), *Naxalism Issues, Challenges & Alternative Approaches* 40- 41(Satyam Publishing House, New Delhi, 2014).

this document, the Maoists present the broad essence of their operational plan, which is, indeed flexible. According to the rebels,

“The strategy and tactics of the Indian Revolution should be formulated by creatively applying the universal truth of Marxism-Leninism Maoism to the concrete conditions prevailing in our country. This means that the strategy and tactics should be evolved by basing on an objective class analysis of the Indian society; the character of the Indian State; the fundamental contradictions and the principal contradiction; and by taking into account the specific characteristics, the special features as well as the peculiarities of the Indian situation.”

2.3.3.6.1 Political Strategy

To build their movement, the Maoists aim to develop progressive forces, win over fence-sitters, and isolate staunch opponents, in order to defeat the state. Thus, the political strategy of the Indian Democratic Revolution is to unite, under the leadership of the proletariat, all the above motive forces which constitute the vast majority almost nine-tenths - of the Indian population to overthrow the three heavy mountains that are weighing down the backs of the Indian people and keeping the country in a semi-colonial and semi-feudal state. As part of their political strategy, the Maoists hold that

“It is the contradiction between feudalism and broad masses of the people at present that is the principal contradiction. Agrarian revolutionary programme and area-wise seizure of power remain primary during the entire period. But if the principal contradiction changes to that between imperialism and the Indian people, accordingly a specific programme to unite all the anti-imperialist forces will have to be drawn up as part of the general programme of the New Democratic Revolution.”⁷⁶

2.3.3.6.2 Militant Strategy

According to the Maoists,

“The militant strategy has to be formulated basing on the specific characteristics of the revolutionary war in India. These characteristics determine the military strategy to be one of protracted people’s war, as enunciated by comrade Mao-of establishing revolutionary base areas first in the countryside where the enemy is relatively weak and then to gradually encircle and capture the cities which are the bastions of the enemy forces.”⁷⁷

⁷⁶ Communist Party of India (Maoist) Party Documents “Strategy and Tactics of Indian Revolution” available at <https://www.satp.org/satporgtp/countries/india/maoist/documents/papers/strategy.htm> (Visited on May 26, 2019).

⁷⁷ Supra 26

The Maoists also hold that the strategy and tactics of the revolution in any country cannot be worked out in isolation from the overall international situation. One has to take into account the actual situation both in the world at large and in the given country prevailing at a given point of time in order to formulate the strategy and tactics correctly. This is because in the imperialist epoch the revolution in every country is an integral part of the world proletarian revolution.⁷⁸

In a comprehensive document entitled 'Strategy and Tactics' that was adopted in 2004 at the founding of the CPI (Maoist), the Maoists have identified the major contradictions in the Indian society. They contend that these contradictions are a result of India being a semi-feudal, semi colonial country. The major contradictions identified by the Maoists are:

1. The contradiction between imperialism and the Indian people;
2. The contradiction between feudalism and the broad masses;
3. The contradiction between capital and labour; and
4. The internal contradictions among the ruling classes.⁷⁹

They further contend that the Maoist movement

"In India has to pass through more than one phase and in any of the phases, one of these fundamental contradictions becomes the principal contradiction. However, the principal contradiction cannot remain unchanged throughout the entire process of the New Democratic Revolution, rather the principal contradiction and the non-principal one among the two fundamental contradictions are bound to change their positions with the changes in the phases of the revolution."⁸⁰

For the Maoists,

"The central task of the Indian Revolution is the seizure of political power. To accomplish this, the Indian people will have to be organised in the People's Army and will have to wipe out the Armed Forces of the counter-revolutionary Indian state and establish in its place their own state."

According to the CPI (Maoist), the principle characteristics of the Indian revolutionary war are:⁸¹

⁷⁸ Ibid.

⁷⁹ Supra 76

⁸⁰ Supra 68

⁸¹ Ibid

1. India is a vast semi-colonial and semi-feudal country with uneven political, economic and social development, with favourable terrain for guerrilla warfare that has witnessed a long period of armed struggle by the peasantry and also now witnessing the ongoing agrarian revolutionary guerrilla struggle in which the peasantry is playing a heroic role.
2. Our enemy is big and powerful having centralized state machinery and a well-equipped modern army.
3. The Communist Party, the guerrilla army and the agrarian revolutionary movement in India are weak in nature.
4. Our country is a prison-house of nationalities where some nationalities are engaged in bitter struggles against the Indian state to achieve their right to self-determination.

Some other aspect- these are the some of the aspects of the documents.

1. The strength of the Armed Forces of the reactionaries is quite inadequate in comparison to the state and communication system is also not able to locate the movement of the armed forces.
2. A large part of the remote countryside, most advantageous for the establishment of Red liberated areas from the geographical and military point of view, is inhabited by the discontented and agitated nationalities and tribes who are engaged in bitter armed confrontation with the Indian state.
3. It becomes imperative for the enemy's Armed Forces to be deployed in large numbers in even wider areas to contain the armed struggle waged by the various nationalities. Lakhs of enemy Armed Forces have been deployed since long in Kashmir and the North Eastern States.
4. A considerable part of the enemy's Armed Forces will inevitably be engaged against the growing tide of struggles by various Naxalites, it will be difficult for the Indian ruling classes to mobilize all their Armed Forces against the revolutionary war.
5. At present we are presently in the phase of Strategic Self Defence. At present, the revolutionary movement is advancing in a vast belt of people's war encompassing the extensive areas of Dandakaranya, Jharkhand, Andhra, Bihar-Orissa border, North Telangana and Koel-Kaimur. We will be able to build

these areas into contiguous areas of armed struggle with each area influencing the other. The revolutionary situation can become even more favourable for the rapid advance of the people's war due to several factors such as a war with the neighboring countries.

6. The exploiting ruling classes will never relinquish or give up power voluntarily. Without smashing the present state machinery and the main constituents of state power, the mercenary Armed Forces, the instruments of the suppression of the people by ruling classes. The Indian people cannot establish political power. Hence, in order to completely smash the state machinery, the building up of the People's Army as the organized Armed Force of the masses is indispensable.
7. When there is a serious enemy offensive in the form of encirclement and suppression campaign, we should not make futile attempts to hold territory. We should disperse in mobile squads and at the same time should carry on attacks from exterior lines, simultaneously with attacks from within the area of encirclement. The tactical counter offensive against the enemy should be carried out in the form of small and big military actions. A 'meal is eaten mouthful by mouthful'. By following the tactics of sudden attack and annihilation it is absolutely possible to defeat the enemy and achieve victory for the people in single battles.

Strategic Stages that the "protracted people's war" will pass through three strategic stages is a general principle.⁸² They are:⁸³

1. Stage of Strategic Defensive;
2. Stage of Strategic Stalemate; and
3. Stage of Strategic Offensive.

Basically the protracted people's war will also follow this general principle. The experience of past victorious revolutions of other countries reveals the fact that in a protracted people's war, the first stage will last longer. The stage of strategic stalemate and the stage of strategic offensive, which follow it, will end in a comparatively shorter time. However, changing into the second and third stages mainly depends on domestic and international situation.

⁸² The experience of revolutions of China, Vietnam and other countries proved this.

⁸³ Ibid at 83

The Maoists follow the principle of ‘one step forward, four steps backward’. There are in no hurry. They are clinically aware that their numbers are few and that it is not an easy task to face the might of the Indian state, with its large reservoir of arms and a few million State police, paramilitary forces and the Army. Thus the PLGA-the Maoist guerrilla army-follows the dictum laid out by Mao: ‘You fight your way and we’ll fight our way. We fight when we can win and we retreat when we cannot’. The rebels’ aim is to prolong the war and wear out the security forces. They have repeatedly attacked the security forces at the least unexpected place and in the weakest point. In fighting the security forces they follow the principle of stealth and speed-lightening speed.

The Maoist belief is that numerically strong and well-equipped police forces can be defeated by numerically small guerrilla forces, which are politically motivated and are committed. Again, as Mao said, ‘they strike at the enemy’s communication lines, harass him constantly, render his forces lame, lost, thirsty. The guerrilla forces hope that as the SF’s morale dips they the guerrillas gain in strength and the morale strengthens’. Sometime in 2007, a CD was seized from Chaitanya Natya Mandalia Maoist cultural affiliate activists in Haryana. Apparently, they were screening it among villagers to propagate their ideology. The CD contained detailed visuals of Maoist training procedures, tough drills, which an Indian Army Brigadier told this researcher even the Jawans would find difficult to perform. Moreover, the CD contained visuals of the rehearsal conducted by the guerrillas ahead of looting the National Mineral Development Corporation godown in Chhattisgarh and emptying all 20 tonnes of explosives stored there; and the rehearsal for an attack on an Armed Outpost in Bastar of Chhattisgarh. In fact, the contents of the press release issued after Operation Jehanabad, give the impression that it was a good rehearsal for the people’s militia. In the 14th November 2007 press release the Maoists also held: The Jehanabad politico-military campaign, like the Koraput campaign in February last year in which over 500 arms were captured from ten different locations in the district, show the superiority of guerrilla tactics based on the military line enunciated by Com. Mao for waging war in situations where the enemy has a vastly superior force. Broadly, the guerrillas operate on the following ‘important’ tactical principles:

1. Protracted people's war is arduous and tortuous
2. The spirit of prolonged self-endurance should be upheld
3. In campaign and battles the PLGA should prefer and firmly adhere to the principle of using large numbers to defeat a relatively fewer number of security forces stationed at the targeted place
4. The PLGA guerrillas should rely upon its members and the masses /people's militia in order to confront and defeat the strong security forces
5. Thus, the PLGA should firmly integrate itself with the people.

The centrality of the masses, which would also include the people's militia, to the Maoist scheme of things comes out clearly in the words of Mao. He said:

“We must mobilize the people to support our armed forces enthusiastically and to fight the enemy together with them. The people are the eyes and ears of the army; they feed and keep our soldiers. It is they who help the army in sabotage and in battle. The people are the water and our army the fish.”

Further, the important tactical principles include:

1. Relying on the actions and attacks to enhance fighting capacity .Thus, each action and attack is a learning exercise for the guerrillas.
2. Loot/snatch arms for the security forces
3. Increase patience and tide-over, establish production units to manufacture weapons
4. Endeavour to carry on the people's war even in the most difficult times

The rebels have an elaborate and well-knit informant network. Some of their daring and spectacular attacks are enough evidence for this. For instance, they were aware to the finest detail the exact position of the vehicle in the convoy in which Madhava Reddy, Panchayat Raj Minister and earlier Home Minister, was travelling when it was blown-up in a landmine blast. Similarly, they were aware of the vehicle in which Chandra Babu Naidu and Janardhan Reddy, both Chief Ministers of Andhra Pradesh during different periods in time, were travelling when they made failed assassination attempts on them. Similarly, on numerous occasions they escaped the security forces when pursued because they were tipped-off, in different States. In fact, the deployment of UAVs in the Bastar region was of little use earlier, because the rebels knew in advance the direction in which the UAV would fly on a

particular day, and they religiously avoided that area. As a result UAVs were withdrawn. However, the deployment of UAVs has been resumed, once again, as also that of the portable Nethra drone.

The strategy and tactics of the revolution in any country cannot be worked out in isolation from the overall international situation. One has to take into account the actual situation both in the world at large and in the given country prevailing at a given point of time in order to formulate the strategy and tactics correctly. This is because in the imperialist epoch the revolution in every country is an integral part of the world proletarian revolution.

The Great October revolution was nothing but an inevitable outcome of the revolutionary struggles of the international proletariat and the people and the Great Chinese Revolution was the continuation of that process. The Indian Revolution too is an inseparable part of the revolutionary struggles of the international proletariat and the people.⁸⁴

Targets of the Indian Revolution the targets in the present people's democratic stage of the Indian Revolution: 1. Imperialism, 2. Comprador bureaucrat capitalism, and 3. Feudalism.

1. Imperialism plunders the country's land, labour, raw materials, and other natural resources. It earns super-profits through ruthless exploitation by various means. It subjugates the entire economy, polity, military and culture of India; destroys indigenous industry particularly the small and medium industries, throws out millions of workers into the streets and hinders the free and independent development of the national economy. Comprador bureaucrat capitalism collaborates with imperialism and allies itself with feudalism.
2. It destroys the small and medium industries, oppresses not only the working class, peasantry and other toiling masses but also the national bourgeoisie. Feudalism acts as fetter on the development of the productive forces by holding down.
3. The vast majority of the Indian people under backward relations of production. Economically, it keeps the overwhelming majority of the people in dire poverty

⁸⁴ Supra 76

and destitution, and depresses their purchasing power. It thereby, restricts the growth of the home market, retards industrial development and leads to massive unemployment and stagnation of the economy. Politically, it suppresses the democratic rights of the masses and in some places, even creates a 'state within a state' i.e. a parallel landlord raj in the rural areas with their own private armies or with the support of state-hired armed mercenaries. It keeps the peasantry in perpetual subjugation and bondage. These three big mountains that are weighing down the backs of the Indian people should be smashed in order to build the new democratic society.⁸⁵

2.3.3.7 Two Stages of the Indian Revolution

The semi-colonial and semi-feudal character of the Indian society points out that the first task of the Indian revolution is to transform the semi-colonial, semi-feudal society into an independent, self-reliant, democratic society by solving the two fundamental contradictions of the present Indian society, and then to build a socialist society so as to advance towards realising the Communist society. Hence the Indian revolution has to be carried out in two stages:

1. The new democratic stage and
2. The socialist stage.

This is because, in India, bourgeois democratic revolution has not been completed as in the West. The first stage of the Indian revolution can be victoriously completed only under the leadership of the proletariat. In the present era, no other class or party, except the working class and a genuine communist party as its vanguard, can lead the New Democratic Revolution to its final victory.⁸⁶ This is due to the fact that in the present era, and particularly after the Great October Revolution, no bourgeoisie of any country is in a position to carry out a thorough-going national democratic revolution out of fear of the working class continuing the revolution to its consummation to socialism. Hence the bourgeoisie compromises with imperialism and lacks the will to wage a thorough going revolution against feudalism by mobilising the peasantry. It stands opposed to the oppressed masses.

⁸⁵ Supra 68

⁸⁶ Ibid at 71

Hence, to lead the peasantry towards the New Democratic Revolution is the most important task of working class leadership. The working class of India cannot emancipate itself without uniting with the peasantry who constitute the overwhelming majority of the population in semi-colonial and semi-feudal India and who are being exploited and oppressed for ages. It is only by organizing and leading the peasantry in the agrarian revolution and national democratic revolution that the working class can give leadership to the revolution, can open wide the path of their own liberation from wage-slavery by liberating the peasantry from the exploitation, plunder and depression of imperialism and their running dogs - the feudal lords and the comprador capitalists. And it is in this way that they can lead the revolution and it is this path of socialism which alone can emancipate the working class from the system of wage slavery. The chief tasks of the first stage of the revolution in India are to overthrow the three main enemies of the Indian people-imperialism and the comprador bureaucrat capitalism that is generated by imperialism and feudalism in order to establish a new democratic India.⁸⁷

The national and democratic revolution, directed against the main enemies of the revolution - imperialism and their lackeys the big bourgeoisie and feudalism, though are the two different kinds of basic tasks in the entire process of Indian revolution or the People's Democratic Revolution, one cannot be separated from the other. As the imperialist and their comprador lackeys, the Indian big bourgeoisie, are the main supporters and protectors of feudalism, the struggle for the overthrow of imperialism and the struggle to uproot feudalism are interrelated to each other. Judging conversely, as the Indian society is mainly dependent on feudalism, protected under the wings of imperialism and their comprador lackeys - the comprador capitalists, so the struggle to uproot this moribund feudalism and the struggle to annihilate imperialism and the comprador bureaucrat capitalism generated by it, are inseparable from each other. So, the two fundamental tasks of the national revolution and the democratic revolution are at once distinct and interwoven. It is wrong to regard the national revolution and the democratic revolution as two entirely different stages of the revolution. The main content of the new democratic revolution is the agrarian revolution. The task of the second stage is to establish a socialist society by carrying forward the revolution to its

⁸⁷ Ibid

consummation. The first stage is the pre-condition for the second. Only by fulfilling the tasks of the People's Democratic Revolution in India we can lay the basis for the Socialist Revolution. People's democracy is an inseparable part of Socialism, an inseparable part of the world socialist revolution. It is wrong to forget the inseparable relationship between People's Democracy and Socialism. It is equally wrong and harmful to confuse the two stages and to think of reaching Socialism in a single leap. No intervening stage of bourgeois dictatorship will come between the stages of New Democracy and Socialism.⁸⁸

2.3.3.7.1 Party Organization

Only when the two components of the Party organisation the professional revolutionaries and part-time members are strong, will the Party be really strengthened. Among them the professional revolutionaries are the core of the Party while part-timers are the base. At the same time, the parttimers should maintain lively relations with the people to the maximum extent and while continuing their professions be vigilant not to get exposed to the enemy. There should be continuity of leadership in the whole course – from the beginning, growth and development - of class struggle. As and when new members join the Party, the leading team should be formed with a good combination of old and new. The Party should be molded in consonance with the changes in the country and international situation. The Party leadership and the rank and file experienced in carrying-out class struggle should be increased. If not, we will go on losing leadership cadres and rank and file each time the enemy starts a big campaign of suppression. We will face hurdles in building teams and cadres who have collective understanding, thereby resulting in the class struggle losing its proper direction.

2.3.3.7.2 Party Organization: An Apparatus

As a militant organization that has to wage armed struggle against a superior enemy for the seizure of power, it becomes imperative for the working class Party to remain underground from the very beginning until the end. The Party part-timers and whole-timers in the mass organizations, cooperatives, organs of people's political power and their various wings, people's militia and the various mass fronts

⁸⁸ Ibid.

should remain secret, but at the same time, appear as members and leaders of these organizations. The Party members in the mass organizations should maintain the utmost secrecy. The Party members in the working class, youth, women, petty bourgeoisie and other sections in the urban areas should work strictly underground keeping the strategic perspective in mind. They should mainly work openly within the masses but under various covers. In the people's army too the Party has to work by remaining secret. It is obvious that the Party members working in the enemy's armed forces have to maintain the utmost secrecy. The Party PRs working in various fronts should build a secret mechanism that is impregnable to the enemy. Even in the Base Areas our Party organization should remain secret. However, the enemy will hatch conspiracies and resort to various methods to smash our secret Party apparatus. The enemy on a massive scale will perpetrate brutal massacres and tortures. We have to raise the political consciousness of the entire Party, enhance its vigilance and establish proper secret mechanisms to face the brutal offensive of the enemy and safeguard our forces. It is necessary to impart military training to the Party members to confront the enemy and to escape from the enemy's clutches.

2.3.3.8 Three Magic Weapons

The three fundamental questions of the Party in the Indian revolution are

1. The building up of the Party,
2. The People's Army and
3. The United Front.

A correct understanding of these three questions and of its mutual relations will give the accurate direction for the entire Indian revolution. Com. Mao explained that a correct understanding of the relationship between the Party, army and the united front is necessary for the victory of the revolution:

“The UF and armed struggle are the two basic weapons for defeating the enemy. The UF is a UF for carrying on armed struggle, and party is the heroic warrior wielding the two weapons, the UF and the Armed Struggle to storm and shatter the enemy's positions. And they are related to each other.”⁸⁹

⁸⁹ Mao Tse Tung “*Selected Works of Mao Tse Tung Volume 2*” 295(Pergamon Press Oxford New York, Toronto Sydney Paris Frankfurt, 1965).

Thus it is extremely imperative for us to grasp the importance of the construction of each of these weapons from the very beginning as well as the masterful application of these to the concrete practice of the Indian revolution based on the teachings of MLM.⁹⁰

2.3.3.8.1 The Proletariat

Lenin taught that,

“The Proletariat, in its struggle for power, has no weapon other than organization.”

And comrade Mao explained:

“If there is to be revolution, there must be a revolutionary party. Without a revolutionary party, without a party built on the Marxist-Leninist revolutionary theory and in the Marxist - Leninist revolutionary style, it is impossible to lead the working class and the broad masses of the people in defeating imperialism and its running dogs.”

In the construction, development and the Bolshevisation of the Party in semi colonial, semi-feudal India we must always keep in mind the principle laid out by Mao that it is tightly linked to its political line, to its correct or erroneous resolution of the united front and armed struggle questions. The most important question in Party building is that a correct ideological political line should guide it. Without being guided by the most advanced theory of the proletariat-the ideology of Marxism-Leninism-Maoism-it is impossible to work out the correct programme, strategy and tactics of the revolution and hence, impossible to achieve victory in the revolution. Ideological-political line should serve as the basis for all the work of the Party both during and after the new democratic revolution and until the accomplishment of socialism and communism.⁹¹

Another basic principle in Party building laid out by comrades Lenin and Mao is its underground structure or its clandestine character. Mao explained the imperative need to maintain a strictly underground Party in areas dominated by the reactionaries thus:

⁹⁰ Supra 76

⁹¹ Ibid

“In the beginning, our policy is to maintain the Party’s organization clandestinely and make it compact, selective and efficient. To remain underground for a long period, accumulate forces and await the correct moment and not precipitate or expose ourselves.”

Comrade Mao thus established our understanding of the ideological and political basis of the construction of the Party in a semi-colonial, semi-feudal country. The third basic principle is the unity of will and the unity of action within the Party, and the unity between the Party and the people. Building the Party on the basis of democratic centralism and pursuing the class line and mass line alone can ensure this. Conscious implementation of democratic centralism is of great importance for ensuring the unity of the Party, strengthening its centralized leadership enhancing its fighting capacity and invigorating Party life. The Party can be made strong by practicing democratic centralism to stimulate the initiative of the whole membership. The strengthening of the collective leadership is an important precondition for the implementation of democratic centralism in the Party. In order to put into practice the combination of collective leadership and individual responsibility, the Party committee system must be strengthened. This also prevents any individual from monopolizing the conduct of affairs.⁹²

Comrade Mao also developed our understanding of the struggle within the Party as a reflection of the class struggle in the society and that the struggle within the Party is the struggle between two lines which covers its entire process of development. We must adopt the “Three Great Styles of Work” which are one of the hallmarks distinguishing the proletarian Party from the bourgeois and revisionist Parties. These are the style of integrating theory with practice, maintaining close ties with the masses and practicing criticism and self-criticism. Ideological-political education is the key link to be grasped in uniting the whole Party for great political struggles. Unless this is done, the Party cannot accomplish any of its political tasks. We must build the Party based on the abovementioned Marxist-Leninist Maoist understanding in order to make the Party invincible and lead the revolution to victory. In order to strengthen the proletarian foundations in the Party organisation, we have to pay special attention to building the Party units in key industrial organisations in towns and cities and among the landless and poor peasants and agricultural labourers in the rural areas. Since our path is the path of protracted

⁹² Ibid.

people's war, it is obvious that we have to mainly concentrate our work including Party building on the rural areas. Working class leadership is the indispensable condition for New Democratic revolution in India. The working class should exercise its leadership in the revolution through its direct participation and send its advanced detachment to the rural areas. Only by organising and arousing the working class and continuously drawing its advanced section into the party that the party can be strengthened, its class basis made firm and working class leadership on the New Democratic Revolution be guaranteed. The Party, in order to prepare the people for the people's war, has to organise the various classes into class organisations, rally them into the struggles against the state and develop the consciousness of seizure of state power.

2.3.3.8.2 People's Army: Need and Importance

We cannot conceive of people's war without a people's army. The importance of the people's army in the seizure of political power is captured in the well-known statement of Mao,

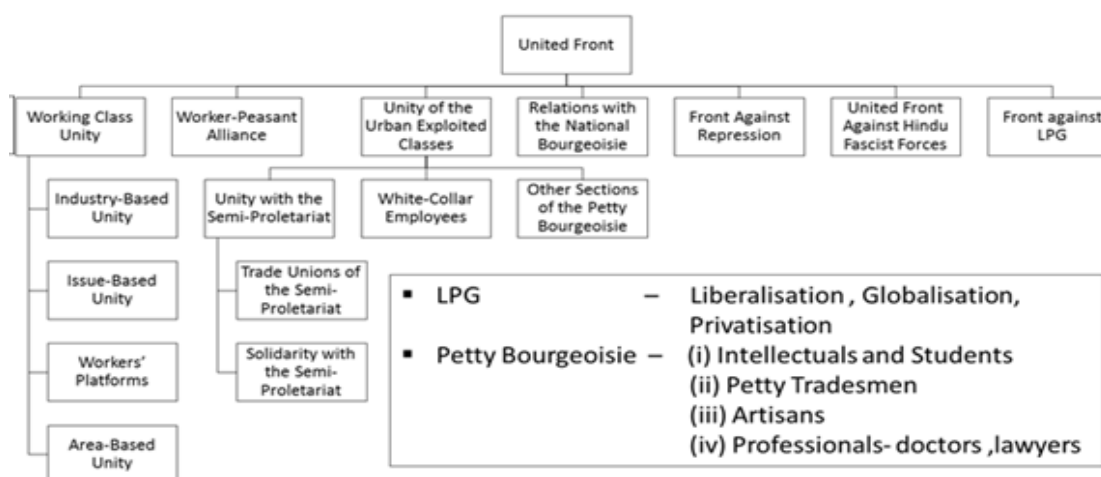
“Without a people's army the people have nothing.”

The people's army is the instrument in the hands of the oppressed people to capture political power without which it is impossible to smash the state machinery of the exploiting classes. Therefore the effort of the party of the working class to build and develop a people's army will be of vital significance in the revolutionary movement following the line of Protracted People's War. In a country like ours, the revolution will go on from the beginning mainly through the form of armed struggle. Throughout the course of the new democratic revolution armed struggle or war will be the principal form of struggle and army will be the principal form of organization. Neither the work of organisation of the people nor the work of building mass struggles can go on successfully without the support of the people's armed forces. The party can consolidate the achievements of mass struggles only by expanding and developing the guerrilla war, and will thus be able to lay the foundation for the alternative people's political power.

2.3.3.8.3 Revolutionary United Front: Aim and Objective

The United Front of the alliance of four classes is to be built for the seizure of political power and to establish the people's democratic dictatorship. The aim of the united front is to isolate, weaken and destroy the main enemies one by one and win over the maximum possible forces opposed to the main enemies. Hence, the Party has to pay particular attention to build as broad a front as possible by uniting with all those classes, groups, parties, individuals and forces that aspire to achieve the common aim of the UF, however weak and vacillating the Thus to accomplish the new democratic revolution in India, our Party has to give utmost importance to the task of forming and developing the revolutionary strategic United Front consisting of the above-mentioned four classes - the proletariat, peasantry, the urban petty-bourgeoisie, and national bourgeoisie /middle and small bourgeoisie. Of these the first three are the motive forces of the revolution, while the national bourgeoisie is a vacillating ally.⁹³

Figure : 2.3



2.4 PART THIRD

2.4.1 Urban Naxalism/White Collar Maoist

In their earlier avatar as the People's War Group, the rebels had successfully organized themselves in some towns and cities of the North Telengana region in

⁹³ Ibid.

Andhra Pradesh. Effectively, they determined the prices of grocery in the markets, the fee that would be charged by hairdressers in saloons and the price of a ticket in a cinema. As late as in 2002, on Christmas day, a PWG squad blasted the Hanamkonda police station, which is located a few hundred meters away from the office of the district police chief/Superintendent of Police of Warangal. Owing to the challenging task of building the movement in various parts of the country and consolidating the organization after the formation of the CPI (Maoist), the rebels did not find adequate time to spreading the urban movement. However, in December 2006, the Central Committee decided to launch the urban movement on a wider scale across the country. With this in view, an Urban Sub Committee was formed and was tasked with preparing an 'Urban Perspective Plan', and was asked to prepare it by September 2007. According to security force officials, Kobad Ghandy alias Rajan, ideologue and Polit Bureau member, who is presently lodged in the Tihar Central Jail in New Delhi, played a significant role in the preparation of this plan. In the Maoist scheme of things, the objectives of the urban movement can be classified under three broad heads: (a) mobilize and organize the basic masses and build the party on that basis, (b) build the United Front and (c) military tasks. They hope to gain control over the working class movement and use it appropriately at a later stage when their so-called New Democratic Revolution advances and furthers. In the immediate to short-term their objective is to gain control over key strategic industries with a view to inflicting damage on the state's capacity to fight the Maoists, either through organizing sabotage activities or bringing production to a halt. The industries they plan to penetrate include communication, oil and natural gas, coal, transport, power, defence production, etc. This could, indeed, have disastrous consequences. The following is the Maoist blue-print on how to organize and conduct the urban movement.⁹⁴

This relationship between the rural and urban work i.e. city work is subordinate to rural work and complementary to the basic, principal and immediate task of building up of the people's army and base areas, must always be borne in mind when carrying out the work in the urban areas. In order to create a strong base of support to the ongoing people's war in the countryside and to resolve their own basic issues, and to utilize the situation for the takeover of the urban centers during

⁹⁴ Supra 69

the high tide of revolution, the Party should undertake work among the urban toiling masses with a long-term perspective. Henceforth, our party must have a comprehensive line of revolutionary struggle /armed struggle and other forms of struggle for the urban areas also in conformity with the line of protracted people's war, i.e. the line of liberating the countryside and encircling the urban areas from the countryside first, and then capturing the urban areas.

2.4.1.1 Urban Work: Objectives

Work in the cities and towns involve a number of tasks. All these tasks can however be combined under three broad objectives. They are as follows:⁹⁵

1. Mobilizing and organizing the basic masses:

This is the main activity of the Party. It is the Party's most important task to organize the basic class in the urban areas, i.e., the working class, as well as other classes and sections like the semi-proletariat, students, middle class employees, intellectuals, etc. It also has the task of dealing with the problems of special social groups like women, dalits, and religious minorities and mobilizing them for the revolutionary movement. It is on this basis that the masses are politicized and the advanced sections consolidated into the Party.

2. Building the United Front:

This involves the task of unifying the working class first, and then building worker-peasant solidarity and alliance, uniting with other classes in the cities, building the fronts against exploitation and oppression of imperialism and the CBB, imperialist war designs and globalization, against Hindu fascism, against repression, etc. This is a very important aspect of the work of the Party in the city.

3. Military Tasks:

While the PLGA and PLA in the countryside perform the main military tasks, the urban movement too performs tasks complementary to the rural armed struggle. These involve the sending of cadre to the countryside, infiltration of enemy ranks, organizing in key industries, sabotage actions in coordination with the rural armed struggle, logistical support, etc. of the above three, the first task of organizing the basic masses is fundamental and primary. Without widely

⁹⁵ Ibid.

mobilizing the masses it is not possible to perform any of the other tasks such as building of UF and performing the military tasks.⁹⁶

2.4.1.2 Constitution of Party

The question of the Party structure in the urban areas presents quite different problems from that in the rural areas where our Party is based. These relate to the problem of building and running stable structures, the continuity of party leadership, the coordination between open and secret work, between lower and higher bodies, and between the city organisation and the leadership based in the rural areas. We cannot resolve these problems without the close attention and study by the higher-level bodies and the development of concrete and practical solutions. We also require however a broad common approach on the objectives, tasks and methods to be adopted for building and advancing the urban Party structure. The essential principle forming the basis of our Party structure is political centralization combined with organizational decentralization. This means that all PMs and all bodies, particularly at the lower level, should have solid ideological political foundations, so that they are able to independently find their bearings and take the correct organisational decisions according to the political line of the Party. This is particularly important in the urban areas because of the technical difficulties of maintaining close and constant links between the secret higher bodies and those at the lower levels engaged in direct open work. This is also important because urban work often demands immediate and quick responses to the events of the day. With rapid advances in electronic communication and media, delays of days and sometimes even hours in politically reacting to major events can hinder the impact that our Party can have on the urban movement. This thus depends on the strength of the bodies that form the foundation of our urban Party structure - the cells and the lower level committees - as well as on the Party fractions that link the Party with the mass organisations. Comrades in leadership positions should not directly guide or maintain contacts with the individuals, organisations and shelters that become exposed to the enemy. Work should be decentralized at all levels. We should prevent loss of leadership or unnecessary sacrifices due to lack of seriousness in technical matters and becoming prey to spontaneity. In spite of all the precautions

⁹⁶ Ibid.

we take, as we are fighting with a powerful enemy, there is a danger of our Party members part-timers and professional revolutionaries getting exposed to the enemy due to mistakes committed by our subjective forces, lack of understanding and experience. Under such circumstances all such comrades should be sent underground and ensure that the party organisation is not put to loss. At the same time, the Party should educate the rank and file regarding the danger of left-adventurism and right opportunism rearing their head while observing all technical precautions another problem related to the urban Party structure is the links with the rural party organisation as well as the functional departments of the higher Party bodies. There is often a need of urban help of various types, for which the urban organisations involved in day to day mass work are regularly used. Therefore it is important to put a stop to such short cut methods and separate structures should be set up in the cities for this purpose. From the beginning of the revolutionary movement to its end, the urban areas will remain as strong recruiting centres for the revolutionary party. Cadres have to be continuously sent as organisers and as leaders at various levels to the areas of armed struggle by imparting the necessary. The entire urban work should be reoriented and should be based on above principles and the committees at various levels should draw up plans accordingly.

POR identifies three types of mass organizations:-

1. Secret revolutionary mass organizations,
2. Open and semi-open revolutionary mass organizations, and
3. Open legal mass organizations, which are not directly linked to the Party.

Urban work within the third type of organizations can further be subdivided into three broad categories:-

1. Fractional work,
2. Party-formed cover organizations, and
3. Legal democratic organizations.

2.4.2 Tactical United Front

Another important trend is the insurgency's spread into urban areas. This expansion needs to be understood in tandem with the activities of TUFs. A TUF-a key criterion, according to communist ideology, for achieving the armed capture of

state power-is a complex web of alliances with legal, over-ground organizations that need not necessarily subscribe to communist ideologies. The Maoists penetration into cities will give a fillip to their TUF operations. The Maoists have long had a presence in towns and cities. Such environments cater to logistical needs and enable them to stay in safe houses during medical treatment or while in transit. Because of the anonymity they provide, it becomes easy for the Maoists to stay and operate in urban centers. On January 10, 2007, police in Bhopal, Madhya Pradesh, unearthed a research-and-development-cum-arms-making unit of the Maoists. An interrogation of the arrested persons brought to light the fact that the rebels earlier ran similar units in other towns in Madhya Pradesh, such as Jabalpur and Indore. Just a few days later, police in Rourkela, Orissa, unearthed a similar unit. On many occasions, important leaders on the Central Committee level have been arrested in town and cities. These include MallaRaji Reddy alias Sattenna, who was arrested on December 17, 2007, in Angamaly town, Ernakulam district, Kerala. And on August 19 of that same year, Sridhar Krishan Srinivasan alias Vishnu was arrested in Mumbai. Vernin Gonsalves alias Vikram, member of the Maharashtra State Committee, was arrested, separately, in Mumbai on the same day. The detection of Maoist activities in towns such as Surat, in Gujarat, in 2006, clearly indicates that the Maoists are attempting to penetrate India's urban-based working class. In their earlier incarnation as the People's War Group, the Maoists gained solid experience penetrating and mobilizing the working class. The Singareni Karmika Samakhya, a Maoist front and trade union of miners in the Singareni Collieries in Andhra Pradesh, had near-total control over mine laborers and successfully fought for better miners' wages. At that time, its influence was such that all mining activity came to a grinding halt when SIKASA issued a strike call for better wages and implemented it for 58 days. The Maoists presence and activities have been detected in a number of towns and cities across the country, including in Delhi, the national capital. These towns and cities have also included Bhopal, Jabalpur, Indore, Rourkela, Bhubaneswar, Kolkata, Ranchi, Patna, Gorakhpur, Allahabad, Lucknow, Varanasi, Raipur, Bhilai, Nagpur, Shirdi, Bangalore, and Chennai, to name just a few. Such efforts have been described as part of a grand strategy to mobilize discontented members of the population and particularly industry workers. Thus, the Maoists seem to be acting on a long-term plan. In their scheme of things, they hope to gain control over the working-class movement and use it appropriately at a later stage,

when their so-called New Democratic Revolution has advanced. In the immediate to short term, the objective is to gain control over key /strategic industries, with a view to inflicting ‘damage’ on the state’s capacity to fight the Maoists, either through organizing sabotage activities or bringing production to a halt. According to an internal document of the CPI (Maoist) viewed by the author, they envisage penetrating the working-class movement in industries such as communication, oil and natural gas, coal, transport, power, and defense production. This brings the narrative back to the TUF. According to the Maoists, the Tactical United Front is one of the three magic weapons required to take the revolutionary agenda to its logical conclusion /the other two are a strong party and a strong army. Through forming coalitions with persons and groups that are opposed to the state and its policies, the Maoists seek to fight the state through ‘peaceful’ means, as well as to broaden their support base. The Maoists’ TUF is a secret committee. It functions directly under the Sub-Committee on Mass Organizations, which itself is a subset of the all-powerful Central Committee of the CPI (Maoist).

2.4.3 Revolutionary Democratic Front

A front organization for the CPI (Maoist) proscribed by the Union (central) government under the Unlawful Activities Prevention Act, is a key component of the TUF. The organization issues calls and statements on various issues. On 16th December 2007, it called on the people to

“Lend Support to the ongoing revolutionary movement in Dandakaranya, India.”

In early June 2007, a RDF representative presented a paper entitled “Nandigram: The Road to Sovereignty of India,” at a Kolkata conference that railed against Special Economic Zones and other industrial projects that displace people. And in December 2007, RDF all-India leader GN Saibaba gave an interview to a Norwegian journalist, Mr. Lars Akerhaug. In 2007, the RDF launched its own blog, <http://rdfindia.blogspot.com>. Moreover, the RDF is a key driver behind the formation of a broad front known as the People’s Democratic Front of India, founded in July 2006. Its members include Maoist ideologue P. Varavara Rao and RDF leader Darshan Pal. Some of its constituent organizations include Samyukta Sangram Committee West Bengal, Indian Federation of Trade Unions, All India

Federation of Trade Unions, Chhattisgarh Mukti Morcha, Daman Virodhi Manch Orissa, and Jharkhand Progressive Students Union⁹⁷. The PDFI hosted a meeting on 12th May 2007, in Delhi, to commemorate the 1857 First War of Independence, and a conference to debate

“The need to initiate a third wave of independence struggle.”

The Maoists have made attempts to form a TUF with Muslims. This effort has been active for several years. In the wake of the proscription imposed on the Students Islamic Movement of India, which has been involved in a series of bomb blasts in different cities and towns in India, Azad, spokesperson of the Central Committee of the CPI (Maoist), said according to August 2008 media reports that the ban was

“A reiteration of the government’s policy to continue its brutal war on Muslims.”

On a few other occasions, too, the Maoists have made attempts to find common cause with the Muslim community. For instance, they issued a press release in August 2008 that stated:

“The Central Committee, CPI (Maoist), hails the glorious role of the people of Kashmir in their just struggle for national self-determination. It calls upon the people of India to rise up in support of this just and democratic struggle of our brothers and sisters of Kashmir and to fight against the high-handedness and brutal suppression of their struggle by the expansionist Indian state.”

2.5 PART FOURTH

2.5.1 People’s Government /Janatana Sarkar

This document was originally prepared by the PWG and was released by the Dandakaranya Special Zone Committee, the most volatile of all the guerrilla zones of the Maoists, presently. Largely, the geographical area that comprises the DKSZC is co-terminus with the area that is known as Bastar, in the central Indian State of Chhattisgarh. Also, what the rebels term as their version of the people’s government, which they named as Janatana Sarkar, is best manifest in all its forms in the DKSZC area. According to the Maoists themselves, the Janatana Sarkar is as yet in

⁹⁷An affiliate of the All India Radical Students Federation

an “embryonic stage”. In Maoist jargon the Janatana Sarkar is known as “New Democratic Revolutionary Power”. In the Maoist scheme of things, this is ‘new state power’ and shall, over time, metamorphose/ grow as the ‘new state’, i.e. the governing authority at the pan-India level, as the people’s war intensifies and more areas fall under total rebel control, to eventually seize/capture state/political power at the country-level. This document describes in considerable detail the structures, policies and tasks of the people’s government. The original spelling as mentioned in the document ‘Janathana’, instead of ‘Janatana’, is retained through the text of this document reproduced below. The document makes no mention of the structure of the Constitution of the new democratic people’s government; nor does it provide any indication on how it would be drafted. However, it mentions under the sub-section of Amendment to the Constitution:

“Necessary amendments may be made to the fundamental policies and tasks in the people’s assemblies/representative assemblies with $\frac{3}{4}$ majority and send them to the higher level government.”

Thus, one would be persuaded to suggest that this document is a precursor to a Constitution which the Maoists wish to draft at a later stage. At the same time, this document lists out the following:

1. Rights and duties of the people;
2. Activities of the new democratic government;
3. Structure,
4. Election to and method of functioning of the government, and
5. The relation between various levels of government;
6. Method of amendment to the Constitution; and
7. Composition and functions of the members of the government committee

Further, this document also lists out the various departments/organs of the government and mentions that members of the government committee shall be in-charge of the various departments.

The various departments listed in the document are as follows:

1. Finance Department;
2. Agriculture Department;

3. People's Defense Department;
4. People's Judicial Department;
5. People's Education and Cultural Committee;
6. Public Health Social Welfare Department;
7. Forest Protection Committee and Public Relations Department

In the Maoist scheme of things, depending upon the need departments could be annulled or new ones created.⁹⁸

⁹⁸Supra 69

NAXALISM: CAUSES OF EMERGENCE AND DEVELOPMENT

3.1 INTRODUCTION

The chapter three deals with the cause and reason for the emergence and development of Naxalism in India.

Since 1967, India has faced a revolution waged by extreme leftwing elements. On 2nd March 1967, rebels belonging to a branch of the Communist Party of India (Marxist), and led by Charu Mazumdar, Kanu Sanyal, and Jangal Santhal, staged a tribal peasant uprising in Naxalbari village, in the Siliguri subdivision of what was then the Darjeeling district of the eastern Indian state of West Bengal. Since then, all those who have subscribed to the idea of an armed overthrow of the state have been generically referred to as Naxalites, the term having its origins in Naxalbari village. And in India, there are three streams live of Naxalite groups-

1. Those that participate in parliamentary politics and have “postponed” their agenda of revolution
2. Those that participate in parliamentary politics and also maintain armed, underground squads; and
3. Those that are avowedly committed to waging an armed revolution and consider parliamentary politics a sham.¹

It is the last of these groups and particularly the Communist Party of India (Maoist), or CPI (Maoist)-that invite an essay’s focus. The CPI (Maoist) is the largest and most lethal of all Naxalite groups in operation in India. It is led by Muppala Lakshmana Rao, alias Ganapathy, a native of Bheerpur village in the Karimnagar district of Andhra Pradesh.

Naxalite prefer Guerilla Warfare. For the victory by the Mao fallowing are the vital force such as terrain, communications, and popular support, quality of

¹ How The New Government Must Tackle The Maoist Threat, available at [https://www.rediff.com/news/column/how-the-new-government-must-tackle-the-maoist-threat](https://www.rediff.com/news/column/how-the-new-government-must-tackle-the-maoist-threat/20140606.htm) / 20140606. htm (Visited on May 26, 2019).

cadres, base areas, technical aid, surprise attacks and relative military capability of the opposing side. Theory and practice of evolutionary warfare on the ground of theoretical and practical aspect divided into three-

1. Proper organization, consolidation and preservation of regional base areas situated in isolated and difficult terrain.
2. Progressive expansion, which includes attack on police stations sabotage with tactics, eliminations of persons with alternate viewpoints and procurement of arms and ammunition from the enemy.
3. Destruction of the enemy through non warfare including mobile warfare, protracted conflicts, negotiations and unified command and control structure.

It is noted that Naxalism has achieved in second stage in India. Naxalism in India play a see saw gone reasons that have remained the showpiece of the Maoist ideology is the forest of Dandakaranya, which lie in between the borders of Madhya Pradesh, Odisha, Chhattisgarh and Maharashtra. Historically the Maoist capitalized on local sentiments to expand their influence. PWG began work in South Baster and Gadchiroli. PWG regrouped and led an agitation on behalf of the tribal against the low prices they were being paid for tendu leaves, used for making Beedies. Event was an important development as the tribal community realized their political power for the first time. The local tribal villages closer to the PWG also achieve success.

Arun Shourie states that the Naxalism first commence with surveys of prospective areas that they seek to target. Front Organization of the CPI (Maoist) are formed to instigate the local people on these issues culminating into agitations and strikes. State unleashes forces, this too creates sympathy for the front organization among the locals as they are seem to be fighting for their cause. Historically, while issues relating to livelihood remained, it was primarily the heavy handedness of the forest department officials that the local tribal community despised.

A million dollar question arises what are the causes for the mushrooming growth of Naxalism on Indian Territory. On the analysis of the various factors there cannot be a water type compartment to answer the questions. Rather it differ from place to place area to area and also ability and no ability including the attitude of the high ups and also the interest taken by the governmental officials. So it cannot be

said in a single word that this is the only cause of Naxalism. However, the growth of Naxalism may depend upon various segments or reason for the growth of Naxalism in India are -

1. Immediate cause/reason
2. Historical reason
3. Ideological change of attitude or brainwashing
4. Social cause/reason
5. Economic cause /reason
6. Political
7. Cultural
8. Geographical
9. Environmental crisis
10. Legal reason

This clearly shows that the reason for the development of the Naxalism cannot be single out. It is a multifarious reasons which varies from state to state and place to place.

The data, collected from authentic sources, would finally be examined and compared with the situation existing on ground. In addition, questionnaires to the group A, B, C and interview schedule as given in research methodology, would also cover the issues of various factors and to know the response of the affected people. The research scholar visited the affected areas including Bastar, Dantewara, Sukama and Bijapur of Chhattisgarh. To analyse the situation on the ground, the research scholar visited the affected areas on the ground, conducted the survey and recorded their opinion and finally his own observations. Through questionnaires and interview schedule has been prepared by the researcher to explore the root cause of the Naxalism.

3.2 BASIC CAUSES OF THE GROWTH OF NAXALISM

In India Naxalism play a see - saw and the root, basic or fundamental cause of growth of Naxalism in India are manifold.

3.2.1 Immediate Cause

It can be said that in India Naxalbari was the immediate cause of Naxalism. In the year 1967 the congress formed a united front government with the help of CPI (M) in West Bengal with a chief minister Ajay Mukherjee. It is a coincident that the day Ajoy Mukherjee sworn as a chief minister there was a burning news of first Naxal incident in village Naxalbari. In this incident a youth named Vimal Kissan on the basis of judicial order was approaching to plough his land, where he was attacked by landlords and their goons in oppose to tribal people attacked the landlord.² This incident acquired a great ramification in about two month by which an open support is given by communist revolutionary belonging to state CPI (M) West Bengal, Orissa, Andhra Pradesh, Bihar, Tamilnadu, Uttar Pradesh and Jammu & Kashmir. However, the united front government of west Bengal with an iron hand become able to restrict the rebellion within 72 days.³

Further in May 1967 the dream of Charu Majumdar was materialized when armed assault was launched against land lords to loot them and it was led by Kanu Sanyal having 150 members. A number of violent incident including robbery assault and stealing of armaments were carried out. This activities of the CPI (M) was praised by the Chines authorities. While moderator of CPI (M) criticized this activity of the Chines. The CPI (M) expelled Charu Mazumdar because of his involvement in a number of violent activities which benefited the extremist therefore the follower of Charu Mazumdar prompted the government to suppress the movement with an iron hand .⁴

In this category the Naxalism is only because of an incident popularly known as Naxalbari. That is why reason is known as nothing but immediate reason have there was no Naxalbari incident the happening of and progress and reason for development of Naxalism does not seen the light of the day.

² Snail Awasthi, and Ayush Mishra, (eds.), "The Naxalite Movement in India" 1 *IJLMH* 1(2018). Available at <https://www.ijlmh.com/wp-content/uploads/2019/03/The-Naxalite-Movement-in-India.pdf> (Visited on May 24, 2019).

³ A K Agarwal, *The Third Dimension: Air Power in Combating the Maoist Insurgency* 73 (Vij Books India Pvt Ltd, New Delhi India, 2013).

⁴ Rabindra Ray, *The Naxalites and Their Ideology* 140-142 (Delhi: Oxford University Press, 1988).

3.2.2 Historical Reason

The Naxalism get its root because of class conflict, atrocities committed by Zamindari, Raitwari, Mahalwari not only this but governmental official's in different attitude was also increases the inflow of the Naxalites movement in that particular area. So it can be said that Naxalism gets support because of class conflict and it takes its root in India from as early as 1960. The lifeline of the Naxalism was class struggle or class conflict in that areas there were only two class have and have-not. The entire activities of the general masses are subservient to zamindari system and for that not only man but women were also totally depend upon Zamindar for their each and every requirement even requiring essential need thereof. Zaminadars commonly exiated them and used them as a bonded labour and also sexually harass their women folk too. Naxalism began as a novel movement to oppose the zamindari system and give freedom to the innocent tribes from the clutches of the Zamindars. Sooner or later the Naxalism due to this novel reason to give relief to the general masses began to take momentum and happening of 24th March 1967 gives a sound platform to Naxalites to take advantage of the situation for spreading Naxalism. In that incident a landlord was attacked by the peasant which become an intolerable for governmental authority and spark the flame of the incident in a massive fire. The reason behind the incident was zamindari and taxation which serve as a blow to the agriculturalist. The position of agriculture was already not very sound and pleasant despite of hard work and day and night labour the agriculturalist yet not get their basic necessity fulfilled by it. These laborer and also their women were exploited by some scruplesous person which prompted them and left nothing but too resort to Naxalism. In this historical reason because of class conflict no option remains with the innocent tribes but Naxalism is seems to be only a weapon to retaliate and it is the Naxalism with provide them a better platform to get themselves free from the clutch of these influential personality of the area. This was the main reason to get Naxalism its root in deeper and deeper.

3.2.3. Ideological Brainwashing

The period of 1919-1939 witness a number of opposite and contrast ideology for example Capitalism, Communism, Fascism and Nazism. The leaders of these

ideology used it as a source of unity commitment and vision and they try to infuse these ideology in the mind of local population and the leader justified their action, even wrong, in the name of the ideology. With the passes of the time the local people become addict to these ideologies and start blindly following it however these ideological conflict is also witness not only in India but throughout the world. The post war period and the end of colonialism converted the whole World into two major ideological camps, one under the leadership of Capitalistic, America another under the divided leadership of former Soviet Union and China. China's Maoism was adopted by the Indian Naxalites who questioned the ballot box, multi-party democracy and Fabian model of socialism. Mao said that political power grows out of the barrel of gun and he justified arms struggle against the government. Consequently, they trained the people, motivate, inspire and trained the people by convincing that without bloodshed they will not get anything.

On the basis of the success of other countries during the early phases of Cold War and on the Domino Theory, they believe that sooner or later they will succeed in liberating India by arms struggle. The blind faith of the committed cadres is a great reason for prolonging the fight.

The commitment and dedication of the leaders, the continuous denial of the due to the tribal people, the corruption prevailing in all walks of life, are alluring the semi educated as well as frustrated youth towards Maoism. Most of the youth are systematically trained and motivated to give their life for the noble cause of achieving communism by which they are ideologically addicted and become blindfold.

Apart from the tribal people, the Maoist leaders are recruiting youth from higher educational institutions also. The Universities like Osmania and Kakati are some of the breeding grounds for Naxalism in South India. The recruited cadres are systematically trained by the seniors.⁵ The training includes commitment to the doctrines, military training, secrecy, sacrifice, guerilla warfare, handling latest weapons, propaganda that is full-fledged training is provided to them. Thus, the Maoists have succeeded in retaining their control over more than 225 districts in

⁵ Kingshuk Nag, *Battleground Telengana: Chronicle of an Agitation* (Harper Collins Publishers, India, 2011).

India. As rightly pointed out, by the Indian leaders including the BJP Government Home Minister Honorable Rajnath Singh, the left wing extremism is a great menace to India.⁶ It is worthwhile to note that the greatest source of support is not from outside or because of the possession of the latest arm or the quality of leadership but mainly from the local people. It is understandable that, without popular support no movement can sustain for a longer duration against the state forces. During the 50s, 60s and 70s the anti-Maoist lobby blamed China's support for spread of Maoism in India. After the end of cold war, China ceased to export ideology, instead started exporting goods and services apart from protecting the notorious helmet state of the North Korea. Due to less external support of communism is witness a downfall of communism in a number of state of the world but the Chinese survive by taking a decision to brand communism as impractical that is the reason why Maoism remains continue and sustain with give an opportunity to the person to pursue their agenda of violence, not continuously but occasionally.

3.2.4 Social Reasons

Social reason include backwardness, casteism, illiteracy, status of women, no Medical facility, lack of educational facility, acute poverty, etc. play a great role for the advancement of the Naxalism in the habitant of the innocent tribal people. The schedule caste and the scheduled tribes mostly belongs to the poorest section of the society. Even they are no were in economic ladder if they are mostly at the bottom of the ladder.

3.2.4.1 Poverty

In fact Bihar, Odisha, Madhya Pradesh, Chhattisgarh, West Bengal, Uttar Pradesh were out of 58% of the Schedule Caste population, 70% are acute poor and out of 49 % of tribal population about 63% are belongs to the category remains no means of bread and butter. The percentage of Schedule Caste below poverty line was 36.8% in rural area and 40% in urban area while in case of schedule tribe 47.3% belong to rural population and 33.3% come from urban area in comparison to

⁶ Singh, Vijaita, Rajnath Draws Hard Line on Maoists: No Talks, The Indian Express, attacks will get befitting reply, available at <http://indianexpress.com/article/india/politics/rajnath-drawshard-line-on-maoists-no-talks-attacks-will-get-befitting-reply/#sthash.3CVv5cPq.dpuf> (Last visited on April 10, 2019).

national population percentage of 48% for rural and 25.77% in urban area. The percentage is not static but it may be higher than as it, Jharkhand 59 Madhya Pradesh 57 etc. these cause totally depend upon social deficit and economic non availability. Most of the population regarding in that particular area of the these six states are no means of livelihood and dying due to starvation taking advantage of their these position the affluent persons are mostly instead of honestly helping them badly exploited their position and an assurance given under the Naxalism these poor masses saw a ray of hope that's the reason why they marched out to the Naxalism.

3.2.4.2 Alienation of Land in the Naxal Affected Areas

A large number of tribal land not only forcefully occupied by the richest masses of the society but government also alienated or transfer them to industrialist in the name of industrialization since these areas belongs to a high percentage of tribal population which are illiterate knowledge less knows no law devoid of vision and generally no sense are easily become a prey of joint effort of government as well as Zamindar.

3.2.4.3 Literacy

Literacy is far away and unknown to the tribal people however under the right to education act and provision given in Article 21 A of the Constitution of the India guarantee is provided of the right to free and compulsory education to the children between the ages of six to fourteen but these areas are not in a position to take advantage of these facilities embedded under constitution. However with the passes of the time this process start taking momentum slowly and slowly and is on the path of speed development.

3.2.3.4 Casteism

According to Dr. Ambedkar.

“The caste system is not merely division of labour. It is also a division of labourers. There is need division of labour in civilised society. But it is difficult to divide the civilised society on the basis of speculation. The caste system is

hierarchical in nature. The establishment of industrial institution does not mean social reforms.”⁷

He asserts that caste is not based on division of labour. It is division of labourers. To him, caste is a harmful institution. To establish a new social order which is based on liberty, equality and fraternity, the caste is a great hindrance to social solidarity. Dr. Ambedkar wanted to establish a casteless society or ideal society in consonance with the Principles of democracy.

Caste also plays a role rather greater role to start a feeling that one is inferior to others. To maintain equilibrium and social unity a class classification cannot be promoted and if possible withheld. The Caste system of India is one of the most responsible factors for the development of Naxalism.

3.2.3.5 Reservation

The government is providing reservation to SC and ST as a tool to uplift these persons not only economically but also socially. Reservation theory is based on the doctrine of suppression or oppression of the people who were suppressed or oppressed from time immemorial and it cannot be said that the basis of reservation is mercy but the ground of reservation seems to be an instrument of social justice and to bring equality and social transformation the reservation is a must. Social acceptance can never be brought within the society by aloofness but by participation of their in every sphere of national life. Equal participation in each and every aspect of social life is necessary and that is why since justice demands equal representation an opportunity is provided to these suppressed persons to become part and parcel of the societal set up.

3.2.5. Economic Reason

Since hunger knows no law so economic disparity among general population and the tribal population is also playing a significant role in the development of Naxalism in India. There are persons who are of the firm view that Maoism took birth on Indian soil as a protector of the rights of the tribals. In that particular area

⁷ Selja Kumari, (eds,) *Dr. Babasaheb Ambedkar : Writings and Speeches Vol. 1* (Dr. Ambedkar Foundation Ministry of Social Justice & Empowerment, Govt. of India 15, Janpath, New Delhi - 110 001).

economic disparity become a tool of exploitation inequality, diversity, disparity and so many other consequence. Caste rather class difference play a great role in the increasement of the Naxalism in India. It is a class conflict between haves and have not.

Ignoring a broad section of the society including a large number of schedule tribes is also a cause for a development of Naxalism in that particular area.

The area are not fully developed area most of the area lacking communication facilities and absence of proper industrialization including halfhearted land reform are few of the reason of exploitation of the person belonging to the poor economic status of society which was taken advantage by the Naxalites. So industrialization and not proper land reform also result as important reason for the development of Naxalism in that particular area.

The report of HDI 2013 is also of the view that outcome of the Naxalite is also based on non-economic growth, social policy and failure of poverty reduction programme.

3.2.5.1 Poverty

Hunger is the name of the revolution and poverty is parent of revolution. A person who is dying on the ground of starvation for him law has no meaning at all. Poverty/ hunger/ starvation knows no laws but only food and food. The government should no doubt, is taking all sort of measures to remove the poverty but still position is not very sound or nice but seems to be maximum number of the tribal population are still not in position to make the arrangement for their daily bread and butter. But still the time without any means of food. So the governmental help assistance or aid provided to the tribal masses should be on the path of increasing order. Though government is alive entire situation and making no stone on turned to make and to save the lives of the tribal to do a number of activities for their survivals. So poverty ignorance, and illiteracy which at one time was the measure cause of exploitation of these masses and development of Naxalism are at receding trend by day to day. And days are not far away one can very easily assume that Naxalism becomes a dream to India.

For the betterment of that particular region and to check the mushrooming growth of Naxalism the central with the state government collaboration doing a series of activities for the development of that particular region basically educational development means of communication, development, economic development, social development and proper distribution and reform of land, the government initiative begins to produce positive result and there are every hope when the tribal people of that are become well educated, self-sufficient, socially respected, economic equal and owner of the land they will be in a position to find out where profit and loss. Then that we the day when Naxalism will take its last breaths.

There are so many other facility which has to be taken care by the government and the evidences shows that government is not lagging behind and tanking on all interest to sort out the problems to the end so that Naxalite dense regions the problem can effectively checked and the local populai including mostly the youth would start taking no interest in Naxalism that will be the Waterloo for Naxalism.

3.2.5.2 Effect of Liberalization, Privatization and Globalization

The government of India open the door gates to the foreigner capitalist loot the Indian resources. It is nothing but economical input by the American and other European countries.

“ग्लोबलाइजेशन है महामारी, दुनिया भर में फैली सारी, न बचे जंगल न बचे झाड़ी, न बचे ये पहाड़ी ग्लोबलाइजेशन है महामारी.”⁸

3.2.6. Political Reason

Exploit and Ruler or exploiter means one class ruled over other and exploited them in their own interest imposed by draconian law. The emergence of Naxalism coincided with the formation of the first united front government in West Bengal in the year 1967 with CPI (M) as its main constituent. The movement thus received increasing official support, attention and press coverage in those times. The movement was influenced with the political ideology of Chines Communist Party and Mao Zedong. They used slogan such as “*the Chines path is our path, Chines*

⁸ Personal interview of A top Surrender Naxal leader Pahad Singh during field visited Chhattisgarh.

chairman is our chairman.” However, this the ideological following of the CPI (M) in China which faded away later on. Today, the Naxalites groups are no more having the same perceptions. However their commitment to Maoism remains intact.⁹

3.2.7. Cultural Scheme

The tribal community has their own Ghotul custom of marriage and method of worship. Interfere with the traditional culture is also a reason for violence in that particular areas. For example Adivasi Budha Dev was claimed as Hanuman by the Hindu Fascist forces. They have been very emotional with their land Maoist allure them with the fear of displacement by the government officials in the name of industrialization of the area.

3.2.8. Geographical Backwardness

Geographical backwardness, is due to exploitation of Adivasi by the government and unequal treatment meted out to them. Naxalite tribes in the area densely populated by forest. It provide them to fight against the police and other security official in the form of Guerrilla warfare. Geographical area which are heavily covered by trees and mostly forest trees or well known to the Adivasi as well as Naxalites in compare to the police officers who are the personnel outside the state or that particular reason.

3.2.8.1 The Growing Inter and Intra- Regional Disparities

Due to ill will treatment of the government official a disparity develop inside and outside the region. The poor people are very much in hope that Naxalite or Naxalism will provide them equality in inner and outer matter. To do so the Naxalite also made provision and act to attract the people of that areas who was very poor to provide them means of livelihood from their own Jungle. These livelihood include fishing, agriculture, daily labour, and cutting of the bamboos etc. Forest is is boon for Adivasi people as well as Naxalites too. Previously a local inhabitant of that particular area have all the ownership of different material oozing out from the

⁹ Factors responsible for the growth of Naxalism in India, available at <https://www.gktoday.in/gk/factors-responsible-for-growth-of-naxalism-in-india/> (Last visited on March 15, 2020).

jungle. The forest also provide a shelter to the Naxalite. The dense the forest the safer the Naxalites and give them an opportunity to escape from the eyes of the police official which are not so well aware about the geography of that particular region Maoist are always have an upper hand. As Naxalites are well aware regarding inflow in the jungle or forest and in the same way the police official are unaware about geographical a,b, c, d, of the forest hence forest provide a helping hand to the growth and spreading up of Naxalism. The Naxalite have an opportunity to escape through jungle from one state to another state after committing the violence activities. For example the offence is committed by Naxalite in Maharashtra and escape through jungle to other state Jharkhand or Madhya Pradesh which was unknown to the police official this is also one of the reason of strengthening of Naxalism.

3.2.9. Environmental Crisis

Environmental crisis is of two type

3.2.9.1 Mismanagement of Forest

Forest Provide the Adivasi each and every necessity of their livelihood but government instead of protecting the forest are cutting the forest in huge amount on the ground of industrialization means of conveyance and other developmental activities without replanting them . However it is well known that forest is also one of the sound reason for spread of Naxalism. With the passing of a number of enactment the administration of forest material come within the reach of the government. Because of this the administrative machinery instead of helping the local population become more exploitative towards the Adivasi. It can also be said that though cutting of forest are imposed by the environmentalist on the ground that it will put the Adivasi in deficit. But one cannot be forget that forest cutting will give an opportunity to police official to check the movement of Naxalite.

3.2.9.2 Environmental Exploitation

Environment has two component biotic and abiotic. Environment is must for human survival, and in ab initio stage human life must be according to nature. And both were friend but now a day environment has been hostile towards its

components. We have two type resources renewal and non-renewal and it is required for the environmental sustainability and social justice that resources should be rational use. Environmental crisis generated the social injustice. Environmental crisis generated due to the mismanagement and exploitation of natural resources which disturb the homeostasis, Energy and matter regarding useful for the Adivasi people. The degradation of environment at in the hand of human being not only known to India but it is a worldwide phenomenon. All the natural resources is for the use of the human being. And nature permit so also. But human being in the name usefulness of the natural resources heavily exploited them. Which disbalance the equilibrium because of bling cutting of trees is also poses an environmental crisis for the local population. Generally almost of the activities relating day to life the Adivasi people heavily depend on jungle for eating purpose, for drinking water, for agricultural land, for irrigation water and for sale of forest product. Each and every necessity of there is fulfilled by none but the forest by the governmental interference not only the tress become less and less but government also gives the forest materials to middle man through action process. And the forest become gradually barren, unable to fulfill the increasing demand of the Adivasi. Previously the forest like mother treat them well but after governmental interference the jungle like step mother takes care of none.

3.2.10 Legal Cause

To sort out or to check the inflow of Naxalism and it growth and strengthening number of legislation have been passed by government which directly or indirectly affect or deal with such problem. From of them are

3.2.10.1 Constitutional Failure

Failure of the constitutional commitments, Lack of food security no proper public distribution system. Want of alternative work opportunity, Poor implementation of special legislation for tribal and Absence of Real Empowerment vested to Adivasi or some of the ramification of the governmental activities. Article 244 of the constitution read with schedule fifth and sixth provide special arrangement for area inhabited by schedule tribes. These areas had been declared as excluded or partially excluded areas during British regime after independence these

areas were brought under the fifth and sixth schedule, referred as scheduled area. By presidential order some areas there also brought within the jurisdiction of schedule area.

Article 244, contained in Part X of the Constitution entitled “The Scheduled and Tribal Areas”, provides as follows: “Article 244 (1) says that the provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Area and Scheduled Tribes in any State other than the States of Assam, Meghalaya, Tripura and Mizoram.”

The purpose of Scheduled Areas is to preserve the tribal autonomy, their culture and economic empowerment, to ensure social, economic and political justice, and preservation of peace and good governance.

It is with this object in mind that the Constitution created the Fifth Schedule which has famously been called “A Constitution within a Constitution”¹⁰

3.2.10.2 Rehabilitation and Resettlement Policy, 2007

The basic aim of are and RR Policy, 2007 is to minimize the displacement of people and to; promote the theory of non-displacement or least displacement. To this effect on 11th October 2007 a rehabilitation policy for the displacement of people who loss their land because of industrial growth was issued by the government. Under this policy the moto is land taken land given which evolved at least one member of the family will be provided land for the purpose of the rehabilitation and also vocational training etc,. For the benefit of displaced persons.

This act is to minimize the displacement of people and to promote non-displacing or least displacing alternatives. The Government issued a rehabilitation policy on 11 October 2007 for the easy displacement of people who lose their land for industrial growth. Under this policy land in change for land will be given, job prospective to at least one member of the family, vocational training and housing

¹⁰ Dr. B.D. Sharma, Ex Commissioner for Scheduled Castes and Scheduled Tribes (1986 -91).

benefits including houses to people in rural areas and urban areas will be some of the benefits.

3.2.10.3 Forest Rights Act, 2006

The Scheduled Tribe and Other Traditional Forest dwellers (Recognition of forest Rights) Act 2006 or commonly known as the Forest Rights Act 2006 which recognizes the rights of the Scheduled Tribes and forest dwellers who have been living in the forests up to time immemorial but their right over the land have not been recognized side by side ministry of environment and forest also allows use of one hectare of land for non-forest propose including construction of pakka road in place of kachha road. For years but their rights have still not been recognized. The Ministry of Environment and Forests has also allowed use of one hectare of land for no forest purposes and conversion of kattcha roads into pakka roads. Due to the long delay of enactment of this Act, Naxalism takes place in the forest areas.

3.2.10.4 Chhattisgarh Special Public Securities Act, 2006

This Act is state legislation which declare the certain activities as unlawful while defining the word unlawful activities the act include a number of activities declaring an organization unlawful, formation of an advisory board wherever the state government feels the need for its establishment, procedure of the formation of the advisory board, action of the advisory board, penalties viz punishments even for not committing a crime, the power to notify a place being used for unlawful activities and taking occupation of such place thereof and revision/bar against intervention by the courts.

It provides unconditional powers to notified places which the District Magistrate thinks are being used for unlawful activities without any prior notification. Since it is a violation of principle of natural justice. There is no need of production of any evidence to prove that the said place is used for unlawful activities.¹¹

¹¹ Dr. Abid Ali & Dr. Sant Lal, Naxalite Movement in India: Causes and Solutions 2 *IJIFR* 2976 (April, 2015). Available at <http://www.ijifr.com/pdfsave/31-10-2015520V2-E8-048.pdf> (Last Visited on April 12, 2019).

3.2.10.5 Effectiveness of the Legal Provision

Instead of helping the schedule tribes and schedule caste the legislation is oppose to the interest of these people. And poses a number of problem to them. Under the act the various safeguards which are availed by schedule tribes because of the constitution and other laws will become a day dream for the schedule tribe population. This act specifically provide that land for land but the government in the garb of industrialization defooling the Adivasi. However, with the help of unlawful activities prevention act the government has banned all the organization which by any means have any nexus with Naxal movement of MCC or CPI (ML). This act remain only a piece of legislation and failed to make a distinction between anti-social, anti-national, personnel from peace loving people.

3.2.10.6 Delayed Justice

Justice delayed is justice denied. Likewise justice hurried is justice buried and justice reasonable is justice sizeable. The social norms of the Indian culture and societal set up are at its low ebb, corruption is running in the blood of Indians. No one deny that he is not indulged in corruption. A person is honest only until he get a chance. So same is to with educational institution and judicial organization also. It lead to downfall of Indian civilization. The nation building of India is based upon a very pios principles of egalitarian principles of justice and equality. However, because of some or other reason Indian judiciary from lower to apex are more known for the delayed of the justice instead of any other thinks. Thousands and thousands cases are pending, unheard in the court of law And despite of a number of committee and commission recommendation the situation is still alarming former prime minister informed the Lok Sabha that India had the largest backlog of case in the world. Thirty million cases are pending in the High Court 65000 are bending is the Supreme Court of India as per a report released by Hindustan times in the year 2013. The former law minister Kapil Sibbal was of the views that the Indian judiciary requires radical structural reform. The criticism about judiciary is people will loss their faith in judiciary if the courts are not able to dispose of the cases given a fixed time framed. According to Article 233 the government should stablished a body at national level consisting of judges lawyers and legal academician a conduct of examination to Indian judicial service to establish among them special court to

clear all the long time pending case. But everything remains to be implemented. And still the same situation persists.

The pending of case which give birth to delay of justice gives an opportunity to the Naxalites to plead the; local population to come and join Naxalism and in lieu of that they will decide their cases immediately without any delay.

3.2.10.7 Empowerment of Tribal

In the year 1993 when PESA was going to be implemented. There was a great hope that it will be mostly welcomed by the tribal but when it came into operation it fails to generate the interest in Adivasi. And most of them refrain themselves from the preview of the PESA. PESA recognized that Gram Sabha will have predominance over Gram Panchayat and the matter related to land acquisition, mining will come within the jurisdiction of gram Sabha for giving permit to do mines activities. The Power of Gram Sabha are as such

1. The power to prevent alienation of land in the Schedule Tribe's areas and
2. Power to take appropriate action to restore the land back to the Schedule Tribe.
3. Power of ownership of minor forest produce.
4. The power to enforce prohibition or to regulate consumption of liquor.
5. The power to exercise control over money lending to the Schedule Tribes.
6. The power of permission or recommendation in granting licenses or mining leases for minor minerals.
7. The power of the right to be consulted before any land acquisition.
8. The power to issue certificate of utilization for government work etc.

3.2.10.8 No Proper Implementation of Local Welfare Laws

The provision which are given in PESA are not properly implemented by the local authorities same is the fate of the MESA which still not come to be implemented. The heinous activities and the goal or aim or objective the Maoist are very much destructive to the social fabric of the social set up of India. The Naxalites were intelligent enough to organize a Zantana Sarakar to propagate and promote their strategy and ideology which is based mostly on the issues of local grievances,

social and economic cooperation and with the help of the cultural actives like NiukkarNatak,

The basic or fundamental cause of growth of Naxalism in India are manifold. They are-

1. Atrocities committed by affluent people upon tribal people.
2. In different attitude of the governmental official towards tribes.
3. The passing of the various Acts also shows clearly that it does not protect the interest of the Adivasis but in the name of the industrialization liberalization, privatization and globalization the ownership of the Adivasi in the forest produce are at stake.
4. The government activities is responsible for creation of an institution of middle man which totally hamper the interest of the Adivasis and they become the culprit of these middleman and caught in the cobweb of middle man. Which are totally against the interest of the Adivasi. Hence to protect their interest abolition of middle man institution is the call of the day.
5. The Adivasi as it is well known are mostly illiterate , innocent population , there are no doubt that they are residing on a particular land from generation to generation but without any registration is the garb of the registration the officials are vehemently misusing their power and privilege and harassing the tribal to large extent. So it is in the interest of the justice that the land upon which an Adivasi is residing or inhabiting for a long period the land should be registered in their name.

There are the some of the shortcoming or loopholes, if not plugged will be very dangerous for the smooth sailing of the Adivasi. And to protect their interest and habitant. The shortcoming needs to be plugged otherwise the innocent people of the tribal region either become join Naxalism and become Naxalite or will be doomed at all.

LEGISLATIVE FRAMEWORK: AN ANALYTICAL APPROACH

4.1 INTRODUCTION

This chapter is entirely devoted to legislative framework to combat the Naxalism. To counter the Naxalism there is no dearth of the provision under the National law as well as international laws. Naxalism is internal threat to the India, hence it requires study and well versed knowledge of constitution dealing the law & order and security of India, along with the laws and governance of scheduled & tribal areas in India. The Fifth Schedule of the Constitution and its various provisions inter alia. Article 244 of the Constitution of India read with two Schedules the Fifth and Sixth Schedules, provide special arrangements for areas inhabited by Scheduled Tribes. For the purpose of the study this chapter is broadly divided into two part.

1. First part Indian scenario objects of Criminal Justice System, Organs of Criminal Justice System, There are various direct and indirect legislations and Conventions available in India dealing with terrorism and related crimes.
2. Second part the international scenario: The Geneva Convention 1949, UNWGIP Draft Declaration of Indigenous People.

4.2 NAXALISM: HOW IT DIFFER FROM TERRORISM?

A slogan is propounded regarding terrorism that “One man’s terrorist is another man’s freedom fighter.” and one time terrorist organization is another time friend.¹

This gives a free hand to all in all to define the word terrorism in their own way. However, there are some definitions which are more acceptable and to be considered as a relevant for the research work. The Unlawful Activities (Prevention) Amendment Act, 2008 defines terrorism as follows:²

¹ Ronal Reagan, Radio Address to the Nation on Terrorism, XL President of the United States: 1981-1989, May 31, 1986, available at <http://www.presidency.ucsb.edu/ws/?pid=37376> (Last visited on January 10, 2020).

² Unlawful Activities (Prevention) Amendment Act, 2008.

“Whoever does any act with intent to threaten or likely to threaten the unity, integrity, security or sovereignty of India or with intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country,

(a) By using bombs, dynamite or other explosive substances or inflammable substances or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substances (whether biological radioactive, nuclear or otherwise) of a hazardous nature or by any other means of whatever nature to cause or likely to cause-

1. Death of, or injuries to, any person or persons; or
2. Loss of, or damage to, or destruction of, property; or
3. Disruption of any supplies or services essential to the life of the community in India or in any foreign country; or
4. Damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State Government or any of their agencies; or

(b) Overawes by means of criminal force or the show of criminal force or attempts to do so or causes death of any public functionary or attempts to cause death of any public functionary; or

(c) Detains kidnaps or abducts any person and threatens to kill or injure such person or does any other act in order to compel the Government of India, any State Government or the Government of a foreign country or any other person to do or abstain from doing any act, commits a terrorist act.³

The United Nations General Assembly in the year 2000, defines terrorism as

“1. Any person commits an offence within the meaning of this Convention if that person, by any means, unlawfully and intentionally, causes:

- (a) Death or serious bodily injury to any person; or

³ Ibid.

(b) Serious damage to public or private property, including a place of public use, a State or government facility, a public transportation system, an infrastructure facility or the environment; or

(c) Damage to property, places, facilities, or systems referred to in paragraph 1 (b) of this article, resulting or likely to result in major economic loss, when the purpose of the conduct, by its nature or context, is to intimidate a population, or to compel a Government or an international organization to do or abstain from doing any act.

The coordinator of the negotiations, supported by most western delegations, proposed the following exceptions to address those issues:

1. Nothing in this Convention shall affect other rights, obligations and responsibilities of States, peoples and individuals under international law, in particular the purposes and principles of the Charter of the United Nations, and international humanitarian law.
2. The activities of armed forces during an armed conflict, as those terms are understood under international humanitarian law, which are governed by that law, are not governed by this Convention.
3. The activities undertaken by the military forces of a State in the exercise of their official duties, inasmuch as they are governed by other rules of international law, are not governed by this Convention.⁴

Lazarus Samraj⁵ defines, Terrorism as a type of violence, practiced by state and non-state actors against each other, when they fail to achieve their objectives through legal and constitutional means.⁶

As per the definition Naxalites fall under the basket of terrorism mainly because they have no faith in the constitution of the state which is democratic in nature and also determined to remove the existing system through violence. However, Naxalites are claiming to commit for the cause of the poor and down

⁴ Measures to Eliminate Terrorism, United National Organisation, available at <http://www.un.org/law/terrorism/> (Last visited on January 10, 2020).

⁵ Political Science Scholar

⁶ Prof. Lazarus Samraj, Professor in Department of Politics and International Studies, Pondicherry University, Pondicherry University.

trodden, to them, they are the champions of equality, inclusive development, and social justice.

Terrorism is the in lawful use of

1. Force or violence against person or property.
2. Intimate or coerce its citizen to can not participate in political or social objectives.

The above said definition categorically said that these are the following essentials of terrorism

1. Use force or violence
2. Against person or property
3. To intimate or coerce a person or Indian citizens
4. To further restraint the persons of participation in political or social objectives.

To them it is impossible to remove the corrupt corporate governance through legal means and they strongly convince that without bloodshed there will be no liberation from exploitation. Therefore they brand state as a terrorist organization legitimizing wrongs in the name of nation state and constitution.

4.3PART FIRST

4.3.1 National Legislative Framework: An Analytical Analysis

India is victim of Naxalism since longtime. To combat the Naxalism the national legislative framework is broadly divided into two categories

1. The general laws and
2. Special laws.

When the security of Nation is on threshold we have to look towards Criminal Justice System of the state as a means to provide solution due to the fact that law and order is the subject of the state, the various authorities responsible for the various organs / bodies and authorities responsible for maintenance of Internal Security which includes police, Ministry of Home Affairs, Intelligence Agencies, National Security Advisor, and National Security Council, are studied at a greater length. Under this chapter an attempt will be made to find out the importance and

capability of our present system which is a mixture of all bodies and authorities. Which lacks coordination and co-operation. All authorities are working in water tight compartments without check and balance which ultimately affecting security of the nation. Therefore it is necessary in this respect to find out the role and responsibilities of each Body / Organ / Authority and to evaluate in detail their pros and cons and for their better use to suggest remedial measures.

4.3.2 The Criminal Justice System

The administration of justice is civil as well as criminal procedure. The social equilibrium of Society is maintained through the machinery of criminal justice life imprisonment and fine. Before we dwell over the problems of criminal justice system in maintaining internal security firstly to understand the meaning and scope of criminal justice system. Madhava Menon in his report on police reforms opined that⁷

“Criminal justice means the criminal law, the criminal procedure, the institutions of enforcement of the criminal law and the personnel involved in administering the system.”

The criminal justice system basically perform the following functions

- 1 Prevention and control of crime
- 2 Maintenance of public order and peace,
- 3 Protection of the rights of victims as well as the person in conflict with law,
- 4 Punishment and rehabilitation of those adjudged guilty of committing crimes
- 5 Protecting life and property against crime and criminality.⁸

Under the constitution of India it is the duty of the state to maintain peace and order in the society. Maintenance of rule of law, democracy and good governance are the products of good and efficient criminal justice system. Research aims at analyzing the internal security management system.

The fundamental organs of criminal justice system are:

⁷ Government of India, “Report on the Draft National Policy on Criminal Justice”, (Ministry of Home Affair 2007)

⁸ Ibid.

1. Police
2. Prosecution
3. Courts
4. Prison Administration

Criminal law and its procedures falls in the concurrent list⁹ of the Constitution hence Central government as well as state government both are entitle to make laws on this subject and therefore there is no hesitation to say that law may differ from state to state.

The primary objective of the state is to maintain law and order so that they can enjoy peace and security. Right to life and personal liberty is considered as precious right of an individual guaranteed under Art. 21 of the Constitution. The state discharges its primary obligation to protect the life and liberty of an individual.

The penal laws prescribe punishment for the violation of rights. When these rights are violated state machinery will start functioning to arrest the person guilty for such crime, will place him for fair trial and if found guilty to be punished. Internal security of any state is linked with functioning of Criminal Justice system of the state. To create deterrence of law in the minds of people, efficient policing, proper investigation and prosecution of crime is the need of the hour.

On the other hand, due to disrespect of law, violence, low conviction rate, unsolved crimes and delayed justice creates an atmosphere of uncertainty and impunity and, the state will be an easy pray to the security threats from inside and outside forces. Presently, we have no hesitation to say that Indian scenario is more than the same. More than two crore criminal cases are pending and waiting for their trial; thousands of investigations are pending in various parts of the state. This is not a good sign. When country is struggling to combat threats like Naxalism and trying to maintain law and order situation under control. Some states have shows laxity for continuing violence, organized crime and targeting innocent people.¹⁰ If this situation continues, there is no doubt that it will become difficult to maintain law and order in the states. When country's internal security management is weak and not properly

⁹ Items 1 and 2 of list III of the seventh schedule of the constitution of India 1950

¹⁰ Government of India, "Report on Center-State relations-Internal security, Criminal Justice and Center State co-operation vol-3", (Ministry of Home Affairs, March-2010)

maintained then easily it can become soft target of Naxalite groups. This happens due to the

1. Frequent break down of law and order situation,
2. Problem of corruption in public administration, and
3. Political interference

Which give an ample opportunity to Naxal violence.

4.3.3 Objects of Criminal Justice System vis -a- vis Theory of Punishment

The basic objective of criminal justice system is to arrest and punish the culprit. Punishment, according to the dictionary, involves the infliction of pain or forfeiture, it is the infliction of a penalty, chastisement or castigation by the judicial aspect of the State. But if the only or sole purpose of punishment is to cause physical pain to the wrong-doer, it serves little purpose. However, if punishment is such as makes the offender realize the gravity of the offence committed by him, and to repent and atone for it.¹¹ It may be said to have achieved its desired result. A person is said to be punished when some pain or detriment is inflicted on him. This may range from the death penalty to a token fine. Thus, punishment involves the infliction of pain or forfeiture; it is a judicial visitation with a penalty, chastisement or castigation.

Walier Reckless describes punishment as

“The redress that the commonwealth takes against an offending member.”¹²

In the words of Westermarck, punishment is

“Such suffering as is inflicted upon the offender in a definite way by, or in the name of the society of which he is permanent or temporary member.”

4.3.3.1 Theory of Punishment

To fulfill the objects of the criminal justice system there is five theories of punishment, namely:

¹¹ Thus neutralizing the effect of his wrongful act.

¹² In this book entitled “Criminal Behaviour”.

1. Deterrent
2. Preventive
3. Reformative
4. Retributive
5. Compensatory

4.3.3.1.1 The Deterrent Theory

From time immemorial the basic aim of Punishment is deterrent when its object is to show the futility of crime, and thereby teach a lesson to others. Deterrence acts on the motives of the offenders, whether actual or potential. Offences are committed, in most cases, as a result of a conflict between the so called interests of the wrong-doer and those of society at large. The object of punishment, according to this theory, is to make it clear that, in the final analysis, crime is never profitable to the offender, and as Locke observed, to make crime “an ill-bargain to the offender.” By making it an ill-bargain to the offender, the world at large would learn that crime is a costly way of achieving an end. The idea behind deterrent punishment is that of preventing crime, by the infliction of an exemplary sentence on the offender. By this, the State seeks to give a lesson to the accused by fear in it fear in its members, and thus deter them from committing crime under fear psychosis. The rigour of penal discipline is made a terror and a warning to the offender and others persons of the society.

Punishment hereby is meant to prevent the person concerned and other persons from committing, similar offences. The advocates for the retention of capital punishment relying on this theory in support of their contention. They argue that capital punishment, by its very nature, cannot have either a reformative value or be a retributive necessity. Its only value, if at all, is by way of deterrence. However, the theory of deterrent punishment fails to achieve its basic. A hardened criminal becomes accustomed to the severity of the punishment, and deterrence does not always prevent him from committing a crime. On the other hand, it also fails to affect an ordinary criminal, as very often, a crime is committed in a moment of excitement. If the crime is pre-mediated, the offender commits the crime, knowing fully well, the consequences arising from his act and performs the act because he cannot help but do it. In a case decided by the Supreme Court, *Phul Singh v. State of*

Haryana,¹³ a young philanderer aged 22, overpowered by excess sex stress, raped a twenty-four year old girl next door in broad day-light. The Sessions Court convicted him to four years' rigorous imprisonment, and the High Court confirmed the sentence in appeal. When the matter went in appeal to the Supreme Court, the sentence was reduced to two years' rigorous imprisonment, as the accused was not a habitual offender, and had no vicious antecedents. The Supreme Court observed

“The incriminating company of lifers and others for long may be counter-productive, and in this perspective, we blend deterrence with correction, and reduce the sentence to rigorous imprisonment for two years.”

The role played by the court is not clear what it want to say. In this case however, the court initially allocated for deterrent theory but later on merged the deterrent theory with the correction or reformatory theory. This clubbing has been done to favour the accused as it was his first attempt thereby reduces the sentence.

4.3.3.1.2 The Preventive Theory

If the deterrent theory tries to put an end to the crime by causing fear of the punishment in the mind of the would be crime-doer, the preventive theory aims at preventing crime by disabling the criminal, for example, by inflicting the death penalty on the criminal, or by confining him in prison, or by suspending his driving license, as the case may be. Thus, the extreme penalty, the death sentence, ensures that, once and for all, the offender will be prevented from repeating the heinous act. In the past, maiming was considered an effective method of preventing the wrong-doer from committing the same crime in the future, by dismembering the or importing offending part of the body. Thus, a thief's hand would be cut off. In the ultimate analysis, the preventive mode of punishment works in three ways, viz

1. By inspiring all prospective wrong-doers with the fear of punishment;
2. By disabling the wrong-doer from immediately committing any crime; and
3. By transforming the offender, by a process of reformation and reeducation,

So that he understand the repercussion of the punishment and would not commit crime again. In this connection, the following extract from Rule 58 of the International Standard Minimum Rules is illuminative

¹³ (1980 Cri. L. J. 8).

“The purpose and justification of a sentence of imprisonment or a similar measure derivative of liberty is ultimately to protect society against crime. This end can only be achieved if the period of imprisonment is used to ensure, so far as possible, that upon his return to society, the offender is not only willing, but also able, to lead a law abiding and self-supporting life.”

4.3.3.1.3 The Reformatory Theory

According to the reformatory theory, a crime is committed as a result of the conflict between the character and the motive of the criminal. One may commit a crime either because the temptation of the motive is stronger or because the restraint imposed by character is weaker. The deterrent theory, by showing that crime never pays, seeks to act on the motive of the person, while the reformatory theory aims at strengthening the character of the man, so that he may not become an easy victim to his own temptation. This theory would consider punishment to be curative or to perform the function of a medicine. According to this theory, crime is like a disease. This theory maintains that “you cannot cure by killing.” The exponents of the reformatory theory believe that a wrong-doers stay in prison should serve to re-educate him and to re-shape his personality in a new mold. They believe that though punishment may be severe, it should never be degrading. To the followers of this theory, execution, solitary confinement and maiming are relics of the past and enemies of reformation. Thus, the ultimate aim of the reformists is to try to bring about a change in the personality and character of the offender, so as to make him a useful member of society. The reformists argue that if criminals are to be sent to prison in order to be transformed into law-abiding citizens, prisons must be turned into comfortable, dwelling houses. This argument is, however, limited in its application, and it must be remembered that in a country like India, where millions live below the poverty line, it may even act as an encouragement to the commission of crimes. Lamenting on the conditions prevailing in jails in India, Justice Krishna lyersays in *Rakesh Kaushik v. Superintendent, Central Jail*¹⁴ with the following poignant question: “Is a prison term in Tihar Jail a post-graduate course in crime?” In *Sunil Batra (II) v. Delhi Administration*¹⁵ the Supreme Court regarded a simple letter from a co-prisoner as sufficient to invoke proceedings by way of habeas corpus. The judgment deals at length with the shocking conditions prevailing in

¹⁴ (1980 Supp. S.C.C. 183)

¹⁵ (1980 3 S.C.C. 488).

Indian prisons and suggests a series of prison reforms. Lamenting on the atrocities prevailing in Delhi's Tihar Jail, Justice Krishna Iyer, observes

“The rule of law meets with its Waterloo when the State's minions become law-breakers, and so the Court as a sentinel of justice and the voice of the Constitution, runs down the violators with its writ, and serves compliance with human rights even behind iron bars and by prison wardens.”

True it is, that the reformatory element had long been neglected in the past. However, the present tendency to lay heavy stress on this aspect seems to be only a reaction against the older tendency to neglect it altogether, and has therefore, the danger of leaning to the other extreme. Whereas reformation is an important element of punishment, it cannot be made, the sole end in itself. It must not be overlooked, but at the same time, it must not be allowed to assume undue importance. In the case of young offenders and first offenders, the chances of long-lasting reformation are greater than in the case of habitual offenders. Again, some crimes, such as sexual offences, are more amenable to reformatory treatment than others. Further, reformatory treatment is more likely to succeed in educated and orderly societies than in turbulent or under-developed communities.

4.3.3.1.4 The Retributive Theory

While discussing the history of the administration of justice, it was seen that punishment by the State is a substitute for private vengeance. In all healthy communities, any crime or injustice stirs up the retributive indignation of the people at large. Retribution basically means that the wrongdoer pays for his wrongdoing, since a person who is wronged would like to avenge himself, the State considers it necessary to inflict some pain or injury on the wrongdoer in order to otherwise prevent private vengeance. Whereas other theories regard punishment as a means to some other end the retributive theory looks on it as an end in itself. It regards as perfectly legitimate that evil should be returned for evil, and that a man should be dealt with the manner in which he deals with others. An eye for an eye and a tooth for a tooth is deemed to be the rule of natural justice. Though the system of private revenge has been suppressed, the instincts and emotions that lay at the root of these feelings are yet present in human nature. Therefore, according to this theory, the moral satisfaction that society obtain from punishment cannot be ignored. On the other hand, if the criminal is treated very leniently, or even in the midst of luxury, as

the reformatory theory would have it¹⁶. A spirit of vengeance would not be satisfied, and it might find its way through private vengeance. Therefore, punishment, instead of preventing a crime, might indirectly promote it. Unfortunately, the retributive theory ignores the causes of the crime, and it does not strike at the removal of the causes. A mere moral indignation can hardly prevent crime. It is quite possible that the criminal is as much a victim of circumstances as the victim himself might have been. It is also unfortunate that this theory overlooks the fact that two wrongs do not really make a right. The theory also seems to ignore that if vengeance is the spirit of punishment, violence will be a way of prison life. This theory is based on tit for tat but in the eye of the law such a matter is neither permissible nor possible.

4.3.3.1.4.1 Retribution Means What?

There is yet another interpretation of the retributive theory, which considers punishment as a form of expiation. To suffer punishment is to pay a debt due to the law that has been violated. As per this formula, guilt plus punishment is equal to innocence. According to this view of the retributive theory, the penalty is a debt which the offender owes to his victim, and when the punishment has been endured, the debt is paid, and the legal bond forged by the crime is dissolved. Therefore, the object of true punishment must be to substitute justice for injustice, to compel the wrong-doer to restore to the injured person that which is his own, and by such restoration and repentance, the spirit of vengeance of the victim is to be satisfied.

4.3.3.1.5 The Compensatory Theory

According to this theory, the object of punishment must not be merely to prevent further crimes, but also to compensate the victim of the crime. This theory further believes that the main-spring of criminality is great and if the offender is made to return the ill-gotten benefits of the crime, the spring of criminality would be dried up. Though there is considerable truth in this theory, but this theory tends to over-simplify the motives of a crime. The motive of a crime is not always economic. Offences against the state, against justice, against religion, against marriage, and even against persons, may not always be actuated by economic motives. There may

¹⁶ And as actually happens in some prisons of the world, which are equipped with air-conditioning, private toilets, TV sets etc.

be other complicated motives involved. In such cases, the theory of compensation may be neither workable nor effective. Quite often, even in the case of offences actuated by such motives, the economic condition of the offender may be such that compensation may not be available. Therefore, this theory can at best, play a subordinate role in the framing of a Penal Code.

While concluding, it may be said that the administration of criminal justice cannot have any of the above purposes as the single or sole standard of punishment. A perfect penal code must be a judicious combination of these various ways of punishment. No theory of punishment is a complete in itself. Neither they are mutually exclusive. If the retributive theory is meant pure vengeance, it hardly be accepted. However, it does not mean that it involves the working of Nemesis. The real idea behind retribution is to make the offender realize-by a process of reformative detention-the heinousness of his crime, thus preventing him and deterring others at the same time. As observed by justice Krishna Iyer in *Rakesh Kaushik v. Superintendent, Central Jail*¹⁷

“The fundamental fact of prison reforms-comes from our constitutional recognition that every prisoner is a person, and such person hold the human potential which, if unfolded, makes a rober a Valmiki, and a sinner a saint.”

As stated in a British Government’s White Paper entitled “People in Prison,”

“A society that believes in the worth of individual beings can have the quality of its belief judged, at least in part, by the quality of its prison and probation services and of the resources made available to them.”

In the words of Dr. Sethna, the theories of retribution, reformation, determent and prevention go hand-in-hand, and exist for the preservation of the moral order, the protection of society and the rehabilitation of the offender himself. So it cannot be said that one theory prevail over other theory. All or its own importance rather they are supplementary or complimentary to each other.

¹⁷ Supra note 14

4.3.4 Criminal Justice System and its Working

Effective criminal justice system is fundamental challenges of state to maintain law and order. The objective of criminal justice system is to create an atmosphere of rule of law in the state and to prevent crimes. If at all crimes takes place, fast prosecution and deterrent punishment prevents further occurrence of crime.

The former Chief Justice of India, Justice. Y. K. Sabharawal, at the inauguration speech of the Joint Conference of Chief Justices and Chief Ministers held on 11th March 2006 observed

“The criminal justice system appears to be on the verge of collapse due to diverse reason. Some responsibility have to be shared by the executive authorities of the state. Not much has been done for improvement of the investigative and prosecution machinery. Significant suggestions for separation of investigative wings from law and Order duties and changes in the rules of evidence still lie unattended. The public outrage over the failure of the criminal justice system in some recent high profile cases must shake us all up into the realization that something needs to be urgently done to revamp the whole process, though steering the clear of knee jerk reaction, remembering that law is a serious business”¹⁸

Poor enforcement of the law discouraged the spirit of the people in the society. These are the some of the procedural lapses:

1. Firstly, it is very difficult to get FIR registered.
2. Secondly, after registration of FIR investigation is carried out in a very poor and casual manner.
3. Thirdly, after the charge sheet, it will take so many years for the conclusion of the trial.
4. Fourthly, In between manipulation, tempering with the witnesses take place which makes the journey more pitiable.
5. Fifthly, Lack of coordination between investigation and prosecution is very much visible. The resultant or Cumulative effect is for the beneficial of the accused and in a number of times it results into the acquittal of the accused.¹⁹

¹⁸ Government of India report, “Second Administrative Reforms Commission Fifth Report” (Ministry of Home Affairs, June-2007)

¹⁹ Government of India, “Report of the Committee on Draft National Policy on Criminal Justice”, Ministry of Home affairs, July-2007).

While going through the security administration system of India it seems the Police system is one of the strong pillar of our criminal justice system. But presently the police administration is not fully equipped to cope with the Naxalites system. For the satisfaction of the local population and sufferer of Naxalism it is extremely necessary that people must have full faith in the ability, capability and working of the police officials because the basic responsibility to maintain internal security is lies on the shoulder of the police. So it is necessary that the working of the police should be to the satisfaction of the not only of the local population but it should also be evident from their working to arrest the menace of Naxalism.

4.4 ADMINISTRATIVE SYSTEM

4.4.1 Police System

Our entire police system is governed by Police Act 1861. Ever since the Police Act was enacted in 1861, there have been few and far reforms to the police system in India. The Police Act aims to make police system an efficient instrument for the prevention and detection of crime. The Police Act gives the state government a power to establish its own police forces and it will have exclusive jurisdiction over it. According to the Act the Inspector general of Police or Director General of police is head of the state police. According to the Section 4 of the police Act, Inspector general of police /Director General shall administer the police force in the province. This post was at high level followed by pyramidal hierarchy by Deputy Inspector General, the Assistant Inspector General and superintendent of police. At the district level, the police administration is vested with the district police superintendent. At District level, to assist him there is one or more assistance / deputy superintendent of police at the situation.

One of the major drawback of this Act is that, it has clearly defined the high level structure of police system but fails to provide lower level police structure, other hand left to the discretion of the Inspector general of police subject to the approval by state government. Therefore presently police system, seems to be centralized, mostly decision making power. This system was made by the Britishers for their convenience. However Britishers left but system continues. Now also major policy decisions are taken by Home Ministry regarding maintenance of internal

security and implemented by sub-ordinate officers.²⁰ Even the executive's powers delegated to then junior supervisory levels have been kept under constant check through administrative measures like inspection and visits. This system inevitable promotes unaccountability and secrecy since in a highly centralized system the important decisions are taken by high level officials and the lower rank is extracted without delegating any form of decision making to the ranks.²¹

4.4.2 Union Home Ministry²²

During the British rule home ministry department was created. At that time it was very small department and its function was only to maintained law and order in the society however after the freedom of India the Ministry of Home Affairs conferred with enlarged jurisdiction and was established after the adoption of the Constitution of India in 1950. This ministry was recognized by the administrative reforms commission in the year 1960.

The Department of personal was created to deal with recruitment process of other services but the Indian Police service remained under the purview of ministry of home affairs. MHA deals with law and order situation and also with some complex issues including the development of the scheduled cast and scheduled tribes.

4.4.2.1 Under the MHA the Following Departments Are In Existence

1. Department of Border management
2. Department of Internal Security
3. Department of J & K
4. Department of Home
5. Department of Official language and
6. Department of states security

²⁰ Government of India, "Padmanabhan Committee on Police Reforms" (Ministry of Home Affairs, January 2000).

²¹ Arvind Verma & KS Subramanian, "*Understanding the Police in India*" (Lexis Nexis, Delhi, Second edition-2014).

4.4.2.2 Department of Internal Security Have a Jurisdiction Over

1. Indian Police Service
2. Central police Forces
3. Internal security
4. Law and Order
5. Insurgency
6. Terrorism
7. Naxalism
8. Grant of visa and
9. Immigration

In Annual Report of the Home Ministry notes that public order and police are in the state list of the 7th schedule of the constitution but Art. 355 of the Constitution entrusts the Union Government with the overriding task of protecting the state against external aggression and internal disturbance, and of ensuring that governance in every state is carried on in accordance with the constitutional provisions. Hence the MHA extends its man power, to financial resources, guidance and expertise to the state governments with the object of maintaining peace and security without encroaching upon the rights of state government.

For the working point of view The MHA work is divided as

1. Department of Internal Security,
2. Department of State,
3. Department of Official Language,
4. Department of Home and
5. Department of Jammu and Kashmir.

Union Home Ministry is also authorize to appoint Intelligence committee at the central level to look into internal security issues and to monitor the all India situation, to anticipate problems and to do preparation to deal with them.

4.4.2.3 Ministry of Home Affairs and Its Working

The Home Ministry deals with matters relating to central-state relation ,central police organization which also includes intelligence bureau, human rights, national integration ,communal harmony ,police planning and intelligence evaluation, security polices in the north east Areas and the Indian police service. These subjects are divided into 21 functional division. The union home ministry is assisted by two ministries of state, home secretary; two social secretaries and an array of join secrecies, directors and other staff members. The approximate annual budget of the ministry is approximately 21,000 crore.

The major issues which come under the jurisdiction of the union home ministry includes

1. Pak sponsored terrorism in Jammu and Kashmir,
2. extremely supported subversive activities in North East,
3. the violence by leftwing extremism,
4. Internal dynamics of cast and communities are also important matters.
5. This ministry in its Annual Reports also mentions the aspects of communal violence,
6. Leftwing extremism and north east activities.
7. Ministry also undertakes function of increasing the strength of the Central Paramilitary forces and provides them with modern weaponry and communication.
8. At the same time ministry also increased central financial assistants to state governments to modernize their police force.
9. Ministry has provided assistance to state governments from Rs 200 crore to 1000 crore since last ten years. Ministry also revamped the intelligence apparatus.

Apart from performing the function and law and order management and police formulation, Ministry is the “Cadre Controlling” authority at all India level and very much involve in the exercising the control. Further ministry also exercises its control over the posting, promotions and transfer of the IPS officers. The department of police planning division is attached to the union home ministry which

looks after matters relating to policy formulation in respect of counter terrorism, international covenants, bilateral assistance treaties and related work. The ministry is with the help of various departments is supposed to carry out these functions.

4.4.3 Central Police Organization

Central police organization under the MHA is divided in to three parts

1. Law and order and security forces,
2. Criminal investigation and intelligence and
3. Agencies for communication, training, research and scientific support.

The central police force falls under the 1st categories, Central bureau of investigation, intelligence bureau, narcotics control bureau and serious frauds investigation office falls under the 2nd category. And 3rd national police academy, bureau of police research and development national crime records bureau comes within the jurisdiction of the police organization under the third category.

4.4.3.1 Central Police Forces

There are seven categories of central forces under the ministry of Home Affairs. They are

1. Assam rifles
2. Border Security Force
3. Central Industrial Security force
4. Central Reserve Police Force
5. Indo -Tibetan border police force
6. National Security Guards
7. Sashastra Seema Bal

4.4.3.2 Central Reserve Police Force

Amongst all these forces, CRPF is the main force to assist state government in matter relating to law and order and internal security management.

The rapid action force is the baby of the CRPF specialized in dealing with riots communal tension etc. Initially the CRPF is known as Crown Representative

Police but after some time designation is changed to CRPF. The presently the base of this force was very broaden and approximately includes 200 battalions. This force is the force of the central government and basically the largest force in comparison to other forces of the central government. Though the CRPF is a all-round force can be placed by the central government to combat any maladies or act of god. However CRPF being the most important and useful of the central government their performing these are the some basic duties at the instance of central government. The duties are

1. Maintained of law and order
2. Counter insurgency
3. Anti-militancy
4. Anti-terrorism operation

These forces of the central government are playing a very great and important role in assisting the state to maintain public order and countering subversive activities. Sometimes CRPF personal also perform guard duties at some vital installation and buildings including various shrines. The modernization plan of CRPF has also been sanctioned to include sophisticated arms, ambulation and other equipment. It is very interesting to know that 42nd amendment in the constitution authorized the central government to deployed arms forces of the union to deal with grave situations of law and order in the states and in this situations also will work under the direction of central government and not as a subject of state government. CRPF as evidence is a force which deployed by the central government in the states to perform any types of duties.

Right interpretation of this amendment suggest that central government can deploy paramilitary forces on their own by encroaching on the power of state government. However according to the 44th amendment it was laid down that forces cannot be deployed without the permission of state government.

4.4.3.3 Assam Rifles²³

This is one of the oldest police force established in 1835 with the headquarters at Shillong. This force has approximately battalions, one training center; three maintains groups and other units as well as it has double duty in maintaining internal security in north eastern region and guarding the Indo- Myanmar border.

4.4.3.4 Border Security Force

This force was established in 1965 with 25 battalions. Object of this force was to avoid multiplicity of forces guarding the Indian borders. Over the years the force has grown and now it has 157 battalions with seven companies each, five major training institution, nine subsidy training center, for minor training institution, to basic training center and one recruit training center. This force looks after international border of Pakistan and Bangladesh. It is also deployed on the line of control in Jammu and Kashmir.

4.4.3.5 Central Industrial Security Force

This force was raised in 1969 for providing security to 301 Undertakings and fire protection to cover 74 establishments. The special task of airport security was assigned to it on the background of hijacking of the Indian Airline flight to Kandahar in 2001. Important government establishment in Delhi are taken care by the force. Further force also provides security to VIP

4.4.3.6 Indo -Tibetan Border Police Force

This force was established in 1962 in the wake of the Indo- China conflict. Presently it has approximately 25 battalions with four specialized battalions.

4.4.3.7 Sashastra Seema Bal

This force was established in 1963. Due to loss of war with China in 1963 Indian people started criticizing the performance of military forces. Therefore this force was created to boost the people's morale and spirit of resistance of the border

²³ A.R

population against threat of subversion, infiltration across the border. This force was given the duty of border guarding of Indo-Nepal and Indo-Bhutan border.

4.4.3.8 National Security Guards

NSG was set up in 1984 based on the pattern of SAS in United Kingdom. This force is a task orient force. Personnel are specially trained for special task like counter terrorism, hijacking and other emergency operation.

4.4.3.9 India Reserve Battalions

Due to over burden on CPF the IR was created. The object of IR was to meet the increasing demands from the various state for the deployment of central paramilitary forces for the maintains of law and order. These are an integral part of the arm police of the state for which they are sanctioned by government of India. Till the year 2000 there were 35 IR battalions. In the year 2008 25 more battalions were added. This addition was specifically done to support and supplement other military forces. Even though these battalions are working under state government till government of India has got authority to deploy this forces in any other state also.

Likewise there is existence of huge and growing force of centralize paramilitary forces. The paramilitary forces are frequently deployed in states to aid the civil administration but in some parts of India they have become permanent fixtures like Jammu and Kashmir, Northeastern states. If we try to analyze the situation it is very clear that deployment of forces undermines the civil police in that area and they becomes more reluctant in comparison to civil police.

The predominant role of the union government is as per the constitution of India but it cannot be ignore that it is build up according to the spirit of constitution. By constitution these paramilitary forces are to maintain and protect of the national security. Due to Article 35 of the Indian constitution these forces are also to perform the duty of maintaining law and order in various states because of a the failure of the constitution to tackle the emergent situation therein these forces deployed in place of state police forces to tackle the law and order problem of the states.²⁴

²⁴ Arvind Verma & KS Subramanian, “*Understanding the Police in India*” (Lexis Nexis, Delhi, Second edition-2014).

4.4.4 Issues Related to Union Home Ministry

Internal security is not within the power and jurisdiction of the home ministry so it means an absence of clear-cut role in maintain internal security.

1. Absence of clear cut role in maintaining internal security.
2. Role of Union Ministry is limited to provide financial assistance, deployment of para military forces upon the request and lay down guidelines only.
3. Lack of co-ordination with state governments.
4. Home Ministry headed by Political leaders.
5. Many times political ideology affects the decision making power. Like India's stance in very soft against Pak-sponsored terrorism.

Along with these above role the Union Home Ministry has also a prominent role to maintain the Indian internal security. For such purposes Union Home Ministry has established a t trained Para-military forces to deal with urgent situation and combat the internal insurgency. The central forces are more equipped with sophisticated weaponry and specific training to tackle such problems. The states who fail to tackle such situation or situations become so tense or aggravate that the state surrenders before the centre to combat these insurgencies and make a request to deploy central forces to tackle the existing aggravated and uncontrolled problem because generally state police is known as bamboo polish.

4.4.4.1 The National Security Council

The National Security Council was established in 1998. This council is a towering political body, which is chaired by the Prime Minister of India with Union Ministers who are directly concerned with the National security issue like Home Minister, the external affair minister, the Defense minister and Finance Minister. National Security Advisor is also a member of NSC. This council looks into the political, economic, energy and strategic security concerned and give advice to the Union Cabinet.

1. Mainly the focus of council is on integrated deliberations and coordinated functions of the political, military, diplomatic, scientific and technological resources of the state to promote and protect National Security Goals.

2. Advice to the Government on sensitive matter pertaining to foreign policies.

Council is assisted by following three groups

4.4.4.1.1 The Strategic Policy Group

The Strategic policy group undertakes strategic defense and national security reviews, assesses short and long term policy threats and advice on possible options. It is a first level of the three tier organization of the NSC. This group is headed by the Cabinet Secretary and its membership includes secretaries of important ministries like Home, Defense, Production and External Affairs.

4.4.4.1.2 The Joint Intelligence Committee

This committee receives and analyzes the intelligence data obtained from IB, RAW, the Defense Intelligence agencies and the Directorate of Defense Intelligence of Army, Navy and Air and gives its assessment. In essence, it co-coordinates intelligence obtained from all government agencies i.e. civilian and military.

4.4.4.1.2 The National Security Advisory Board

This Board consists of persons of eminence with expertise in strategic analysis on areas such as external and internal security, foreign affairs, defense, science and technology and economic fields. The Board provides long-term prediction and analysis to the NSC based on informed advice and also provides solutions. The Board is chaired by person of eminence, appointed by the Prime Minister. Its membership varies between 18 to 30.

4.4.4.2 National Security Advisor

The National Security Advisor is a Principal Advisor to the Prime Minister, The Cabinet ministers and NSC on internal and international security related issues, also inter country matters of strategic importance. National Security Advisor is a key post for effective functioning of the NSC. All the Chief of intelligence agencies reports to the NSA. NSA also co-ordinate intelligence to facilitate comprehensive understanding and briefing on all strategic issues.

4.4.4.2.1 Defense Intelligence Agency

Defense Intelligence agency was established in the year 2002 with an object to coordinate and synergize the intelligence wings of the Armed Forces. This agency provides integrated intelligence inputs and common assessment of strategic intelligence inputs to the higher echelons of Defense Management. DIA Also collects tactical intelligence in neighboring countries in co-ordination with RAW.²⁵

Although presently many agencies and bodies are working for National and Internal Security, present system suffers from lack of co-ordination and concentrated efforts by all for maintaining internal security. Criminal justice involves various activities spread over different department of governance. Policing which also includes crime prevention measures, traffic control, forensic laboratories and investigation entrusted to Home Ministry. Criminal courts and Prosecution is looked after by Law Ministry. Juvenile justice and prison correction institutions are under ministry of Social Welfare.

There is little co-ordination amongst all these departments often leading delay in providing information in time, delay in action plan which frustrate the object of defeat the enemy. Different segments of the criminal justice system have not been able to optimally perform because of the lack of planning and inability to provide intersegment co-ordination. Whereas the emerging crime scenario seriously threatens internal security as well as national security and warranting a joint action and policies from Union and State on the basis of clear objectives.

4.5 LEGISLATIVE ENACTMENT TO COMBAT NAXALISM

The entire legislation dealing with a mechanism to restrict or arrest or combat the Naxalism can broadly be divided into four categories

1. Provision under the Constitution of India
2. Central legislation and
3. States enactments
4. Specific legislations

²⁵ Government of India, "Commission on Center-State relation- Internal Security, Criminal Justice and Centerstate relations", Volume 3, Ministry of Home affairs, March 2010 (Details of all bodies)

4.5.1 The Constitution of India, 1950

The constitution of India directly and specifically provides no specific provision to tackle the problem of Naxalism.

Naxalism poses internal security threat to the India. Every state has given first priority to the maintenance of Security within the state. However if security system of the state is fluctuating then it is necessary to study and analyze roles and responsibilities of the various organs of the government and authorities who are responsible for the maintenance of security. Hence it is essential to scrutinize the role and responsibilities of the State and Union Government with respect to maintenance of internal security.

The study will be centre around to the following points

1. Maintenance of internal security.
2. Co-operative federalism to combat Naxalism
3. Role play by centre to maintain internal security
4. Art. 355 of the Indian Constitution.
5. Nexus between National and Internal security.
6. Central Law Enforcement agencies.

4.5.1.1 To Maintenance of Internal Security

In respect of security scenario “public order”²⁶ and ‘police’²⁷ are the subject matter of the state list of seventh scheduled under constitution of India. The states have exclusive powers to make laws and to take all necessary executive actions in respect of both the aforesaid subjects for maintaining internal security.

“Public Order is an expression of wide implication and signifies that state of harmony which prevails amongst the members of a political society as a result of the internal regulations enforced by the government which they have established.”²⁸

Maintenance of public order is one of the important functions as non-resolution of conflicts in the society manifests itself in public disorder. If conflicts

²⁶ Entry no. 1, State list seventh scheduled of the constitution of India, 1950.

²⁷ Entry no. 2, State list seventh scheduled of the constitution of India, 1950.

²⁸ Government of India, “*Report of Second Administrative Reforms Commission-Public Order*”, (Ministry of Home Affairs, June 2007)

are managed then there is likelihood of violation of public order is minimized. Conflict management involves efficient administration, effective policing and strong criminal justice system.

“Public order implies a harmonious state of society in which all procedures conforms to the established law and is synonymous with peace, harmony and the rule of law, even minor infractions of law may be regarded as a ‘Public Order’ problem. In most liberal democracies only serious disturbances which affect the normal life would constitute a breakdown of public order.”²⁹

Public order implies the absence of disturbance, riot, revolt, unruliness and lawlessness. Irrespective of the nature of polity-democratic or autocratic, federal or unitary, maintenance of public order is universally recognized as a prime function of the state. Anarchy would result if the state failed to discharge this duty. Such persistent anarchy would lead to decay and destruction and eventual disintegration of the state.

A democratic society is necessarily described by public expression of dissent. Such dissent arises from a variety of socio economic, political and cultural factors. In India, such situation is further compounded by factors such as caste, religion, poverty, illiteracy, ethnic and linguistic diversity. The country has witnessed many disturbances- agrarian unrest, labour and student agitations, communal riots and cast related violence which sometimes escalate into major disorders. Laws and public policies aimed at desirable social change may sometimes lead to disturbance or even violence and yet such laws need to be enforced firmly if the core values of the Constitution and human rights are to be protected.

4.5.1.2 Co-Operative Federalism to Combat Naxalism

Under the federal Constitution of India the states have been assigned sovereignty within their field in order to achieve the object of peace, order and good governance. If at any invasion in state domain it by centre be virtue of constitutional provision only. Our Constitution provide provision for emergency to tackle extra ordinary situations. Center’s invasion in state domain is permissible during emergency. Dr. Ambedkar while explaining purpose and intent of emergency provisions opined the

²⁹ Government of India, “*Report of Second Administrative Reforms Commission-Public Order*”, (Ministry of Home Affairs, June 2007).

“The proper thing we ought to expect is that Art. 356- 357 will never be called into operations and they would remain a dead letter”

However there has been steady but stark change in the scope of Art. 355. The legal position of Art 355 has shifted from the scope of emergency provisions to permissible action on the part of Union to discharge its duty i.e. protection of the State. It is a power given to the Union in lieu of its duties towards the states and such power is not for wanton and whimsical exercise but to carry out the Constitutional Obligation. Thus the founding fathers of our Constitution have ensured that the Union is sufficiently empowered to protect the Constitution, moreover Union cannot remain mere spectator in major public order crisis. Under such circumstances it has to assist state government by providing all necessary support. However, it finds that the state government is not willing to accept any such assistance, or is failing in its duty to maintain public order and the rule of law, then it has no option but to take charge of the situation and deploy and direct its forces to bring the situation under its control and to prevent a Constitutional breakdown in a state.

If the states where the situation has gone beyond their control then central government is duty bound to intervene, notwithstanding the fact that law and order is the subject matter of states list. There are various provisions under constitution where the central government will have to comply with the security problems.

Hence the maintenance of internal security state governments are responsible. Art. 246 (3) confers power to make laws and to take all necessary administrative actions. For maintaining internal security however article 355 deals with the responsibility of the central government to maintain law and order.

4.5.1.3 Role Play by Centre to Maintain Internal Security

4.5.1.4 Article 355 of the Indian Constitution

Article 355 of the constitution says that

“It shall be the duty of Union to protect every state against external aggression and internal disturbance and to ensure that the government of every state is carried on in accordance with the provisions of this constitution”

Up till now Union Government helps by providing the necessary legal framework and also by providing armed and paramilitary forces, whenever required for maintenance of Internal Security. However, the problems of Naxalism have disturbed the Indian security system. Such activities need to be prevented, controlled in a civilized society. It became a great and consistent problem for the government. But the constitutional division of power creates obstacle between Union and State for addressing issues of internal security jointly.

When the security of state is at threshold, it is required pro-active role from union in addressing these issues. However it is very astonishing to know that for the problem of security there is no clarity with regard to the role of the union in maintenance of internal security. Therefore these are the some issues which should be paid immediate attention-

1. Whether present internal security problems like Terrorism, Left extremism, grave disturbance in public order be treated Public Order problem only or as a threat to national security?
2. What role has to be played by Union in addressing these problems?
3. Because of division of power between Union and State in maintaining internal security under the constitution creates a barrier or impediment for maintaining law and order as an internal security.
4. Co-ordination and co-operation between Union-State

It is Art. 355 of the Indian Constitution which gives specific power to the Union to aid and assist the state government in the matters of civil casualties. However, since long time different interpretation and views were expressed regarding scope and object of Art. 355 of the Constitution. Indian Constitution contains some specific provisions to deal with situation where the state government, fails to fulfill their Constitutional obligations. The relevant articles are 256,³⁰ 352,³¹ 355 and Art. 356.³²

³⁰ "The executive power of every state shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that state and the executive power of the Union shall extend to the giving of such directions to a state as may appear to the government of India to be necessary for that purpose."

³¹ "If the President is satisfied that a grave emergency exists whereby the Security of India or of any part of the territory thereof is threatened whether by war or external aggression or armed rebellion, he

4.5.1.5 National Security v. Internal Security: An Evaluation

There is a vital linkage between National Security and Internal Security.

“If internal security is not maintained properly, governance cannot be delivered, and there would be grave threats to the very unity and integrity of the country.”³³

India being multi linguistic, multi religious, multicultural nation is to be given a great priority. More recently, commenting on the need for revamping the police system in the emerging internal security scenario, the Padmanabhan Committee observed

“Internal security is important element of National security. It would be prudent for the policy makers to realize that the present day challenges to internal security, especially those posed by covert design of the Pakistan ISI, or Maoist-Marxist extremist groups and of the religious fundamentalist are of such a nature to meet them squarely, meaningfully and effectively, the society and the country need a high-motivated, professionally skilled infrastructural self-sufficient and sophisticated trained police force.”³⁴

Problems essentially will lie on domestic roots but external factors will play a major role in aggravating these problems. The external forces in consensus with internal forces of dissent will make an effort to exacerbate our society problems. The external forces taking advantage of this situation through subversive propaganda accelerates the conflicts. They provide ideological and material support to aggravate this sense of grievances to such an extent that a small minority communities becomes tool in their hands.

may, by proclamation make a declaration to that effect in respect of the whole of India or of such part of the territory thereof as may be specified in the proclamation”

³² “If the President, on receipt of report from the governor of a state or otherwise, is satisfied that a situation has arisen in which the government of the state cannot be carried on in accordance with the provisions on this Constitution, the President may by proclamation-

a) Assume to himself all or any of the functions of the government of the state and all or any of the power vested in or exercisable by the governor or anybody or authority in the state other than the legislature of the state. b) Declare that the power of legislature of the state shall be exercisable by or under the authority of Parliament. c) Make such incidental and consequential provisions as appear to the President to be necessary or desirable for giving effect to the object of proclamation, including provisions for suspending in whole or in part of the operation of any provisions of this Constitution relating to anybody or authority in the state: provided that nothing in this clause shall authorize the President to assume to himself any of the powers vested in or exercisable”

³³ N. N. Vohra, “National Governance and Internal Security”, AIR power Journal, Volume No.3, 2008

³⁴ Government of India Report, The Padmanabhan Committee on Police Reforms, (Ministry of Home Affairs January 2000)

The best example seems to be Pak sponsored terrorism. The rise of fundamentalist forces is posing more serious threats to India's security. The intelligence agencies in our neighborhood and the organizations like Al-qaida and Jaishe Mohammad are encouraging the so called Jihadis to enter India from outside. They are also providing money, arms and shelter by them.

At this stage, we need to think that, police are not exclusively responsible for shortage of law and order situation, but in a wider perspective there are some other organ which are equally responsible for the maintenance of law and order. They are

1. The government of India
2. The state government

4.5.1.6 Central Law Enforcement Agency

Presently, the crime and nature of crime has been completely changed. Our criminal justice system earlier was not aware and also not prepared to deal with the challenges like terrorism, Naxalism and grave disturbance in law and order situation. To deal with terrorism requires appropriate legal framework and specific provision of criminal procedure code and law of evidence. Since long time the central government is mulling over the idea of creating a central agency which could take up suo-motu investigation of crime like terrorism Naxalism and the crime which are having international ramification. Under article 355 of the Indian constitution central government is duty bound to protect the state from any internal disturbances even though law and public order are the subject matter of state list. Since then the idea of creation of central law enforcement agency was floating in the minds of policy makers. The strong desire to have central law enforcement agency was felt after Mumbai terrorist attack on 26th November 2008. Many times the central government received suggestion for brining reforms in our criminal justice system so that the crimes can be classified in two separate categories.

1. The crimes like terrorism which are master minded by criminals across state and national boundaries cannot be dealt only by police and here the need of central agency is felt.
2. Moreover the crimes like terrorism are inter-state and transnational crimes.

Hence state police and state government cannot deal with these problems effectively as they are spread in various states. Now it is well recognize that India's internal security has serious external connection particularly with some of the neighboring in countries. India has the long land and costal border measure in a total of 22,000 kilometers stretched in many states. Therefore we need to some extraordinary measures to cope up with these problems.

4.5.1.7 The National Investigation Agency

Immediately after the terrorist attack, the central government set up the National Investigation agency by passing the National Investigation Agency Act 2008 in December 2008. This agency was constituted with an object of an investigation agency at the national level to investigate and prosecute offences affecting the sovereignty , security and integrity of India , security of the state and friendly relational with foreign state. NIA is a special agency constituted under the Act for investigation and prosecution of offences which are mentioned in the schedules. The officers appointed under this act by the central government shall have power throughout India in relation to the investigation of schedule offences and arrest of persons concerned in such offences. Further all the power, duties, privileges and liability which police officers have in connection with the investigation of offences are conferred there in.

The basic features of the Act are:

1. This legislation is applicable to the whole of India, citizens of India outside India, in service of the government wherever they may be and persons on ships and aircrafts registered in India.
2. The constitution of the National Investigation Agency for investigation and prosecution of offences specified in the schedule under the Act. The officers of the agency are to have all the powers, privileges and liabilities which the police officers have in connection with the investigation of any offences.
3. The superintendence of the NIA is belong to the central government and the administration to vest in the officers designated in this behalf by it.
4. The police officers in charge of the police station on receipt of the report of the offence shall forward it to the state government which in turn to the central

government. If the central government is of the opinion that the offences are a scheduled offence, it shall direct the agency for the investigation of such offence.

5. The transfer of investigation and trial of the offence to the state government shall be with the previous approval of the central government.
6. Agency may investigate other offences connected with the scheduled offence.
7. The state government shall extend all assistance to the agency for investigation of the scheduled offences
8. The provision of this act with regards to investigation shall not affect the power of the state government to investigate and prosecute any scheduled offence or any other offences.
9. The central government shall constitute special courts for the trial of scheduled offences. The special courts is to be presided by a judge of the level of sessions judge or additional sessions judge, to be appointed by the central government on recommendation of the chief justice of the high court.
10. The public prosecutor and additional public prosecutor shall be appointed by the central government. The special public prosecutor may also be appointed for any case or class or groups of cases.
11. The act also provides for procedure to be adopted and powers to exercise by the special courts for trial of the scheduled offences. It seeks to provide that offences punishable with imprisonment for a term not exceeding three years or with fine or with both may be tried summarily. The special court will have all the powers of the court of sessions under the code of criminal procedure for the purpose of trial of any offence under this act.
12. The proceedings of this act shall be held in camera if the special court deems it necessary or on application made by a witness or a public prosecutor.
13. If the special courts is of the opinion that, it has no jurisdiction to try any offences, the cognizance of which has already been taken by it, such cases are to be transferred by the special court to any other court having jurisdiction.

Under section 6 of this act if any information is obtained under section 154 of the code relating any schedule offence the officers in charge of the police shall forward the report to the state government and the state government shall forward the report to central government as expeditiously as possible. After receipt of the

report, the central government should verify that information or offence is related to the offences which are mentioned in schedule and it is a fit case to be investigated by the agency. Only schedule offence it shall direct agency to investigate the offence.

Moreover if the central government is of the opinion that a scheduled offence has committed which required to be investigated then central government can take suo- motu action and can direct the agency to investigate the offence. Further according to section 7 the agency can request the state government to associate itself with the investigation or with the previous approval of the centre government can transfer the case to the state government for investigation and trial of the offence. As per section 11 of this Act the central government can constitute special court for the trial schedule offences under the act. National Investigation Agency has an important role to perform however the Act should be strengthen through the requisites amendment. The crime related to terrorism such as production and distribution of fake currency notes, espionage, smuggling of arms and ammunition money laundering organize crime hijacking and many other crimes should be brought under the preview of NIA. NIA will have jurisdiction in all types of crimes on presumption that they are related to terrorism, unless proved otherwise. Unfortunately National Investigation Agency is a pure investigation agency. Function of intelligence gathering, and counter attacks does not come under its jurisdiction. But the mere Investigation Agency at Central level will not full fill the requirements of present security demands.

4.5.2 Central Legislation

4.5.2.1 The Police Act, 1861

The police Act, 1861 is considered as the basic legislation for policing in India.

4.5.2.2 The Indian Penal Code, 1860

It is interesting to note that the distinction made by the first Law Commission between “ordinary” crimes and “state” crimes -which were deemed particularly “heinous and formidable” and warranted extraordinary punitive

measures.³⁵ The Penal Code has full Chapter on “Offences against the State” in Chapter VI comprises of twelve sections. These offences can broadly be classified in to five categories³⁶

1. Waging or attempting or conspiring to wage or collecting men or ammunition to wage war against the Government of India (sections 121, 121A, 122, 123)
2. Assaulting the President of India or Governor of any State with intent to compel or restrain the exercise of any lawful authority (section 124)
3. Waging war against a State Power at peace with the Government of India section 125 or committing depredations on territories of such States (sections 125, 126)
4. Permitting or aiding the escape of a state prisoner or a prisoner of war (sections 128, 129, 130) and
5. Sedition (section 124 A)

However, due to the demand of time, several security legislations have been enacted by the Parliament to combat new threat. Special legislation to combat terrorism is always to be considered prime objective. Prof. Roscoe Pound clarifies the need for new laws in a very succinct way in terms of two ‘needs’ that determine philosophical thinking on the subject:

“On the one hand, the paramount social interest in the general security, which as an interest in peace and order dictated the very beginnings of law, has led men to seek some fixed basis of a certain ordering of human action which should restrain magisterial as well as individual willfulness and assure a firm and stable social order. On the other hand, the pressure of less immediate social interests, and the need of reconciling them with the exigencies of the general security and of making new compromises because of continual changes in society have called for readjustment at least of the social order. They have called continually for overhauling of legal precepts and for refitting them to unexpected situations.”³⁷

4.5.2.3 Prevention of Seditious Meetings Act, 1911

This act was introduced in place of Prevention of Seditious Meetings Act, 1907 having same objectives, but with less stringent provisions. The salient features of the act are as follows:

³⁵ State Terrorism: Torture, Extra-judicial Killings, and Forced Disappearances in India, Pelly, Grace, Human Rights Law Network, 2008, New Delhi

³⁶ K.D Gaur, *Criminal Law, Cases and Materials* (Butterworth’s, New Delhi, 3rd Ed., 1999).

³⁷ Roscoe Pound, *An Introduction to the Philosophy of Law* (London: Yale University Press, 1954).

1. This is Act for the prevention of public meetings likely to promote sedition or to cause a disturbance of public tranquility.
2. The Government may, by notification in the official Gazette declare the whole or any part of a Province, in which this Act is for the time being in operation, to be a proclaimed area.³⁸
3. Aforesaid notification shall not remain in force for more than six months, the State Government may issue further notifications in respect of the same area from time to time as it may think fit.³⁹
4. Whoever, in a proclaimed area, without the permission in writing of the Magistrate of the District or of the Commissioner of Police, delivers any lecture, address or speech on any subject likely to cause disturbance or public excitement to persons then person may be arrested without warrant and shall be punished with imprisonment for a term which may extend to six months, or with fine or with both.⁴⁰

4.5.2.4 Arms Act, 1959

The Arms Act 1959 is an Act of the Parliament of India to consolidate and amend the law relating to arms and ammunition in order to curb illegal weapons and violence using illegal weapons. This act deals with Acquisition, Possession, Manufacture, Sale, Import, Export, and Transport of Arms and Ammunition and also deals with to procure license, rules around grant, refusal, and fees for license. Chapter V of this act relates to offences and penalties associated with breaking rules related to this act.

³⁸ Section 2 Of Prevention of Seditious meetings Act, 1911: Power of State Government to notify proclaimed areas. – (1) The Government may, by notification in the official Gazette declare the whole or any part of a Province, in which this Act is for the time being in operation, to be a proclaimed area. (2) A notification made under sub-section (1) shall not remain in force for more than six months, but nothing in this sub section shall be deemed to prevent the State Government from making any further notifications in respect of the same area from time to time as it may think fit

³⁹ Ibid.

⁴⁰ Section 7 Of Prevention of Seditious meetings Act, 1911: Penalty for delivery of speeches in public places. -Whoever, in a proclaimed area, in a public place or a place of public resort, otherwise than at a public meeting held in accordance with or exempted from the provisions of Section 4 without the permission in writing of the Magistrate of the District or of the Commissioner of Police, as the case may be, previously obtained, delivers any lecture, address or speech on any subject likely to cause disturbance or public excitement to persons then present may be arrested without warrant and shall be punished with imprisonment for a term which may extend to six months, or with fine or with both.

4.5.2.5 Indian Explosives Act, 1884 (As Amended in 1978)

The importance of Indian Explosive Act, 1884 has been re-realized after serial bomb blast in various cities in India. This act provides power to make rules as to licensing of the manufacture, possession, use, sale, transport, import and export of explosives.⁴¹ It empowers Central Government to prohibit the manufacture, possession or importation of especially dangerous explosives.⁴² It also empowers to arrest without warrant persons committing dangerous offences for which he is punishable under this Act or the rules under this Act.⁴³

The Central Government under this act may declare any substance which appears to the Central Government to be specially dangerous to life or property, by reason either of its explosive properties or of any process in the manufacture thereof being liable to explosion.⁴⁴

⁴¹Section 5 of Indian Explosive Act, 1884: Power to make rules as to licensing of the manufacture, possession, use, sale, transport and Importation of explosives. - (1)The Central Government may, for any part of 1[India,] make rules consistent with this Act to regulate or prohibit, except under and in accordance with the conditions of a licence granted as provided by those rules, the manufacture, possession, use sale, 2[transport, import and export] of explosives, or any specified class of explosives

⁴² Section 6 of Indian Explosive Act, 1884: 6. Power for Central Government to prohibit the manufacture, possession or importation of specially dangerous explosives. - (1) Notwithstanding anything in the rules under the last foregoing section, the 1[Central Government] may, from time to time, by notification in the 2[Official Gazette], - (a) prohibit, either absolutely or subject to conditions, the manufacture, possession or importation of any explosive which is of so dangerous a character that, in the opinion of the [Central Government], it is expedient for the public safety to issue the notification

⁴³ Section 13 of Indian Explosive Act, 1884: Power to arrest without warrant persons committing dangerous offences. - Whoever is found committing any act for which he is punishable under this Act, or the rules under this Act, and which tends to cause explosive or fire in or about any place where an explosive is manufactured or stored, or any railway or port, or any carriage, 2[aircraft or vessel] may be apprehended without a warrant by a Police Officer, or by the occupier of, or the agent or servant of, or other person authorized by the railway administration or 3[conservator or the port or officer in charge of the air port,] and be removed from the place where he is arrested and conveyed as soon as conveniently may be before a Magistrate.

⁴⁴ Section 17 of Indian Explosive Act, 1884: Extension of definition of "explosive" to other explosive substances. - The Central Government may, from time to time, by notification in the Official Gazette, declare that any substance which appears to the Central Government to be specially dangerous to life or property, by reason either of its explosive properties or of any process in the manufacture thereof being liable to explosion, shall be deemed to be an explosive within the meaning of this Act, and the provision of this Act (Subject to such exceptions, limitations and restrictions as may be specified in the notification) shall accordingly extend to that substance in like manner as if it were included in the definition of the term "explosive" in this Act.

4.5.2.6 The Explosives Substance Act, 1908

The law, which largely looks into factors pertaining to prevention of crimes by unlawful and malicious use of explosives, was formulated in the early twentieth century. It point out that though this law deal with the procurement of the explosives, there is a huge lacuna in the Act dealing with new explosives. Its jurisdiction seems to be limited and not covered the entire devices.

4.5.2.7 National Security Act, 1980

The National Security Act 1980 is an Act of the Indian Parliament with a purpose

“To provide for preventive detention in certain cases and for matters connected therein”

This Act empowers the Central Government and State Governments to detain a person to prevent him/her from acting in any manner prejudicial to the security of India, the relations of India with foreign countries, the maintenance of public order, or the maintenance of supplies and services essential to the community necessary so to do. The act also gives power to the governments to detain a foreigner in view to regulate his presence or expel from the country if he became a threat to the Indian security.

4.5.2.8 Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982

This Act has been introduced to give effect to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation and for matters connected therewith. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation was signed at Montreal on the 23rd September 1971. To give effect to the convention the Indian parliament enacted this Act in 1982.

The convention makes it clear that it does not apply to customs, law enforcement or military aircraft, thus it extremely applies only as civilian aircraft.⁴⁵ The following acts are treated as criminal activities

⁴⁵ Section 2(a) of Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982 : “aircraft” means any aircraft, whether or not registered in India, other than a military aircraft or an aircraft used in customs or police service

1. Committing an act of violence against a person on board of an aircraft if it is likely to endanger the safety of the aircraft;
2. destroying an aircraft being serviced or damaging such an aircraft in such a way that renders it incapable of flight or which is likely to endanger the safety of flight;
3. placing or causing to be placed on an aircraft a device or substance which is likely to destroy or cause damage to an aircraft;
4. Destroying or damaging air navigation facilities or interfering with their operation if it is likely to endanger the safety of aircraft;
5. Communicating information which is known to be false, thereby endangering the safety of an aircraft in flight;
6. Attempting and abetting any aforesaid act.⁴⁶

4.5.2.9 The Terrorist Affected Arrears (Special Courts) Act, 1984

This Act is to provide for the speedy trial of certain offences in terrorist affected areas and for matters connected therewith.⁴⁷ Specially this Act is enacted for trial of offences connected with terrorism. It makes clear that all proceedings before, Special Court shall be conducted in camera and for such it empowers the Special Court to take measures so as to keep the identity and address of the witness secret.⁴⁸ So, it guarantee the protection of witness.

⁴⁶ Section 3 of Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982: Offence of committing violence on board an aircraft in flight, etc. (1) Whoever unlawfully and intentionally (a) commits an act of violence against a person on board an aircraft in flight which is likely to endanger the safety of such aircraft; or (b) destroys an aircraft in service or causes damage to such aircraft in such a manner as to render it incapable of flight or which is likely to endanger its safety in flight; or (c) places or causes to be placed on an aircraft in service, by any means whatsoever, a device or substance which is likely to destroy that aircraft, or to cause damage to it which renders it incapable of flight, or to cause damage to it which is likely to endanger its safety in flight; or (d) communicates such information which he knows to be false so as to endanger the safety of an aircraft in flight, shall be punished with imprisonment for life and shall also be liable to fine. (2) Whoever attempts to commit, or abets the commission of, and offence under subsection (1) shall also be deemed to have committed such offence and shall be punished with the punishment provided for such offence

⁴⁷ Section 4 of The Terrorist Affected Arrears (Special Courts) Act, 1984 : Establishment of Special Courts: - (1) For the purpose of Providing for speedy trial of scheduled offences committed in a judicial zone, the Central Government may establish, by notification, a Special Court in relation to such judicial zone- (a) within such judicial zone; or (b) if the Central Government having regard to the exigencies of the situation in such judicial zone considers it expedient so to do, at any place outside such judicial zone but within the State in which such judicial zone is situated.

⁴⁸ Section 12 of The Terrorist Affected Arrears (Special Courts) Act, 1984 : Protection of witnesses: - (1) Notwithstanding anything contained in the Code, all proceedings before a Special Court shall be conducted in camera: Provided that where the Public Prosecutor so applies, any proceedings or part thereof may be held in open court. (2) A Special Court may, on an application made by a witness in

4.5.2.10 The Civil Defence Act, 1968

After Chinese invasion in 1962 in our country, it was felt that in order to minimize the loss of life, to maintain continuity of prohibition and to restore quickly the disrupted civil services, civil defence measures should be adopted in places which are the most vulnerable areas. In order to provide a legal cover thereon, the Civil Defence Act was enacted by the Parliament on May 24, 1968.⁴⁹ As per Act, 'civil defence' means any method employed for the safety of any person, property of a person, place or article situated or placed in India or within any part of the Indian Territory against any hostile violence, but does not include real combat. The violence shall be resorted from sea, land, air or any other area and such methods to prevent violence shall be taken prior or subsequent to the attack or even during the occurrence of the attack.⁵⁰

4.5.2.11 The Conservation of Foreign Exchange and Prevention of Smuggling Act, 1974

COFEPOSA or the Conservation of Foreign Exchange and Prevention of Smuggling Activities. This Act is central Act passed in 1974, during Indira Gandhi regime with an aim to retain foreign currency and prevent smuggling. It was an economic adjunct to the controversial Maintenance of Internal Security Act enacted in 1971.⁵¹ However, MISA repealed in 1978.

By the Act if a person found in possession of contraband can be imprisoned without trial and bail for a period of one year despite the possibility that the person may have been duped into carrying the contraband, because, it is often seen that baggage carried by people in good faith on behalf of their friends or relatives contains smuggled goods and they end up in prison under COFEPOSA.⁵² Unfortunately, the basic principle of criminal law is not followed here which in the eye of the law any innocent person cannot be punished unless proved guilty.

any proceedings before it or by the Public Prosecutor in relation to such witness or on its own motion, take such measures as it deems fit for keeping the identity and address of the witness secret.

⁴⁹ The Civil Defence Act, 1968.

⁵⁰ Ibid.

⁵¹ COFEPOSA must go: Assocham, The Hindu, Tuesday, Sep 07, 2004

⁵² , Jai, JanakRaj , *Bail Law and Procedure* 217(Universal Publications, 2009).

4.5.2.12 The Disturbed Area (Special Courts) Act, 1976

Since, various insurgent groups including Naxalite movements in various states are raising their heads and State Governments have been empowered to declare any area(s) as “Disturbed area(s)”.⁵³

The State Government may, for providing speedy trial of scheduled offences committed in disturbed areas, constitute Special Courts.⁵⁴ The scheduled offences have been categorized in the schedule of the act itself. A Special Court, under this act, may in order to obtain evidence of any person suspected to have been directly or indirectly concerned in, or privy to, an offence, tender a pardon to such person on condition of his making a full and true disclosure of the whole circumstances within his knowledge relating to the offence.⁵⁵ This is a special feature, practically i.e. Act has been introduced to brought in light any type of larger conspiracy which may affect the security of the state.

4.5.2.13 Customs and Central Excise Act, 1944

Economic offences not only inflict pecuniary losses to individuals but also damage the national economy fabrics and have security implications as well. The offences of smuggling of narcotic substances, counterfeiting of currency and valuable securities, financial scams, frauds, money laundering and hawala transactions etc. evoke serious concern for the national security. Central Excise Act, 1944 is one of the statutes to tackle evasion of excise duty. Similarly Customs Act 1962 has been introduced to prohibit the illegal and unscrupulous transaction of export and import.

⁵³ Section 3 of the Disturbed Area (Special Courts) Act, 1976: Declaration of an area as disturbed area. (1) Where a State Government is satisfied that- (i) there was, or (ii) there is, in any area within a State extensive disturbance of the public peace and tranquillity, by reason of differences or disputes between members of different religious, racial, language or regional groups or castes or communities, it may, by notification in the Official Gazette, declare such area to be a disturbed area.

⁵⁴ Section 4 of the Disturbed Area (Special Courts) Act, 1976: Constitution of Special Courts.(1) The State Government may, for the purpose of providing speedy trial of scheduled offences committed in disturbed areas, by notification in the Official Gazette, constitute as many Special Courts as may be necessary in or in relation to such disturbed area or areas as may be specified in the notification.

⁵⁵Section 6 of the Disturbed Area (Special Courts) Act, 1976: A Special Court may, with a view to obtaining the evidence of any person suspected to have been directly or indirectly concerned in, or privy to, an offence, tender a pardon to such person on condition of his making a full and true disclosure of the whole circumstances within his knowledge relating to the offence and to every other person concerned whether as principal or abettor in the commission thereof and any pardon so tendered shall, for the purposes of section 308 of the Code, be deemed to have been tendered under section 307 thereof.

4.5.2.14 Foreign Exchange Regulations Act, 1973

The Foreign Exchange Regulation Act was legislation passed by the Indian Parliament in 1973 during the government of Indira Gandhi and came into force with effect from January 1, 1974. FERA imposed stringent regulations on certain kinds of payments, the dealings in foreign exchange and securities and the transactions which had an indirect impact on the foreign exchange and the import and export of currency. The bill was formulated with the aim of regulating payments and foreign exchange. This act is practically an anti- money laundering legislation.

4.5.2.15 Foreign Exchange Management Act, 1999

The Foreign Exchange Management Act, 1999 is a central enactment which runs as this Act is

“To consolidate and amend the law relating to foreign exchange with the objective of facilitating external trade and payments and for promoting the orderly development and maintenance of foreign exchange market in India.”

It was passed in the winter session of Parliament in 1999, replacing the Foreign Exchange Regulation Act. It extends to the whole of India. Replacing FERA, which had become incompatible with the pro-liberalization policies of the Government of India. It enabled a new foreign exchange management regime consistent with the emerging framework of the World Trade Organization. It also paved the way for the introduction of the Prevention of Money Laundering Act 2002, which came into effect from 1 July 2005.⁵⁶ In the age of terrorism the importance of such legislation cannot be ignored to prevent money laundering by the internal and transnational terrorist organizations.

FEMA is a regulatory mechanism that enables the Reserve Bank of India and the Central Government to pass regulations and rules relating to foreign exchange in tune with the Foreign Trade Policy of India.⁵⁷ Main objectives of this act may be categorized as follows:

1. Activities such as payments made to any person outside India or receipts from them, along with the deals in foreign exchange and foreign security is restricted.

⁵⁶ Foreign Exchange Management Act, 1999.

⁵⁷ Ibid.

It is FEMA that gives the central government the power to impose the restrictions.

2. Restrictions are imposed on residents of India who carry out transactions in foreign exchange, foreign security or who own or hold immovable property abroad.
3. Without general or specific permission, it restricts the transactions involving foreign exchange or foreign security and payments from outside the country to India the transactions should be made only through an authorized person.
4. Deals in foreign exchange under the current account by an authorized person can be restricted by the Central Government, based on public interest generally.
5. Although selling or drawing of foreign exchange is done through an authorized person, the RBI is empowered by this Act to subject the capital account transactions to a number of restrictions.
6. Residents of India will be permitted to carry out transactions in foreign exchange, foreign security or to own or hold immovable property abroad if the currency, security or property was owned or acquired when he/she was living outside India, or when it was inherited by him/her from someone living outside India.
7. Exporters are needed to furnish their export details to RBI. To ensure that the transactions are carried out properly, RBI may ask the exporters to comply with its necessary requirements.

4.5.2.16 Narcotic Drugs and Psychotropic Substance Act, 1985

The link between terrorism and other related crimes, such as drug trafficking, is evident and has been recognized by the United Nations Security Council.⁵⁸ Indeed drug trafficking has provided funding for insurgency and those who use terrorist violence in various regions throughout the world.⁵⁹ A nexus has been found among Pakistan's Inter-Services Intelligence, and Maoists and insurgent groups of North-East who are using money earned from drug trafficking to fund terror activities in

⁵⁸ United Nations Office on Drugs and Crime, Drug trafficking and the financing of terrorism, available at <http://www.unodc.org/unodc/en/frontpage/drugtrafficking-and-the-financing-of-terrorism.html> (Last visited on December 9, 2019).

⁵⁹ Ibid.

India.⁶⁰ In more recent times, most countries around the world established national drug policies including India which enforced the Narcotic Drugs and Psychotropic Substance Act to curb drug related offences. Under this act, cultivation, manufacturing, transportation, export and import of all narcotics drugs and psychotropic substances is prohibited except for medicinal and scientific purposes and as authorized by the government.⁶¹ The NDPS Act also provides for forfeiture of property acquired through illicit trafficking of drugs.⁶² Particularly this law has been designed to prevent illicit drug trafficking and acquiring properties thereon including for funding terrorist organizations.

4.5.2.17 Import and Export (Control) Act, 1947

The Imports & Exports (Control) Act, 1947 was enacted “to continue for a limited period, the powers to prohibit and/or control imports and exports”. The initial life of the Act was three years but it was extended from time to time till 1971. Thereafter, the Act ceased to be a temporary measure and became a permanent statute.⁶³ India’s exports and imports are governed by:

1. Foreign Trade (Development & Regulation) Act, 1992
2. Foreign Trade (Regulation) Rules 1993
3. Foreign Trade (Exemption) Order 1993

⁶⁰ Drug trafficking: Money funds terror acts in India, Mail online India, available at <http://www.dailymail.co.uk/indiahome/indianews/article2201870/Drug-trafficking-Money-funds-terror-acts-India.html> (Last visited on December 9, 2019).

⁶¹ Section 8 of Narcotic Drugs and Psychotropic Substance Act, 1985: Prohibition of certain operations. -No person shall (a) cultivate any coca plant or gather any portion of coca plant; or (b) cultivate the opium poppy or any cannabis plant; or (c) produce, manufacture, possess, sell, purchase, transport, warehouse, use, consume, import inter-State, export inter-State, import into India, export from India or tranship any narcotic drug or psychotropic substance, except for medical or scientific purposes and in the manner and to the extent provided by the provisions of this Act or the rules or orders made thereunder and in a case where any such provision, imposes any requirement by way of licence, permit or authorization also in accordance with the terms and conditions of such licence, permit or authorization: Provided that, and subject to the other provisions of this Act and the rules made thereunder, the prohibition against the cultivation of the cannabis plant for the production of ganja or the production, possession, use, consumption, purchase, sale, transport, warehousing, import inter-State and export inter-State of ganja for any purpose other than medical and scientific purpose shall take effect only from the date which the Central Government may, by notification in the Official Gazette, specify in this behalf: 1 [Provided further that nothing in this section shall apply to the export of poppy straw for decorative purposes.]

⁶² Section 68 I (3) of Narcotic Drugs and Psychotropic Substance Act, 1985: Where the competent authority records a finding under this section to the effect that any property is illegally acquired property, it shall declare that such property shall, subject to the provisions of this Chapter stand forfeited to the Central Government free from all encumbrances.

⁶³ Handbook on Foreign Trade Policy and Guide to Export & Import, The Institute of Chartered Accountants of India, New Delhi, 2008

4. Export and Import Policy - now called Foreign Trade Policy
5. Handbook of Procedures -Vol. I
6. Handbook of Procedures- Vol. II incorporating the Standard Input Output Norms (SION)
7. ITC (HS) Classification of Import and Export Policy.⁶⁴

This policy among other always determines the security of India and thereby proves to be effective against internal as well as external terrorism.

4.5.2.18 Defence of India Act, 1971

The objectives of the Act is to provide for special measures to ensure the public safety and interest, the defence of India and civil defence and for the trial of certain offences and for matters connected therewith.

In Chapter XVIII of Constitution of India the provisions for proclamation of emergency has been discussed. In certain situation during emergency, the Defence of India Act shall come into force at once and shall remain in force during the period of operation of the Proclamation of Emergency and for a period of six months thereafter.⁶⁵ The Central Government under this act is empowered to make such rules as necessary or expedient for securing the defence of India and civil defence, the public safety, the maintenance of public order or the efficient conduct of military operations, or for maintaining supplies and services essential to the life of the community⁶⁶ including ensuring the safety of

⁶⁴ Ibid.

⁶⁵Section 1(3) of Defence of India of India Act, 1971 : It shall come into force at once and shall remain in force during the period of operation of the Proclamation of Emergency and for a period of six months thereafter, but its expiry under the operation of this sub-section shall not affect-

- (a) the previous operation of, or anything duly done or suffered under, this Act or any rule made thereunder or any order made under any such rule, or
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under this Act or any rule made thereunder or any order made under any such rule, or
- (c) any penalty, forfeiture or punishment incurred in respect of any offence under this Act or any contravention of any rule made under this Act or of any order made under any such rule, or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid. And any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not expired.

⁶⁶Section 3(1) of Defence of India of India Act, 1971: The Central Government may, by notification in the Official Gazette, make such rules as appear to it necessary or expedient for securing the defence of India and civil defence, the public safety, the maintenance of public order or the efficient conduct of military operations, or for maintaining supplies and services essential to the life of the community.

1. ports, dockyards, lighthouses, light-ships and aerodromes;
2. railways, tramways, roads, bridges, canals and all other means of transport by land or water;
3. telegraphs, post offices, signaling apparatus and all other means of communication;
4. sources and systems of water-supply, works for the supply of water, gas or electricity, and all other works for public purposes;
5. vessels, aircraft, transport vehicles as defined in the Motor Vehicles Act, 1939, and rolling stocks of railways and tramways:
6. warehouses and all other places used or intended to be used for storage purposes;
7. mines, oil-fields, factories or industrial or commercial undertakings generally, or any mine, oil-field, factory or industrial or commercial undertaking in particular;
8. Laboratories and institutions where scientific or technological research or training is conducted or imparted.⁶⁷

No doubt there are criticism against Defence of India of India Act, it has potentially at the time of emergency including due to terrorist activities which may be internal or external or may be supported by neighboring countries serve a great purpose.

⁶⁷ Section 3(2) (10) of Defence of India of India Act, 1971 : Without prejudice to the generality of the powers conferred by sub-section (1), the rules may provide for, and may empower any authority to make orders providing for, all or any of the following matters, namely: (10) ensuring the safety of-
(a) ports, dockyards, lighthouses, light-ships and aerodromes;
(b) railways, tramways, roads, bridges, canals and all other means of transport by land or water;
(c) telegraphs, post offices, signaling apparatus and all other means of communication;
(d) sources and systems of water-supply, works for the supply of water, gas or electricity, and all other works for public purposes; (e) vessels, aircraft, transport vehicles as defined in the Motor Vehicles Act, 1939, and rolling stocks of railways and tramways:
(f) warehouses and all other places used or intended to be used for storage purposes;
(g) mines, oil-fields, factories or industrial or commercial undertakings generally, or any mine, oil-field, factory or industrial or commercial undertaking in particular;
(h) laboratories and institutions where scientific or technological research or training is conducted or imparted; (i) all works and structures being part of, or connected with anything earlier mentioned in this clause; and (j) any other place or thing used or intended to be used for the purposes of Government or a local authority or a semi-Government or autonomous organisation, the protection of which is considered necessary or expedient for securing the defence of India and civil defence, the public safety, the public order, or the efficient conduct of military operations, or for maintaining supplies and services essential to the life of the community;

4.5.2.19 Information Technologies Act, 2002

In the wake of Mumbai terrorist strike in 2008, cyber terrorism has been defined as an offence in newly inserted section 66 F of Information Technologies Act.⁶⁸ Further, Sections 69 and 69 A of the amended Act empower the state to issue directions for interception, monitoring, decryption of any information through any computer resource; and for blocking websites in the interest of national security, and friendly relations with foreign states. Further, Section 69 B empowers the government to authorize to monitor, collect traffic data or information through any computer resource for Cyber Security.

4.5.2.20 Criminal Procedure Code, 1973

Naxalites also come within the jurisdiction of the Criminal Procedure Code, 1973 for their trial in respect of the various offence committed by the Naxalites.

4.5.3 State Legislation

4.5.3.1 The Maharashtra Control of Organised Crime Act, 1999

Maharashtra Control of Organised Crime Act, 1999 is an Act enacted by Maharashtra state in India in 1999 to combat organised crime and terrorism. The preamble to MCOCA says that

⁶⁸ 66 F. Punishment for cyber terrorism (1) Whoever,- (A) with intent to threaten the unity, integrity, security or sovereignty of India or to strike terror in the people or any section of the people by – (i) denying or cause the denial of access to any person authorized to access computer resource; or (ii) attempting to penetrate or access a computer resource without authorisation or exceeding authorized access; or (iii) introducing or causing to introduce any Computer Contaminant. and by means of such conduct causes or is likely to cause death or injuries to persons or damage to or destruction of property or disrupts or knowing that it is likely to cause damage or disruption of supplies or services essential to the life of the community or adversely affect the critical information infrastructure specified under section 70, or (B) knowingly or intentionally penetrates or accesses a computer resource without authorisation or exceeding authorized access, and by means of such conduct obtains access to information, data or computer database that is restricted for reasons of the security of the State or foreign relations; or any restricted information, data or computer database, with reasons to believe that such information, data or computer database so obtained may be used to cause or likely to cause injury to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence, or to the advantage of any foreign nation, group of individuals or otherwise, commits the offence of cyber terrorism. (2) Whoever commits or conspires to commit

“The existing legal framework, i.e. the penal and procedural laws and the adjudicatory system, are found to be rather inadequate to curb or control the menace of organised crime. Government has, therefore, decided to enact a special law with stringent and deterrent provisions including in certain circumstances power to intercept wire, electronic or oral communication to control the menace of organised crime.”⁶⁹

MCOCA is successful in dealing with organized crime and rate of conviction is high also.⁷⁰ Later this act has been extended to Delhi and replicated in other states like Andhra Pradesh and Karnataka.⁷¹ Though in a Parliamentary debate, congress MP, Kapil Sibal stated

“The definition of organized crime has nothing to do with the definition of terrorism. These are two different aspects”,⁷²

The “Statement of Objects and Reasons” , MCOCA includes in its folds “narco terrorism”, “terrorist gangs” having extension beyond “the national boundaries” which facilitates it’s applicability in certain forms and cases of terrorism.⁷³ In Section 2(1) (e) of this act, the word insurgency has been used which has a significant role itself.⁷⁴

There has been rising trend of secessionist movements, terrorism and armed conflicts across societies and countries in the contemporary world. Though the term ‘terrorism’ is defined differently in different contexts, for the purpose of our study, it can be defined as an unlawful use of violence that seeks to kill people, destroy property, create fear for religious, political, or ideological purposes having far-reaching repercussions beyond the immediate victim or target. Those identified as

⁶⁹ Maharashtra Control of Organised Crime Act, 1999

⁷⁰ Ujjwal Kumar Singh, *The State, Democracy and Anti-Terror Laws in India* 296(Sage Publication, New Delhi, 2007).

⁷¹ Ibid.

⁷² Ibid, at 300

⁷³ Statement of Objects and Reasons: Organised crime has been for quite some years now come up as a very serious threat to our society. It knows no national boundaries and is fueled by illegal wealth generated by contract, killing, extortion, smuggling in contrabands, illegal trade in narcotics kidnappings for ransom, collection of protection money and money laundering, etc. The illegal wealth and black money generated by the organised crime being very huge, it has had serious adverse effect on our economy. It was seen that the organised criminal syndicates made a common cause with terrorist gangs and foster narco terrorism which extend beyond the national boundaries. There was reason to believe that organised criminal gangs have been operating in the State and thus, there was immediate need to curb their activities.

⁷⁴ Section 2 (1) (e) of Maharashtra Control of Organised Crime Act, 1999: "organised crime" means any continuing unlawful activity by an individual, singly or jointly, either as a member of an organised crime syndicate or on behalf of such syndicate, by use of violence or threat of violence or intimidation or coercion, or other unlawful means, with the objective of gaining pecuniary benefits, or gaining undue economic or other advantage for himself or any person or promoting insurgency

terrorists' may also be called separatist, freedom fighters, revolutionary, militant, guerrilla or rebel by others depending on the context in which the person's role is analysed. While individuals or group may rely on the tactic of terror, the state very often perpetuates reign of terror on the members of a community, group or nation. Due to such contrasting yardsticks to judge an act of terror, terrorism is often labeled as justified means to seek an end. Hence, the decision to call or label someone including the Maoists as terrorist becomes a subjective one.⁷⁵

There are various legislations including state legislations, though not specifically aimed to treat terrorism, are anti-terrorist legislation(s). The terrorists do engage with money laundering, drug trafficking, smugglings for funding terrorism and occupying arms and ammunitions. Some of the legislations have been successfully applied with existing anti-terror laws are as follows:

1. The Uttar Pradesh Gangsters and Antisocial Activities (Prevention) Act (7 of 1986);
2. The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers and Drug Offenders Act, 1981;
3. The Karnataka Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Gamblers
4. The Punjab (Security of States) Act, 1953
5. The Bihar Maintenance of Public Order Act, 1949;
6. The West Bengal (Prevention of Violent Activities) Act, 1970

4.5.3.2 Andhra Pradesh Suppression of Disturbances Act, 1948

The Government of Andhra Pradesh had on account of the gravity of the situation declared certain areas affected by the Naxalite menace in Srikakulam and Warangal Districts as disturbed areas under s. 3 of the Andhra Pradesh Suppression of Disturbances Act, 1948.

⁷⁵ Samita Verma (ed.), *Underdevelopment and Naxalism in India* 61-83 (Rawat Publication: Jaipur, 2018).

4.5.4 Specific Legislations

Besides such legislations, some special Legislations were enacted in India time to time to combat terrorism may be categorized as follows;

1. The Terrorist and Disruptive Activities (Prevention) Act, 1987 [Repealed]
2. The Prevention Of terrorism Act, 2002 [Repealed]
3. The Unlawful Activities (Prevention) Act, 1967 [Now in Force]
4. The National Investigation Agency Act, 2008 [Now in Force]
5. The Chhattisgarh Special Public Safety Act 2005
6. Maharashtra Control of Organised Crime Act
7. The Karnataka Control of Organised Crime Act, 2000

4.5.4.1 The Unlawful Activities (Prevention) Act, 1967

Unlawful Activities (Prevention) Act aimed at effective prevention of unlawful activities associations in India. Its main objective was to make powers available for dealing with activities directed against the integrity and sovereignty of India.⁷⁶

The National Integration Council appointed a Committee on National Integration and Regionalization to look into, the aspect of putting reasonable restrictions in the interests of the sovereignty and integrity of India. Pursuant to the acceptance of recommendations of the Committee, the Constitution (Sixteenth Amendment) Act, 1963 was enacted to impose, by law, reasonable restrictions in the interests of the sovereignty and integrity of India. Subsequently, the Unlawful Activities (Prevention) Bill was introduced in the Parliament and was enacted empowering Parliament to impose, by law, reasonable restrictions in the interests of sovereignty and integrity of India, on the:

1. Freedom of Speech and Expression;
2. Right to Assemble peaceably and without arms; and
3. Right to Form Associations or Unions.⁷⁷

⁷⁶ Unlawful Activities (Prevention) Act, 1967.

⁷⁷ Ibid.

The object of this Bill was to make powers available for dealing with activities directed against the integrity and sovereignty of India. The Bill was passed by both the Houses of Parliament and received the assent of the President on 30 December 1967. The Amending Acts are as follows:

1. The Unlawful Activities (Prevention) Amendment Act, 1969;
2. The Criminal Law (Amendment) Act, 1972;
3. The Delegated Legislation Provisions (Amendment) Act, 1986;
4. The Unlawful Activities (Prevention) Amendment Act, 2004,
5. The Unlawful Activities (Prevention) Amendment Act, 2008

Practically, after the repealing of POTA, the need of stringent ant terror act has been realized. This law was enacted to provide for more effective prevention of certain unlawful activities of individuals and associations and for matters connected with it. It empowered appropriate authorities to declare any association as ‘unlawful’⁷⁸ if it is carrying out ‘unlawful activities’.⁷⁹ This law was comprehensively amended by the Unlawful Activities (Prevention) Amendment Act, 2004 and 2008 to deal with terrorist activities. Like POTA, it defines a ‘terrorist act’⁸⁰ and also a “terrorist organisation”⁸¹ as an organisation listed in the Schedule or

⁷⁸ Section 2(o) of Unlawful Activities (Prevention) Act : “unlawful activity”, in relation to an individual or association, means any action taken by such individual or association (whether by committing an act or by words, either spoken or written, or by signs or by visible representation or otherwise),- (i) which is intended, or supports any claim, to bring about, on any ground whatsoever, the cession of a part of the territory of India or the secession of a part of the territory of India from the Union, or which incites any individual or group of individuals to bring about such cession or secession; or (ii) which disclaims, questions, disrupts or is intended to disrupt the sovereignty and territorial integrity of India; or (iii) which causes or is intended to cause disaffection against India

⁷⁹ Section 2(p) of Unlawful Activities (Prevention) Act : “unlawful association” means any association,- (i) which has for its object any unlawful activity, or which encourages or aids persons to undertake any unlawful activity, or of which the members undertake such activity; or (ii) which has for its object any activity which is punishable under section 153A or section 153B of the Indian Penal Code (45 of 1860), or which encourages or aids persons to undertake any such activity, or of which the members undertake any such activity: Provided that nothing contained in sub-clause (ii) shall apply to the State of Jammu and Kashmir ;

⁸⁰ Section 15 of Unlawful Activities (Prevention) Act: Terrorist act. Whoever does any act with intent to threaten or likely to threaten the unity, integrity, security or sovereignty of India or with intent to strike terror or likely to strike terror in the people or any section of the people in India or in any foreign country, (a) by using bombs, dynamite or other explosive substances or inflammable substances or firearms or other lethal weapons or poisonous or noxious gases or other chemicals or by any other substances (whether biological radioactive, nuclear or otherwise) of a hazardous nature or by any other means of whatever nature to cause or likely to cause (i) death of, or injuries to, any person or persons; or (ii) loss of, or damage to, or destruction of, property; or (iii) disruption of any supplies or services essential to the life of the community in India or in any foreign country; or (iv) damage or destruction of any property in India or in a foreign country used or intended to be used for the defence of India or in connection with any other purposes of the Government of India, any State

an organization operating under the same name as an organisation so listed.⁸² It further provides a mechanism for forfeiture⁸³ of the proceeds of terrorism apart from providing stringent punishments for terrorism related offences. This act also provides the specific provision as to protection of witness following the previous legislations. However, it does not reckon the ‘financing of terrorist activities’ as a ‘terrorist act’ as was done under POTA.

In all crimes the burden to establish the guilt of the accused is lies on prosecution. In the rule of law is that an accused is presumed to be innocent unless his guilt is established beyond all reasonable doubt. However, UAPA has provisions wherein the court was under an obligation to draw adverse inference provided certain facts were established.⁸⁴ It is general principle that such presumptions should be made a necessary part of the new anti-terror law.

However, Anti-Terrorist Laws for all the times have been criticized by various organization and individuals for its hard stringency. Question as to the misuse of the anti-terrorist legislations have been raised in different times. Recently, the detention of Dr. Binayak Sen, prominent doctor and human rights defender, under the Unlawful Activities (Prevention) Act has been criticized much. Supreme Court granted bail to Dr. Binayak Sen by observing that mere possession of Naxal

Government or any of their agencies; or (b) overawes by means of criminal force or the show of criminal force or attempts to do so or causes death of any public functionary or attempts to cause death of any public functionary; or (c) detains, kidnaps or abducts any person and threatens to kill or injure such person or does any other act in order to compel the Government of India, any State Government or the Government of a foreign country or any other person to do or abstain from doing any act, commits a terrorist act.

⁸¹ Section 2(m) of Unlawful Activities (Prevention) Act : “terrorist organisation” means an organisation listed in the Schedule or an organisation operating under the same name as an organisation so listed;

⁸² Schedule of Terrorist Organisation under Unlawful Activities (Prevention) Act

⁸³ Section 24 of Unlawful Activities (Prevention) Act: Forfeiture of proceeds of terrorism. (1) No person shall hold or be in possession of any proceeds of terrorism. (2) Proceeds of terrorism, whether held by a terrorist or [terrorist organisation or terrorist gang or] by any other person and whether or not such terrorist or other person is prosecuted or convicted for any offence under Chapter IV or Chapter VI, shall be liable to be forfeited to the Central Government or the State Government, as the case may be, in the manner provided under this Chapter.

⁸⁴ Section 43E of Unlawful Activities (Prevention) Act: In a prosecution for an offence under section 15, if it is proved Presumption as to offences under section 15 (a) that the arms or explosives or any other substances specified in the said section were recovered from the possession of the accused and there is reason to believe that such arms or explosives or other substances of a similar nature were used in the commission of such offence; or (b) that by the evidence of the expert the finger prints of the accused or any other definitive evidence suggesting the involvement of the accused in the offence were found at the site of the offence or on anything including arms and vehicles used in connection with the commission of such offence, the Court shall presume, unless the contrary is shown, that the accused has committed such offence.

literature does not make a person a Naxalite, guilty of sedition, as one who possesses Mahatma Gandhi's autobiography cannot call himself a Gandhian.⁸⁵

4.5.4.2 The Terrorist and Disruptive Activities (Prevention) Act, 1987

Terrorist and Disruptive Activities (Prevention) Act, commonly known as TADA, was an anti-terrorism law which was in force between 1985 and 1995⁸⁶ under the background of Punjab insurgency and was applied to whole of India. It came into effect on 23rd May 1985.⁸⁷ It was renewed in 1989, 1991 and 1993 before being allowed to lapse in 1995 due to increasing unpopularity due to widespread allegations of abuse.⁸⁸ It was the first anti-terrorism law legislated by the government to define and counter terrorist activities.⁸⁹

The Act was widely criticized by human rights organisations as it contained provisions violating human rights.⁹⁰ Some of the criticism are as follows

1. The Act virtually criminalizes free speech. Under this Act whoever advocates directly or indirectly for cession or secession in any part of India is liable to be punished under this Act.⁹¹

⁸⁵ SC grants bail to Binayak Sen, drops sedition charges against him, Lawyers Collective, web: 26th September, 2015, at <http://www.lawyerscollective.org/news/archived-news-a-articles/114-scgrants-bail-to-binayak-sen-drops-sedition-charges-against-him.html>

⁸⁶ Modified in 1987

⁸⁷ Terrorist and Disruptive Activities (Prevention) Act, 1987.

⁸⁸ Kalhan, Anil, "Colonial Continuities: Human Rights, Terrorism, and Security Laws in India", 20 *CJAL* 93 (2006).

⁸⁹ Terrorist and Disruptive Activities (Prevention) Act, South Asia Terrorism Portal, available at <http://www.satp.org/satporgtp/countries/india/document/actandordinances/TADA.HTM#7A> (Last visited on December 10, 2019).

⁹⁰ Kalhan, Anil, "Colonial Continuities: Human Rights, Terrorism, and Security Laws in India", 20 *CJAL* 93 (2006).

⁹¹ Section 4 of Terrorist and Disruptive Activities (Prevention) Act: Punishment for disruptive activities. - (1) Whoever commits or conspires or attempts to commit or abets, advocates, advises, or knowingly facilitates the commission of, any disruptive activity or any act preparatory to a disruptive activity shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life and shall also be liable to fine. (2) For the purposes of sub-section (1), "disruptive activity" means any action taken, whether by act or by speech or through any other media or in any other manner whatsoever, - (i) which questions, disrupts or is intended to disrupt, whether directly or indirectly, the sovereignty and territorial integrity of India; or (ii) which is intended to bring about or supports any claim, whether directly or indirectly, for the cession of any part of India or the secession of any part of India from the Union. Explanation – For the purposes of this sub-section, - (a) "cession" includes the admission of any claim of any foreign country to any part of India, and (b) "secession" includes the assertion of any claim to determine whether a part of India will remain within the Union. (3) Without prejudice to the generality of the provisions of sub-section(2), it is hereby declared that any action taken, whether by act or by speech or through any other media or in any other manner whatsoever, which - a. advocates, advises, suggests or incites; or b. predicts, prophesies or pronounces or otherwise expresses, in such manner as to incite, advice,

2. The Act provides that a person can be detained up to one year without formal charges or trial against him.⁹²
3. Section 20 of the Act provides that detainee can be in police custody up to 60 days which increases risk of torture. The detainee need not be produced before a judicial magistrate, but he may be produced before an executive magistrate who is an official of police and or administrative service and is not answerable to high court.⁹³
4. The trial can be held secret at any place and also keeps the identity of the witnesses secret violating international standards of fair trial.⁹⁴
5. The Act reverses the presumption of innocence of the accused. Section 21 of the Act, the person who is accused of committing a terrorist act where arms and explosives were recovered or made confessions to someone other than a police officer or provided financial assistance for the commission of the terrorist act or by suspicion that the person has arms or explosives or financial assistance to

suggest or prompt, the killing or the destruction of any person bound by oath under the constitution to uphold the sovereignty and integrity of India or any public servant shall be deemed to be a disruptive activity within the meaning of this section

⁹² Section 20 (4) of Terrorist and Disruptive Activities (Prevention) Act : Section 167 of the Code shall apply in relation to a case involving an offence punishable under this Act or any rule made thereunder subject to the modifications that,- a. the reference in sub-section (1) thereof to Judicial Magistrate shall be construed as a reference to Judicial Magistrate or Executive Magistrate or Special Executive Magistrate; b. the reference in sub-section (2) thereof to fifteen days, ninety days and sixty days, wherever they occur, shall be construed as references to sixty days.[one hundred and eighty days] and [one hundred and eighty days], respectively; and "Provided further that, if it is not possible to complete the investigation within the said period of one hundred and eighty days, the Designated Court shall extend the said period up to one year, on the report of the Public Prosecutor indicating the progress of the investigation and the specific reasons for the detention of the accused beyond the said period of one hundred and eighty days.]

⁹³ Ibid.

⁹⁴ Section 16 of Terrorist and Disruptive Activities (Prevention) Act: Protection of witnesses.- (1) Notwithstanding anything contained in the Code, the proceedings under this Act may be held in camera if the Designated Court so desires.] (2) A Designated Court may, on an application made by a witness in any proceedings before it or by the Public Prosecutor in relation to such witness or on its own motion, take such measures as it deems fit for keeping the identity and address of any witness secret. (3) In particular, and without prejudice to the generality of the provisions of sub-section (2), the measures which a Designated Court may take under that sub-section may include,- a. the holding of the proceedings at a place to be decided by the Designated Court; b. the avoiding of the mention of the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to public; c. the issuing of any directions for securing that the identity and addresses of the witnesses are not disclosed. d. that it is in the public interest to order that all or any of the proceedings pending before such a court shall not be published in any manner. (4) Any person who contravenes any direction issued under sub-section (3) shall be punishable with imprisonment for a term which may extend to one year and with fine which may extend to one thousand rupees.

commit the terrorist act, then the person shall be presumed to be guilty unless contrary is proved.⁹⁵

6. A person making confessions to a police officer not below the rank of superintendent of the police can be used as evidence against him.⁹⁶
7. Section 19 of the Act bars persons accused under this Act to appeal except in the Supreme Court.⁹⁷

The number of people arrested under the act had exceeded 76,000, by 30th June 1994. 25 percent of these cases were dropped by the police without any charges being framed. Only 35 percent of the cases were brought to trial, of which 95 percent resulted in acquittals. Less than 2 percent of those arrested were convicted. The legislation was ultimately succeeded by the controversial Prevention of Terrorist Activities Act (2002-04) which was scrapped by the UPA government in May, 1995.⁹⁸ Even the chairman of National Human Rights commission, Justice Ranganath Mishra stated that the Commission reviewed the TADA cases and wrote

⁹⁵ Section 21 of Terrorist and Disruptive Activities (Prevention) Act: Presumption as to offences under Section 3 - (1) In a prosecution for an offence under sub-section (1) of Section 3, if it is proved - a. that the arms or explosives or any other substances specified in Section 3 were recovered from the possession of the accused and there is reason to believe that such arms or explosives or other substances of similar nature, were used in the commission of such offence; or b. that by the evidence of an expert the fingerprints of the accused were found at the site of the offence or on anything including arms and vehicles used in connection with the commission of such offence. (2) In a prosecution for an offence under sub-section 3 of Section 3, if it is proved that the accused rendered any financial assistance to a person accused of, or reasonably suspected of, an offence under that section, the Designated Court shall presume, unless the contrary is proved, that such person has committed the offence under that sub-section.

⁹⁶ Section 15 of Terrorist and Disruptive Activities (Prevention) Act: Certain confessions made to police officers to be taken into consideration.- (1) Notwithstanding anything in the Code or in the Indian Evidence Act, 1872, but subject to the provisions of this section, a confession made by a person before a police officer not lower in rank than a Superintendent of Police and recorded by such police officer either in writing or on any mechanical device like cassettes, tapes or sound tracks from out of which sounds or images can be reproduced, shall be admissible in the trial of such person [or co-accused, abettor or conspirator] for an offence under this Act or rules made thereunder: [Provided that co-accused, abettor or conspirator is charged and tried in the same case together with the accused]. (2) The police officer shall, before recording any confession under sub-section (1), explain to the person making it that he is not bound to make a confession and that, if he does so, it may be used as evidence against him and such police officer shall not record any such confession unless upon questioning the person making it, he has reason to believe that it is being made voluntarily.

⁹⁷ Section 19 of Terrorist and Disruptive Activities (Prevention) Act: Appeal- (1) Notwithstanding anything contained in the Code, an appeal shall lie as a matter of right from any judgment, sentence or order, not being an interlocutory order, of a Designated Court to the Supreme Court both on facts and on law.

⁹⁸ Terrorist and Disruptive Activities (Prevention) Act, 1987.

to all the MPs to seek help in repealing TADA considering its large number of abuse.⁹⁹

4.5.4.3 The Prevention of Terrorism Act, 2002

The Prevention of Terrorism Act, 2002 was an Act passed by the Parliament of India in 2002, with the aim of strengthening antiterrorism operations. The act was enacted due to several terrorist attacks that took place in India especially the attack on the Parliament. The act replaced the Prevention of Terrorism Ordinance (POTO) of 2001 and the Terrorist and Disruptive Activities (Prevention) Act (1985–95), was supported by the governing National Democratic Alliance. The Act was repealed in 2004 by the United Progressive Alliance coalition. The bill was defeated in the Rajya Sabha by a 113-98 vote, but was passed in a joint session, as the Lok Sabha. It was only the third time that a bill was passed by a joint session of both houses of parliament.¹⁰⁰

There was no much difference between the earlier anti-terrorist act TADA and POTA. Analogous to the provisions contained in TADA, the law provided that a suspect could be detained for up to 180 days without the filing of charge sheet in court.¹⁰¹ It also allowed law enforcement agencies to withhold the identities of witnesses,¹⁰² and to treat a confession made to the police as an admission of guilt.¹⁰³

⁹⁹ B.P Singh Sehgal, *Human Rights in India: Problems and Perspectives* 88 (Deep & Deep Publication, New Delhi).

¹⁰⁰ Prevention of Terrorism Act, 2002.

¹⁰¹ Section 49(2) of Prevention of Terrorism Act, 2002 : Section 167 of the Code shall apply in relation to a case involving an offence punishable under this Act subject to the modification that in sub-section (2), (a) the references to fifteen days, ninety days and sixty days, wherever they occur, shall be construed as references to thirty days, ninety days and ninety days, respectively; and (b) after the proviso, the following provisos shall be inserted, namely: Provided further that if it is not possible to complete the investigation within the said period of ninety days, the Special Court shall extend the said period up to one hundred and eighty days, on the report of the Public Prosecutor indicating the progress of the investigation and the specific reasons for the detention of the accused beyond the said period of ninety days.

¹⁰² Section 30 of Prevention of Terrorism Act, 2002 : Protection of witnesses.- (1) Notwithstanding anything contained in the Code, the proceedings under this Act may, for reasons to be recorded in writing, be held in camera if the Special Court so desires. (2) A Special Court, if on an application made by a witness in any proceeding before it or by the Public Prosecutor in relation to such witness or on its own motion, is satisfied that the life of such witness is in danger, it may, for reasons to be recorded in writing, take such measures as it deems fit for keeping the identity and address of such witness secret. (3) In particular, and without prejudice to the generality of the provisions of sub-section (2), the measures which a Special Court may take under that sub-section may include (a) the holding of the proceedings at a place to be decided by the Special Court; (b) the avoiding of the mention of the names and addresses of the witnesses in its orders or judgments or in any records of the case accessible to public; (c) the issuing of any directions for securing that the identity and

However, the law did have some safeguards which were not in TADA. A verdict from a Special Court could be appealed to a bench of two judges of the High Court of the same jurisdiction¹⁰⁴. Also unlike TADA, it had no provision to allow preventive detention.

There were many reports as to the law being grossly abused.¹⁰⁵ POTA was arbitrarily used to crack down political opponents. Only four months after its enactment, state law enforcement officers had arrested 250 people nationwide under the Act, and the number was steadily increasing. A mere eight months later, seven states applying POTA had arrested over 940 people, at least 560 of whom were languishing in jail. Several prominent persons, like Vaiko founder member of south based political party MDMK, were arrested under the act.¹⁰⁶ On 7th October 2004, the Union Cabinet under UPA government approved the repeal of the act. The act was repealed by passing Prevention of Terrorism (Repeal) Act, 2004.

address of the witnesses are not disclosed; (d) a decision that it is in the public interest to order that all or any of the proceedings pending before such a Court shall not be published in any manner. (4) Any person who contravenes any decision or direction issued under sub-section (3) shall be punishable with imprisonment for a term which may extend to one year and with fine which may extend to one thousand rupees.

¹⁰³ Section 32 of Prevention of Terrorism Act, 2002: Certain confessions made to police officers to be taken into consideration.- (1) Notwithstanding anything in the Code or in the Indian Evidence Act, 1872 (1 of 1872), but subject to the provisions of this section, a confession made by a person before a police officer not lower in rank than a Superintendent of Police and recorded by such police officer either in writing or on any mechanical or electronic device like cassettes, tapes or sound tracks from out of which sound or images can be reproduced, shall be admissible in the trial of such person for an offence under this Act or the rules made thereunder. (2) A police officer shall, before recording any confession made by a person under sub-section (1), explain to such person in writing that he is not bound to make a confession and that if he does so, it may be used against him: Provided that where such person prefers to remain silent, the police officer shall not compel or induce him to make any confession. (3) The confession shall be recorded in an atmosphere free from threat or inducement and shall be in the same language in which the person makes it. (4) The person from whom a confession has been recorded under sub-section (1), shall be produced before the Court of a Chief Metropolitan Magistrate or the Court of a Chief Judicial Magistrate along with the original statement of confession, written or recorded on mechanical or electronic device within forty-eight hours. (5) The Chief Metropolitan Magistrate or the Chief Judicial Magistrate, shall, record the statement, if any, made by the person so produced and get his signature or thumb impression and if there is any complaint of torture, such person shall be directed to be produced for medical examination before a Medical Officer not lower in rank than an Assistant Civil Surgeon and thereafter, he shall be sent to judicial custody.

¹⁰⁴ Section 34 of Prevention of Terrorism Act, 2002: Appeal.- (1) Notwithstanding anything contained in the Code, an appeal shall lie from any judgment, sentence or order, not being an interlocutory order, of a Special Court to the High Court both on facts and on law. (2) Every appeal under sub-section (1) shall be heard by a bench of two Judges of the High Court.

¹⁰⁵ Colonial Continuities: Human Rights, Terrorism, and Security Laws in India, Kalhan, Anil, Columbia Journal of Asian Law, Vol. 20, p. 93, 2006

¹⁰⁶ Prevention of Terrorism Act, 2002

4.5.4.4 The Chhattisgarh Special Public Safety Act 2005

The Chhattisgarh Special Public Safety Act 2005, is an anti-terrorism legislations in Chhattisgarh to deal the Naxalism. Chhattisgarh Special Public Security Act, 2005 also called as Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005, is a law in the state of Chhattisgarh passed by the Chhattisgarh assembly in December 2005. The bill received the assent of the president of India on 7th March 2006 and was brought into effect by notification issued on 12 April 2006.

4.5.4.5 The National Investigation Agency Act, 2008

National Investigation Agency is a federal agency established by the Indian Government to combat terror in India. It acts as the Central Counter Terrorism Law Enforcement Agency. The agency is empowered to deal with terror related crimes across states without special permission from the states.¹⁰⁷ The Agency came into existence with the enactment of the National Investigation Agency Act 2008 by the Parliament of India on 31 December 2008.¹⁰⁸ NIA was created after the 2008 Mumbai terror attacks as need for a central agency to combat terrorism was realized.

The National Investigation Agency aims to be a thoroughly professional investigative agency matching the best international standards. The NIA aims to set the standards of excellence in counter terrorism and other national security related investigations at the national level by developing into a highly trained, partnership oriented workforce. NIA aims at creating deterrence for existing and potential terrorist groups/individuals. It aims to develop as a storehouse of all terrorist related information.¹⁰⁹ The NIA was established in a concurrent jurisdiction framework, for investigation and prosecution of offences only as specified in the schedule of the act

¹⁰⁷ National Investigation Agency Act: Section 6(4) Where the Central Government is of the opinion that the offence is a Scheduled Offence and it is a fit case to be investigated by the Agency, it shall direct the Agency to investigate the said offence Section 6 (5) Notwithstanding anything contained in this section, if the Central Government is of the opinion that a Scheduled Offence has been committed which is required to be investigated under this Act, it may, suomotu, direct the Agency to investigate the said offence. Section 6 (6) Where any direction has been given under sub-section (4) or sub-section (5), the State Government and any police officer of the State Government investigating the offence shall not proceed with the investigation and shall forthwith transmit the relevant documents and records to the Agency.

¹⁰⁸ National Investigation Agency, available at http://en.wikipedia.org/wiki/National_Investigation_Agency. (Last visited 15 January, 2020).

¹⁰⁹ National Investigation Agency, Ministry of home affairs, Govt. of India, Retrieved on 6 March, 2015 from <http://www.nia.gov.in/mission.aspx>

itself.¹¹⁰ In other words, it was “not an Agency to deal with offences under all the laws”, but “with only eight laws”¹¹¹

1. The Atomic Energy Act, 1962 (33 of 1962);
2. The Unlawful Activities (Prevention) Act, 1967 (37 of 1967);
3. The Anti-Hijacking Act, 1982 (65 of 1982);
4. The Suppression of Unlawful Acts against Safety of Civil Aviation Act, 1982 (66 of 1982);
5. The SAARC Convention (Suppression of Terrorism) Act, 1993 (36 of 1993);
6. The Suppression of Unlawful Acts against Safety of Maritime Navigation and Fixed Platforms on Continental Shelf Act, 2002 (69 of 2002);
7. The Weapons of Mass Destruction and their Delivery Systems (Prohibition of Unlawful Activities) Act, 2005 (21 of 2005);
8. Offences under
 1. Chapter VI of the Indian Penal Code (45 of 1860) [sections 121 to 130 (both inclusive)];
 2. Sections 489-A to 489-E (both inclusive) of the Indian Penal Code (45 of 1860).

However it has been made clear that the Agency may also investigate any other offence if the offence is connected with the Scheduled Offence as indicated in the Schedule of the National Investigation Agency Act.¹¹²

4.6 PART SECOND

4.6.1 International Legal Perspective

The Indian Government is involved in non-international armed conflicts against armed groups called the Communist Party of India (Maoist) commonly known as Naxalites. In international humanitarian law, international human

¹¹⁰ Section 3 (1) of National Investigation Agency Act : Notwithstanding anything in the Police Act, 1861 (5 of 1861.), the Central Government may constitute a special agency to be called the National Investigation Agency for investigation and prosecution of offences under the Acts specified in the Schedule.

¹¹¹ Schedule of National Investigation Agency Act

¹¹² Section 8 of National Investigation Agency Act: Power to investigate connected offences. While investigating any Scheduled Offence, the Agency may also investigate any other offence which the accused is alleged to have committed if the offence is connected with the Scheduled Offence.

rights law continues to apply during times of armed conflict. Under human rights law, the territorial state has an obligation to prevent and investigate alleged violations, including by non-state actors. Non-state armed groups are increasingly considered to be bound by international human rights law if they exercise de facto control over some areas.

4.6.1.1 Geneva Conventions, 1949

Parties to the conflict are bound under Article 3¹¹³ Geneva Conventions 1949 which provides for the minimum standard to be respected and requires humane treatment without adverse distinction of all persons not or no longer taking active parts in hostilities. It prohibits murder, mutilation, torture, cruel, inhuman and degrading treatment, hostage taking and unfair trials. All parties are bound by customary international humanitarian law applicable to non-international armed conflicts.

It seems that the most important International laws that secure the rights of the tribes are the ILO Conventions. There are two Conventions adopted by the ILO for the indigenous and tribal people.

They are

¹¹³ Article 3 In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions: (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria. To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons: (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture; (b) taking of hostages; (c) outrages upon personal dignity, in particular humiliating and degrading treatment; (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples. (2) The wounded and sick shall be collected and cared for. An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict. The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention. The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

4.6.1.1.1 Convention 107 of 1957

This Convention has been ratified by twenty seven countries till now including India, Pakistan and Bangladesh, and it applies to the members of tribals, semi-tribals and indigenous peoples. It is basically individual oriented but collective applicability is also found as a secondary by product.

The following are the main features of the convention

1. It mainly concern with the living and working conditions of “these populations” by simultaneous action in respect of all factors which have hitherto prevented them from sharing fully in the progress of national community of which they form part.
2. Adoption of general interest standards to ensure their protection and integration into the respective national communities.
3. Provisions for land and employment, like Article II which speaks that for the right of ownership collective or individual; of the members of the populations concerned over the lands which these populations traditionally occupy shall be recognized.
4. It speaks for practicing nondiscrimination in employment sector and to promote vocational training, handicraft and rural industries for expansion of employment opportunities.¹¹⁴

4.6.1.1.2 Convention 169 of 1989

Till date, this Convention has been ratified by twenty two countries, but India is not a party to it. All over the world, the lands of the tribal peoples are forcefully occupied by other persons. It is nothing but a violation of the rights given under international convention but the problem is India not being a party to it the convention will apply.

The basic features of the convention 169 of 1989 are

1. It recognises and protects tribal people’s land ownership rights and sets a series of minimum UN standards regarding consultation and consent.

¹¹⁴ Roy Burman. B. K, “Indigenous and Tribal peoples in world system perspective”, available at www.krepublishers.com (Last visited on 16 January 2020).

2. It protects their rights to own the land they live on and use, takes decisions about projects that affect them and Equality and freedom.¹¹⁵
3. It reiterated and emphasized the standard laid down in convention 169
4. This Convention mainly emphasise on functional norms of States with particular concern for cultural diversity and eco- conservation.
5. Some of the Articles of this convention are of special importance, like
 - (i) Special measures to be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.¹¹⁶
 - (ii) in applying the provisions of this convention:-
 - (a) The social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals;
 - (b) The integrity of the values, practices and institutions of these peoples shall be respected;
 - (c) Policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation and co-operation of the peoples affected.¹¹⁷
 - (iii) Consultation of the Government with the peoples concerned through appropriate procedures for legislative and administrative measures.¹¹⁸
 - (iv) To decide their own priorities for the process of development which may be economic, social and cultural. It also provides for the improvement of their conditions of life, work, health and education etc.¹¹⁹
 - (v) Safeguards the people concerned against the abuse of their legal rights and if abused they shall be able to take legal proceedings for the same.¹²⁰
 - (vi) Part II of the Convention deals with the provisions of land rights.¹²¹

¹¹⁵ Available at www.survivalinternational.org (Last visited on 16 January 2020).

¹¹⁶ Article 4 (1)

¹¹⁷ Article 5

¹¹⁸ Article 6 (1) (a)

¹¹⁹ Article 7

¹²⁰ Article 12

¹²¹ Articles 14, 15, 16, 17, and 20

4.6.1.2 UNWGIP Draft Declaration of Indigenous Peoples

The United Nations Working Group on Indigenous Populations, a subsidiary body of UN, was established in the year 1982. The important mandates of group are as follows:

1. To review developments pertaining to the promotion and protection of human rights and fundamental freedoms of Indigenous Peoples,
2. To give attention to the evolution of international standards concerning individual rights,
3. To draft a Universal Declaration on Indigenous rights.¹²² The Declaration states that Indigenous Peoples have the rights to participate fully
4. in the political, economic, social and cultural life of the State
5. in the decision making process of the State and
6. In devising legislative or administrative measures of the State if they so choose.¹²³

This was the principal UN group, concerned with the Indigenous Peoples rights until the Permanent forum on Indigenous issues was established in 2000 which started working in May, 2002.

4.7 CONCLUSION

Since to tackle the problem of Naxalism properly, adequately reasonably, rationally smoothly and legally there should be some law directly deal with the Naxalism. But in India in present there is no such law which have direct and immediate effect upon the Naxalism however despite of the absence of direct legislations there are no doubt that at national and international level there are a number of legislation convention etc. which one or other way concerned with the uprising Naxalism problem. Broadly the legal provision can be classified in two categories.

1. National legal perspective and
2. International legal perspective.

¹²² Articles 4, 19 & 20

¹²³ Supra 114

At international level from Geneva convention 1949 till present which are there to tackle the Naxalism we tried to put our hand to them and analyses the pros and cons of these provisions and also to find out the effectiveness of these provisions to put a check or restraint upon Naxalism for doing so we have also try to find out the usefulness and utility of UNWGIP Draft Declaration of Indigenous Peoples and so many others which in or other way have a glance over Naxalism problem.

At national level the entire legal perspective can be broadly divided into four categories

1. Provision under the Constitution of India
2. Central legislation and
3. States enactments
4. Specific legislations

4.7.1 The Constitution of India

The constitution of India having any resort to tackle the problem of Naxalism though there are no direct article concern with the grievances of Naxalism but with the help of article 352, 355, 244, fifth and sixth schedule we have tried to find out these provisions of the Indian constitution are how much in the direction of checking the dragon of Naxalism or restraining the mushrooming of Naxalism.

4.7.2 Central Legislation

These are the some of the central legislation though not directly but in or other way have played a great role to find out the mechanism to put an obstacle in the path of Naxalism.

4.7.3 State Legislations

There are no two views that central forces including CRPF, SSB, AR, etc., all more competent to tackle the problem of Naxalism in comparison to state police authorities. There can't be two views that with the labour, support, involvement and positive action by the central forces India become able to a great extent to wipe out

the problem of Naxalism. The state police authorities since to be of second categories commonly known as bamboo police. No doubt played a significant role to assist provide help and tackle to short out the problem of Naxalism.

4.7.4 Specific Legislation

However, there are no direct immediate legislation having a positive effect to buried the problem of Naxalism except few legislation passed by the state legislature for example Chhattisgarh public safety Act. This clearly shows that because of the absence of direct enactments to tackle the problem the Naxalites movements gets momentum and progress further with the passes of the time.

On the basis of the study it can be concluded that despite of these shortage and to remedy them there is also a need of the hour that a direct legislation dealing the pros and cons of Naxalism and its working should be enacted by central and state legislation and become effective immediately. Otherwise the chances to curb the Naxalism are very remote and days are far far away from the hand of the governmental agencies.

If police and criminal justice system is efficient and effective, then internal security system can be managed extremely effectively and ultimately leads to good governance but if unfortunately the police authorities and other system is not well equipped but weak and surrounded by many scrupulous person then security of the state can be geo paradise and it would be very difficult rather impossible to tackle the increasing from of Naxalism within reasonable time. In present scenario mostly the commission of crime is at a lower risk but highly profitable. The mechanism by which a culprit is booked is known as criminal justice system which initiate with the filing of F. I. R. there on to make the investigation of the case and after collecting the evidence the I. O. has supposed to broad the case within the jurisdiction of the particular court to decide the fate of the criminal. For doing so a prompt approach is required on the part of the investigation officers. Otherwise the entire criminal justice system will be doomed with the delay of every movement. So it can be said that to meet the present challenges there seems to be sum reformative measure should be adopted by the criminal justice system likewise it is also evident that justice administration is also not in a sound position.

The third pillar of the governance the justice administration system that is punishment for the violation of, laws and institutional arrangements for conflict resolution and redressal of the grievances but it is very strange to find out that the conflict are not settled within the time and state machinery was not working properly and fairly .It is of a common knowledge that in Naxalite area person who take the helps of the arms not because of his own sweet will but because of a number of atrocities committed by the affluence, Zamindar and landlords, upon them. The government official also added fuel to the fire. It would be not very suitable to say that entire justice administration system has failed but it can be said that system is not working properly the authorities who has a work of investigation and prosecution are not working in order and sensibly to protect the person who are the suffer of the Naxalism. But to a great extent these authorities are not working in balance but seems to be tilted towards the person who committed the crime.

Therefore their involvement is more towards the culprit and not towards complainant. It can be justified to say that criminal justice system of Naxalite area are ruined rather it can also be said that police authorities are also with the culprit and not with really suffer person. These shortage or inefficiency in any system whether criminal justice or police should be plugged of otherwise entire system will be failed and Naxalism will flew from the hand of state authorities.

These are the theories of punishment preventive, deterrent, retributive, compensatory reformative. Previously the most important theory for the purpose of the providing punishment was retributive or punitive theory but with the passes of the time and change which occur in the societal system punitive theory gone in the back and reformative theory become the call of the day. This situation is also adherence to Supreme Court of India as well as various high courts of India. However it cannot be a fixed formula. It depends upon case to case and fact to fact of the case. That is why the capital punishment now a days become a matter of rarest of rare case. Therefore in present scenario from judicial system it is very difficult to draw a conclusion out of these various theories which theory is in offing.

At the initial level the aim and objective of Naxalites movements was very poised well versed and tend towards the welfare of the downtrodden people including the schedule tribes of Naxalites area at the time movement was concerned

with to give relief to the person who are in the clutches of zamindar, landlords etc. at the time movement was pro peasant, laborer and downtrodden people. But with the passes of the time the movement has taken ups side down trend and instead of pro peasant kit become anti peasant and remains no difference between the movements and action taken by the zamindars previously upon the local poor population.

NAXALISM AND STATE RESPONSE

5.1 INTRODUCTION

The state response towards Naxalism is the basic idea underline the chapter fifth. This part of the study can broadly be divided into two parts firstly the responses with regard to state government and central government secondly response of non-state actor like civil society NGO s media etc. The Entire provisions for the purpose of our study regarding state response can broadly be classified into two categories

1. Naxal prone states response
2. Central government response

5.1.1 Theory of Response

The way by which the state government tackle the Naxalite problem can be either based on realist theory or developmentalist theory. In developmentalist theory the profinder feels that the matter of internal security is under threat because of shortage or lack of developmental avenues in that particular area and problem can be solved or tackle by economic development of that particular area. To minimize the Naxalite problem under this approach developmental programme implemented by the Indian government as well as state government to while the realist analyses the reason for the Naxalism while saying that it is not a matter of sentiments, idealism and emotion nut believe in protecting the state from any threat to the security using force alone.

5.1.1.1 Realist Theory

While realistic have no faith in idealism, sentiments and believe but they relies at protecting the state from any security threat by any cost. Meaning by they do not believe in political economic and social means but to resolve the threat emerged from inside or outside the state only by military forces. They are of the firm view that Naxalite will failed the governmental, developmental scheme and

therefore with the help of the force it is necessary that they should be wipe out from the state.

5.1.1.2 Pacifist and Developmentalist Approach

Pacifist approach are very much akin to Nehruvian type of solution to internal threat. They believe that created of violence is by minds of the persons. Therefore it can be avoided by adopting the political measure because threat is only the result of non-development of that areas. Therefore a properly chalked economic developmental programme as Mahatma Gandhi Rural Guarantee Scheme 2005. Pradhan Mantri Gram Sadak Yojna, National Rural Health Mission, Sarva Shiksha Abhiyan, Indira Awas Yozana, an Integrated Child Development Services, Drinking Water And Sanitation Campaign , Bharat Nirman, Rajiv Gandhi Gramin Vidhutikaran Yozana. etc. are some of the developmental scheme which aims to enhance the immunities where the peoples affected by the Naxalite activities or residing in abject poverty, but unfortunately these developmental programme of the Indian government are not properly implemented.

Former prime minister of India Rajiv Gandhi once said, out of hundred Paise only ten paisa reaches to the beneficiaries. Itself speaks the truth.

5.2 PART FIRST STATE RESPONSE: ORGANIZATIONAL PERIOD 1967 to 1972

5.2.1 West Bengal Government Response

The Naxalism started uprising in west Bengal from the year 1967. And it becomes a great threat to law and order problem at that time's at that time united front government of west Bengal was not very much clear about the nature and scope of response given to the Naxalites. However to crush the Naxalism the government deals with an iron hand without taking recourse to violent activity in this connection a number of legislation was enacted deal with the Naxal movement,

Naxal operations, to target the sympathizer of the Naxalites various anti-terror Act has been passed.¹

5.2.2 The Central Government Response to West Bengal Problems

Initially the central government paid little attention to the outbreak of violence in Naxalbari saying that it is a situation mostly localized law and order problem and did nothing to suppress the Naxalism. It is stated that Naxalite violence in Calcutta mostly based on non-development of particular area. However, on 11th August 1970 Indira Gandhi pronounced that the government would fight the Naxalite with all strength as its command. Therefore in July 1971 the central government launched an operation Steeplechase with the help of Indian army CRPF, and local police of West Bengal, Bihar and Orissa. Particularly Midnapur and Birbhum district of West Bengal.² Despite of all the effort of central government however the Naxal violence remained fundamentally or mostly state problem .because Indian constitution give authority over the internal security to the state.

5.3 STATE RESPONSE: FRAGMENTARY PERIOD 1972 to 1991

5.3.1 Bihar Government Response from 1972 to 1991

After the suppression of Naxalbari movement of the Naxalites through firm hand by west Bengal government. The Naxalite moves hither and whither in the neighboring state including Central Bihar which dominated by the Maoist groups- the Communist Party of India (Marxist-Leninist)-Liberation Group, The Maoist Communist Centre and the Communist Party of India (Marxist-Leninist).³

During emergency through Operation Thunder the government become successful in capturing and killing a many number of prominent Naxalites leaders which was a blow to the various groups of Naxalism. But in 1977 once emergency was lifted, the CPI (ML) emerged as a main organization of Naxalites, spread

¹ Raman Dixit, "Naxalite Movement in India: The State's Response"4 IDSA 1(2010). Available at https://idsa.in/jds/4_2_2010_NaxaliteMovementinIndia_rdixit (last visited on 9 October 2019).

² Prakash Singh, *The Naxalite Movement in India*, 99-100 (New Delhi:Rupa & Co., 2006)

³ Ashwani Kumar, *Community Warriors: State, Peasants and Caste Armies in Bihar* 52 (Anthen, London 2008).

approximately 28 district of Bihar.⁴ The genesis of this problem is lower caste farmer support Naxalite activities, a strong caste identification and a wide difference between haves and have not, persistent atrocities committed by higher caste population over downtrodden people in some of the other which added the fuel to the fire and enhance the Naxalite activities particularly in some of the district of the Bihar.

For the first time in Bihar to deal with the Naxalite movement a private armies named Sena was constituted by the Bhumihar of the Bihar the people affected largely.

5.3.2 Operations by Bihar and Central Government

To redress the Naxalite violence with the joint effort of central and Bihar government an operation named Operations Siddharth and Rakshk was launched from 1988 to 1989.⁵ The main objective of the operation seems to be to boost the developmental scheme in the area from where Naxalites were given out by the military forces being huge number of para military forces personnel there accommodated in schools , hospitals , health centre which becomes a matter of inconvenience to the poor peasant which leads to resentment above local people the basic aim of Siddhartha was to implement land reform and inforce minimum wages but it leads to corruption and delay which was also a cause for local resentment . One can say that basic idea of operation seems to be pious and beneficiary but due to not proper implementation the operation becomes fruitless.

5.3.3 The Central Government Response

With the INC's turn to a more populist platform, new rural development and land reform initiatives effectively undercut the movement's base of support. With rural inequality receding rather than growing, the more militant cadres had a much harder time finding sympathetic base areas from which to operate. Even for those sections of the movement that drifted in a more moderate direction, the government's schemes were successful in stealing their rhetorical thunder and

⁴ Manoj Kumar, *The Naxalite Movement in Bihar: Ideology, Setting, Practice and Outcome* 4 (Manak Publications, New Delhi, 2012).

⁵ Ibid

foiling most attempts at mass organization; Naxalite candidates did not generally have much success at the polls, Santosh Rana's success notwithstanding.⁶ While these developments posed indirect problems for the Naxalites, a much more immediate challenge emerged with the imposition of the Emergency in 1975.

The government chose to react based on the latter point and so launched a massive police operation that drove the movement underground and brought most of its leaders under police custody within four months of the uprising. The emergency in 1975 was a period of *carte-blanche* to the state authorities to crush the movement. It led to the legitimization of violation of human rights by the state. But ironically, the movement arose again in a form of more violence after the end of the emergency. Police excesses like extra-judicial killings and extortion, misappropriation and harassment of the Naxal support base are public secrets, which governments have turned a blind eye to.⁷

Though not primarily directed at the Naxalites, the resultant political and security crackdowns hit the movement hard. Like most other opposition groups, all Naxalite organizations were banned and a number of leaders and party activists rearrested under the newly instituted Act.⁸ Among them were some of the Maoists' most effective organizers, including Kanu Sanyal, Ashim Chatterjee, and Satyanarayan Singh. Moreover, the security forces were given wide latitude in dealing with whatever opposition escaped the prison cell. Frequently, this entailed direct action like that of 'Operation Thunder,' which crushed the long-simmering unrest in Bhojpur with combined operations by the military and Central Reserve Police forces in 1977.⁹ Already in tatters after Mazumdar's death, the Naxalite movement was nearly destroyed by the center's expanded powers during the Emergency.¹⁰

Though on the one hand central government has taken all short of resort to crush the Naxalism or the Naxalites while on the other hand after emergency it was also New Delhi that granted it a new lease on life. The Janata government's

⁶ Ibid

⁷ Supra 1

⁸ Maintenance of Internal Security Act,

⁹ Supra note 4

¹⁰ Ajay Mehra, "Naxalism in India: Revolution or Terror?" 12 *TAPV*, 51-52 (2000). Available at <https://www.tandfonline.com/doi/abs/10.1080/09546550008427560> (last visited on 9 October, 2019).

promises to undo the excesses of the Emergency resulted in the release of hundreds of Naxalite prisoners all across the country in 1977 and 1978, the legalization of most of their organizations, and the easing of pressure by government security forces.¹¹ While this ultimately had the effect of moderating several factions and co-opting them into the political process, it also freed the more hard-core cadres to resume their subversive activities.

Though the Indian National Congress returned to power in New Delhi in 1980, it did not resume its previous activities against the Naxalites. This was due to the still extremely weak state of the movement. More importantly, however, the government already had its hands full with the growing unrest in Punjab and the Northeast. Nevertheless, the center's security initiatives with respect to these other regions reverberated among the Naxalites. The extremely aggressive response to these insurgencies likely helped convince the more moderate Maoists that the path of armed rebellion was untenable and provided some deterrent effect even to their more violent-minded brethren. Whatever the case, Naxalite violence remained at a sufficiently low ebb through the 1980 to permit the central government to largely dismiss it as a local law and order problem. The same could not necessarily be said for those states that were more directly affected.

5.4 STATE RESPONSE: CONSOLIDATION PERIOD FROM 1991 to PRESENT

From 1991 to present the government in order to attract the Naxalites and to bring them back in the main stream adopted a policy known as surrender policy in this policy the government make a promise that the Naxalites who surrender receive certain amount and also will get lesser punishment or no punishment at all. Along with generous rehabilitation programme should also launched for the Naxalites who made a surrender before the government.

With the change in the political scenario in Chhattisgarh Congress made government came in power in the year 2004 making a promise to have a dialog to the Naxalites by lifting the ban on people's war group and its front organization. And started a peace programme with the assistance of affluent person of the area.

¹¹ Supra note 4 at 122

But this peace talk failed and it led to resurgence of violence and further activities. However, in short this negotiation was futile.

5.4.1 Bihar Government Response

After the merger of PWG and MCC in 2004, Naxalite violence resurged in many states along the Red Corridor, making national headlines. The national government accelerated counterinsurgency operations. This involved sending additional central paramilitary forces in a surge-like tactic to Maoist-affected areas. Other initiatives were development-focused, requiring operationalization at the state level. The military operations of the late 2000 fostered resentment in areas where security forces attempting to clear villages of Maoists imposed costs on civilians. To compensate, the Ministry of Home Affairs increased funding for development projects in the same period, and directed states to shift their focus from projects to individuals and families in terms of civic action programs. Casualties from Naxalite violence in Bihar, which peaked in the mid-2000, have been declining steadily since 2010, with the exception of 2013.¹²

In Bihar casualties from Naxalite violence was at peak in mid-2000. But decline slowly from 2010 on word. In Bihar 1994 a Ranveer Sena¹³ was emerged and they carried out a series of deadly massacres from 1995 to 2000 they itself start working as Naxalites were doing.

5.4.1.1 Surrender Policy in Bihar 2001

Under the surrender policy of Bihar the governments provide rupee 10000 in lump sum and additional 3000 per month¹⁴ but the rate a person surrender was below the other Naxal affected state so in 2009 grant was increase with rupee 200000 and free education to children of the surrendered Naxals, rehabilitation programme and damage redressal programme but not implemented properly.¹⁵

¹² Available at http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/fatalitiesnaxalmha.htm (Last visited on October 10, 2019).

¹³ Supra 5

¹⁴ Pulla Rao, "Bihar Announced New Surrender and Rehabilitation Policy for Maoists," Jagran Josh, December 4, 2012, available at <http://www.jagranjosh.com/current-affairs/bihar-announced-new-surrender-and-rehabilitation-policy-formaoists-1386136419-1> (Last visited on October 10, 2019).

¹⁵ Available at http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/arrsurrender.htm (Last visited on October 10, 2019).

5.4.1.2 Aapki Sarkar Appke Dwar Program, 2006

The programme named your government at your door¹⁶ step was aimed to target the Naxal affected areas with significant developmental programme, building roads, schools, computer centers post office, health clinic, and other official premises.

5.4.1.3 Surrender Policy Amended, December 3, 2013

Bihar's original surrender policy was ineffective because the incentives were too low and the policy did not guarantee that Naxals would not be prosecuted. As a result, very few cadres surrendered under the program. Bihar State government amended the State's surrender policy on December 3, 2013. Under the new policy, Naxals that surrender are eligible to receive 250,000 rupees ~\$4,000, with additional compensation available for those surrendering with weapons. The money is kept in a bank and surrendered Naxals may claim it three years after their surrender.¹⁷ Until that time, they are eligible for a one-time payment of 10,000 rupees and a monthly benefit of 4,000 rupees. Manu Maharaaj, the senior superintendent of police in Patna, Bihar, said that the slow speed at which money is disbursed and general unawareness of the program have contributed to the low number of surrenders.¹⁸ The State government authorized additional funding in 2015 to address the low surrender rate.¹⁹

5.4.1.4 Operation Green Hunt, July 2009 to Present

While military operations may have reduced Naxalite forces by clearing and holding territory, the occupying forces have also imposed costs on civilians. Locals in Bihar have long-complained of security forces disrupting daily life. While Maoists have been known to attack school buildings, security forces have occupied

¹⁶ Available at <https://www.outlookindia.com/magazine/story/the-state-at-the-doorstep/265091> (Last visited on October 10, 2019).

¹⁷ Pulla Rao, "Bihar Announced New Surrender and Rehabilitation Policy for Maoists," Jagran Josh, December 4, 2012, available at <http://www.jagranjosh.com/current-affairs/bihar-announced-new-surrender-and-rehabilitation-policy-formaoists-1386136419> (Last visited on October 10, 2019).

¹⁸ Sayantanee Choudhury, "Rehab Scheme for Maoists Fails to Yield Desired Results in Bihar," The Times of India, January 13, 2016, available at <http://timesofindia.indiatimes.com/city/patna/Rehab-scheme-for-Maoists-fails-to-yield-desiredresults-in-Bihar/articleshow/50568658.cms> (Last visited on October 10, 2019).

¹⁹ Ibid

and destroyed school buildings, fostering resentment. Police forces often move to occupy schools after attacks by Maoists on police stations make those buildings unusable, and security forces frequently use school buildings for temporary shelter when conducting combing operations against Maoists in remote areas. A 2009 Human Rights Watch reported on the impact of the Maoist conflict on schools in Bihar and Jharkhand.

Maoists claim only to target schools that have been emptied of students occupied by security forces, which is how they justify their attacks on schools, but Human Rights Watch's research undermines that claim. The report suggested that Naxalites were "attacking government schools because they were the only government building in the remote rural areas."²⁰ Both of these activities disrupt children's education, regularly leading children to drop out or attend less regularly.

5.4.2 Chhattisgarh

From 1 November 2000 till present, Chhattisgarh has 27 districts and predominantly covered under the Schedule fifth²¹ of the Indian Constitution which gives special rights to regions with high tribal concentration. The new state struggled to deal with Naxal activity. This struggle was compounded by the instability of the first chief minister's government and the spillover of fighters from Andhra Pradesh. Following the 2004 merger of the PWG and MCC, Naxal activity surged in Chhattisgarh. In particular, the Dandakaranya region became an important command center for Naxals. The State response has been characterized by strong use of force. Beginning in 2008, the State armed the tribal Salwa Judum movement and accorded its members the status of Special Police Officers. The Indian Supreme Court ruled in 2011 that it is unconstitutional to arm civilians, particularly youth, in place of providing security. The State of Chhattisgarh disputes that ruling and is seeking to reinstate Salwa Judum. Chhattisgarh was also the site of the first Operation Green Hunt action in 2009, which led to the deaths of over 100 Naxalite. Due to Salwa Judum and Operation Green Hunt are the reason which contributed a great antigovernment sentiment in the areas.

²⁰ Available at <https://www.hrw.org/report/2009/12/09/sabotaged-schooling/naxalite-attacks-and-police-occupation-schools-indias-bihar> (Last visited on October 10, 2019).

²¹ The Constitution of India, 1950

Chhattisgarh is far away from many states in still production, revenue from mineral, bauxite, aluminum plant over and above zero power cut but unfortunately the Chhattisgarh is an area which are highly intensify Naxal violence. Particularly the district of Sarguja and Bastar since the areas have very lowest rate of education, health care as well as a very meager governmental facilities. A central report on the Panchayati extension to scheduled area Act clearly indicate that act had done very little for the welfare, protection and preservation of scheduled tribes lands.²²

5.4.2.1 Andhra Pradesh Greyhounds and its Effect

Greyhounds is an elite force with specialized knowledge of jungle warfare training which was inducted by the Andhra Pradesh state government in 1989.²³ The members of this force were picked up and after going a rigorous training they are put into action. The result was that most of the Naxalites escaped from Andhra Pradesh and crossed the border into Bastar and set up bases therein. The spillover effect of LWE was that Naxalites spread fast in a small framework of time. A zonal committee was formed by Naxals in 2004 in mythical Dandakaranya region. And run a Jantana Sarkar.

5.4.2.2 Surrender and Rehabilitation Policy 2004

Chhattisgarh's Surrender Policy of 2004 required surrendered Naxals to participate in anti-insurgency programme for which they are entitled to rupees 400 per month and rupees two lac fifty thousand approximately. But the report published in 2014 indicate that no Naxalites received their benefit however in Chhattisgarh the rate of surrender is very high.²⁴

²² A Report on Status of Panchayat Extension to Scheduled Areas (PESA) Act 1996 in the States of Andhra Pradesh, Orissa, Jharkhand, Gujarat, and Chhattisgarh, Government of India Planning Commission, p. 77, available at http://planningcommission.nic.in/reports/sereport/ser/ser_pesa.pdf (Last visited on October 11, 2019).

²³ "Andhra Model," India Today, April 8, 2010.

²⁴ Ibid.

²⁴ Ashutosh Bhardwaj, "70% Chhattisgarh Naxal Surrenders are neither 'Naxal' nor 'Surrenders,'" The Indian Express, December 8, 2014, available at <http://indianexpress.com/article/india/india-others/70-chhattisgarh-naxal-surrenders-are-neither-naxal-nor-surrenders/> (Last visited on October 11, 2019).

5.4.2.3 Establishment of Salwa Judum, 2005

In the Bastar division of Dantewara district Salwa Judum was established without any particular region but only as a counter insurgency operation. It was consist of very little educated and was at peak during 2005 to 2010. The Salwa Judum operation was criticized by security forces as well as national human right commission.

5.4.2.4 Forest Rights and their Implementation

The 2006 Forest Rights Act recognizes the historic rights of forest dwellers over forest resources. Implementation of the act has been hampered by poor awareness of its provisions throughout India. This is especially a problem in the large interior forest areas of Chhattisgarh.²⁵ A 2012 study found that some Chhattisgarh forest dwellers believed that local leaders had intentionally not told them about the Act for political purposes.²⁶ Although activists allege that Chhattisgarh has been slow to settle claims, their 42% settlement rate is in line with the national average, which is about 40%.²⁷ In 2016, Chhattisgarh became the first State to revoke land rights that had previously been granted under the Forest Rights Act. This was done to facilitate coal mining.²⁸

5.4.2.5 Ban on Salwa Judum and Special Police Officers

Due to decision of the Supreme Court the state government it suspended the Salwa Judum on April 11, 2006.

5.4.2.6 Operation Green Hunt

To flush out the Naxalite the Home Ministry permitted state police and COBARA commandos of the CRPF to make an operation as green hunt in 2009. In

²⁵ Madhusudan Bandi, "Forest Rights Act in Chhattisgarh and Gujarat: Unfolding the Dynamics in Implementation," 2 *JRD* 144(April 2015).

²⁶ Ibid at 140

²⁷ G Seetharaman, "Down Memory Lane: Forest Rights Act Yet to Achieve Major Milestones," The Economic Times, July 31, 2016, available at <http://economictimes.indiatimes.com/news/politics-and-nation/down-memory-lane-forestrights-act-yet-to-achieve-major-ilestones/articleshow/53469538.cms> (Last visited on October 11, 2019).

²⁸ Nitin Sethi, "Chhattisgarh Government Cancels Tribal Rights over Forest Lands," Business Standard, February 18, 2016, available at http://www.business-standard.com/article/current-affairs/chhattisgarh-govt-cancels-tribal-rights-overforest-lands-116021601327_1.html (Last visited on October 11, 2019).

which within a period of four days more than hundred Naxalites were reported to be killed.²⁹ However the Chhattisgarh government sometime in mid-2010 suspended this operation.³⁰

5.4.2.7 Counter Propaganda Campaign of Police

Bastar Police launches counter propaganda campaign to expose the real and ugly face of Maoist cadres. Contents of the propaganda would be also in Gondi, Halbi and other local tribal dialects in order to educate the local population about the misdeeds of Naxal movement.

The campaign named as “BASTAR THA MATTA” Gondi and “BASTAR CHO AWAAZ” in Halbi would make the local cadres realise the anti-tribal and anti-development plot of senior Maoist cadres.

Inspector General of Police Bastar Range³¹ said that

“Addressing the challenges of Left Wing Extremism remains top on the priority list of Bastar Police for the last two decades. The popular three pronged strategy namely “Vishwas, Vikas and Suraksha” being adopted by security forces have yielded positive results in Bastar Region.”

Over these years the local police force with the help of central paramilitary forces like CRPF, BSF, ITBP & SSB have made much inroads into the erstwhile strong hold areas of CPI Maoists. Induction of well trained and highly motivated special anti Naxal task forces like DRG, STF and COBRA has given the much required operational edge to the security forces.

Sundarraaj Pattilingam, Inspector General of Police, Bastar Range mentions that in addition to the ongoing offensive operations against the red guerillas, there is a strong need to expose the real and ugly face of the Maoists. For the same purpose Bastar Police has launched a counter propaganda psyops against the misdeeds of Maoists.

²⁹ “Chhattisgarh Attack ‘Consequence’ of Green Hunt: Maoist Leader,” Hindustan Times, April 6, 2010, available at <http://www.hindustantimes.com/delhi-news/chhattisgarh-attack-consequence-of-green-hunt-maoist-leader/storyG4utwRHT24hNgnug1PLs1L.html> (Last visited on October 11, 2019).

³⁰ Personal interview, Inspector Umashankar Jaangade (S.I.B. PHQ) Raipur, Chhattisgarh, during field visit.

³¹ I.P.S., Sundarraaj Pattilingam, Inspector General of Police Bastar Range, Chhattisgarh.

Through a series of posters, short films, audio clips and other popular propaganda methodologies Bastar Police would wage a high intensity campaign against the anti-tribal and anti-developmental activities of the Naxals. Contents in Gondi, Halbi and other local tribal dialects would be highlight of this campaign.

The campaign named as “BASTAR THA MATTA” in Gondi and “BASTAR CHO AWAAZ” in Halbi meaning voice of Bastar would reflect the emotions and sentiments of the Bastar people to the outside world.

IGP Bastar Range believes that this counter propaganda war would not only help the security forces to portray the Maoist atrocities but also make local cadres realise how they have been misguided and misused by their senior cadres.

5.4.2.8 Achievements of Anti Naxal Operations Chhattisgarh³²

In Chhattisgarh the following steps have been taken by the state government to restrict the Naxalism

5.4.2.8.1 Special Intelligence Bureau

Chhattisgarh government has established Special Intelligence Bureau in 2004 for effective control over the Maoist activities and to collect reliable informations about the Naxalite activities and operations against the Naxalites accordingly. The special intelligence bureau is on the path of progress and doing a commendable job in Chhattisgarh.

5.4.2.8.2 Rehabilitation and Surrender Policy

In 2004 to rehabilitate the victim of Naxalism and the Naxalites who surrendered a policy named Rehabilitation and Surrender Policy was made and amended in 2015.

5.4.2.8.3 Joint Command Control Centre

To exchange the information and curb the Naxal activities Joint Command Control Centre has been established. JCCC and State Multi Agency Centre every

³² Personal interview, Inspector Vishnu Deshmukh (S.I.B., PHQ) Raipur during field visit.

Monday exchange of information and on the information successful anti Naxal Operation are being conducted and curbing over Maoist activity. Information collected by Special Intelligence Bureau has been appreciated by central information bureau several times.

5.4.2.8.4 Encouragement on The Success of The Encounter

To encourage the morale of the police officials and their staff, government awarded Virta Padak to the officials.

5.4.2.8.5 Chhattisgarh Special Public Security Act, 2005

By section 3 (1) of the Act to curb the Maoist activities these organization and their subsidiary were declared unlawful.

5.4.2.8.6 Ideological War Against Maoist

With the help of banner of SAI App, poster, pamphlets, especially in language of Chhattisgarhi, Halbi, Gondi, anti-Maoist ideological war has been conducted in certain Naxalite affected area on public places weekly market, public places, bus stands etc.

GINGLE has been prepared in Hindi, Chhattisgarhi, Halbi, Gondi, and it is broadcasting by Akashvani. Programmes such as Suraj Ki Kahani, Sukku Ki Sikil, and Ballu ki Jubani videos has been made and distributed on Main Places and through the What's up, Facebook and Social Media peoples has been indulged in the abolition of Naxalism. Another side Maoist's has been inspired to surrender. Due to the ideological war Maoist activities has been decreased.

5.4.2.8.7 New Vacancies in DRG and STF

The state government to boost the morale of the official increase the vacancies in DRG and STF.

5.4.2.8.8 To Increase Inam Amount Surrendered Naxalites

On a movement chalk out by the state government in the name of rehabilitation and surrendered policy a number of facilities including lump sum

amount paid to Naxalite shall be increased. In present time these amounts are between the one lac to one crore.

5.4.3 Jharkhand

Like other state Jharkhand is also affected badly by Naxalite movement due to which natural resources like iron ore, manganese, coal, limestone, graphite, quartzite, asbestos, lead, zinc, copper, and some gold, among others. It also is one of the leading states in generating electricity from thermal and hydroelectric plants. However, the fruits of these gifts have eluded the tribal population of the state. The basic problem of the state is two-fold:

Firstly, since its inception, the state of Jharkhand has remained politically unstable with the political landscape remaining marred with successive corrupt governments and long periods of President's Rule imposed. The state has seen 10 governments and three tenures of President's Rule imposed in the last 14 years.

Secondly, the Constitutional provisions for Schedule V³³ areas which govern a large part of the state owing to its high tribal population, have not been followed leading to exploitation of the natural resources in the state without taking into consideration the tribal interest. In fact, in Jharkhand, the Panchayat Extension to Schedule Areas Act, 1996³⁴ has not been implemented at all because there haven't been any elections to appoint the Gram Sabhas or Village Councils as is mandated under the Schedule V. This has led to a complete failure of local self-governance too.³⁵ As a consequence, Jharkhand emerged as one of the worst affected states in India's Red Corridor. In 2013, 22 of Jharkhand's 24 districts were affected by Naxalism. In that year Jharkhand also recorded the highest number of casualties due to Naxal violence.³⁶ The tribals in Jharkhand have been fighting for their right to self-determination and autonomy since before the First War of Independence in

³³ The Constitution of India, 1950.

³⁴ The Provisions of the Panchayats (Extension to the Scheduled Areas) Act of 1996, Parliament of the Republic of India No. 40 of 1996 (1996), available at <http://tribal.nic.in/actRules/PESA.pdf> (Last visited on October 12, 2019).

³⁵ "Development Challenges in Extremist Affected Areas - Report of an Expert Group to Planning Commission," Government of India, 2008, available at http://planningcommission.gov.in/reports/publications/rep_dce.pdf (Last visited on October 12, 2019).

³⁶ Fatalities in Left-Wing Extremism: 1999-2016 (MHA), South Asia Terrorism Portal, available at http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/fatalitiesnaxalmha.htm (Last visited on October 12, 2019).

1857. The tribal areas of Jharkhand are mineral rich and have historically been exploited by outside interests. The main issues that brought together the disparate tribal communities to demand a separate state related to regional economic issues, particularly rights over resources.³⁷

5.4.3.1 Shanti Sena and Special Police Officers, 2000

The Shanti Sena or army of peace was the first concerted effort by the Odisha state government to combat the Naxal threat in the state by reaching out to the locals for support. It was initiated in 1998. Jharkhand adopted this step as well after the state's creation in 2000. While there isn't much official information available about the strength, functioning or modus operandi of this civilian force, it is believed to have started on the principles of non-violence, solely for the purpose of ground-level intelligence gathering. In recent times, there have been allegations of armed cadres from Shanti Sena committing acts of extortion from landlords, industrialists, and businessman on the pretext to fight against the Naxalites and human rights violation.³⁸

5.4.3.2 Surrender and Rehabilitation Policy (Nayi Disha), 2001

Jharkhand's surrender policy was introduced in 2001 and amended in 2003, 2009, 2015 and 2016.³⁹ As of 2016, the policy provided each surrendered Naxal with a surrender reward of 50,000 Rs., a monthly stipend of 5,000 Rs., education for his/her children, a vocational training program, land, and any reward posted for the specific person.⁴⁰ The policy came under fire in 2017.

5.4.3.3 Peaceful Settlement of January 2010

Jharkhand's new Chief Minister Shibu Soren offered them to have talks with government. But unfortunately the talk never materialized.

³⁷ Kalyan Chaudhuri, "The Day of Jharkhand," *Frontline* Vol 17, Iss 24 (2000) available at <http://www.frontline.in/static/html/fl1724/17240320.htm> (Last visited on October 12, 2019).

³⁸ Inputs based of field visit to Gumla district in Jharkhand in 2018.

³⁹ Sudhir Kumar Mishra, "Jharkhand Has Open Mind on Rebel Rehab Policy," *The Telegraph*, May 17, 2017

⁴⁰ Sanjeev Rha, "Maoist Surrenders to Move in NayiDisha," *The Pioneer*, September 1, 2016

5.4.3.4 Saranda Action Plan (Jharkhand) 30 January 2012

The key features of the Saranda Action Plan are as follows:⁴¹

1. Distribution of Solar Lamps, Bicycles, Transistors, and Musical Instruments to all the 7000 families in the areas recognized and targeted under the SAP.
2. Installation of 200 hand-pumps in the villages.
3. To bring all the 7000 families under Below Poverty Line Scheme and Indira Awas Yojana.
4. Under Forest Right Act, 2006 to distribute land pattas /ownership titles up to 4 hectares and old age pension to the eligible families and persons, respectively.
5. Steel Authority of India has been asked to assist in construction of one Integrated Developmental Centres under its Corporate Social Responsibility activities. These IDCs would have Public Distribution System shops, Health Sub-Sectors, Agriculture Information Centres, Bank/Post Office, Market, Godowns, etc. The proposal is to construct 10 IDCs at a cost of Rs. 5 crore each. SAIL has been further asked to consider running health-centres and supply vehicles for local public transport facilities. SAIL is actively involved in the mining of iron ore in the Chiriyia Mines located within the Saranda forest.
6. CRPF battalions would set up camps in the area to provide security cover to the local population and developmental initiatives.

With the implementation of SAP, the security forces managed to gain substantial ground in terms of garnering local support against the Naxalites.

5.4.3.5 Formation of Splinter Groups, July 2004 Onwards

Jharkhand's leftist insurgency is peculiar in the sense that it is the only state where more than 20 break-away splinter groups are simultaneously functioning and carrying out attacks, sometimes even against each other. One of the main splinter groups is Tiritiya Prastuti Committee. The CPI (Marxist-Leninist), the pre-cursor to the CPI (Maoist) had faced mass exodus of Naxalites belonging to Scheduled Tribe and Other Backward Classes from the outfit in the state in July 2004. Dissatisfied

⁴¹ Saranda Action Plan, Minister of Rural Development, October, 2011, available at http://www.satp.org/satporgtp/countries/india/maoist/documents/papers/SARANDA_ACTION_PLA N.pdf (Last visited on October 13, 2019).

with the interference of the Yadav community members who originally hail from the state of Bihar and form the second-rung leadership in the parent organization, influencing major decision making process, the tribal and backward class foot-soldiers snapped ties with the CPI (Maoist) to form a separate outfit: TPC. The group was originally led by a Jharkhand leader known as 'Bharajti.' and Brajesh Kunju.⁴²

The initial motivation for these factions to break away from the Central organization was the caste equations. These splinter groups alleged that the CPI (Maoist) practiced disruptive and divisive caste politics internally which were not conducive to the tribal cause.⁴³ Therefore, these groups not only broke away from CPI (Maoist), but also vowed to finish off the Party in Jharkhand. In reality, however, it is more to do with the competition in extortion areas. According to a former senior government official from the Ministry of Home Affairs, while on one hand, internal factionalism in Jharkhand has led to a problem in dealing with Naxalism as it is challenging to conduct peace dialogues and arrive at a compromise and a comprehensive peace accord with so many groups; on the other hand, constant in-fighting has led to weakening of Naxalite structures substantially. Nevertheless, the presence of so many factions has changed the trajectory of conflict in the state and given it a peculiar character.

5.4.4 Uttar Pradesh Policy

Naxalite movement in Uttar Pradesh due to the influx of the Naxalites from adjoining district of the state in eastern part of the Uttar Pradesh particularly Chandauli, Sonbhadra and Mirzapur become a safeguard for Naxalites. However in Uttar Pradesh most populated state of India land reform, a great cause of Naxalism was done by the government in the year , 1950 itself by passing Uttar Pradesh Zamindari Abolition and land reform Act, and some other dealing with the Land reform such as Land Acquisition Act, etc.

⁴² Biswajit Roy, "Splinter Groups Battle Maoists, Troops Cash in," The Telegraph, January 18, 2013, available at http://www.telegraphindia.com/1130118/jsp/nation/story_16456216.jsp#.VUYAedKqqk o (Last visited on October 13, 2019).

⁴³ Ibid.

With the changing times, Uttar Pradesh revenue administration had to realize the need for change of their approach towards tenancy. In fact, in Uttar Pradesh, the hidden sharecropping is rampant. The person who cultivates the land of another person on Adhia, Batia or Bhag is called sharecropper. In Uttar Pradesh, there are millions of instances where people are leasing out their land for cultivation. The transactions are like ordinary business transactions for a season, for a year or more. Seeing these types of cultivation in Uttar Pradesh, one tends to support contract farming though contract farming is anti-farmer and it has to be adopted only in a limited way in a well-defined conditional environment.⁴⁴

5.4.4.1 Recording of Sharecroppers in Uttar Pradesh

Under Section 33-A(2) of the Uttar Pradesh Land Revenue Act⁴⁵ says that the provision has been substituted as under:

“The provisions of Sub-Section 1 shall mutatis mutandis apply to a person who has been admitted as a Sirdar of any land U/S 195 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, before the commencement of the Uttar Pradesh Land Laws Amendment Act, 1977 or as a Bhumidhar with non-transferrable rights under said section after such commencement, or as an Asami of any land U/S 97 to the first mentioned Act.”

The State should arrange for recording of Asami on a large scale as a policy as Kanungo and other lower officers will not be able to face the powerful lobby of landholders in villages. This can be achieved on the same pattern as ‘Operation Barga’ in West Bengal.⁴⁶

5.4.4.2 Surplus Land Distribution by Government

Unfortunately Uttar Pradesh is lags behind in distribution of land. even a larger state of the country, only 2,63,225 acres of agricultural land could be distributed out of 3,39,385 acres of land available for distribution. Total number of beneficiaries are 3,03,867, whereas in West Bengal total number of beneficiaries are 28.5 lakh. Land under litigation is about 50,000 acres. And waste-land distributed is 24.89 lakh acres as per 2006-07 report published by the Ministry of Rural Development, Government of India in April 2007.

⁴⁴ Ibid., 89

⁴⁵ Uttar Pradesh Land Revenue Act No 8 of 1977,

⁴⁶ Dr. PK Agrawal, IAS (Retd), *Solution to Naxalism* 90-91 (Manas Publications, New Delhi, 2016).

Out of 96.36 per cent persons found in possession of land, only 66.59 per cent were recorded in revenue records as per survey in 1992. This gap needs to be filled-up immediately. The ceiling limit for irrigated land with two crops is 7.30 hectare, for one crop 10.95 ha and for dry land it is 18.25 ha. This should be reduced to 5 ha, 7.5 ha and 12 ha respectively process of vesting should go on Exemptions of religious and charitable trust from imposition of ceiling, exemptions of groves and Abadi, Benami transactions, transfers by the adverse possessions, arithmetical mistake, incorrect compilation of 61-B total landholding of a person in Uttar Pradesh. Hibba name by Muslims and problems in the definition of family, were some of the reasons behind failure of Land Complications in deciding ceiling limits for various, qualities to land and defining family, lead to prolonged trail of cases, leading to higher possibility of mischief. Many people were shown 'dead' before 1973 on the basis of certificates given in Gram Pradhans.⁴⁷

But because of delay in allotment, allottees are unable to take effective possession of the allotted land. Land Army should be constituted to take over possession of Patta land by Pattadars like in the previous regime of Mulayam Singh government. Land is sometimes not allotted to deserving persons. In courts, State is represented by Naib Tahasildars, who very often are not aware of the up to date position of laws and rules and also are no match to the lawyers engaged by parties in marshalling laws and evidence. Minor officials are at the mercy of influential large landowners. Land allotted is more often Usar and Banjar.

However in Uttar Pradesh the downtrodden person are not properly organized and having no voice of their. Therefore the person in charge of these activities are not taking much care as well as loopholes in the ceiling laws are also responsible for such activities.⁴⁸

5.4.5 Central Government Response

Due to vehement challenge of Naxalite the central government give a serious attention to Naxalite problem in 1998 by constituting a Coordination Centre. The

⁴⁷ Ibid., 92-93

⁴⁸ Ibid., 93-94

members included the Director Generals of Police of Maharashtra, Madhya Pradesh, Andhra Pradesh and Orissa.⁴⁹

The Ministry of Home Affairs suggested to formulate a holistic security and development plan to deal with the issue comprehensively. While the affected states procrastinated in formulating and submitting their action plans, the MHA, too took a rather lighter view of the challenge.

Overall, India has been extremely reluctant to recognize the danger posed by the Maoist insurgency. Throughout the 1990s, New Delhi habitually characterized the movement as a localized law and order problem that posed no direct danger to the state. To be fair, this was probably true while the insurgency remained confined to Andhra Pradesh and Bihar, but the inertia of this opinion prevented the acknowledgment of Naxalism's growing strength as the unification process progressed through the early 2000s. This development caught the central government flatfooted, and its response to the insurgency has thus far been incoherent and inadequate.

5.4.5.1 Peace Dialog with Naxal Outfits

States are free to engage Naxal outfits in peace dialogue within the framework of the Constitution and the Central Government will render the necessary help and assistance in this regard.⁵⁰ While the Prime Minister's Office has issued numerous statements on the growing threat of Naxalite activity since 2004, the Ministry of Home Affairs, the department responsible for internal security, tends to downplay it.

5.4.5.2 The Chief Minister's Standing Committee

On the basis of the consensus emerged on 2005 meeting a Standing Committee was constituted under the chairmanship of the Union Home Minister

⁴⁹ V.R. Raghavan,(ed.), *The Naxal Threat Causes, State Responses and consequences* 72(Vij Books India Pvt Ltd New Delhi, India, 2011).

⁵⁰ Government of India, *Annual Report 2003-2004* (Ministry of Home Affairs, 2004).

with the Chief Ministers of thirteen Naxal-affected States as its Members. Firstly meet in 2005.⁵¹ The major decisions taken by the standing committee are as such:

1. To adopt a collective approach and pursue a coordinated response to effectively combat Naxalism. Joint operations to be conducted and mechanisms institutionalized for this purpose; accord a high priority to effective implementation of land reforms including distribution of surplus land to the landless and the poor in the Naxal-affected areas;
2. To ensure full and proper utilisation of funds given to them under Police Modernization, SRE, BDI, food for work programme and employment guarantee schemes and also to bring in their matching contribution;
3. To prepare an Action Plan to combat Naxalism on both security and developmental aspects in a time bound manner;
4. To strengthen and upgrade State Police as also the intelligence network;
5. To appoint Nodal Officers to deal with Naxal related issues and to have better coordination amongst themselves and with the Central Government; and
6. To set-up special and stable administrative structures at the State and district levels for better governance and faster socioeconomic development in the Naxal affected areas.⁵²

5.5.5.3 Central government Policy and Naxalism

The union Government have been pursuing a clearly defined policy to combat the challenge posed by the Naxalism. This policy includes the following characteristics: ·

1. The Government will deal sternly with the Naxalites indulging in violence.
2. Keeping in view that Naxalism is not merely a law and order problem, the policy of the Government, is to address this menace simultaneously on political, security, development and public perception management fronts in a holistic manner. ·
3. Naxalism being an inter-State problem, the States will adopt a collective approach and pursue a coordinated response to counter it. ·

⁵¹ Pursuant to the decision taken in the Chief Minister's Conference on Internal Security and Law & Order held on April 15, 2005.

⁵² Government of India, *Annual Report 2005-2006* (Ministry of Home Affairs, 2006)

4. There will be no peace dialogue by the affected States with the Naxal groups unless the latter give up violence and arms.
5. The State Governments will need to accord a higher priority to ensure faster socio-economic development in the Naxal affected or prone areas. The focus areas should be to distribute land to the landless poor as part of the speedy implementation of land reforms, ensure development of physical infrastructure like roads, communication, power, etc. and provide employment opportunities to youth in these areas.
6. The Central Government will continue to supplement the efforts and resources of the affected States on both security and development fronts and bring greater coordination between the States to successfully tackle the problem.⁵³

5.4.5.4 Naxal Management Division

In 2006 the home ministry in order to challenge the Naxalite on both front security and development a Naxal Management Division was established.⁵⁴

Naxalites typically operate in a vacuum created by inadequacy of administrative and political institutions, despite local demands and take advantage of the prevalent disaffection and perceived injustice among the under privileged and remote segments of population. However it cannot said that Naxalism is not only and exclusively barely a law and order problem but it has a socioeconomic dimensions also. A multi-pronged strategy essentially of sustained and effective police action coupled with accelerated socio-economic development and management of public perception is being pursued to effectively tackle the Naxalite menace.

But the United Progressive Alliance governments during 2004 and 2014 laid down the building blocks for India's anti-Maoist response, the current National Democratic Alliance government adopted more or less the same policy to run away the Maoist movement.

⁵³ Ibid.

⁵⁴ Government of India, *Annual Report 2009-2020* (Ministry of Home Affairs, 2010)

5.4.5.5 Strategy

Strategy is broadly classified into four aspect

1. Two pronged
2. Three pronged strategy
3. Four pronged strategy
4. Eight pronged strategy

5.4.5.5.1 Two Pronged Strategy

New Delhi has voiced its preference for a ‘two-pronged strategy.’

One law and order approach include concrete steps like additional central funding for the modernization, training, and expansion of state police forces, the augmentation of state units with battalions of the Central Reserve Police Force, and the provision of specialized equipment, including armored personnel carriers and unmanned aerial reconnaissance vehicles. Centre has also established a number of committees, commissions, coordination centers, and joint task forces that bring together representatives from the Naxal-affected states, central government ministries, and security forces in an effort to enhance intelligence sharing and coordinate counterinsurgent activities.⁵⁵ However the central activities are not functioned properly due to the lack of coordination among them.

Two development approach, the Backward Districts Initiative and Backward Regions Grant Fund were established to augment state government spending on infrastructure and development projects. In addition to the Standing Committee of the Chief Ministers of the Naxal-Affected States, the states are urged to ensure implementation of existing legislation that guarantee the land rights of Scheduled Castes and Tribes.⁵⁶ While other bodies also address development issues, none of these are anything but advisory in nature, with local governments retaining control of program implementation.

⁵⁵ P.V. Ramana and Gen. V.P. Malik, “Policy to Fight Naxalism: Need for Political Consensus,” Observer Research Foundation, Available at <https://www.orfonline.org/research/policy-to-fight-naxalism-need-for-political-consensus/> (last visited on October 9, 2019)

⁵⁶ Government of India, *National Common Minimum Programme: Recommendations on Tribal Welfare and Development*, (National Advisory Council, 2004).

5.4.5.5.1.1 The Law and Order Approach

The law and order approach continues as to the key pillar of the Centre's counterinsurgency strategy. This approach is well evident by deployment of approximately 532 companies of central paramilitary forces in the Naxalite dense areas till 2017.⁵⁷ However central government the then prime minister Man Moan Singh issued a blue print to chalk the menace of the Maoist.

Firstly in the year 2006, this blueprint content 14 point policy and center on took a number of security centric measures adopted to redress or address the Maoist movement. Some of the other measures are also taken by the central government to sharp the teeth of the police official and other organizations to tackle the Maoist movement properly and effectively. Some of these measures are such as:

5.4.5.5.1.1.1 Modernisation of Police Forces

To tackle the Maoist movement police modernization and improvement in intelligence gathering was and the top of the priority of the central government.

5.4.5.5.1.1.2 Inter-State Joint Anti-Naxal Operations

The problem of Naxalism is not only of one state but it is an interstate problem. Naxailism knows no political boundaries or physical boundaries therefore to curb their activities Inter-State Joint Anti-Naxal Operations is the only remedy to curb the menace. For such special police units was established to tackle these problem.⁵⁸

5.4.5.5.1.1.3 Strengthening Intelligence Networks

In India particularly local intelligence bureau is more or less on its last leg. The central with close connection with the states took a number of precautionary measures to strengthen and upgrade the ability, capability and functioning of the intelligence agencies. Out of the various step taken by the central government one of the most important and noteworthy step includes setting of Joint Command and

⁵⁷ MHA Annual Report, 2017. <https://mha.gov.in/documents/annualreports>

⁵⁸ Government of India, *Annual Report 2006-2007* (Ministry of Home Affairs, 2007)

Control Centre to strengthen the capability of the technical and human resources of intelligence.

5.4.5.5.1.4 Aiding States in Security-Related Infrastructure

No work can be comes to its day unless, financially supported by the centre to fulfill the financial need of the state and the point of anti-Maoist strategy a fund in the name of security related expenditure scheme was formulated by the central government. In which the central government will reimburse the 50% of the state expenditure happen to be executed the various problem inbuilt because of Naxalism.

5.4.5.5.1.5 Deployment of Central Paramilitary Forces

The central government is always ready to deploy central para military forces in the Naxal affected areas provided to this effect request is made by the state government.

5.4.5.5.1.6 Special Infrastructure Scheme

To fulfill the gap the central government created the special infrastructure scheme. The scheme includes of mobility for the police and security forces by upgrading existing roads and rail tracks in inaccessible areas, and providing secure camping grounds and helipads at strategic locations in remote and interior areas. Under the scheme, some 250 Fortified Police Stations were opened in LWE-affected states. The current central government has increased the number of stations to 400. In addition, in December 2016, the Union government approved road connectivity projects in 44 of the worst-affected districts and allocated a substantial sum of resources Indian Rupees 14025 crore for setting up telephone infrastructure in those areas. Further, the scheme provides funds for the creation of training infrastructure, weaponry, vehicles, and other related items for upgrade in LWE-affected states.

5.4.5.5.1.1.7 Ban on the CPI (Maoist)

The central government to put a tremendous pressure upon Naxalite put a country wise ban against CPI (Maoist) under the Act known as Unlawful Activities (Prevention) Act⁵⁹ adopted by central government.

5.4.5.5.1.1.8 Strengthening Monitoring and Coordination Mechanisms

The following measures have been taken by central government for the effective control of Naxalism. These are

1. The Centre set up a high-level Task Force under Cabinet Secretary for promoting coordinated efforts across a range of security and development measures.
2. A Coordination Centre chaired by the Union Home Secretary was set up to review and coordinate the efforts of the concerned State governments in close consultation with Chief Secretaries and Directors General of Police of respective states.
3. A Task Force headed by a Special Secretary or Internal Security in the Ministry of Home Affairs with senior officers from Intelligence agencies, Central paramilitary forces and State police forces was set up to deliberate upon the operational strategies.
4. An Inter-Ministerial Group headed by Additional Secretary Naxal Management was set up to oversee effective implementation of development schemes in LWE areas.⁶⁰
5. A dedicated Naxal Management Division headed by an Additional Secretary was brought in within Home Ministry to oversee and provide actionable inputs.
6. The UPA-2 also brought in a Unified Command to further strengthen the ongoing anti-Maoist operations among four worst affected states- Chhattisgarh, Odisha, Jharkhand and West Bengal. This was unofficially called Operation

⁵⁹ Available at https://mha.gov.in/sites/default/files/UAPA1967_0.pdf (Last visited on September, 19, 2019).

⁶⁰ Available at https://mha.gov.in/division_of_mha/left-wing-extremism-division (Last visited on September 19, 2019).

Green Hunt. The Unified Command is meant to strengthen intelligence and operational coordination, and launch coordinated attacks on the Maoists.⁶¹

5.4.5.5.1.9 Construction/ Strengthening of Fortified Police Stations

The Ministry of Home Affairs has been implementing a scheme to assist the State Governments in construction/strengthening of 400 Fortified Police Stations @`2.00 crore per police station in Left Wing Extremist affected districts on 80:20 Centre share: State share basis. Under the scheme, `623.89 crore has been released during the year 2010-11 to 2015-16 and construction of 356 fortified police stations.⁶²

5.4.5.5.1.10 Deployment of Central Armed Police Forces

In state mostly infected by Naxalism central armed police force including Specialized Force trained and equipped for counterinsurgency and jungle-warfare operations, named as Commando Battalions for Resolute Action were deployed in the states.

5.4.5.5.1.11 India Reserve Battalions

The central government to the state highly affected by LWE, sanctioned Indian reserve battalion to strengthen the security problem of the particular state.

5.4.5.5.1.12 CIAT Schools

11th Plan period, approved to set up the Counter Insurgency and Anti-Terrorist Schools in LWE affected States.

5.4.5.5.1.13 Scheme for Special Infrastructure

By 11th plan another scheme named scheme for special infrastructure with an allocation rupee 500 crore approved which cover the schemes which are already in existence.

⁶¹ Available at <http://www.business-standard.com/india/news/cms-meet-agrees-to-set-unified-command-to-combat-naxals/101376/on> (Last visited on September 20, 2019).

⁶² Government of India, *Annual Report 2011-2012* (Ministry of Home Affairs, 2012).

5.4.5.5.1.14 Recruitment in Central Armed Police Forces

To give employment to the local youth to avoid them joining the path of militancy, left wing a guideline was issued to permit 40% employment in CRPF among the local youth.

5.4.5.5.1.15 Fortified Police Stations

The Central Government has started a new scheme to assist the State Governments in construction/ strengthening of 400 Fortified Police Stations @ R2 crore each in Left Wing Extremist affected Districts on 80:20 basis over and above the existing allocations. Under this scheme, R10 crore was released during 2010-11 and R110 crore has been released in the current year so far.

5.4.5.5.1.2 Developmental Programmes

The main aim of population centric counter insurgency was mostly to will the hearts and minds of local population densely affected by Maoist / Naxalites, was the idea of successive government at the centre. The movement began at 1967 and lasted till mid-1990. However, since this counter insurgency not become fully to control the Maoist activities hence the centre government initiated a series of developmental and good governance measures to develop the particular area and also to discourage the local youth to participate in Maoist activities.

An expert committee under the chairmanship of D. Bandhopadhyaya⁶³ to carry out and take cognizance of socio economic development of that region and also to suggest remedial measure to plug the loopholes or to fill up the deficit taking into cognizance of the suggestion of the expert committee the government transfer an unprecedented amount of resources to the areas mostly affected by Maoist insurgency. One such measure is integrated action plan launched by the UPA government at the centre to develop the district mostly affected by left wing extremism and to complete the work a package of rupees six thousand crore per

⁶³ In 2006, the Planning Commission of India under the leadership of D. Bandyopadhyay set up the committee to look into this political phenomenon. The Expert Committee Report which came out very critical of government's track records and approach (which it thought heavily security centric) traced the growing LWE phenomenon to land alienation, poverty amongst scheduled tribes and Dalits and lack of access to basic forest resources. Available at http://planningcommission.nic.in/reports/publications/rep_dce.pdf (Last visited on September 20, 2019).

anum was sanctioned. But however NDA government has disbanded IAP scheme. And in this place our own scheme called special central assistance for 35 district mostly affected district of LWE was granted. Though a persistence was made by environmentalist and NGOs to protect the and short out the long strengthening grievances of Adivasi regarding forest resources was rectified by passing an act , named Forest Dwellers Act ,2006. Along with this the NDA government promulgated a new scheme civil action plan to provide financial grant for welfare activities in the LWE affected areas to win the good will of the sufferers . Another scheme known universal service obligation fund of rupees 7330 crore was granted by the centre to provide financial and administrative support to expelled the 96 district of 10 states. Like wise to take cognizance of education and employment in Maoist affected areas the ministry of skill development and entrepreneurship launched to new schemes known as skill development in 47 LWE affected district and Pradhanmantri Kaushal Vikas Yozanaa for creating infrastructure and providing employment link. Skill training for the youth of the affected areas like wise under Din Dayal Gram Jyoti Yozana more than in 7065 villages the work of electrification is completed. To promote education the central government under Rastriya Madhyamik Shikhsa Abhiyan has upgraded approximately 1600 schools and pass an order for construction of 350 girls hostel beside this 8 Kendriya Vidyalay and five Jawahar Navoday Vidyalay has also been sanctioned in the most affected LWE district.⁶⁴

5.4.5.5.1.2.1 Monitoring and Implementation

To take the justification of implementation and monitoring of various schemes empowered committee was constituted. The following schemes are monitored by the Empowered Committee:

1. Pradhan Mantri Gram Sadak Yojana
2. National Rural Health Mission
3. Ashram School
4. Mahatma Gandhi National Rural Employment Guarantee Act

⁶⁴ Niranjana Sahoo, "Dealing with Maoist Threats, Development and Governance Conundrum", 2 *ICSSRJ* (2013).

5. Sarva Shiksha Abhiyan
6. National Rural Drinking Water Programme
7. Pradhan Mantri Kaushal Vikas Yojana
8. Deen Dayal Upadhyay Graam Jyoti Yojana
9. Integrated Child Development Services
10. Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Right) Act, 2006.

Since the ministry of home affair is taking a great interest to minimize the suffering of the sufferer and to develop the particular area the other ministry of the central government also start to play their positive role. Some of the ministry which contribute towards the development of that region are as follows

Ministry of environment and forest. The union home minister and home secretary have been with the help of regular meeting are monitoring the implementation of various schemes sponsored by the central government and to carry out such monitoring more than 20 meeting and video conferences has been held so far.

5.4.5.5.1.2.2 The Ministry of Environment and Forest

The Ministry of Environment and Forest has extended general approval under section 2 of the Forest (Conservation) Act, 1980 for diversion of forest land in LWE affected areas up to 5 hectares for activities like schools, dispensaries / hospitals, electrical and telecommunication lines, drinking water, water / rain water harvesting structures, minor irrigation canal, non-conventional sources of energy, skill up-gradation / vocational training centre, power sub-stations, all categories of roads and quarrying of materials used in construction of public roads, setting up of medical colleges, communication posts and police establishments like police stations / outposts / border outposts / watch towers in sensitive areas and laying of optical fiber cables, telephone lines & drinking water supply lines.⁶⁵

⁶⁵ Position till 31.12.2018

5.4.5.5.1.2.3 Road Requirement Plan-I

The central government approved a road requirement plan I to provide the adequate road connectivity to the LWE affected district of the states, in which 5,422 kms with the cost of rupees 858 5 crore was sanctioned of which 4195 kms road has been completed.

5.4.5.5.1.2.4 Road Connectivity Project

The state government as provide approval to the central sponsored scheme in 2016 namely "Road Connectivity Project for Left Wing Extremism Affected Areas" to improve the rural road connectivity in the worst LWE affected districts from security angle. Along with 126 bridges was also sanctioned to be constructed.

5.4.5.5.1.2.5 LWE Mobile Tower Project

The Department of Telecommunication, Ministry of Communications and Information Technology approve the installation of 2199 mobile tower in LWE affected states.

5.4.5.5.1.2.6 Implementation of Act, 2006

An act with the name the Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2006 was enacted by the government to give right and occupation on forest land who are residing in such forest from generation to generation without any record. A comprehensive guideline was issued by the ministry of tribal affairs are implementing of the provision of the Act, in the LWE affected state.

5.4.5.5.1.2.7 Surrender and Rehabilitation Policy

From 2013 the government of India revised the guidelines in the LWE affected states regarding surrender cum rehabilitation policy, revising the policy package and monthly stipend reimbursement expenditure under the SRE scheme.⁶⁶

⁶⁶ Government of India, *Annual Report 2016-2017*(Ministry of Home Affairs, 2017)

5.4.5.5.2 Three Pronged Strategy

The Home Minister P.C. Chidambaram summarized the government's new response in 2009 with three graphic words: *clear, hold and develop*. It implied a *three stage strategy*.

In the *first phase*, the Naxals would be drained out of their swamps by undertaking well-coordinated counterinsurgency operations against them.

In the *second phase*, the civil administration would be established in the areas cleared.

In the *third phase*, economic development would be undertaken on a priority basis in these regions. However, the progress of this scheme which began in 2010 was not very healthy.

5.4.5.5.4 Four Pronged Strategy

When NDA government came in power under the Prime Ministership of Narendra Modi in 2014 make a certain change in the above strategy and adopted and integrated four point approach to address the Naxal problem regarding security, development, enforcing right and entitlement of local communities and public perception management and good governance.⁶⁷

5.4.5.5.5 Eight Pronged Strategy

The NDA government under the SAMADHAAN scheme to tackle the problem of Naxalism has announced in 2017 an eight pronged strategy. The word SAMADHAN stands of:

S - Smart Leadership,

A - Aggressive Strategy,

M - Motivation and Training,

A - Actionable Intelligence,

D - Dashboard Based KPIs (Key Performance Indicators), and KRAs (Key Result Areas),

⁶⁷ Dr. P.K. Agrawal, I.A.S. (Retd), *Solutions to Naxalism* 17(Manas Publications, 2016).

H - Harnessing Technology,
A - Action plan for each theatre and
N - No access to Financing.

This policy aims to re-energise the government's anti-Maoist initiatives. The current government has also brought in systems and processes to enforce the use of unique identification numbers (Aadhaar) in smart guns, gelatin and other explosive materials and also expanded the ambit of existing provisions under the Explosives Act as well as the Prevention of Money Laundering Act 2017 to monitor the transportation of explosive substances and create obstacles for the flow of finances of the insurgents.

5.4.5.5.6 Problems in Police Response

The government has introduced the use of UAV or Mini UAV for each of the Central Armed Police Forces battalions deployed in the Maoist hotbeds. This was a long-pending demand of the paramilitary forces. The Centre is also fast-tracking infrastructure, with a focus on solar lights, mobile towers with 3G connectivity, and road-rail connectivity in inaccessible areas of Chhattisgarh and Jharkhand that remain the strongholds of the Naxals. The Centre has also announced the setting up of a Bastariya battalion in Central Reserve Police Force from Schedule Tribes candidates belonging to four districts viz. Bijapur, Dantewada, Narayanpur and Sukma of Chhattisgarh to carry out combats.

For security response, since the state is responsible for maintaining law and order in the state, police are supposed to be strong enough to deal with any law and order problem, but contrary to that they have been often asking for more Central forces to deal with the Naxalites. Without understanding the important role of police, State always seek the help of the Central Government to deal with the Naxalites. This leads to undermine the strength of the police to deal with the Naxalites effectively, thereby the state government has been giving very less importance to the State police force. Even after the intervention of the Central government support, the substandard training to police, low wages, low insurance coverage, frequent torture by the senior police officers, risk of their life, outdated weapons and vehicles, low spending on police intelligence and lack of inter

intelligence coordination have always resulted in to the lack of commitment in the state police force.⁶⁸

Besides that the government attitude of spending more money on the programmes like fortification of police station, arms and ammunition and other security related measures than investing on the human aspects is counterproductive.⁶⁹ Moreover, the low level commitment of the police is seen in the form of lack of sincerity during duty time.

Dissatisfied and unfriendly police forces often unnecessarily disturb the villagers in the name of checking and they also often disturb students including girls those who are going to schools.⁷⁰

To win the confidence of local police the police are mostly engaged in committing sins by harassing the innocent tribes without any distinction between Naxalites and innocent local people.

The inhuman hasty, harsh and unmoral activities of the police are also alienating the neutral tribes..Consequently, the activities of the police officer result in hate of police by local persons.

The government become failed to tackle the Naxalite programme has adopted a wrong mechanism of counter Naxalite. This scheme is known as Salwa Judam and this civil militia was a child of Congress leader Mahendra Karma from Chhattisgarh.

The legitimization of Salwa Judam generated a national debates. And consequently in 2011 the supreme of India in case of Nandini Sunder v. State of Chhattisgarh passed the Chhattisgarh⁷¹ government to disbanded Salwa Judam.

⁶⁸ The Naxal Problem: Understanding the Issues, Challenges and Alternative Approaches!, Indian Peace and Conflict Studies, available at http://www.ipcs.org/pdf_file/issue/CR38TheNaxalProblem.pdf (Last visited on March 7, 2020).

⁶⁹ The Police Officials are provided with limited number of uniforms, shoes, food and minimum financial assistance for their risky jobs. Moreover, their families are not guaranteed any security about their future has resulted into low level of police commitment.

⁷⁰ The report is based on visits to 22 schools in Bihar and Jharkhand, and interviews with over 130 people, including 48 children, as well as with parents, educators, police, and local officials.

⁷¹ A.I.R. 2011 S.C. 2839.

It is very difficult to win a violent group which is having people support. The Naxalites began their violent campaign against the state with the help of arrows and knives and other homemade instruments, but as years passed by, many changes were seen in the way the Naxals respond to the state's action. This changes has in fact forced the state to worry about the development in the Naxalites strength. They are using more sophisticated weapons such as Single Barrel Bore Guns, Double Barreled Bore Guns, Light Machine Guns, Self-Loading Rifles, the Kalashnikov AK series of assault rifles, Indian Small Arms System rifles and crude rocket launchers are acquired by the Naxalites.

It is estimated that the Naxalites cause approximately 100 landmines explosions every year.⁷² On numerous occasions police men travelling in vehicles have fallen victims to such attacks and their vehicles have been blown up into air. Often security personnel vehicles come under the attack to these landmines. Recently their target on VVIP has also been increased. The attack such as on Andhra Pradesh Chief Minister Chandra Babu Naidu has shown the increased strength of the Naxalites and their varied targets.⁷³

Approximately 1500 Naxal related incidents are reported every year. Out of these 1500, around 200 incidents are related with the Naxal attacks on police stations, on police, laying ambush on the police vehicle, snatching 200 to 300 weapons every year from the police and landmine. Enhanced lethal capabilities, widening their area of influence and systematically bringing together various groups into single fold have strengthened the movement.⁷⁴ In these circumstances, eliminating Naxalism using iron hand is next to impossibility because they are living with the tribal people and for the tribal people with dedicated discipline.

Not only the Naxalites possess the high skilled weaponry but also richly motivated by their ideology. They are convinced that bloodshed and self-sacrifice, fearlessness and dedication are part of their ideology. Consequently, the Naxalites

⁷² K. P. Singh, The Naxalite Movement: An Overview, paper presented at the Two-Day, Workshop on the Naxalite Movement, Observer Research Foundation, Chennai, 28–29, January 2005.

⁷³ Devarajan. A, Chandrababu Naidu survives landmine blast, The Hindu, Oct 02, 2003, available at <http://www.thehindu.com/thehindu/2003/10/02/stories/2003100207560100.htm> (Last visited on March 7, 2020).

⁷⁴ P. V. Ramana, The Maoist Movement in India, Defense & Security Analysis, The Observer Research Foundation, available at <http://www.tandfonline.com/loi/cdan20> (Last visited on March 7, 2020).

have an uncompromised determination to pursue their idea. In fact, it is these ideologues who have kept the Maoist movement alive and are in many ways more dangerous than the cadres of the People's Liberation Guerilla Army," the Home Ministry has said in an affidavit in the apex court.⁷⁵

Beside these deficiencies of the police department the intelligence wing of the police are also failed to properly, honestly collect the report regarding Naxalites activities. And not only this , but also there is no proper coordination among the intelligence agencies and since Naxalites are active in remote forest area which are beyond the reach of the intelligence people the progress is very slow and not up to the mark. But the new approach and means adopted by the central government with the help of the state government by use of UAV yielded fruitful result.

But unfortunately in the name of the security response the police and security forces are

In the name of security response, the police and security forces are breaching all norms and ethics violating all human rights against unarmed tribal women and children in the name of fighting the Naxalites. The main difficulty before the security personal is their inability to distinguish the Naxalites from other tribals. This failure results into chaos and confusion. Moreover, the insecurity and frustration prompt the security forces to go for arbitrary arrest, raping, torture and other ill treatment and even killings. There are so many cases recorded by the National Crime Records Bureau against the tribals.⁷⁶ On one side they are living with half stomach, they have been denied health facilities, housing facilities, education facilities and on the other side harassment of the police make the tribals sandwiched between the Naxalite and security forces.

5.4.5.5.7 Short coming of Developmental Response

The developmentalists argues that inclusive policies and people oriented development programmes alone can win back the people in the Naxalite areas. But,

⁷⁵ Naxal ideologues more dangerous than armed cadres: Govt, Business Standard, November 15, 2013, available at http://www.business-standard.com/article/current-affairs/naxal-ideologues-more-dangerous-than-armed-cadres-govt-113111500583_1.html(Last visited on March 7, 2020).

⁷⁶ India Human Rights Report 2008, available at Asian Centre for Human Rights, http://www.achrweb.org/reports/india/AR08/chhattisgarh.html#_ftn7 (Last visited on March 7, 2020).

the statistics reveals that both the Centre and State government have been continuously neglecting the tribal people for so many decades. The indifferent attitude of the government, makes the Naxalites successful in convincing the people not to accept any developmental package. Therefore, the tribal people look all the developmental programme with suspicion. Moreover, the rampant corruption prevailed in the so called developmental programmes are exposing the weaker side of the government. They view that the infrastructure facilities like roads are developed to target the People Warrior and not for the people. The main reason why the Naxals are destroying the infrastructure is that the government is developing infrastructure not for the development of the local area or people but to use the roads, school buildings, community halls, Panchayat offices as the base for the government security forces to camp, to attack and to counter Naxalites.

“According to the Lok Sangram Morcha, there are 74 such police camps where 2,574 jawans of the paramilitary forces are stationed. To accommodate the new increase in police presence in Jahanabad, schools, primary health centers, and other public buildings have been taken over. In Arrain village, for example, the primary school is a BSF camp. But the most glaring example is the Jehanabad hospital. This has been taken over by the BSF. We could not find a patient or hospital staff in it”.⁷⁷

The Naxalites further said that the so called development programme is that the roads are laid not for the people but to help the MNCs to control the tribal lands in order to extract the mineral deposits. That’s why they target the infrastructure facilities as well as MNCs and construction companies. They argue that the infrastructure facilities are created to help the security forces to counter Naxalism. Therefore the Naxalite target the infrastructure, MNCs and construction agencies. For instance, the Naxalites set ablaze a machine and two motorcycles of a construction company, classic company, in Gola near Ramgarh in Hazaribagh district of Jharkhand on 18th April 2006. Many times the vast railway network of the country also comes under attack. On 13th June, 2013, the Naxalites attacked the Dhanbad Patna train carrying 400-500 passengers near Jamui in Bihar, in which 6

⁷⁷ The State Terror in Jainabad, Economic and Political Weekly, available at <http://www.jstor.org/stable/pdfplus/4395129.pdf?acceptTC=true&jpdConfirm=true> (Last visited on March 7, 2020).

people were injured and 3 people were killed.⁷⁸ National Mineral Development Corporation was attacked again and again like 21 March 2006, 20 May 2006 and 30 October 2006. The Naxalites also attacked important installations in Dantewada district of Chhattisgarh, including that of Railways, and private steel company ESSAR. The Naxals triggered landmine blast on May 19, 2010 on railway tracks near Jhargram in West Midnapore district by injuring two drivers of a goods train and leaving the engine damaged.⁷⁹

The Naxalites reportedly destroyed four government buildings, including two schools, at Kanker district in Chhattisgarh on 18 October 2006. On the night of 2 November 2006, Maoists blew up Herhanj primary school under Balumath police station area at Latehar district of Jharkhand.

On 29 March 2006, bombing of a rest house at Bhim Bandh, a tourist spot in Munger district of Bihar. These activities of the Naxalites always drew the attention of the government who led to strong response to the Naxalite.

In terms of developmental programmes, many discrepancies are found in implementation level. The mismatch between developmental programmes and the ineffective implementation has in fact contradicted the government duties mentioned in Article 245(1) of the Constitution of India provided for undertaking such programmes as some scholars believe that the development in many Naxal affected areas is mainly because of Naxalite influence.⁸⁰ Moreover, the Naxalite have succeeded in convincing the people that they are fighting for the rights of the tribals for land, water, forest product, health care, better wages and education. To them MNCs are established to exploit the people by extracting the tribal resources.

Due to lack of good governance of the government, the tribals and poor people have been suffering since independence. The developmental measures taken by the government so far have not been benefitted by the local people due to the

⁷⁸ Bihar: 3 killed in Naxal attack on Dhanbad-Patna train near Jamuil, CNN- IBN Live, 13th June, 2013, available <http://ibnlive.in.com/news/bihar-3-killed-in-naxal-attack-on-dhanbadpatna-trainnear-jamui/398509-3-232.html> (Last visited on March 7, 2020).

⁷⁹ Naxals strike again: 4 CRPF men killed in Bengall, NDTV, May 20, 2010, available at <http://www.ndtv.com/article/india/naxals-strike-again-4-crpf-men-killed-in-bengal-26484> (Last visited on March 7, 2020).

⁸⁰ The toll rises as war comes homel, Naxal Conflict Monitor, Asian Centre for Human Rights, available at <http://www.achrweb.org/ncm/editorial.htm> (Last visited on March 7, 2020).

conflict scenario. Until Naxals arrived in the scene, the government officials from forest department, police department, moneylenders, businessmen and Zamindars in many ways were exploiting local people. The government did not bother to develop the tribal areas until Naxalism arrived. After the Naxalites started reaching out to these places, the government started to realize that the development is required to stop Naxalism spreading to other areas.⁸¹

Over and above the displacement of the local people in the name of development further alienated the people and pushed them towards Naxalites. There are many instances where people are severely affected by the government and private projects and they are also known as Project Affected People (PAP). The general accepted figure is that between 1951 and 2005, 50 million to 60 million persons were forcefully evicted from their homes. Among the PAPs tribal constitute 40% that is 20 to 24 million tribals out of a total of 80 million PAP people. It seems that the tribal people are the most affected people in the development activities of the government and out of the total affected tribals, only 28 to 30 percent of the tribals have been properly rehabilitated.⁸²

5.6 PART SECOND RESPONSE OF NON-STATE ACTORS

Third part response of non-state actors towards Naxalism like, Civil society, NGOs, Media. Naxalites are taking support of local people to carry out their operations. India is Social, Democratic, Secular and Republic State and one cannot ignore the role of public participation in political, social affairs of the country. Public participation in countries affairs depends upon the level of awareness of the people about their constitutional rights and duties. Today the task before the Indian people is to gain a sense of national identity and create unified society having perfect internal security.⁸³

The part fourth of the constitution of India under Article 51 A imposes many fundamental duties but only on Indian citizens of which some are related with

⁸¹ Ibid.

⁸² Walter Fernandes, Paying the price for someone else's displacement, No. 12, 2008, pp. 8-12, AgendaInfochange, available at [http://infochangeindia.org/agenda/migration a displacement/payingth e-price-for-someone-elses-displacement.html](http://infochangeindia.org/agenda/migration%20a%20displacement/payingth e-price-for-someone-elses-displacement.html) (Last visited on March 7, 2020).

⁸³ K.M. Mathur, "Crime Human Rights and National Security", ((Gyan Publishing House, New Delhi, First Edition, 2001).

promoting internal and external security of the India as well as people voluntarily force consisting of honest and dedicated person for the welfare of the people should take a dynamic leadership to our country. some sections of Cr. P.C. including 37 to 40, 43, 100, 129 and 154 of Cr. P.C. and section 174, 176, 177, etc. from IPC to maintain some obligation and legal commitment of the people. They are

1. Give information about preparation, intention and commission of certain offences
2. Assist the police and the magistracy when ask to do so in prevention of certain offences
3. It should be noted that omission to assist the police or Magistrate to conceal the information which is bound to be given under the law are punishable under section 118 & 175 of IPC. Citizens have their own responsibility towards the police to report the crime and to help the police in solving the problems.
4. People should extend there all support in maintain internal security.
5. We must understand that police and community are interdependent, police are for the society to render their services, and society consist of people, so the public must take an interest to help the police in maintenance of law and order situation.

5.6.1 Involvement of Local Groups against Naxalites

Table -5.1 Involvement of Local Groups against Naxalites

Group Name	Role	Supporters	Location
Ranvir Sena	Vigilante	Upper Caste	Bihar
Sunlight Sena	Vigilante	Upper Caste	Bihar, Jharkhand
Bhumi Sena	Vigilante	Upper Caste + State	Jharkhand
Gram Raksha Dal	Vigilante	Secular/Rural	Task Force Jharkhand
Salwa Judum	Vigilante	Secular/Rural	Chhattisgarh

5.6.1.1 Chhattisgarh: Local Groups Salwa Judum and Naxaite

A movement called as Salwa Judum or peace hunt or movement was first started by the school teachers led by K. Madhukarroa, at Karkeli village in Bijapur on June 4th 2005 to counter Naxals. This movement was supported by Chhattisgarh government who have sponsored and funded the organization. The active members of this movement generally comprise the local elite, rich Adivasis, traders and contractors. The main purpose of this movement is to protect the tribals from the Naxalites and to prevent the Naxal movement from spreading. The Naxalites on their part stated that Salwa means ‘group’ and Judum means ‘ hunting’ and therefore, they say, Salwa Judum is a group of hunting of the innocent Adivasi’s supporting the peoples movement, the movement of Naxalites. It started as a socio-political move to counter the red menace but it made the tribal even more vulnerable than they were. A large number of innocent were killed both by the Maoist and Judums. The activities were trying to make the government stop the campaign. Later it was scrapped by the order of the Supreme Court.

5.6.1.2 Jharkhand: Local Groups and Naxalites

Recently in Jharkhand CPML- PW faces a strong challenge from villagers of village P.S. Dumaria, Distt. East Singhbhum. it poses a strong anti Naxal feeling among most of the villagers to take advantage of this feeling and to channelize the peoples resistance group to counter the atrocities committed by Naxalites and it is the high time to increase and promote local restraint group because they are well verse with the geographical requirements as well as the place where the Naxalites are hiding or taking rest. So it is very essential to increase and promote these local groups against the Naxalites. The state government is also supposed to find out the feasibility and possibility of appointing special police officer, Nagarik Surkhsa Samite and village defense community. So that they come forward against Jan Adalat of the Naxalite and also to expose the Naxal outfits and their leaders. This is an impetus to the activities of the government.⁸⁴

⁸⁴ Supra 50

5.6.2 Media Plan

To make the people aware about the developmental programme and security measures launched by the central government with the help of the state government to the media for effective convey to the people of the local areas. Under the media plan some activities like broadcasting audio spots over all India radio introducing the programme of development thorough dance and drama etc.

It is essential for the Government to have an effective Media Plan to convey Government's point of view to the people by addressing it on the security and development fronts. The media has proved to be a potent instrument in creating awareness among the target population about the socio-economic developmental schemes of the Government and their rights & entitlements. The media has helped to highlight LWE activities to make people aware as to how LWE violence is preventing implementation of the schemes, policies and initiatives of the Government. Under the Media Plan activities like broadcasting audio spots over All India Radio, presenting programmes on development issues through the Song & Drama Division, organizing the Tribal Youth Exchange Programmes through the Nehru Yuva Kendra Sangathan, etc. have been carried out. A media guideline has been framed with the approval of the Home Minister. During the year 2014-15, `5.00 crore has been allocated; out of which an expenditure of `4.71 crore has been incurred so far for broadcasting of jingles through AIR, production of short films through Directorate of Audio Visual Publicity and for the organizing 7 Tribal Youth Exchange Programme at ten places.⁸⁵

The civil society's response is not direct but mixed. At the national level the civil society seems to be concerned with the Naxalites problem, the response to it has always been short lived and reactive. Whenever there is a massacre perpetrated by the Naxalites, there is widespread condemnation of both the Naxalites for the killings and the governments for their failure to tackle the problem.

While at state level, the response is once again mixed, with some sections supporting the Naxalites, and this polarization is very sharp. The lower-class and lower-caste people, especially the Scheduled Caste, support the Naxalites,

⁸⁵ Government of India, *Annual Report 2014-2015* (Ministry of Home Affairs, 2015)

considering them as the Nayee Sarkar /new government. Whereas the State Government has failed to provide basic social and economic conditions for the local population, the Naxals provide education; have worked to abolish bonded labour; secured the legal minimum wages for the labourers, and stopped the exploitation of women. Therefore the Naxalite has an upper hand over the governmental programme. this lead to support of Naxalites not only by the local tribal population but a section of business community prefer to deal with Naxalite which offer a simple solution to the problem faced by the businessman. In some of the state local contractor pay taxes to the Naxalite instead of paying to different agencies including policeman, forest official and local criminal.

In one of the report the PUDR⁸⁶ in very detail informed that various organization in the peasant movement have consistently and successfully used the method of imposing collective economic blockage while at the international level human rights was has been monitoring the problem for a long time and has continuously made recommendation to deal with the caste conflict and Naxalite problem properly and adequately.⁸⁷

5.7 CONCLUSION

To check the menace of Naxalites and over power them a number of mechanism has been adopted by the government, central and state government too. But all prove futile and still the mushrooming growth of Naxalites are in bogue and the efforts taken by the central para military forces with the help of state police officials since to be fishifishi same is the fate of the intelligence department of the police and they are not in a position to locate the place of hiding of Naxalites, doing meeting, and performing a number of activities for the purpose to further the Naxalites movements. It can be said that mostly this Naxalite movement can only be checked if the police officials will work honestly, dedicatedly, sincerely and keeping in view the barbaric activities and heinous crime committed by the Naxalites upon innocent local people . These official are supposed to be work with a motto “honesty is a best policy” or “do or die attitude.” Therefore the police official must not

⁸⁶ Encounters: A Report On Land Struggle In Bihar, Report By PUDR, Delhi, April, 1996, p.39

⁸⁷ Omprakash Mishra and Sucheta Ghosh, *Terrorism And Low intensity Coflict In South Region* (Manak Publication Pvt. Ltd, New Delhi, 2003).

perform their duty only as servant of the government but as its own. When only Naxalites movement can be checked or wither away from soil of India.

Unfortunately the work shows otherwise the police official instead of helping or protecting the innocent tribal, they themselves are behaving as a Naxalite and in the garb of that being outsider it is next to impossible for them to identify who is Naxalites or innocent person. Taking advantage of this difference they are doing a number of atrocities upon tribal and not only upon manful but also upon their women by committing the rape or making them bonded labour in their houses. So it is very much the need of the hour that police official should develop a friendly relationship with the local population instead of doing atrocities on them.

The central government initiated a number of development programme including electrification, construction of roads etc. if these developmental activities are implemented full fledge then it will pose a problem to Naxalites also. Therefore there is no doubt that Naxalites are in favour of developmental activities but not in toto.

The government adopted number of strategy with the help of the state government to implement the developmental programme immediately properly and honestly. These strategies broadly classified under four categories. The present government initiated a highly workable, praise worthy and mostly suitable to that area a strategy with the name SAMADHAN and allocated the financial add needed to implement that strategy. So, it cannot be said that government is not alive or not taking any interest to restrict the Naxalites operation particularly the operation of LWE in eight state of India. It shows that if governmental official will do their duties with and intent to arrest the movement of Naxalite when there is no reason why not our forces get success to paralyze the Naxalite movement and to carry outside the Indian Territory. The study further reveals that no movement get success unless local population, participation is there. Since our para military forces deployed belong to not that particular region but from different places. It is not possible very easy for them locate the location of Naxalite so an attempt should be made to have the help of the local population particularly of young person or the Naxalites who surrendered earlier and the persons who are well versed with the geography of local area can be included. And with the help of them military

operation took place then, there are every chances of getting success otherwise it is very difficult to abolish the Naxalite movement from Indian Territory in totality.

It is praise worthy for government of India and state governments that through a series of developmental and security programme, to a great extent, the LWE problem is successfully tackled however, the Maoist movement are very much not pleased with these developmental activities. Therefore they targeted for attack school building bridge, health centre, communication facilities, road and railway etc. more in comparison to other governmental infrastructure. Still in some places the Maoist override the governmental agencies that the main reason why the process of development has been set back in several part of the country. Along with participation of local masses it is also the need of the hour is that a realistic help or assistance can be taken from civil society as well as from media to. And a pressure should be mounted through them on the Maoist to refrain from violence. And pursue them to join in the main stream. And provide a helpful hand to chalk out or carry out the socio economic and political dynamics and need and aspiration of 21st century of India.

There can't be two view that government is very much eager or optimistic to eradicate the Naxalites problem through the various strategy propounded by the government from time to time, presently as SAMADHAN. This shows that the initiative taken by the government start giving result and the number of Naxalites atrocities are on the path of receding or decline and the times is not far away that with the joint venture of central government and state governments the problem of Naxalism become unknown to India.

NAXALISM AND JUDICIAL RESPONSE

6.1 INTRODUCTION

This chapter centered around the aspects of Naxalism and judicial delineation. Basically under this chapter we will make an attempt to analyze the various judicial decisions brought before the court on the aspect of Naxalism. In this chapter a critical evaluation of various cases dealing with Naxalism and atrocities committed by them upon the innocent of the particular locality. We will also try to understand how and in what way judiciary is competent enough or has taken an attempt to combat the Naxal activities. The factual position of the case laws are not unitary but defer from case to case. It also we will our study find out the role played by the judiciary is potent and important or not. In this respect the questions whether judiciary succeed to curb the Naxalism and Naxalite movement. How and in what way the judiciary can be able to wither away the Naxalite movement. Because, there is any hope, it is only from the judiciary as an administration is totally failed to check the heinous activities carried on by the Naxalites. Though, there is no two vies that Naxalites are basically are not a hard core criminals but belongs mostly to innocent tribal community. The primary reason to become Naxalites is the atrocities committed by Zamindar etc. Upon these innocent person and not only the physical assault upon them but sexual and mental assault upon the members of the family is also rampant. These assault along with the hard approach taken by the administration towards these innocent tribal persons and the sympathy shown by the leader of the Naxalites movement placed them on cross roads. They are left with no option but to join the Naxalites movements. Because of the untoward incidence and no sympathizers attitude of the police, well to do person of the locality and administrative authorities, devoid of any action is responsible mostly for the incensement in the Naxalites activities.

Therefore, the responsibility of the judiciary become doubled. The other problem before the judiciary is that the factual position of the cases are mostly of various nature. It makes the judiciary to take a decision which are generally of factual in nature.

6.2 ASPECTS OF JUDICIAL CASES

6.2.1 Procedural Aspect

In the case of *A. Laxaman Rao v. Judicial Magistrate, First Class*¹ popularly known as Parvtipuram Naxalites Conspiracy Case. In this case Laxamnrao was an advocate by profession. He was arrested by the police while going home at about 12.30 p.m. on 17th July 1970. No warrant of arrest was shown to him and he produce before judicial magistrate on 18th July and remanded judicial custody for 15 days for offence committed under actions 120 B, 121 A, 122 read with 302 and 395 of I.P.C. The crime for which he was alleged was registered along with more than 148 persons with name but petitioner name was lacking along with Dr. C Ramadas. A preliminary charge sheet was submitted in which the petitioner argue that in this report/ charge sheet since their name is not there and first remand expire so again no separate charge sheet can be filed against them. The petitioner challenges the remand order by saying that his detention is illegal and he be set at liberty. He argued before the court that section 344 (A-1), Cr.P.C. does not content any guideline for the court in the matter of remand hence the section is not applicable. The court when draw his attention towards the explanations added to the sections he says that as a matter of law explanation cannot supersede the substantive provisions given under section 344 (A-1). The court while revising the order held that the court, it is pleaded, is empowered to pass an order of remand even in the absence of the accused under s. 344, Cr.P.C. unlike the remand order under s. 167, Cr.P.C. Incidentally, in this counter-affidavit there is a reference to the prejudicial activities in which the petitioner has been indulging in connection with Naxalite movement. The initial non-inclusion of his name in the array of accused persons has been explained on the ground that sufficient corroboration of the approver's testimony incriminating the petitioner was not forthcoming at that stage. In so far as, the question of- legality of the remand order dated 20th August, 1970 without producing the petitioner before a Magistrate is concerned, the point is concluded by a recent judgment of this Court in the case of *Rai Narain v. Supdt. Central Jail, New Delhi* (1). In that case this Court by majority expressed the view that as a matter of law personal presence of an accused person before a Magistrate is not a necessary

¹ 1971 AIR 186

requirement for the purpose of his remand under s. 344, Cr.P.C., at the instance of the police, though as a rule of caution it is highly desirable that the accused should be personally produced before the Magistrate so that he may, if he so chooses, make a representation against his remand and for, his release on bail.

While revising the case the Supreme Court observed,

“There is nothing in the law which required his personal presence before the Magistrate because that is a rule of caution for Magistrates before granting remands at the instance of the police. However, even if it be desirable for the Magistrates to have the prisoner produced before them, when they recommit him to further custody, a Magistrate can act only as the circumstances permit.”

The court further observed that “the order of remand dated 20th August, 1970 was in the circumstances not contrary to law so as to render the petitioner’s, custody illegal justifying his release by this Court on habeas corpus. It is unnecessary to point out that it was and still is open to the, petitioner to apply for his release on bail to the-appropriate court in accordance with law there being no illegal obstacle in his way in this respect.

In the case of *B. Bhaskara Reddy v. Government of Andhra Pradesh*² Popularly known as The Secunderabad conspiracy case, the court was of the view that Naxalism mirrors the defeat of the constitutional ideals of justice- social. Economic and political, at the hands of the forces of injustice and oppression in our society. This violent phenomenon has come a long way from the time it sent foot at Sreevakulam in Andhra Pradesh. The situation in the nineties threatens to be highly volatile with Naxalism threatening to dominate the national scenario. This case comments to analyze the repercussions of Naxalism on some of fundamental guardians of a democratic society the police, the political parties and judiciary.

It appears that the Naxalites and the judiciary support the similar ideals of justice which is social, economic and political. The major difference is in the method adopted by them to realize their ideals.

However Naxalites have reached towards the court for justice. This has led to the Indian intelligentsia holding conflicting perceptions of civil liberties and

² (1981) ILLJ 342 AP

Naxalites violence. One of such diverse perceptions is that while Naxalites avail all democratic rights and liberties, they used violence and destroy the very democracy which give them those rights. In such a chaotic environment, civil liberties find it hard to surface. Democracy has to accommodate dissent, but civil liberties cannot be given to those who do not want to pursue the path of democracy. This speculation is counter-argued by Mr. Kannabiran, who raised a question whether the Indian political process ever be termed as democracy? If one believe in civil liberties it necessarily follows that these civil liberties accrue to those who defy chosen political process.

This conflicting opinion of the parties was set at rest in *Keshavan v. State of Madras*.³ In this case j. Vivian Bose observed

“After all, who framed this constitution and for whose benefit it was made? Not just for those in brief authority, not only for lawyers and dialecticians, but for the common people of India.”

He further explains that it has given the people of India, the basic freedom, the personnel liberty, fair trail and the freedom of speech. We must apply the same to even those who defy the constitutional means of changing power, for they too are the people of India and process the sanctity of the individual.

The judiciary has repeatedly interpreted the constitution so as to uphold the basic fundamental rights. Once the judiciary has acknowledged the centrality of civil liberties Vis - a- vis the constitution, they cannot deny to any person whether a patriotic Indian or Naxalites. Fundamental liberties cannot denied to those who defy the constitution and its institutions. Therefore, Naxalites are entitled to approach the courts for justice, especially for their infringement of civil liberties by the police.

A substantial number of our intelligentsia, have accepted Naxalism as a positive criticism of the existing system. These judgments steers that asks the question, who is on trial? Whether Naxalism or system?

There was a loggerhead among the judiciary by saying that the Naxalites, though guilty of murders, are dedicated souls totally different from ordinary criminals as they are motivated not by any self-interest but by a burning desire to

³ A.I.R. 1951 SC 302.

bring about a revolution by eliminating vested interests and should not therefore be put out of corporeal existence while another view that the Naxalites being guilty of cold premeditated murders are a menace to the society and to innocent men and women and therefore deserve to be liquidated. The views of court as to what may be regarded as 'special reasons' are bound to differ from Judge to Judge depending upon his value system and social philosophy with the result that whether a person shall live or die depends very much upon the composition of the bench, which tries the case and renders the death penalty arbitrary and capricious.

While going through the cases it can be reduced that judges are also after all human being and they also be directed by the social economic cultural and religious circumstances. They played a very crucial role to decide the cases which are before them. Their thinking vision and approach also guided them to draw the conclusion of the case. Since it differs from person to person hence there is every possibility of difference of opinion among the various judge. One judge may justify the imposition of death penalty while other judge may not.

In the Laxamrao case the procedural wrangling of the section 344 (1-a) of the Cr.P.C. and the supreme court very rightly rejected the argument of the appellant that explanation added to section cannot supersede the substantive provision, by saying that all provision should be read in totality.

6.2.2 Judicial Delineation

6.2.2.1 Urban Maoist/Naxalism

In the case of *Asit Kumar Sen Gupta v. State of Chhattisgarh*⁴ A detailed study was made by the court where appellant was residing in a rented premises belonging to one Ashwini Kumar Sharma at Gabrapara, Raipur. The appellant, in conspiracy with the members of Communist Party of India (Maoist) used to spread hatred and contempt and excited/attempted to excite disaffection towards the Government either by speaking or writing against the state. He was possessed of Maoist literature in conspiracy with persons belonging to Community Party of India (Maoist), a banned organization and used to incite the people to become member of

⁴ Cri Appl No. 86 of 2011[Chhattisgarh] [Unreported].

the said banned organization by involving in terrorist act as defined under the Act of 1967. He was also alleged of supporting terrorist organization to further his activity by encouraging support for such organization. He was also alleged of being a member of an unlawful organization or taken part in meetings or activities of such organization or contributed or received or solicited contribution for the purpose of such organization as also managed or assisted in the management of an unlawful organization or promoted or assisted in promoting a meeting of such organization. And committed an unlawful activities punishable under Act of 2005.

As per the prosecution several suspicious persons frequently used to visit this house in which father Santosh Paul was also. The appellant used to visit these two persons and used to incite and provoke them to join Communist Party of India (Maoist) to bring a Government headed by Maoist by throwing out the present capitalist Government by armed rebellion. He used to brief them about the Naxal activities while opposing the Government established by law. One Ramesh Dewangan is an office bearer of one Churches Vikas Evam Rahat Samiti, a social organization, with whom the appellant conducted survey of child labors and while conducting the said survey, the appellant used to incite and provoke Ramesh Dewangan by saying that to eliminate the corrupt capitalist Government, we have to unite the youths under the Maoist Organization namely, the Communist Party of India (Marxist Leninist) People War Group. He suggested Ramesh Dewangan to obtain one post box number because he has no proof of address to obtain post box number and thereafter on the appellant's suggestion, Ramesh obtained one post box number in which correspondences addressed to the appellant were received frequently.

On receiving secret, the appellant's premises was raided on 22nd January 2008 and in the search, huge volumes of Naxal literatures were recovered. Apart from printed literatures, one computer, CPU was also seized, which was sent for forensic examination to the Central Forensic Science Laboratory, Hyderabad, and it contained a huge volumes are Naxal literature.

In this case ultimately a charges hit was file by the government in the court of district magistrate Raipur stating that appellant was involved in conspiracy of armed rebellion against the government and hence was guilty of committing

offences under sections 121 A, 123, 124-A, and under section 10 (a), 18, 20, 21, 38(2), and 39(2) of the 1967 Act⁵ and section 8 (1), (2), (3), (5) of 2005 Act⁶

The NIA court denied the application and high court was also agreed with this view. And held that on following the decision of *Santosh Yadav v. State of Chhattisgarh and Ors*⁷ in this case apex court deals with the problems of journalist in Naxal affected areas, where one, Santosh Yadav was arrested and put in jail on the allegation of his relation with Naxalites and their sympathizers. The charge sheet was submitted on 17th February 2016 while he was put in jail since September 2015. On the basis of this and fact presented before the court, opined that nothing in criminating was recover neither at the time of arrest nor when discovery was made. Therefore supreme court on the following ground

1. Santosh was in custody for around 9 months and still charges were not framed against him.
2. He was a journalist with the Nav Bharat newspaper for the last 3 years and had a clean record with the newspaper establishment. He had no previous criminal record.
3. The informant failed to identify him with certainty during the Test Identification Parade though he stated to have seen him from a distance during the encounter.
4. Santosh home was approximately 150 mts. from the concerned police station, Darbha, though he never absconded, he was arrested after 40 days of the incident. And
5. If he was correctly identified by the informant on the date of the incident itself, there would have been no reason for the police to allow him to roam free in his village, close to the police station for about 40 days.
6. The recovery memos did not indicate recovery of any incriminating material. Inquest was done 2 days after the incident and the name of Santosh was not mentioned, even though according to the informant Santosh's identity was revealed at the time of the incident itself.

⁵ Unlawful Activity Prevention Act, 1967

⁶ Chhattisgarh Special Public Safety Act , 2005

⁷ SLP (Cr) 7532/2016

7. The station diary entry number had not been entered in the FIR and it was possible that the copy of the FIR given to Santosh and filed in this case may have been different from the actual entry in the station diary.

On the basis of these the Supreme Court allowed the SLP and directed the authorities to release the Santosh Yadav on bail. The decision pronounced by the supreme court seems to be correct because neither he was a criminal nor any literature or materials incriminating in the nature belonging to Maoist movement or not recovered his premises then only on the basis of suspicion that he had relation with the Naxalites and goodie goodie relation with the sympathizers of the Naxalites movement cannot be said that he is a Naxalite. At the same time as already serve the jail term for period of nine months. The cumulative effect of all these is pro Santosh Yadav hence his release on bail is justified.

Again A case of *Romila Thapar and Ors. v. Union of India and Ors*⁸ the Supreme Court again highlighted the, if and but of the consequences of urban Naxalism. In the case of Romila Thapar five persons filed the petition complaining about the high handedness of Maharashtra police in raiding their houses and arresting them. Their main grievance was they were arrested without any material or evidences justifying their arrest. The action taken by the police was only to silence the decent and stop the people from helping the poor and downtrodden people and also to instill fear in the minds of the people to deflect their attention from real issues. The petitioners clearly made it in the petition not to stop investigation and allegations but to ensure independent and credibility of investigation and arrest. Therefore petitioners claim that anything short of the relief will damage the fabric of the nation.

Petitioners urged that, none of the five persons arrested there present during the event organized on 31st December 2017 at Pune by “Elgar Parishad” nor is any allegation found against them. Nevertheless, the Pune Police swiftly moved against them, for reasons best known on fabricated charges under various provisions of the Unlawful Activities (Prevention) Act, 1967⁹ and under the Indian Penal Code. since the FIR dated 2nd January, 2018, at Pipri Police Station (Rural) for offences

⁸ (Writ Petition (Crl.) No. 260 of 2018 decided on 28.09.2018)

⁹ Unlawful Activities (Prevention) Act

punishable under Sections 307, 143, 147, 148, 149, 295(A), 435, 436 of IPC, Sections 3(2)(v) & 3(1)(10) of the Scheduled Castes Scheduled Tribes Act and Section 4(25) of the Arms Act of the Maharashtra Police Act, 1989, was registered against the Hindutva right wing leaders Milind Ekbote and Sambhaji Rao Bhide, based on an eye-witness account that they along with fringe groups had incited the violence against the Dalit congregation, instead of taking action against those who were behind the Bhima Koregaon violence, a false and fabricated complaint was engineered in the form of FIR¹⁰ and came to be registered on 8th January 2018 at Vishram Bagh Police Station of Pune City, in respect of which the five named activists and others have been arrested. This fabricated FIR against the activists came to be registered in the name of the complainant who happens to have close links with the named accused in FIR No. 2 dated 2nd January, 2018 registered at Pimpri Police Station Rural. The Pune Police thus embarked upon a motivated process and arrested five human rights activists who had no concern with the incident referred to in the FIR.¹¹

It is further argued that the Pune Police investigating the Bhima Koregaon violence was systematically leaking documents to selective media with a view to spread false propaganda against the activists and to prejudice the public opinion against those arrested. The leaked documents allegedly found from the computer recovered during the search of the house of Rona Wilson, were addressed to Comrade Prakash and signed by R, which apparently mentions about senior comrades proposing concrete steps to end the Modi-era by planning a Rajiv Gandhi style incident to assassinate the Prime Minister.

While the police denied any truth in the argument raised by the petitioners. On the basis of the court vehemently condemned the police for the letters leaked to the media by the police and were never produce in the court as an evidence.

Similar petition was filed in the Punjab and Haryana High Court to direct the jurisdictional Court which had allowed the prayer to grant transit remand, to keep Sudha Bhardwaj at her residence under supervision of the local police. But still the

¹⁰ FIR No.0004/2018

¹¹ Ibid.

petition is pending. So they approach the court under writ petition filed as a public interest litigation praying against the sweeping power of arrest by stating that

1. To issue an appropriate writ, order or direction, directing an independent and comprehensive enquiry into arrest of these human rights activists in June and August 2018 in connection with the Bhima Koregaon violence.
2. To Issue an appropriate writ, order or direction, calling for an explanation from the State of Maharashtra for this sweeping round of arrests;
3. To Issue an appropriate writ, order or direction, directing the immediate release from custody of all activists arrested in connection with the Bhima Koregaon violence and staying any arrests until the matter fully investigated and decided by this court.
4. To pass any such other order as may be deemed fit and appropriate.

Taking objections regarding the maintainability of the writ petition being filed by third parties, strangers to the offence under investigation, he has highlighted that in light of the material gathered during the investigation conducted so far, it would be desirable to dismiss the writ petition.

He has stated that it is based upon individual perception. The arrested persons are “all outstanding, well-known and well respected human rights activists” and therefore, their arrest requires to be enquired into and they should be released on bail.

They further argued that five arrested persons where not arrested because of any decent opinion or difference in political or ideologies, therefore, the ground of arrest is still not clear by the investigation made by the police.

The court was of the view that

“It is trite law that accused persons do not have a say in the matter of appointment of an investigation agency. The accused persons cannot choose as to which investigation agency must investigate the alleged offence committed by them.”

The court clearly opined that the accused had no right with reference to the manner of investigation or mode of prosecution The Court made it amply clear that neither the accused nor the complainant or informant are entitled to choose their

own Investigating Agency to investigate the crime in which they are interested. The Court then went on to clarify that the High Court in exercise of its power under Article 226 of the Constitution can always issue appropriate directions at the instance of the aggrieved person if the High Court is convinced that the power of investigation has been exercised by the investigating officer mala fide.

6.2.2.2 The Ideology of Naxalism and Judiciary

Before the Supreme Court in the case of *Bachan Singh etc. v. State of Punjab etc.*¹² the matter regarding imposition of capital punishment was challenge while going through the case Supreme Court observed that

“A Judge does not shed the attributes of common humanity when he assumes the ermine.”

The ordinary human mind is a mass of pre-conceptions inherited and acquired, often unrecognized by their possessor. The Supreme Court further opined that

“Few minds are as neutral as a sheet of plain glass and indeed a mind of that quality may actually fail in judicial- efficiency, for the warmer tints of imagination and sympathy are needed to temper the cold light of reason, if human justice is to be done.”

Therefore, it is pertinent that when a Judge is called upon to exercise his discretion as to whether the accused shall be killed or shall be permitted to live, his conclusion would depend to a large extent on his approach and attitude, his predilections and pre-conceptions, his value system and social philosophy and his response to the evolving norms of decency and newly developing concepts and ideas in penological jurisprudence. One Judge may have faith in the Upanishad doctrine that every human being is an embodiment of the Divine and he may believe with Mahatma Gandhi that every offender can be reclaimed and transformed by love and it is immoral and unethical to kill him, while another Judge may believe that it is necessary for social defense that the offender should be put out of way and that no mercy should be shown to him who did not show mercy to another.

¹² A.I.R. 1982 1325

On the basis of the above hypothesis evolved by the Supreme Court further observed that

“A Judge may feel that the Naxalites, though guilty of murders, are dedicated souls totally different from ordinary criminals as they are motivated not by any self-interest but by a burning desire to bring about a revolution by eliminating vested interests and should not therefore be put out of corporeal existence while another Judge may take the view that the Naxalites being guilty of cold premeditated murders are a menace to the society and to innocent men and women and therefore deserve to be liquidated. The views of Judges as to what may be regarded as special reasons are bound to differ from Judge to Judge depending upon his value system and social philosophy with the result that whether a person shall live or die depends very much upon the composition of the bench. Which tries his case and this renders the imposition of death penalty arbitrary and capricious.”

The court made it crystal clear that is not based, it is apparent from a study of the judicial cases that some Judges are readily and regularly inclined to sustain death sentences, other are similarly disinclined and the remaining waver from case to case. But the supreme court of the view that divergent attitudes and opinions in regard to the imposition of capital punishment. If a case comes before one Bench consisting of Judges who believe in the social efficacy of capital punishment, the death sentence would in all probability be confirmed but if the same case comes before another Bench consisting of Judges who are morally and ethically against the death penalty, the death sentence would most likely be commuted to life imprisonment.

The former would find a consequence of psychological and attitudinal factors operating on the minds of the Judges constituting the Bench-'special reasons' in the case to justify award of death penalty while the latter would reject any such reasons as special reasons.

We found our self in agreement of the view propounded by the Supreme Court by saying that there are certain judges which may award capital punishment in the same type of case in which the other judges may not impose capital punishment. There are no doubt that judges are also human being and they are supposed to be affected and influence by the surrounding circumstances and how they bring up it include sociological, psychological, economical and their sentimental attitude but it is not a hard and fast rule the same set of judges to awarded capital punishment in the previous case may also award the same punishment in the Next case. The factual

situation of the case also put a mark upon the judges to come to a particular opinion. They may in the next case keeping in the view the factual situation may not observe that capital punishment is justified. Therefore, the view of the supreme court in Bachan Singh no doubt since to be correct but not in totality. The facts, the commission of crime, atrocities committed upon the victim role played by the offenders also play a great role to decide the case and come to a conclusion that capital punishment is justified or not.

“The special reason” theory of the bench of the court propagated by the apex court since to be correct.

In the case of this case *Dr. Vinayak Binayak Sen 2 Pijush Piyush v. State of Chhattisgarh*¹³ application under section 389 of the Cr.P.C. was filed by Vinayak and also on behalf of Piyush Guha and Vugun Guha praying for suspension of sentence and grant of bail during the pendency of appeal.¹⁴

However Vinayak had been convicted for the offence of sedition punishable under section 124 A of the I.P.C. read with section Sections 8 (1), 8 (2), 8 (3) & 8 (5)¹⁵ and conviction under section 124 A and 120 B of I.P.C.¹⁶

6.2.2.3 Judicial Opinion

The Chhattisgarh high court was of the view that taking into consideration of the evidences produce by both of the parties and seeing the gravity of the offence sedition the court refused to suspend the sentence of imprisonment as well as grant of bail. On the basis of the analytical study of the case it seems that the high court's view is valid and justified. Section 120 B of the I.P.C. deals with the offence of a very grave in nature therefore it seems to us that refusal of bail was justified.¹⁷

¹³ Cr.A. No.20/2011/ also see 266 ELT 193.

¹⁴ Ibid.

¹⁵ The Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005

¹⁶ Sec. 8 (1) of the RI for two years & fine of Act, 2005 Rs. 1,000/-, in default additional RI for three months. Sec. 8 (2) of the RI for one year & fine of Act, 2005 Rs. 1,000/-, in default additional RI for three months. Sec. 8 (3) of the RI for three years & fine Act, 2005 Rs. 1,000/-, in default additional RI for three months. Sec. 8 (5) of the RI for five years & fine of Act, 2005 Rs. 1,000/-, in default additional RI for three months. Sec. 39 (2) of the RI for five years & fine of Act, 1967 Rs. 1,000/-, in default additional RI for three months.

¹⁷ High Court of Chhattisgarh Bilaspur held that Documentary and oral evidence adduced on behalf of both the parties, explanation given by appellants Binayak Sen & Piyush Guha in their examination under Section 313 of the Code and written defence submitted by appellant Binayak Sen are sufficient

While in another case of *G. N. Saibaba v. State of Maharashtra Thr. Pso*¹⁸ applicant was convicted by session judge Gadchiroli and he prayed to the high court for suspension of his sentence of imprisonment and releasing him on bail under section 389 of Cr.P.C. The following are the argument put by the applicant to the court

1. To direct to respondents direct the respondent no. 2 to place all the medical records of the applicant along with all the prescriptions, investigations and tests performed so far, on record and
2. Suspend the sentence on medical grounds.¹⁹

The applicant argued that his condition is deteriorating day by day considerably and he is facing medical emergency as he is not provided proper medical treatment by the Prison Administration. Applicant further argued that during the pendency of trial, since he was on bail, on 22nd February 2017 he was admitted in Rockland Hospital, New Delhi with complaints of shortness of breath, chest discomfort, nausea and pain in the abdomen. The applicant was diagnosed with acute pancreatitis, cholelithiasis with sludge in distal CBD and hypertension.

However applicant further argued that when he was previously on bail he was admitted in the New Delhi in Rockland hospital there he was diagnosed for a number of deceases in addition to his kidney and gallbladder ailments.

for drawing inference that conviction of the appellants under Sections 124 A read with Section 120 B of the IPC; 8 (1), 8 (2), 8 (3), 8 (5) of the Act, 2005; and 39 (2) of the Act, 1967, are prima facie legally sustainable. Considering nature and gravity of offence, especially the offence of sedition, we do not find any ground for suspension of sentences and grant of bail to appellant Binayak Sen in Cr.A. No. 20/2011 and appellant Piyush Guha in Cr.A. No. 54/2011, during the pendency of appeals. Consequently, I.A. No. 1 filed on behalf of Binayak Sen in Cr.A. No. 20/2011 and I.A. No. 1 filed on behalf of Piyush Guha in Cr.A. No. 54/2011 are liable to be dismissed and they are hereby dismissed.

¹⁸ Crime No. 3017/2013 (Unreported).

¹⁹ But applicant is found guilty for the offences punishable under Sections 13, 18, 20, 38 and 39 of the Unlawful Activities (Prevention) Act, 1967 read with Section 120 B of Indian Penal Code and is sentenced under Section 13 read with Section 120 B of Indian Penal Code for 7 year's rigorous imprisonment with fine of Rs. 1000/-, under Section 18 read with Section 120 B of Indian Penal Code for life imprisonment with fine of Rs. 1000/-, under Section 20 read with Section 120 B of Indian Penal Code for life imprisonment with fine of Rs. 1000/-, under Section 38 read with Section 120 B of Indian Penal Code for 10 years' rigorous imprisonment with fine of Rs. 1000/-, under Section 39 read with Section 120 B of Indian Penal Code for 7 years' rigorous imprisonment with fine of Rs. 1000/- and since his conviction, is lodged in Central Prison, Nagpur.

The High Court going through the record of conviction by the session court the Bombay High court while taking into consideration of the serious nature of the crime put a warning that the court should consider the Court should consider

1. The nature of accusation made against the accused,
2. The manner in which the crime is alleged to have been committed,
3. The gravity of the offence,
4. The desirability of releasing the accused on bail after he has been convicted for committing serious offence,
5. Normal practice in cases of serious offence is not to suspend the sentence and it is only in exceptional cases that the benefit of suspension of sentence can be granted,
6. The mere fact that during the period of trial, the accused was on bail and there was no misuse of liberty, does not per se warrant suspension of execution of sentence and grant of bail,
7. The Court should consider whether reasons exist to suspend execution of sentence and grant of bail.

The high court while taking into consideration of the Supreme Court where the court observed that no case is made out for allowing the application and the applicant was informed that in the given circumstances the appeal can be heard on the merit basis. The court finally comes to a conclusion that on the basis of the given reason it is not possible to grant bail to the applicant.

6.3 HUMAN RIGHTS AND NAXALISM

6.3.1 Power of Police to Combat Naxalism and Judicial Response

The leading case *Nandini Sundar & Ors v. State of Chhattisgarh*²⁰ the Supreme Court examine the pros and cons of Salwa Judum and violation of human rights of the children. The writ petition was filed by Dr. Nandini sunder²¹, Rm

²⁰ A.I.R. 2011 S.C. 2839, (2011) 7 SCC 547

²¹ A professor of Sociology at Delhi School of Economics, and the author of “Subalterns and Sovereigns: An Anthropological History of Bastar” (2nd Ed. 2007);

Chandra Guha,²² E.A.S. Sarma²³ alleging wide spread violation of human right of the peoples of Dantewara district and its neighboring area on account of armed insurgency by Maoist or Naxalites.

The Supreme Court taking into cognizance of the atrocities committed on the people both, by the state organism as well as by Naxalites. The following order has been passed by the Supreme Court to act accordingly by the state government as well as by the union of India.

1. The State of Chhattisgarh immediately cease and desist from using SPOs in any manner or form in any activities, directly or indirectly, aimed at controlling, countering, mitigating or otherwise eliminating Maoist/Naxalite activities in the State of Chhattisgarh, and to
2. The State of Chhattisgarh shall forthwith make every effort to recall all firearms issued to any of the SPOs, whether current or former, along with any and all accoutrements and accessories issued to use such firearms. The word firearm as used shall include any and all forms of guns, rifles, launchers etc., of whatever caliber,
3. The State of Chhattisgarh shall forthwith make arrangements to provide appropriate security, and undertake such measures as are necessary, and within bounds of constitutional permissibility, to protect the lives of those who had been employed as SPOs previously, or who had been given any initial orders of selection or appointment, from any and all forces, including but not limited to Maoists/Naxalites, and
4. The State of Chhattisgarh shall take all appropriate measures to prevent the operation of any group, including but not limited to Salwa Judum and Koya Commandos, that in any manner or form seek to take law into private hands, act unconstitutionally or otherwise violate the human rights of any person. The measures to be taken by the State of Chhattisgarh shall include, but not be limited to, investigation of all previously inappropriately or incompletely investigated instances of alleged criminal activities of Salwa Judum, or those

²² A well-known historian, environmentalist and columnist, and author of several books, including “Savaging the Civilised: Verrier Elwin, His Tribals and India” (1999) and “India After Gandhi” (2007);

²³ Former Secretary to Government of India, and former Commissioner, Tribal Welfare, Government of Andhra Pradesh.

popularly known as Koya Commandos, filing of appropriate FIR's and diligent prosecution.

5. The Union of India to cease and desist, forthwith, from using any of its funds in supporting, directly or indirectly the recruitment of SPOs for the purposes of engaging in any form of counter-insurgency activities against Maoist/Naxalite groups.

The SPOs to perform any of the duties of regular police officers, other than those specified in Section 23(1) (h) and Section 23(1) (i) of Chhattisgarh Police Act, 2007, to be unconstitutional. We further hold that tribal youth, who had been previously engaged as SPOs in counter- insurgency activities, in whatever form, against Maoists/Naxalites may be employed as SPOs to perform duties limited to those enumerated in Sections 23(1)(h) and 23(1)(i) of CPA 2007, provided that they have not engaged in any activities, whether as a part of their duties as SPOs engaged in any form of counter-insurgency activities against Maoists/Naxalites, and Left Wing Extremism or in their own individual or private capacities, that may be deemed to be violations of human rights of other individuals or violations of any disciplinary code or criminal laws that they were lawfully subject to.

While passing these order the Supreme Court also declare the appointment of SPOs as unconstitutional. To combat the Naxalism a parallel organization, is not digestible, whether it is SPOs or something else because the state government already have a well-organized state police force as well as also empowered to ask the central government to deploy the para military forces to combat the Naxal activities. And these central forces are at the disposal of the state government under these circumstances the appointment of SPOs to perform the duties of the regular police officers is rightly held by the court as unconstitutional. Even though the SPOs are appointed to oppose Naxalites, however the purpose of the appointment may be pious but there are every chance or likelihood of civil war between tribal of the Affected areas and SPOs along with the people who are opposed to Naxalism. Therefore we are of the view that the court rightly dismantle the SPOs to avoid the civil war between these organizations. Hence the view taken by the supreme court was in the interest of social set up of the society and for the wellbeing of the populai

of that particular areas as well as police officials, are justified and since to be correct.

6.4 CIVIL SOCIETY AND NAXALISM

The court in the case of *Mithilesh Kumar Sharma and Ors. v. The State of Bihar*²⁴ Popularly known as Laxmanpur Bathe Massacre case while going through the factual aspect of massacre committed by the Ranvir Sena and the effect and response of these atrocities on civil society towards Naxalism was very well analyzed by the Patna High Court. The case revealed that in Laxmanpur Bathe village of Arwal District in Bihar sees in most heinous crime which took place in the 1st December of 1997 in which 58 supposed Maoist were assassinated by members of Ranvir Sena a military outfit of the Bhumihar Community. The members of the Ranvir Sena were of the firm belief that the killed persons Dalit and mostly were poor and landless but sympathizers of Maoist. These killings include 27 women as well as 16 innocent children too. During such massacre Lalu Prasad Yadav was the chief minister of Bihar. The entire episode of killing was performed in the within a period of three hours. However one person, Binod Paswan was left to be killed and he verbally narrated the entire story of Bathepur Massacre. As per his version he along with his family members after taking meals were sleeping. At about 10.30 pm he heard gun shot and as he attempted to come out of his house suddenly 10 to 15 miscreants armed with rifles entered his house and started indiscriminate firing in which seven members of his family lost their lives. and after chanting a slogan “Ranvir Baba Ki Jai” they left his house all flash light he identified 26 persons and left the village after half an hour to other village. In December 2008 charge sheet was submitted against 46 Ranvir Sena members. The session judge announced sentences to death for the 16 persons and life imprisonment for 10 persons, making a remark, “stigma on civil society and rarest of rare cases of groupality.”

However it is very unfortunate to find out that Patna High court on appeal filed by the accused person spuriously acquitted all the 26 persons on the ground of devoid / lack of evidences. The Patna high court Decision is a mixture of joy and sorrow. It is pleasant for members of Ranvir Sena and very sorrowful and wondering

²⁴ 1999 (2) BLJR 857

decision for the members of the persons brutally killed by the untoward accident by firing upon the so called sympathizer of the Naxalites. The decision is mostly based on the factual situation but one thing should be taken into account the decision was pronounced after a wide gap of 13 to 14 years, hence entire decision basis is of evidences is not totally justified.

In *Shyam Balakrishnan v. State of Kerala*²⁵ the Kerala high court very aptly observed that

“Being a Maoist is of no crime, though the political ideology of the Maoist will not synchronise with our constitutional party. The police cannot detain a person merely because he is a Maoist, unless the police form a reasonable opinion that his activities are unlawful.”

The Court of Kerala was crystal clear where it observed that a person cannot be persecuted by the state authorities merely on suspicion that he or she has embraced Maoist ideology. The court further said that

“The preamble to our Constitution declares that we the people of India are guaranteed liberty of thought, expression, belief, faith and worship.”

These observations made by the Kerala High Court look balanced and within the norms of the Constitution and law. There is no doubt that a person who has committed crime should be punished but it is very strange to find out that without committing any crime a person how it is possible to be punished only on the ground of suspicion. The basic question is how can be proved merely on the ground of suspicion that a person has embraced Maoist ideology. The court while dismissing the appeal of the state government made it crystal clear to hold that

“The freedom of an individual to hold a particular political ideology is an aspect of his fundamental right to personal liberty under Article 21 of the Constitution provided that it is not possible provided that the person has unfettered freedom to choose an ideology of his liking,”

Accordingly, merely on suspicion that the petitioner has embraced the Maoist ideology, he or she cannot be persecuted by the state authorities. The court further opined that it is accorded under the Constitution to a person's fundamental right to privacy and personal liberty, the police action- detaining and interrogating

²⁵ WP(C).No. 24902 of 2014 (K)

the petitioner and searching his house without following procedure under the Code of Criminal Procedure- was ‘wholly unjustified.’

However in its order the single bench has said that police cannot detain a person merely because he is a Maoist, unless police form a reasonable opinion that his activities are unlawful.

“Being a Maoist is no crime, though the political ideology of Maoists would not synchronize with our constitutional polity.”

While the Supreme Court stay the judgement of the Kerala High Court by holding that being a Maoist is not a crime. So after considering the Special leave petition filed by the Kerala government challenging the decision of the Kerala high court stayed their order. We are in agreement with the view propounded by the Kerala High court that being a Naxalite is not a commission of crime. Therefore, the arrest made by the police officer merely on the ground of suspicion is not a valid and justified ground. Hence the decision of both in the single bench of the Kerala high court as well as double bench of Kerala high court without any doubt is said to be within the norms of law and constitutional provisions.

6.5 TRANSFER TO NAXAL PRONE AREA

The state government adopted a policy by which the person who are in the employment of state government liable to be served in the Naxal prone area for a particular period of time. The same was the case in *Sau Rajani W/O Ghanshyam Kapse v. Zilla Parishad, Chandrapur*,²⁶ where the matter regarding transfer in the Naxal affected area was challenged by the petitioner, where petitioner was a nurse previously she has worked as public health centre Mandava situated in Naxal Affected Area for a period of 18 years, therefore she pleaded that again her posting to a place name Jiwati situated in Naxalite area is neither justified nor reasonable. However by going through the government resolution the court observed that nowhere the government resolution prohibits second transfer of an employee in Naxal affected area after she has worked in a non Naxal area, same is the case, in this where after her transfer from Mandava, a Naxal Area, she was posted as Bhis PH.C a non-Naxalite area were presently she has been working for more than five

²⁶ Writ Petition No. 3641 of 2018

year. And therefore she has a posted only once during her entire length of the service in Naxal Affected areas. If there is any bar, though not specifically mentioned the governmental resolution but one can presume that a person should not be consecutively posted second time in a Naxal prone area, the court finally comes to the conclusion that a person can be transfer to Naxal prone area at any time more than once but not continuously, otherwise it will be very difficult for the government to transfer any employee to the Naxal affected area. And all the hard work done by the government will not see the light of the day. The decision of the high court is seems to be justified, reasonable and within the norms of the government resolution of 15th June 2018.

To the same was decision of the court in the case of *Sourav Kumar v. The Chairman Staff Selection*²⁷ where the Patna high court rejecting the contention of the petitioner rightly held that taking clue from the Kerla Decision and Bombay High court decision?

“Deal the special provisions made for the upliftment of the local people of Naxal Affected Areas. In this case petitioner had applied for paramilitary forces but he could not be selected. As per statement made in the petition, he has obtained 61 marks and last person who has been selected under OBC category has also secured same marks. In a case of tie preference will be given to the person who has obtained higher marks in the written examination.”²⁸

The petitioner argued that he belongs to Naxal affected area and cut off marks for the candidate residing in Terrorist and Naxal affected areas is in a lower side. While the department made it clear that petitioner has since not filled up the form showing him belongs to Naxal affected area his case cannot be considered at all because due to lack of particular form it would not be possible to find out whether he belongs to Naxalite area or not. Therefore he is not entitled to such concession. The patna high court going through the evidences produced by both the parties finally comes to a conclusion that petitioner is not entitled for the benefit of lowering down of marks because no particular form was filled up by him on the plea of the petitioner the court very rightly observed that the plea of the petitioner if no ne join to the post then he should be given a chance to join, the court very aptly conclude that it is not within the jurisdiction of the court to do so. If you have any

²⁷ CWJC No. 6786 of 2013 [Unreported]

²⁸ Patna High Court, CWJC No. 6786 of 2013 dt. 29-07-2016

grievance then you make a request to the commission / government to accept your plea and takes an appropriate decision as per norms of the law.

Again the Bombay high court in the case of *Smt. Suchita Tukaram Askar v. State of Maharashtra. Thr. Secr.*²⁹ According to petitioner, the transfer is against the guidelines³⁰ in view of the fact that the petitioner has not completed five years of service at one place and that she has already worked in Naxal infested area for more than thirteen years. The transfer order is assailed also on the ground that it is against husband-wife unification policy. the petitioner submits that Bhamragad is about 300 kms away from Gadchiroli though the court paid no heed to the plea raised by the petitioner the court observed that it is a matter well known as judicial notice and most of the Gadchiroli district is affected by the Naxalism in such a situation, the Zilla Parishad administration must be finding it very difficult to adjust its employees in non-Naxal areas for remaining period of tenure after such employees have worked for a stipulated period in Naxal infested area. In this district, the administration is hard put to identify the places where all the persons who had worked in Naxal infested areas in the past could be brought together and posted in non- Naxal areas. Therefore, it cannot be said that the transfer effected in this case is illegal or arbitrary.

In furtherance of its observation the court opined that there are also no personal malafide alleged by the petitioner and then the person who has been transferred to Kurkheda from Bhamragad is also not in a very happy situation as Kurkheda is also a place affected by Naxalism.

The court finally comes to a conclusion for the purpose of serving in a transferable job longer distance could be a relevant criteria for examining the legality or otherwise of the transfer order. It is a common experience that when the employees are transferred to the places like Nasik, Pune, Mumbai etc. such transfer orders are happily accepted and the long distance is not cited as an instance of arbitrariness or illegality committed by the Authority. But, the moment the employees serving in such districts are transferred to some areas which are Naxal affected or tribal areas, they start complaining that the distance is longer. In the

²⁹ Bombay High Court, Writ Petition No. 3262 of 2018 [Unreported]

³⁰ Dated 15.5.2014

instant case also, there would have been no complaint on the part of the petitioner about distance when she was transferred to Kurkheda and Etapalli, obviously because she was transferred there on promotion. Moreover, Bhamragad is a tehsil place and men and women of different class and creed reside there.

On the basis of the above observation the petition of the appellant was dismissed by the court and while dismissing the petition the court stated that that if any application of the petitioner for reconsideration of the transfer order on any ground such as, husband-wife unification is pending, the respondents shall take decision on the same within four weeks from the date of communication of this order provided petitioner joins the transferred place of Bhamragad within ten days from today.

6.6 APPOINTMENT ON THE COMPENSATE GROUND

In case of *Krishna Singh v. The State of Jharkhand & Ors.*³¹ the Jharkhand high court gets an opportunity to analyse the provisions regarding appointment on the compensate ground, where death is caused by the extremist/ Naxal violence in this case petitioner submitted before the court that being the dependent of his unmarried brother, he has entitlement to be appointed on compensatory ground and his brother was assassinated by one Ranjeet Singh of which is brother was bodyguard therefore he is entitle to be appointed on compensate ground but the state by opposing this contention argued that circular of 19th June 2011 has a limited application and talks about the appointment on compensatory ground if person is killed by Extremist violence or during Naxal operation. As this was not the case of the petitioner he is not entitled to be appointed on compensate ground. However the petitioner by citing an example submit that one Vikas Kumar Dubey was given compensate appointment although his brother was not killed by Extremists or Naxals. The Jharkhand high court by going through the factual position comes to a conclusion that by holding that court is not supposed to take sympathetic approach regarding petitioner's case because his case does not come within the four corners of the governmental scheme.

³¹ In The High Court Of Jharkhand At Ranchi, W.P. (S) No. 6806 of 2013 [Unreported].

If the court deviate from the scheme and any compensate appointment is granting then the same cannot be a ground to give same benefit to others. The court further said that it is well settled that there can't be equality in illegality. Since, petitioner's brother was not killed by extremist or Naxalites the court held that the petitioner is not come within the four corners of the government scheme dated 19th June 2011. Therefore the court refused to pass an order in favour of the petitioner to be appointed on compassionate ground.

We are very much in agreement of the view propounded by the Jharkhand High court. The appointment on compassionate ground is not a regular appointment the basic objective of this is to achieve social justice. It is a special and appointment is made so that particular family may not die due to lack of bread and butter.

In this case *Gopinath Ghosh v. State of Jharkhand*³² the petitioner filed a writ to stop employment of Special Police Officers. And he further prayed the matter should be inquired by the appropriate authorities and disciplinary action should be taken against whom those, engaged in illegal employment.

While state argued that the Special Police Officers are appointed in Naxal prone districts of the State on the direction given by Ministry of Home Affairs, Government of India. It is well known that today Naxalism / extremism has become a great problem of Law & Order. Often innocent civilian peoples are being killed by extremists in Naxal prone areas. These extremists also collect levy and block the development programmes of Government. No doubt extremism affected areas law and order situation has deteriorated. People live in fear and insecurity due to extremist's activities. The state further prayed that by the direction of the government of India SPOs are appointed in Naxal affected areas for intelligence purpose. But they are neither armed nor they take part in anti Naxal operation as well as they are paid a meager amount of rupee 3000 per month and in case of their murder by the extremist entitled to ex gratia compensation and government job to one of the dependent of the deceased. Therefore, it cannot be said that government had violated the rights of the youth but government has make an attempt to repeal the extremist from Naxal prone areas and provide peaceful and secure life to the civilians. Since the appellant does not denied the argument of the state exceed that

³² In The High Court Of Jharkhand At Ranchi, W.P. (PIL) No. 3899 of 2011 [Unreported].

we had no interest any more in the case. Therefore the case is disposed by the court. This case reveals that since only by filing a case in the court of law no remedy is provided by the court unless stick to your argument and willing to continue the case till the last movement.

A case the name of *Parbatabai Sakharam Taram v. State of Maharashtra and Ors.*³³ Basic and very important question regarding Naxalite jurisprudence before the Supreme Court to opined. In this case petitioner filed an appeal to the Supreme Court to seek compensation from the respondents and officials in the police department by invoking its extraordinary jurisdiction under Article 226 and 227 of the Constitution of India to issue appropriate writ, order or direction. On the basis of the Juvenile Justice (Care and Protection of Children) Act, 2000 and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. Petitioner claims compensation for violation of her fundamental and human rights in the sum of Rs. 10,00,000/- with costs. Petitioner argued that she is tribal belonging to caste Gond and resident of Arjuni Mor in Gondia District and that they come from a very poor family. According to the petitioner, she was born on 15th April 1977 and was a minor and also juvenile at the time she was arrested, wrongfully detained and tortured in police custody and thereafter falsely implicated in three cases on serious charges including the TADA (P) Act, 1987.

She further argued that sometime in the year 1990 while she was studying in 5th standard and was hardly 13 years of age, P.S.O. A.B. Chavan visited the petitioner's house at 12 O'clock at midnight along with other police constables and brutally assaulted her and her mother and took away the petitioner to the Police Station without there being any lady constable. At the Police station, the petitioner was severely beaten thereafter she was dumped in a Police van and taken to the dense forest of Keshori at 1 a.m. and hanged to a tree by tying her both hands upwards and then was beaten by belt till the petitioner lost her consciousness. The petitioner regained consciousness and found that she was in hospital from where she was again taken to the Police Station and illegally detained during which period she was tortured by police Officers, who used to beat her with their boots and she was forced to take whatever meal supplied to her by spreading it on the floor and when

³³ CriLJ 2202

she resisted such inhuman treatment, she has to bear beatings by kicks and other means for which she argued that P.S.O. A.B. Chavan was responsible along with other police officials. Though there were lady constables but they were helpless and could not do anything except for sympathizing with her. The petitioner argued that the police merely on the basis of suspicion that the petitioner was working with Naxalites have wrongfully detained her and tortured her in police custody in order to extort information about the Naxalites. Even one repeated request of the petitioner it paid no heed to the officers and continued to be tortured in cruel and inhuman basis.

Petitioner further argued that along with her there were other girls also which were subject to the same inhuman treatment the petitioner prayed that illegal detention of her is violative of Article 21 and 22 of the constitution of India. She also make it known to the court that only in the year 1993 that her arrest was brought on official record. Finally the petitioner pleaded that

1. The court direct the state to take action against the police officials and
2. Prosecute the official for the offences committed by them for wrongful arrest.
Detention, custodial torture of the petitioner and sending in prison knowing that petitioner was innocent and
3. To suitably compensate her

The court held that we have no hesitation to draw the conclusion that the police officers involved in the investigation of these cases were bound to come across the fact that the petitioner at the time of commission of offences was of 13 years of age as she was taking education in a school which had record of her date of birth and it was obligatory on their part to bring it to the notice or the Magistrate before whom she was produced for the first time. On the other hand, they misrepresented her age as 18 and above and sought her remand, now the State cannot blame the petitioner or the concerned Magistrate for this serious lapse for which the State will have to compensate the petitioner.

The Supreme Court held that due to failure of two police officers inquire into the age of the petitioner and her involvement in the Naxalites activity.

We have no hesitation to arrive at a conclusion that this is the case where the State has acted in violation of Articles 21 and 22 of the Constitution of India and

Juvenile Act of 1986 and Juvenile Justice (Care and Protection of Children) Act, 2000 and its officials have committed offences punishable Under Section 3 Sub Section 2(i), (ii) and (vii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and for that the State is bound to compensate the victim as provided under Rule 12(4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and particularly in respect of Item No. 18 in the serial number of the schedule, which provides for full compensation on account of damages or loss or harm sustained in victimization at the hands of a public servant. Here, we would like to add -as the original respondent No. 4 having expired, though the State is not able to proceed against him, it is to prosecute all concerned police officers who were part of the investigation team for the offence under Section 3(2)(vii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 but the State overlooked violation of these provisions of the said Act and it has failed to prevent atrocities suffered by the petitioner, at the hands of its officials.

The Supreme Court issue the following directions which are inherent in Article 22 of the constitution of India and are to protect the interest of illegal arrest, torture of the innocent persons only on the ground of suspicion of having a connection with the Naxalites. The directions are as such

1. The police personnel carrying out the arrest and handling the interrogation of the arrestee should bear accurate, visible and clear identification and name tags with their designations. The particulars of all such police personnel who handle interrogation of the arrestee must be recorded in a register.
2. That the police officer carrying out the arrest of the arrestee shall prepare a memo of arrest at the time of arrest and such memo shall be attested by at least one witness, who may either be a member of the family of the arrestee or a respectable person of the locality from where the arrest is made. It shall also be countersigned by the arrestee and shall contain the time and date of arrest.
3. A person who has been arrested or detained and is being held in custody in a police station or interrogation centre or other lock-up, shall be entitled to have one friend or relative or other person known to him or having interest in his welfare being informed, as soon as practicable, that he has been arrested and is

being detained at the particular place, unless the attesting witness of the memo of arrest is himself such a friend or a relative of the arrestee.

4. The time, place of arrest and venue of custody of an arrestee must be notified by the police where the next friend or relative of the arrestee lives outside the district or town through the Legal Aid Organisation in the District and the Police station of the area concerned telegraphically within a period of 8 to 12 hours after the arrest.
5. The person arrested must be made aware of this right to have someone informed of his arrest or detention as soon as he is put under arrest or is detained.
6. An entry must be made in the diary at the place of detention regarding the arrest of the person which shall also disclose the name of the next friend of the person who has been informed of the arrest and the names and particulars of the police officials in whose custody the arrestee is.
7. The arrestee should, where he so requests be also examined at the time of his arrest and major and minor injuries, if any present on his / her body, must be recorded at that time. The 'inspection Memo' must be signed both by the arrestee and the police officer effecting the arrest and its copy provided to the arrestee.
8. The arrestee should be subjected to medical examination by a trained doctor every 48 hours during his detention in custody by a doctor on the panel of approved doctors appointed by Director, Health Services of the State or Union Territory concerned. Director, Health Services should prepare such a panel for all tehsils and districts as well.
9. Copies of all the documents including the memo of arrest, referred to above, should be sent to the Illaqa Magistrate for his record.
10. The arrestee may be permitted to meet his lawyer during interrogation, though not throughout the interrogation.
11. A police control room should be provided at all district and State headquarters, where information regarding the arrest and the place of custody of the arrestee shall be communicated by the officer causing the arrest, within 12 hours of effecting the arrest and at the police control room it should be displayed on a conspicuous notice board.

6.7 THIRD DEGREE METHODS

In the case of *Kishor Singh Ravinder Dev v. State of Rajasthan*³⁴ the Supreme Court examined the matter in a great detail and very much concerned with regard to third degree method used by the police officials and observed that Firstly No police life-style which relies more on fists than on wits, on torture more than culture can control crime because means boomerang on ends and re-fuel the vice which it seeks to extinguish. Secondly the State must reeducate the constabulary out of their sadistic arts and inculcate a respect for the human person a process, which must begin by example than by precept if the lower rungs are really to emulate. Thirdly if any policemen are found to have misconducted themselves no sense of police solidarity or in-service comity should induce the authorities to hide the crime. Condign action, quickly taken is surer guarantee of community credence than bruited about that

“All is well with the police and their critics are always in the wrong.”

While observing that Supreme Court said nothing is more cowardly and unconscionable than a person in police custody being beaten up and nothing inflicts a deeper wound on our constitutional culture than a State official running berserk regardless of human rights.

On the basis of these observations the Supreme Court opined that the police force is accountable for custodial violence therefore a police personnel committed excesses on citizen then it leaves to their freedom from the arrest. Supreme Court while following and reminding the earlier decision of the same court was very much right and observed, the law relating to compensation is now well settled by series of decisions of the Supreme Court. To mention a few first in the line being that of *Rudul Sah v. State of Bihar and Anr*³⁵. Wherein a Supreme Court clearly held that the State is liable to pay compensation to the victim and may recover the same from its officers, who are responsible for the misdeeds. The matter was further dealt with by the Supreme Court in the case of *Sebastian Hongray v. Union of India and Ors.*, *Bhim Singh v. State of J & K and Ors.*, *Saheli v. Commissioner of Police Delhi and Ors.* The principles laid down by the Supreme Court in all these cases again came

³⁴ A.I.R. 1981 625

³⁵ A.I.R 1983 1086

for its consideration in the celebrated case of *Smt. Nilabati Behera @ Lalita Behera (through the Supreme Court legal Aid Committee) v. The State of Orissa and Ors. .* Therefore, there can be no doubt that the law is well settled that the State will have to compensate the victims of atrocities committed by its officials, particularly the police, in flagrant violation of fundamental rights and human rights of the victim.

The Supreme Court while making it clear that the atrocities committed by the police officials is a flagrant violation of the fundamental rights and human rights of the concerned person.

The supreme court finally comes to a conclusion that now the only question remain to be regard is that how much compensation should be grated to the prisoner The victim had been arrested and illegally detained right from the year 1990 when she was of a tender age of 13 years suffered inhumane torture though the petitioner has not in so many words explained that in what manner she was tortured to show that it was an insult to womanhood but one can understand the agony the victim might have suffered in police custody and, therefore, taking all these facts and circumstances into consideration in our opinion a sum of Rs. 5,00,000 would be reasonable compensation to which the petitioner is entitled and finally taking into her age torture a loneliness and mental agony of the victim ordered that respondent/ state has to pay a sum of rupees five lac to the petitioner within a period of four week from the date of judgment. The court further ordered that the state should conduct a thorough and impartial inquiry. Which the police officials should be left scot free.

And after a detailed inquiry if officers found guilty then the amount of compensation should be paid and recovered from the police officers and the report should be submitted to the court within a period of six month from the date of the judgment.

The verdict of this case make it clear that third degree method used by the police officials is neither legal nor justified. It cannot be promoted by any means. The Supreme Court has taken the third degree method as an outside of the jurisdiction of the police officials. In none of the civilized society will permit such an inhuman treatment and torturous activities committed by the police.

6.8 VALIDITY OF TADA

The Supreme Court *Kartar Singh v. State of Punjab*³⁶ upheld the validity of TADA Act 1987.

6.9 ATTACK ON POLICE CAMP

In the leading case of *Vinod Kumar Tewari v. State of U.P. & Others*³⁷ the question before the Supreme Court was disregarded to looting the arms by the Naxalites through attacking over the camp of police.

The petitioner was, a constable in the Provincial Armed Constabulary whose service conditions is governed by the U.P. Police Officers of the Subordinate Ranks (Punishment and Appeal) Rules, 1991. Charge sheet was served upon him mentioning that while the petitioner was posted as Post Commander at Camp Village Kheradih, Thana Aroua, Mirzapur, on 22nd November 2001 at 16.30 hours, Naxalites attacked the Camp and looted 14 S.L.R., 1350 cartridges, 1 stain gun and 192 cartridges, destroyed the Government property after putting it on fire. The petitioner failed to discharge his duty as per the Rules prescribed in the Margdarshak Niyamawali. The incident according to the respondents took place due to dereliction of duty by the petitioner. The petitioner replied to the charge mentioning, therein, that the police force was not adequate at that point of time as required under the Rules, no follower was posted at the Camp, due to which the petitioner had to cook the meals. On the date of the incident only two Head constables and seven constables were posted at the camp against the required strength of 11 constables. On the said date, the Santry saw 40 to 50 labourers coming towards the camp. The Santry could not understand the motive of the Naxalites disguised as labourers, therefore, the Santri did not alert the others nor made any signal or indication of imminent danger. According to the petitioner, the in charge of the camp, who is the Platoon Commander, barely visited the camp and resided at the Chauki, whereas, it was the duty of the Platoon Commander to stay at the camp. The mess arrangement was not proper at the camp, therefore, the Platoon Commander was not staying at the camp.

³⁶ 1994 SCC(3)569

³⁷ High Court of Judicature at Allahabad, WRIT - A No. - 17468 of 2010

And had he stay there he may taken a decision what to do. The petitioner recommended his decision again which the departmental office to D.I.G. and I.G. was rejected by them. Thus no appeal was made to the tribunal.

The court held that the allegation against the petitioner is primarily of a general nature of not defending the camp at the time of the Naxal attack. The appellate authority had noted the background in which the petitioner along with other constables acted at the relevant time. The guard strength was inadequate, seven guards against eleven, of which two guards, including the petitioner, were assigned the work of a cook. The Commander was not available when approximately fifty Naxals attacked the camp. In these circumstances the first reaction of the guards was to take shelter to save their lives. The appellate authority in these circumstances and on considering the material, evidence and statements of the guards was of the view that the petitioner was wrongly held guilty by the Disciplinary Authority. The penalty awarded to other constables, in the admitted circumstances, was far lesser. The revisional authority failed to record as to how the charges of misconduct was not identical to that of Sanjai Kumar Rai or the petitioner was foisted with more serious charges. On the basis this it was held by the court that appellate authorities rejected the appeal of the appellant therefore there was no urgency to interfere with the penalty purposed by the appellate authorities.

6.10 SENIORITY

*R. Thirunavukkarasu v. The State of Tamil Nadu*³⁸ the apex court have to decide the question as seniority between the promotee and senior in the lower cadre. The court observed that

“Before parting with the matter, in order to further safeguard that in case of postings, though Rule 10 covers, but especially when the postings are done in specially Naxal affected areas out of the persons posted in that zone, the unit-in-charge concerned, be it Inspector General of Police or the Deputy Inspector General of Police or Police Commissioner, may informally seek voluntary option from the officers working in that zone whether they are willing to be posted in the Naxal affected police stations so that even the remote possibility of picking and choosing can be avoided. However, it is still in the discretion of the unit-in-charge concerned, he may after going through the records may turn down the option of the incumbent if he finds that he may not come up to the expectation in that area. But the grievance

³⁸ In The High Court of Judicature at Madras, W.P. No. 35716 of 2007

of the person that he was willing to go for an extremist operation still he was not chosen by the unit-in-charge, could be redressed. This could be done by issuing a circular seeking the option for such preferential posting in the unit but the last choice remains with the unit head and he may, for reasons to be recorded, come to the conclusion that the incumbent may not be suitable for the job and may turn down the request but at least the incumbent will have the choice to serve in anti-extremist operations.”

6.11 EXTORTION BY NAXALITES

This case *Ollala Kamlakar Lachaiah and Anr. v. State of Maharashtra and Anr*³⁹ is very landmark case on the issue of the extortion by the Naxalites.

The petitioner argued that the F.I.R. does not disclosed. According to the petitioners, petitioner No. 1 is an investing partner and petitioner No. 2 has working knowledge of business of Tendu leaves. Both the petitioners are Tendu Leave Contractors. Petitioner No. 1 is also a Registered P.W.D. Contractor. Petitioner No. 1 had applied to the Government for permission to collect Tendu Leaves and after complying with the necessary formalities entered into an Agreement with the Forest Department of State of Maharashtra for collection of Tendu Leaves. According to the petitioners, they had entered into a Contract with A. A. Nayeem - Bidi Contractor who purchases Tendu Leaves and supplies it to other Bidi Factories. The petitioners were running out of fund and as such they were paid Rs. 8 lacs as advance for supplying Tendu Leaves by the said Bidi Contractor A. A. Nayeem who is the petitioner in other Writ Petition No. 255/02. Out of the said amount of Rs. 8 lacs, a sum of Rs. 5.5 lacs was seized by the Police at Ballarshah on 28th May 2002 from the Vehicle parked in front of Hotel Arjun. At the time of seizure, the driver of the vehicle was present but the petitioners were away. According to the petitioners, they came to know about the registration of the F.I.R. and as such they surrendered before the additional Superintendent of Police on 4th June 2002. According to the petitioners, the names of the petitioners do not figure anywhere in the F.I.R. lodged by Bapu Reddy. The petitioners had, therefore, sought a writ of Habeas Corpus as also for quashing and setting aside the prosecution of the petitioners for the offence under Sections 366, 367 of the Indian Penal Code and Arms Act and under the provisions of POTA. The prayer for Habeas Corpus has not been pressed.

³⁹ 2003 (2) ALD Cri 40

In writ petition the petitioner has referred the contents of the F.I.R. in various paragraphs of the petition. According to the petitioner, he was called by respondent No. 3 on 12-6-2002 for the purpose of investigation and he was arrested for the offence under Sections 363, 368, 143, 146, 147, 148, 149 and 121 of the Indian Penal Code read with Section 3(25) of the Arms Act and under Section 3(3) of POTA. But he denied by saying that there are no allegations whatsoever for even the remotest possible involvement; that a sum of Rs. 8 lacs was advanced by the petitioner to the Unit Contractors viz. Khawaja Moiddin and Kamlakar. It was a business transaction between two contractors and at any rate other than what has been scribed in the receipt. For what purpose the amount was borrowed by the said Unit Contractors; that assuming but without admitting that the money was allegedly passed on to Bakanna Naxalite gang by the Unit Contractors viz. M/s Khawaja Moiddin and Kamlakar, the same cannot amount to voluntary contribution or assistance rendered by the petitioner when there is nothing on record to infer that he had any knowledge that M/s Bapu Reddy and Narendra Reddy were kidnapped by the gang of Naxalites. The petitioner, therefore, prays for quashing of registration of Crime No. 27/02 of Police Station, Sironcha, District Gadchiroli. The petitioner submitted that since the government is not able to control the Naxalites therefore it is sine qua non to provide many other methodology to protect the Naxal activities.

The return filed by the state it is stated that on 2nd June 2002 Bapu Reddy gave a written report in Telgu language stating that he was abducted on 19th May 2002 along with Narendra Reddy by the members of Bakkanna gang from Kaleshwar Unit to forest of Nandigaon. Bapu Reddy was threatened by Bakkanna to bring party fund of Rs. 9.84 lacs from his Unit contractor and he was compelled to write one chit. Narendra Reddy was sent with the said chit to his Contractor and after Narendra Reddy left, Bapu Reddy inquired from Bakkanna what he would do with such huge amount. Bakkanna replied that same would be required to fight against the Government and to procure arms and ammunition to sustain Naxal activities to overthrow the Government and to sustain and secure their cadre. According to Bapu Reddy he managed to escape from the clutches of the gang under the pretext of ill health. He also disclosed that Adi Reddy was in their captivity when he escaped from the clutches of Bakkanna. The Police Station Officer registered offence under Sections 363, 368, 147, 148 read with Section

149 and 121 of the Indian Penal Code and Section 3/25 of the Arms Act vide Crime No. 27/2002. Prior to that on 25-5-2002 two trucks of Tendu Leaves belonging to Satyanarayan Reddy and his associates were burnt by Naxalite Bakkanna and his associates near Mahadeopur and Police has registered a Crime.

According to the respondents, during interrogation on 28th May 2002, A. A. Nayeem had declined having made any payment for release of his abducted workers but during the investigation on 30th May 2002 he had shown a slip on plain paper written in Telgu language and said that the same was a receipt of payment made to Khawaja Moiddin, but the document recovered from Khawaja Moiddin was in English and according to Khawaja Moiddin the said document was prepared after his return from Hyderabad on 4th June 2002 in the back date showing the date as 28th May 2002. Therefore, according to the respondents, the petitioners have fabricated the evidence. According to the respondents, the Additional Superintendent of Police, Chandrapur, to whom the said chit was shown by A. A. Nayeem during the interrogation, had forwarded a report wherein it was stated that on the said document there were no signatures and the date given was 29th May 2002. Therefore, according to the respondents, money paid by A. A. Nayeem to the petitioners in Criminal Writ Petition No. 247/02 was not for the purpose of trade but in fact, it was to be paid to Bakkanna as party fund to sustain and strengthen the ongoing Naxalite movement in Gadchiroli District, out of which Rs. 6.5 lacs have been seized by Police on 28th May 2002. According to the respondents, the petitioners were in constant touch with Bakkanna and his people willingly, deliberately and actively helped the Naxalites in furtherance of their activities on account of which they were arrested under Section 3(3) of POTA. Respondents further contended that in Crime No. 15/01 of Sub Police Station Permili Police, certain documents have been seized from the Naxalites which proves that A. A. Nayeem paid a sum of Rs. 11.90 lacs as well as several other goods for the same purpose. In additional affidavit which is on record of Criminal Writ Petition No. 247/02 at pages 43 to 53, it is submitted that the investigation has revealed that petitioner No. 3 reference to A. A. Nayeem had not paid money under duress because the abducted person was released by Naxalites much before the time of actual payment. It is also stated therein that said A. A. Nayeem did not disclose in his statement on 28th May 2002 that any such payment was made. This statement was recorded in the afternoon whereas according to the

prosecution case the said amount of Rs. 8 lacs was paid in the morning on 28th May 2002. Of course, the petitioner A. A. Nayeem in the affidavit filed by him has stated that the said amount of Rs. 8 lacs was paid after recording of the said statement on 28th May 2002.

The state argued that petitioner A. A. Nayeem had earlier also paid Rs. 11.90 lacs to the Naxalities. In this respect, the learned Senior Counsel has stated before us that the petitioner is not an accused in the said case and the proceedings therein have been closed. He had also placed reliance on the Judgment in *L. K. Advani v. Central Bureau of Investigation*,⁴⁰ and *Central Bureau of Investigation v. V. C. Shukla and Ors.*, in support of his contention that the entry on loose sheet is not admissible in evidence and that such statement or entries shall not alone be sufficient evidence to charge any person with liability. In both these cases, charge sheet had already been filed. In relation to the evidence relating to receipt, it is urged that the receipt is in respect of the business transaction. The report of Additional Superintendent of Police shows that the documents which were shown did not have any signatures and the date mentioned therein as 29th May 2002.

Taking into consideration of the evidences produced by both the parties. The Supreme Court opined that it is not a fit case where extra ordinary extraordinary jurisdiction of the Court should be exercised in order to scuttle the investigation of the matter. There is sufficient material on record so as to continue further investigation into the matter in addition to the material which is already there against the petitioner. In view of the above, court did not find any merit in the petitions and the petitions are hereby rejected.

As per the decision of the Supreme Court since there was no merit in the petitioner argument hence his petition was rejected by the court.

6.12 PROPAGATING NAXAL METHODOLOGY

In this caser of *Abhay Nayak v. State of Chhattisgarh*⁴¹ three connected appeal have been filed under section 21 (4) of the National Investigating Agency

⁴⁰ 1997 Cri.L.J. 2559

⁴¹ High Court of Chhattisgarh Bilaspur, CRA No. 1213 of 2019.

Act, 2008. In this case an information was received by police that on the road banner had been put on along with pamphlets. On received of the information the police officials made by the SHO reached to the place and found a banner and anti-national content and few pamphlets written in English propagating Naxal movement on the search of the nearby places the police team found an explosive like material and fuel wires when the police team went to the Bangolre did not information When the police team went to Bangalore, Karnataka it got information that the appellant is not available in the country, but is travelling abroad with unknown location. Thereafter, Bastar Police issued Look out Circular. The Immigration Bureau, New Delhi, informed the Superintendent of Police, Bastar that the appellant has been taken into custody. He was enquired by Bastar Police at Delhi and thereafter, upon his consent, Laptop, Mobile, Hard Disk, Pen Drive, etc. were recovered and brought to Bastar for further investigation. In his confessional statement the appellant admitted that for propagating Naxal activities he acts as a Blogger and Spokesman. Additional Advocate General would submit that the appellant is a member of over ground cadre of CPI (Maoist) not only before 22nd June 2009, CRA No. 1213 of 2019 & Other connected matters but thereafter also. The appellant was fond using the e-mail ID to propagate Naxal movement and ideology. The appellant opened the blog Abhay Naxal Revolution in the year 2011. He has deleted certain incriminating articles, which were later on recovered during data analysis. The appellant runs the blog, receives e-mails and disseminate to others and hence the appellant is actively working as member of over ground cadre of CPI (Maoist).

On the basis of the evidences produced by the parties it become clear that appellant has no connection with the Naxalites movements. He was if have any interest it was only with regard to ideology of the Naxal movement and furtherance of Naxalism. The council of the appellant argued that his client was not involved in any Naxal movement.

The Supreme Court after analyzing the given argument make it clear that the complete with regard of the duties and accusation made against the accused is prima facie true or not? To wit, soon after the arrest of the accused on the basis of the FIR registered against him, but before filing of the charge-sheet by the Investigating Agency; after filing of the first charge-sheet and before the filing of the

supplementary or final charge-sheet consequent to further investigation under Section 173(8) Cr.P.C., until framing of the charges or after framing of the charges by the Court and recording of evidence of key witnesses, etc. However, once charges are framed, it would be safe to assume that a very strong suspicion was founded upon the materials before the Court, which prompted the Court to form a presumptive opinion as to the existence of the factual ingredients constituting the offence alleged against the accused, to justify the framing of charge. In that situation, the accused may have to undertake an arduous task to satisfy the court that despite the CRA No. 1213 of 2019 & Other connected matters framing of charge, the materials presented along with the charge-sheet report under Section 173 of Cr.P.C., do not make out reasonable grounds for believing that the accusation against him is prima facie true. Similar opinion is required to be formed by the Court whilst considering the prayer for bail, made after filing of the first report made under Section 173 of the Code.

For that, the totality of the material along with the report and including the case diary, is required to be reckoned and not by analysing individual pieces of evidence or circumstance. The question of discarding the document at this stage, on the ground of being inadmissible in evidence, is not permissible. For, the issue of admissibility of the document/evidence would be a matter for trial. The Court must look at the contents of the document and take such document into account as it is.

It is a patent law that while considering the prayer for grant of bail the material collected by the prosecution thus far need not be discarded nor its admissibility or otherwise is to be considered at this stage. If the case diary and other materials disclosed that the accusation against the accused is, prima facie, true, the bar under the proviso to sub-section (5) of Section 43D of the Unlawful Activities (Prevention) Act, 1967 would be attracted.

In this case there is material collected by the Investigating Officer which furnishes reasonable ground for believing that the accusation against the appellant is, CRA No. 1213 of 2019 & Other connected matters prima facie, true. Thus, no case for inferring with the trial Court's order is made out. As a sequel, all the criminal appeals, sans substratum, are liable to be and are hereby dismissed.

6.13 COOPERATIVE FEDERALISM

In the case of *Janglun Singson v. The Union of India and 5 Ors*⁴² a writ petition was filed by the petitioner under article 226 in which petitioner appealed that adverse entry in the Annual Performance Assessment Report had the effect of lowering down APAR from outstanding to very good. In the writ petition it was projected that the petitioner was a direct recruit BSF officer of the year 1995 batch. After successful completion of his training he was posted as Assistant Commandant, BSF. At the relevant point of time, after getting promotion, he was holding the post of Second-in-Command /2IC for short of 61 Bn BSF, the post he was holding as on the date of filing of the writ petition. It is also projected that two incidents had taken place near the area of operation of the 61 Battalion BSF in course of anti-Naxal operation in Odisha. The first incident occurred on 16th November 2013, when an information was received that an informal meeting of the Naxals was convened with the civilians in village Badapada at that time the Battalion Commander was on leave. The petitioner had to head the operation. However, the State police disappeared from the point of start of operation and in view of the direction contained in Memo No. 11. issued by the Government of India, Ministry of Home Affairs, Naxal Management Division with the effect that for any Naxal operation, the force may have a ratio of 1:3 between the State Police Force and CPMF. Accordingly, on being informed of the absence of the State Police, the petitioner had called off the combing operation.

It is neither any meeting was held by the Naxals on 16th November 2013, nor there was any untoward incident. However in a separate incident on 19th November 2013, two BSF informers, namely, Laxmi Khora and Satirao Hantal were shot dead.

The lady informer was offered accommodation in the vicinity of THQ-Chitrakonda and COB, Janbai keeping in view of the threat posed to her. But she had refused to avail secured accommodation and continued to remain in her village. Therefore lady informer had taken a risk at her own peril. It is submitted that the concerned unit was deployed for Anti-Naxal town duties with its tactical Head Quarters at Chitrakonda, Malkangiri, Odisha and information was received on 16th

⁴² The Gauhati High Court, WP(C) 5758/2015.

November. 2013 by the Company Operating Base, Badapada about the presence of Naxalites, near village Dudhappli, Badapada and accordingly, the Coy Comdr. had planned an operation along with the available police representative but before the operation could be launched, the police representatives had left COB, Badapada for Chitrakonda, P.S. and accordingly, the Coy Comdr., COB, Badapada informed the petitioner about it. And directed the Coy Comdr. to abandon the search. Accordingly, no operation could be launched for Anti-Naxal Operation despite having confirmed information about the presence of Naxal group in the area. Thereafter, on 19th November 2013 at about 21:45 hours the sentries of COB, Badapada heard the sound of firing at Baliguma village and immediately, the concerned operation unit of 55 persons under the command of Shri Priyank, Assistant Commandant went to the place of occurrence and during search, dead body of two persons were found along with the letter of Bhartiya Communist Party Maovadi was recovered in which it was mentioned that “she was an informer and hence has been sentenced to death”.

In the search conducted from 19th November 2013 and 20th November 2013 live rounds and anti-fire case of 7.62 mm SLR were found from the operational area.

The Gauhati High Court held that seen that in para-9 of part-1 of the APAR, there is an entry the petitioner had been awarded IG's CC as his medal/ decoration and in part-2 of the APAR, the petitioner had made a comment that he was awarded the IG's CC for the operation conducted on 21st February 2014 which was within the period of the APAR i.e. 01st April 2013 to 31st March 2014. Therefore, the remarks relating to review wherein the review authority had held that there is no notable achievement by the petitioner during the period is not sustainable. Similarly, the remark in para-2 of part-4 to the effect. Therefore there was no outstanding achievement by the petitioner during the period is not found sustainable.

It is further seen that while the representation submitted by the petitioner the Special DG, BSF Eastern Command shows no killing had taken place on 16th November 2013. The authority is found to have failed to appreciate that the remarks at part-4 as mentioned herein before was also incorrect and contrary to the entries made in para-9 of part-1 and part-2 shows that the petitioner was awarded IG's CC for the operation on 21st February 2014 which is within the period of the said APAR.

On the basis of this factual situation the court is very much hesitant while saying that by stipulated date of incident which take place 11th March 2015 the competent authority had not taken note of the anomalies as well as the fact that in the light of notification dated 03rd August 2010 issued by the Government of India, Ministry of Home Affairs, Naxal Management Division.

However, the petitioner could have carried out the search operation in the absence of the police personnel from the state police. No record has been produced by the respondent to show that in a situation where the State police goes back to the point of start of the operation to the P.S, what procedure is mandated to be followed by the concerned Battalion to carry out the search operation. It is seen that the adverse note has been taken against the petitioner however it is not clear in what sense and how the killing incident of 19th November 2013 is linked to the failure of such search operation on 16th November 2013.

Taking into consideration the court made it clear that in the impugned order the competent authority has failed to his judicial mind. And only on the basis of mechanical approach the authority failed to appreciate the laurels and medal and authorities as given in APAR has also failed to take note that the observation of DG BSF does not reflect the correct account of killing of two BSF informers.

On the basis of the above observation the court set aside the order passed by special DG BSF and the matter has been remanded that for a reconsideration of the representation submitted by the petitioner for deleting the adverse remark and directed that while passing the order afresh the authority should not be influence by the earlier order.

This case is a case in which the higher authority of the BSF has passed an order without taking into consideration of the medal and laurels won by the petitioner and make him responsible for the episode which was neither within his jurisdiction nor was within his reach. Therefore, the court was right to adopt a middle path to submitted the petitioners allegation to be shorted out by another competent authority and also put a word of caution that the authority which are authorize as such should not be influence by the earlier decision of the other

authority. The approach and the mechanism adopted by the court since to be rationale, justified, reasonable and within the fore corner of law.

6.14 FREE AND FAIR ELECTION

In a landmark case of *Indian National Congress Party v. Central Election Commission And.*⁴³ Analyses the role play by the election commission for conducting free and fair election to strengthen the democracy of India. The main issue was how and in what way it become possible for the election commission to conduct a free and fair election in the Naxalite prone areas. Two writ petitions have been filed by Indian National Congress Parry represented by the Secretary, Dr. K.V.P. Ramachandra Rao, Andhra Pradesh Congress Committee, Hyderabad. Central Election Commission, Chief Electoral Officer, Andhra Pradesh, and the Superintendents of Police of the Districts of Adilabad, Karimnagar, Nizamabad, Warangal and Medak as also the Director-General of Police, Andhra Pradesh as respondents. Telugu Desam Party represented by its General Secretary is also arrayed as one of the respondents and, in fact, allegations are made against the said party, which is the ruling party in the State of Andhra Pradesh by the day of election.

In this writ relief is sought for the intervention of this Court to issue directions to ensure the absence of M/s. Umesh Kumar, Inspector-General of Police, Greyhounds and S.R. Tiwari, Deputy Inspector-General of Police, Special Investigating Bureau, Anti-Naxal Group from the four districts of Adilabad, Karimnagar, Nizamabad and Warangal to ensure that they do not in any manner interfere with the peaceful conduct of elections to the Parliamentary and Assembly Constituencies scheduled on 18th September 1999. The petitioner also prays that if it is felt necessary, the above two officers should be restrained from entering those four districts.

After going through the entire argument placed by the three parties before the court, the court finally conclude that

“The democratic principles form the basic structure of our Constitution and the free and fair elections are basic concepts of democracy. The Election Commission is invested with the powers under Section 324 of Indian Constitution

⁴³ 2000 (1) ALD 262, 1999 (5) ALT 595

and the allied provisions to ensure free and fair elections and for that purpose, the said Commission is invested with powers to prepare the electoral rolls, conduct elections and oversee that the said elections are held in a free and fair manner. While the police personnel are obligated to monitor the law and order situation, the Election Commission is specifically invested with the power of drawing such police personnel and also other officers/persons, as the circumstances may warrant, to monitor the situation during the poll days. Poll related violence has to be deprecated as it negates the very essence of democracy. Every voter has got constitutional right to exercise his franchise and a reading of Articles 325 and 326 of the Indian Constitution makes it abundantly clear. If this right is violated, there will be a glaring infraction of the right to life enshrined in Article 21 of Indian Constitution. As such, heavy responsibility is cast upon the Election Commission to see that no voter is prevented from exercising his franchise and that any attempt to curb the right of any voter has to be met with all force. It shall not be mistaken that Article 329 of Indian Constitution limits the power of the High Court, which is a constitutional functionary and which is invested with plenary powers, to issue writs under Article 226 of the Constitution of India, if the situation so warrants.”

Election Commission is a body with specific functions entrusted to it and enumerated above, but, if it fails in its duties to meet the constitutional demands, which will go to the very roots of democracy, the High Court as a constitutional functionary cannot shut its eyes and be a silent spectator.

If the high Court feel that

“There is any lapse or deficiency on the part of the Election Commission and its subsidiaries, this Court shall not shirk its responsibility from acting in the manner restoring faith of the people in democracy and issue appropriate directions to the Election Commission for taking such effective steps, as may be necessary, for ensuring free and fair poll.”

The written instruction handed over to us, we are satisfied itself shows that sufficient measures have been taken by the Election Commission of India and its subsidiary i.e., Chief Electoral Officer of Andhra Pradesh for ensuring free and fair elections.

The allegations which are against the Chief Minister of this State and also of the Telugu Desam Party that Rigging has taken place as in 1998 so there are every chances that rigging is going to take place in these elections too. Therefore under these circumstances a number of persons have been employed and are to act under the direction of the two officers, by court, is an unsounded allegation and have no basis. The allegations are simply of general nature and vague. On these allegation it is hardly possible to draw any presumption that since in the parliamentary election

Telugu Desham Party had one more parliamentary seats to the Naxal infected area there was rigging.

Furthermore the counsel of the election commission has stated that though the two officers are deemed to be officer under the election commission of India till the completion of these elections under section 28 A of the representation of peoples Act 1951. But yet no duty entrusted regarding completion of election .however they are under the direct control superintendence and discipline of election commission of India before the election process is completed. While the state government during this period have no control over them.

The Andhra Pradesh high court while going through the entire argument put by the parties finally comes to a conclusion that the election commission of India and its subsidiary authorities at the state and district level, without any if and but, are in full control of the situation and the court has all the ground to satisfied that all possible arrangement have been made by the authorities for proper conduct of election as per the constitutional mandate. Therefore, the court finally conclude that we find no substantial ground to interfere in the election process by issuing any directing. Therefore, the writ petition was dismissed by the court.

In this case allegation was made by the parties on the working of two officers as well as apprehension of rigging by the political parties but the court comes to a conclusion, of which we show our agreement, that the allegations are without any foundation and are baseless and it based only on surmises or suspicion and entire arguments put by the petitioners is of no importance. Hence the court was right while dismissing the writ petition and not issuing any directions, instruction or order to the election commission and its subsidiary authorities, stand justified.

6.15 OBSERVATION

On the basis of the cases which were brought before the court the following observations can be deduced.

1. Naxalites is a movement. It is an ideology which are mostly based on Marxism or Leninism or Maoism.
2. This movement at the very beginning started with pious and welfare purpose mostly to give relief to the poor and innocent tribal from the clutches of the Zamindar, Talukdar, and Well to do persons not only this but also provide relief to them on the high handiness by the civil authorities including governmental officials upon these masses.
3. How so ever the atrocities committed by these persons includes to take with them work without payment, which less payment, used them at a bonded labour and not only have these too used their female to satisfied their sexual lust and other heinous activities. In short, to make their life measurable and not worthwhile to live.
4. To give some relief to these unfortunate person an attempt was made by the Naxalism to rub.
5. The attempt made by the Naxalism though looks very nice, satisfactory and for the welfare of the tribal masses, but with the passes of the time it lost its glory and itself become a tool for exploiting the tribal masses.
6. On the question of posting of the person in the Naxal inflected area the view taken by the court is just, reasonable, rightness, rationale, as per the governmental rule and regulations, whereby the court observe that one or other have to be appointed in Naxal affected areas and it would not be possible to limit the number of their posting otherwise it is very difficult rather impossible to place any person in Naxal dominated area. Its makes no difference that the person is already previously served in the Naxal inflected areas.
7. In Laxamnpur bathe massacre case we find our self not in agreement with the decision of the high court where the court acquitted all the culprit on the ground of sufficient and reasonable evidences. The case has taken too much time to be decided. This itself make it clear that because of the long time taken to decide is

sufficient to shortened the evidences. So there is nothing new on the ground on which the court based its decision.

8. The cases regarding arrest of generally and highly powered persons only on the ground of suspicion of their involvement or help to the Naxalism is not a prove that they are Naxals, is the view which is justified.
9. Lastly the case related with election and allegation made against the official as well as rigging by the political parties which are not based on any sound ground is rightly rejected by the court.

So, the court's decision and observations made by it seems to be within the norms of the law and justified on any ground of civic sense and sociological balance of the society.

ISSUES AND CHALLENGES OF NAXALISM: A SOCIO LEGAL ANALYSIS

7.1 INTRODUCTION

The chapter seventh is mainly concerned with socio legal dimension of the study.

For the purpose of the study this chapter is broadly classified into three parts. Part first deals with the for the actual evaluation and information regarding reason, causes strengthening and various objections imposed upon Naxalism can be study in the presence of the persons who are participator, sufferer and administrator taking into account of the Naxalite problems and to take the cognizance of atrocities committed by the Naxalites against local populai or governmental instruments not only these persons but help of the or rather observation of the panchayat officials younger persons including students are also the subject of our study. To all these persons a questionnaire containing the primary problem for distributed to the various persons performing three groups. Group first contained the participation of general population of the places visited. Second group consist of surrender Naxalites as well as member of Salwa Judum Capmp and the victim who escaped from the Naxalite custody or training while the third group is made up of persons belonging to having an expertise in Naxalites problems/ Naxalism.

Side by side with the help of the administration a meeting was also brought by the researcher includes officials like D.I.G., Anti Naxal Operation, Chhattisgarh, inspector Vishnudev, inspector Umashankar Jangadre, S.I., Anand Shukla, including general public consisting of adult, younger and student too. The researcher poses a number of problems before this congregation in the form of questions which are satisfactorily answered by the officials and local populations.

On having an information that some Naxalites who are previously very active are surrendered before the governmental authorities and passing a peaceful life in the surrounding area on the request made by the researcher to visit that place

and have their opinion regarding the pros and cons of the Naxalism. The authorities permit him to visit and interviewed them. The researcher visited that particular place and get the sufficient information from those Naxalites including to women also concerning is research work.

The part second deals with the methodology adopted to analyze the data. Interpretation and hypothesis which are closely connected with the discussion held with various authority, Naxalites and people at large. This primary data was analyze with the help of SSPS software and for the purpose of the analysis the statements are divided according to the variable. The analysis methods are factor analysis, chi square test, means analysis, regression and multiple linear regression. Therefore it can be said that to interpret the data four types of analysis was utilized.

The third part of the chapter seven basically deals with the development of index of the total problem level of Naxalism as well as index for ideological, historical, legal, social, political, economic, security non security, governance and environmental issues respectively.

7.2 PART FIRST: PLACE VISITED AND OBSERVATION

7.2.1 The Places Visited

Out of the five state Chhattisgarh, Madhya Pradesh, Bihar, Jharkhand and Uttar Pradesh the following places / area which are densely populated by the and vehemently affected by the Naxalite movement are clearly shows in table 1.

Table 7.1: The Specific Areas of the Naxal Affected State That were visited

	State	Places visited
1	Chhattisgarh	Raipur, Jagadalpur, Tongapal, Kondagaon, Dantewara, Sukma, Narainpur, Kanker, Saraipalli,
2	Madhya Pradesh	Jabalpur, Mandla, Balaghat, Seoni
3	Bihar	Patna, Ara
4	Jharkhand	Ranchi,
5	Uttar Pradesh	Lucknow, Mirzapur, Sonbhadra,

7.2.2 Dimension of Naxalism in Chhattisgarh

7.2.2.1 Bastar Region: A Study

In The state of Chhattisgarh the Baster region comprises the seven districts; namely, Bijapur, Sukma, Dantewada, Bastar, Kondagaon, Narayanpur and Kanker. These areas are mostly dominated by the tribes which consist 70 percent of Bastar's population including Gond, Bhil, Abhujmarias and Halbies This area is heavily forested and the inhabitant are mostly tribal people and other belongs to business community consisting of Marwari and Sikh. Some persons belong to east Bengal refugee who were allotted camps because of Indo Pak war 1971. The entire population is basically dependent for their livelihood including agriculture, artisan work pottery, terracotta, bell metal work, wood work and forest produce. On the spot visit was made by researcher which confirm the above hypothesis and during his visit the researcher also found that because of illiteracy, some missionary and NGOs are in operation.

7.2.3 Field Visits

Some places belonging to Bastar region of the Chhattisgarh was physically visited by the researcher and get an opportunity to interact with the local population and professions belonging to medical , teaching, forest officials and Kausali camp . In the same way a visit was also made by the researcher to find out the ground reality of the Jharkhand, Madhya Pradesh, Bihar and Uttar Pradesh. With the conversation and interaction which took place between researcher and the other segments of the society. The result are as such.

1. Naxalism is a not only a problem which can be tackled by the legislation only but it is a socio legal problem or challenge. Which affect the not only the security of the state but it is also a holistic problem or challenge to Indian government also.

7.2.3.1 Social Challenge

The social challenge have various dimensions. It affected very badly the social fabric or social norms of the societal set up of the society.

7.2.3.1.1 Educational Set Up

Indian constitution under article 45 and 39 (f) of directive principles of state policy originally had a provision for the state funded education along with equitable and accessible education. In *Unni Krishnan JP v. State of Andhra Pradesh & Others*¹ the Supreme Court held that education is a fundamental right under article 21. A committee with the name Tapas Majumdar Committee was set up in 1999. Which recommended insertion of article 21 A by 86th amendment of the constitution the right to education becomes a fundamental right under part third of the constitution under article 21 A for children between the age of six to fourteen years and right to education act to raise the overall quality of the education in the schools.

Although Chhattisgarh government has launched a number of programmes to improve the educational standards in the state, some of the parameters that were examined included basic facilities like infrastructure availability of qualified teachers, teacher to students ratio, female teachers, class rooms, electricity connection and its functioning, library facilities in upper primary schools, drinking water, separate toilets for boys and girls, playground etc. the present education system is based both on the government and private run institutions. The government run educational institutions are functioning under two departments: the education and tribal welfare. The latter is responsible for day to day functioning of schools in tribal belt region. However, the policy matters, appointed of teachers and conducts of examinations fall under the purview of the educational departments.

Private education institutions in the area are run by individuals and in some cases by the missions or NGOs. They are self-funded by their own internal arrangements fees from student's donations as the case may be. In the former case, they are run with the profitability of the venture as the basic aim. The missions and the NGOs, however, are said to run their institutions on a "No Profit" basis with sole aim to uplift the standard of education.

According to few locals, it appears that Schools has been destroyed by the Naxalites, so that army could not campaign there. The Naxals have destroyed some assets pertaining to educational infrastructure with multiple aims to assist their

¹ 1993, AIR 2178.

movement. This helps them to pick up young children into their Bal Sanghthans, to became the part of the Naxal forces. Some of the damaged infrastructures were seen by the researcher himself.

Researcher observed that two type of teachers are appointed permanent and adhoc basis. And the power for appointment of teachers in schools has been delegated to the Zila Parisahad & Municipalities in the rural and municipal areas respectively. Permanent teachers get full pay scales and emolument. Adhoc teachers are on contract basis, which get lesser pay scales as compared to the permanent teachers. It was learnt that a large number of teachers in the Bastar region are employed on adhoc basis. However, based on interaction with the teachers, principals, students and parents, some of the issues and challenges are:

1. There is high dropout rate of primary school going children especially in the case of girl children. Approximately 60 percent primary schools did not have electricity connections and furniture require extensive repairs.
2. There are major problems pertaining to infrastructure, quality of teachers, disparity in pay structure of teachers and language of instruction. In the interior areas like Sukma, Tongapal, Narayanpur and Orcha, there was hardly any person/ student who was pursuing studies degree or post-graduation level in any of the select institutes of the country.
3. There is huge inadequacy of teaching staff. There are few schools which had only two to three teachers running four to five classes. The availability of qualified teachers in Sukma, Kondagaon, Bastar, Narayanpur and Dantewada district, is unsatisfactory.
4. Inadequacy of teaching staff is responsible for an unsatisfactory performance of education in the schools.
5. There is a wide disparity in pay which exists between the permanent faculty and adhoc teachers, which need to be corrected.
6. The local tribal languages do not have a script of their own. The tribal children have difficulty about the languages to study in. while their mother tongue of the students could be Gondi or Dhurvi or Telga or Halbi, but Hindi is the official medium of institutions. Adivasi education has to be take into account their languages and culture. Adivasi children, because of their knowledge of flora

and fauna, have the potential to be specialists in conservation of environment and biodiversity, beside other fields. In few Naxal Affected Area Mother Tongue based Multilingual Early Childhood Education is considered to be the key to increasing literacy levels and skill among tribal children. It has a number of advantages children feel more secure, establish their identity, increase in admissions of students, easier to assimilate instructions etc.

7. The schools lack basic facilities and teaching aids such as availability of laboratory equipment, sports equipment, training charts teaching aids models etc. in addition, there is need to provide clean drinking water and school toilets. Civil administrative machinery lacks proper infrastructure to provide good training to the teachers, which has a direct effect on the quality of education being imparted.

7.2.3.1.2 Health Issues and Medical Facility

In case of the *Parmananda Katara v. Union of India*² the Hon'ble Supreme Court held that right to medical care is fundamental right under Article 21 of the Constitution of India.

The researcher observe that lack of awareness regarding basic health issues and poor sanitation are the major reasons for rampant health problem in areas. The major problems of the health are Malnutrition and anemia, Respiratory problems/ tuberculosis primary due to malnutrition, Malaria, cataract related health diseases, Skin diseases, fungal infections, leprosy, Dental problems like carries, fluorosis.

Besides problems of nutrition value of food, these ailments/ diseases were primarily due to the following reasons

1. There is poor health care due to the acute shortage of doctors, inadequate staff and deficiency in medicines. Inadequate, irregular and poor quality of medicines.
2. There is Lack of latest medical equipment and diagnostic facilities.
3. There is better services by private health institutions in Bastar, but rather expensive.

² 1989 AIR 2039

4. There is unhygienic conditions due to lack of good storage facilities and non-availability of basic amenities like refrigerators, hot water appliances, spare linen, and syringe disposal machines etc. poor water supply managements.
5. Though abundant schemes exist, implementation is ban of the system. Along with this, corruption and lack of accountability compound the problem further.

There was a fairly large deficiency of doctors, paramedical personnel, both at the block and sub health centers in the villages. There is a serious shortage of specialists like gynecologist, pediatricians and surgeons even up to the district level hospitals.

The daily diet of the average villager is rich in carbohydrate and vegetables but deficient in proteins. It was learnt that dal variety was available in limited quantities only through the PDS, and poor people cannot afford to buy from retailers.

People practice open defecation, which is the root cause of worm infestation, anaemia and dermatitis. Bio medical waste disposal mechanism and agencies are not available. Sanitary toilets have generally not been provided to the households.

In some cases, long tenures of doctors in such difficult areas lead to low motivational levels. So also, lack of timely promotion of the doctors leads to frustration and loss of faith in the system. Besides the security aspects, meager transport allowance of about Rs 2000/ per month is a major deterrent for doctors to make frequent visits to the interiors of the region. There is a need to provide higher incentives to doctors and medical staff serving in such areas. The remote areas of the state are facing certain peculiar health challenges at the gross root level.

7.2.3.1.3 Good Governance and Corruption

In India corruption is visible in each and every walk of life. It is so rampant that it destroy the entire social fabric of the society. It can be said that corruption is running in the blood of the Indian. These region of Chhattisgarh, Jharkhand, Madhya Pradesh, Bihar and Uttar Pradesh are not exception to such dimension of corruption. Whether it is Uttar Pradesh or Bihar, Chhattisgarh or Madhya Pradesh or Jharkhand everywhere in each and every aspect is heavily dominated by the

corruption. And all the assurance given by the government in the name of good governance are remains only as a slogan. And have no deterrent effect upon the person who indulged in corrupt practices. While it also observe by the researcher that in comparison to other region of the five states the Naxalite dominant region are more corrupt.

7.2.3.1.4 Accessibility of Minimum Support Price

On the sale and purchase of tendu leave the poor people of the particular area are heavily exploited by the tendu leave contractors. With the increase dimension of Naxalism the price of tendue leave was increase by them manifold. To protect the interest of the poor masses of the region all types of stapes should be adopted by the government particularly providing MSP for all types of minerals and forest produce. It is well known that the particular area is vehemently exploited by the contractor and government officials are taking no interest to the exploitation of the poor masses by the contractor etc. at the beginning the Naxalites fixed the MSP of tendu leaves and other product in the name of providing benefit to local masses. But it is strange to found out that no government official visited that areas not made any attempt to comprehend the problems of the local population. This give a chance to the Naxalites to run a parallel government in the name of Janata Adalat which become a very popular among the particular tribals. In a particular case the entire family joins the Naxal cadre was confirmed by the D.I.G., P. SUNDAR RAJ to the researcher in a meeting held with him in September 2018. The officials are avoiding the posting of their in Naxalite areas because they have to pay the levy or taxes to the Naxalites.

7.2.3.1.5 Cash Crops and Drug Cultivation

Since the Naxal area is mostly covered by the trees and formed the forest or jungle hence there are no scope of having barren land for the purpose of cultivation of cash crops. Whatever land are there that are only because of cutting of the trees of the jungle and not very much suitable for the purpose of cash agricultural activities therefore the tribal and the local population pays more attention towards the cultivation of drug crops particularly bhang etc. which take little labour and less involvement of money. Whatever money generate or incurred to these person by the sale of drug Naxalites also put a tax on such income.

7.2.3.1.6 Social Discrimination

from time memorial a discrimination is rampant on the ground of mostly caste , sex and religion etc. however the constitution of India under article 14 to 18 prevent such discrimination and by passing of prevention of atrocities act 1989 penalize the discrimination . This act no doubt is a penal law but also at the same time elaborate the system for prevention of atrocities on tribal population but in that particular area the law has not been used with a full bigour but merely as penal law. The administration approach seems to be with the Naxals because they are of the view that Naxal never involved in the exploitation of tribal people or their family. However the report indicate that it is not true in the sense that Naxalites indulge in sex abuse , recruitment of child as solders huge of innocent tribal as shield and also to killed the tribal people. The social discrimination play a significant role and favour the Naxalites to carry forward their movement.

7.2.3.1.7 Lack of Sufficient Means of Livelihood

Generally the Naxal affected areas there are shortage of everything including land for cultivation, proper job, scope of any industrial activities and any scope the working of tribals as a labour under the contractor of the tendu leave or any other. In *Olga Tellis v. Bombay Municipal Corporation*³ popularly known as the “Pavement Dwellers Case” The Supreme Court rightly observe that right to livelihood borne out of the right to life because survival of the person depend upon the means of living that is means of livelihood . The court further observe that

“The sweep of the right to life conferred by Art. 21 is wide and far-reaching. It does not mean, merely that life cannot be extinguished or taken away as, for example, by the imposition and execution of death sentence, except according to procedure established by law. That is but one aspect if the right to life. An equally important facet of the right to life is the right to livelihood because no person can live without the means of livelihood.”

On spot visit of the Naxal affected area the researcher find out that mostly tribal are involved in labour job. While the Naxalite offer them extra payment for picking of tendu leave, which are used in the manufacturing of Biri. Due to non-availability of proper job for tribal they are always becomes a see- saw of

³ 1986 AIR 180

exploitation both by the Naxals and local affluent person. But the state takes no positive steps and even does not have a proper knowledge of exploitation of Adivasi people and is also miles away from the realities of difficulties faced by the tribal people. And making no attempt to rectify the anomalies which hidden in the system.

Seeing the non interest taken by the state the researcher is of the view that a system should be involved and a minimum support price should be fixed for the forest produce including mineral etc. and also a well-oiled and efficient and effective procurement system and governmental machinery is the call of the day. Side by side the traditional rights of the tribal people to cattle herds fishing, stole work, and Tadi taper etc. should be the only given as a right to the tribal people. With the absence to protect these traditional right except some policies regarding it the Naxalites are in advantageous position and they assure the tribal that they will protect their rights of traditions. Therefore by having an enactment the government should go ahead to protect their traditional rights otherwise a Naxal was will dominate.

7.2.3.1.8 Tribal at Last

The study and the observation reached by the researcher clearly indicate that there is a wide gap in the name of the development between the claim made by the government and the development works done there. The researcher found that though tribals are large in number in population but they lack in each and every field for example literacy rate, the schools drop out , BPL, safe drinking water availability access to doctor and means of communication etc. on the basis of observation it can be said that the Adivasi as a whole gained nothing and if gained from the expiration of seven to eight decade democratic and socialistic pattern of government the share of tribal in the profit of development is very little or meaningless. The political awareness is also not very much in favour of tribal population therefore the nexus between Naxalites and tribal people become more and more which is a great treat to the security of the nation.

7.2.3.1.9 Absence of Infrastructure

Not only on social point of development but on had economic ground too. The tribal area are most backward area in comparison to any other area of the state.

And the poverty as well as a number of poor person instead of decrease are on the path of increasement therefore socio economic infrastructure sufficient for poverty alleviation should be imposed on a priority basis including housing, power, telephone, means of convence, sanitation and proper road connectivity should be at the top of the governmental scheme for the development of the Adivasi region. If there is any laxity on the part of the government the Naxalites will try to take the advantage of it. Therefore there cannot be two view that availability of infrastructure is a positive, important and necessary requirement for the developmental process of that particular region.

7.2.3.1.10 Women as a Naxalite

In the beginning women there not thrown directly to the public but with the passage of the time women also empowered as a cadre in a violent activity at par with their men commandos. However womens are mainly involved in to work as a Nari Mukti Sangh and only a few women work as an area commander. The entire hypothesis and jurisprudence behind the participation or inclusion of women in Naxal group is to fight for their basic right. Along with

The other issues handled by the women community include claiming compensation/ rehabilitation package promised by government and public relations exercise with police officials to reduce police harassment of surrendered Naxalites. To marry Adivasi girls forcibly by kidnapping them is a common practice among tribals. There is no barrier for a male person to marry any the number of women. There are no alternatives for women rather to reconcile to the situation in fear of physical torture. Gradually the uprising began among Adivasi women due to such forcible marriage. They fought against such type of oppressions and injustice. In due course of time the number of women cadre increased among Naxal especially in Dandakaranya known as Krantikari Adivasi Sangh. Among the entire Naxal Groups 30 percent are women cadets. Most of the women even teenage girls are the victims of the circumstances. One of the teenage girls confessed that:

“Comrades visited our villages for food provision, medical help and other needs. I joined the movement as a courier for the Maoist. I was an orphan.”

The women Naxalites are generally more bold and dedicated in comparison to their men counterpart. And they face the police authorities till their last breath. Presently on the basis of the report that out of number of Naxalite 40 percent are generally women and in outfit their number increased fifty percent .since the women are joining the Naxalites either by their sweet will or by force.⁴

Therefore they become a ping- pong ball and harassed by both police as well as Naxals on one other ground. In Naxal Affected Areas, between 14 to 45 aged group women has been physically and mentally harassed by the police as well as Naxals.⁵

7.2.3.1.11 Developmental Work and Naxalite

There are no doubt that the developmental work is necessary to keep the Naxalite area as same in comparison to other areas. But this developmental work is against the survival of Naxalism. Hence they from time to time make an attempt to burn the police station, make an attack upon police official and try to destroy the governmental institution or organization to hamper the developmental work. Some of the incident which are committed by the Naxalite to oppose the developmental work are given below

1. A group of Naxals burned a private bus, travelling from Chhattisgarh's Dhanora area to Orchha area, four kilometers away from a police station, in opposition against construction of roads in Jhorigaon district. The bus was burnt after the passengers were forced to evacuate the bus by the militants. The road construction is taking place on a brisk pace under the security cover provided by the Indo Tibetan Border Police including district police. Till them 45 kilometers out of a total 66 kilometers have been completed.
2. The incident happen two days after a firing which happen to be took place between Naxal and police authorities in which seven Naxals were arrested.
3. A concept paper on Naxalite movement prepared by the Union rural development ministry says construction of good roads means making the

⁴ Dasharathi Bhuyan and Amit Kumar singh, *Naxalism: Issues and Concerns* 173 (Discovery Publishing House Pvt. Ltd. New Delhi, 2010).

⁵ Personal interview of women surrender Naxalite, Manju and Sunita in Dantewara during field visit of Chhattisgarh.

affected zones accessible to police and that is why the rebels are 'resolutely opposed to it'.

4. "They have also prohibited formation of SHGs under the National Rural Livelihood Mission for the possible reason that Maoists are unable to act against women groups and their own organisation gets undermined."
5. Women and youth are the main support base of the movement. In case of the roads, however, contractors in some places have managed to get their way by payment of a "percentage" of the cost as levy.
6. "There are also instances where the Naxalites have buried explosives below the roads to be used for detonation at the time of police movement".
7. In particular, the rebels have displayed an attitude of 'tolerance' towards Mahatma Gandhi National Rural Employment Guarantee Act, Indira Awaas Yojana, National Rural Health Mission, Integrated Child Development Services and extension of social security benefits.

Therefore the Maoist movement is no doubt on the path of decline to those place where implement of developmental programme has been satisfactorily completed. This is highly evident and is an example for others to follow that central Bihar district which was a hot bed for Naxalite now a days totally exempt from the activities of the Naxalite.

7.2.3.1.12 Survival of Tribals at Stake

Naxalites poses a great challenge to the government to not only the governmental security but also poses a challenge to the survival of tribal population. Generally in the beginning the Naxalism get its ground on the slogan of they came to liberate the tribals but with the passes of the time the Naxalite becomes less friendly or against the tribals because the main motto of the Naxalite to fight war and for that forest play a great place of hiddenness and protection to the Naxalites. In this war if governmental developmental activities are given priority the forest become barren which expose the Naxalite and governmental police authority will left no stone unturned to force the Naxalite to escape from that area or to touch the test of the bullet therefore the developmental work welcome by the tribal people but oppose to Naxal is a reason behind the differences between Naxal and tribals so it becomes a great challenge not only to tribal but also to government to protect the

tribal so that their survival is not remain in doubt and must not depend upon the mercy of the Naxalites.

Naxalites are against the tribal's because of their strategy to fight war against state. The war will be start through the forest areas then encircle the city. In this war tribals will be finished. In scientific era satellite lights are develop they can easily search the Maoist in the forest areas. Thus in this war Naxalism is challenge for the survive of the Tribals⁶

7.2.3.1.13 Prospective of Employment in Bastar Region

In Bastar region comprising seven district are mainly dominated by the industries of iron ore crushers, steel fabrication, stone crushers, rice mills, flour mills, tiles industry, NDMC's iron and steel plant in Jagadapur district and Tata's steel and power plant but they provide no sufficient means of employment to the local tribal population as they are mostly illiterate and somehow if find suitable then only for labour job.

The labour work only opportunity of the tribal is also on death bed because of technological development the labour job is or unskilled job is on the path of decrease therefore the only job which are if provided to tribal is also in danger and left no opportunity or very few opportunity to tribals to succeed in getting jobs in these industrial outfit. Since no scope for labour job or unskilled job then to protect the interest of the tribal population the researcher is of the view that a training centre be open to train them to various spheres so that they become able to get an opportunity to serve these industries. Therefore the government should take action immediately to that effect to protect the interest of the Adivasi.

7.2.3.1.14 Displacement of Tribal People

Due to the developmental programme of the government a number of tribes people are displaced and loses their residential accommodation. Under the garb of development the government displaced them but makes no proper and suitable arrangements for their rehabilitation. This raises an anguish and dissatisfaction upon the working upon the government in the eye of local tribal population the

⁶ Personnel interview of a top surrender Naxal Leader Pahar Singh during field visit of Chhattisgarh.

government whether pre and post-independence and have given no priority to their demands. Therefore the tribal people are moving hither and whither like beggar-bounds having no proper arrangements for their resettlement. so for a long time despite of the every claimed made by the government and the tribal people are living in a state of isolation and have not test the fruits of the Globalization, Privatization, Liberalization and industrialization including socio economic development and growth. There can't be any doubt that government have done a great number of good works including industrialization but the policy adopted by the government is mostly not suited to or in favor of tribal population.

There are a great danger to the existence of a new nexus between politician, criminals and contractors. With their unified efforts they are mostly used to exploit the minerals and other natural resources without taking into account the rights and sentimental involvement of tribal people for that. The policy initiated by the government in the name of SEZ is also responsible for the displacement of the tribal people.

When the researcher have mate with these tribal people they all were weeping while narrative the incidence of their displacement from the place which they loved very much. The notification of the government to declare certain area as reserve forest is also added fuel to the fire.

7.2.3.1.15 Nature of Naxalism

Naxalite movement was raised under a very pious objective the basis of the Naxalism was to liberate the innocent tribal from the high handness of the affluent persons of the locality and also from the officials authority they claim that they came to liberate tribal people. With the passes of the time Naxalism which was initiated to free the landless and poor from the slavery bonded labor ship of the landlords. But the aim with the passes of the time is not fulfill properly even though Naxalite adopted guerilla war to achieve their objectives. So the basic aim of liberation with the time was take a back and Naxalites largely or mostly involved in the cases of suppression, oppression and exploitation of innocent masses of tribal. So the basis aim remain aback and presently the Naxalite start doing business like any other of collecting money from traders, contractors or any other persons engaged in

economic activities. So one can say that from liberation to exploitation is the development of the Naxalism in that schedule tribes dominated areas. Not only this but they start behaving like criminals and involve themselves in looting of money from doctors, accountant, contractors, lawyers and also from governmental high ups. It is a very unfortunate that the movement which was form pious reason turn to criminalization.

7.2.3.1.16 Behaviourial Attitude of Police Authorities

Mostly in the Naxalite dominated area the police authorities are not behaving as a sympathizer to the local public but they behave in a way that is become very difficult for the researcher to make a distinction whether Mr. A is police official or Naxalites. Generally the police officials by giving the threat or fear of the law they induce the tribal to perform the activities as their words. And police is stead of helping and assisting the local people are mostly exploiting them but with the presence of central government forces that CRPF the faith in the police or rule of law have increase in the minds of the tribal population. Because of their sympathizer attitude and having a face to face dialog or communication with the local people. The researcher found that the local people are very much pleased or satisfied with the presence of CRPF most of them, even join Naxalism, are having a will and wish to return in the main stream.

7.2.3.1.17 Abuse of Children

The local police authorities are prone to abuse of the children between the age group of 14 to 15 years because of the continuous harassment in the hand of the police the children are regularly leaving the Bastar and going outside of it. But police authority in the name of member of Bal Sangham of Naxalite very rudely deals with these children and torturing them. The children are at a cross roads and have no knowledge where to go. If they did not go outside the Naxalite forcefully take them to join Bal Sangham and if they go there was always a sword is hanging on their neck that they may be arrested at any time by the police. But still if they escaped from the Chakrabuh of police and Naxalite then again there is no light but only darkness and if they reached Raipur, Hyderabad or Delhi etc., anyhow they are

forced to indulged in the business of the prostitution because there is no ray of hope for any other job / works.⁷

7.2.3.1.18 Reality of Naxalism on Indian Soil

The problem with Naxalism is mostly the leaders of Naxalite movements come from the people of upper caste and outside of Chhattisgarh. It is well known fact that any movement which are related with the welfare of the downtrodden people will not run as fast if the leadership belongs to the personnel of higher caste. It is also known to everyone that the person were born and brought up, educated has borrowed something or rather everything from the circumstances which he has faces from his childhood till he become young. These circumstantial influences develop and ideology in that particular person which are mostly in favor of their own religion, caste, creed etc. on the basis of this researcher makes a conclusion that the movement which are for the benefit of have-nots cannot achieved such success if the leadership belongs to personnel of different status, religion, caste and creed.

This also becomes the fate of communism and Naxalism in India. The movement begin with a religiously pious objective turn into opposite direction and becomes a tool of collection of levy, exploitation of tribal masses, sexual harassment of tribal women's, opposition of industrial development, torturing, assaulting and battering the innocent tribal, oppose to political democracy, and restrict there or deprived their children to get the opportunity of education including others violent activities perform by the Naxalites. The unfortunate part of the Naxalism is that previously movement initiate with a nice objective turn into a black spot on the forehead of Naxalism. It happens due to mostly leader belong to out of Chhattisgarh, they hails from upper caste , started doing business of collection of levy or imposition of taxes and instead of protecting and safeguarding the interest of the tribal population which was earlier the motto of the Naxalism they induce them to fight with the government to restrict their children for education to exploit their women, torturing tribal people and oppose to the governmental policy of development and goes up to the strength of even opposing democracy.

⁷ Personal interview of local people in Narayanpur District, Chhattisgarh during field visit of Chhattisgarh.

7.2.3.2 Legal Challenges

7.2.3.2.1 Law and Order Issues

Naxalism, howsoever its objective was pious but from the very beginning Naxalism was a treat or challenge for the internal security concerned with law and order problem. In the case of *Shakamuri Apparao and Ors v. Government of Andhra Pradesh*⁸ the Supreme Court propounded a great sound and a very important hypothesis or doctrine

“Two wrongs cannot makes one right.”

Therefore the supreme court was further stated that the benefit of Naxalite being killed by the police through fake encounter and police excess cannot be a sound ground to justify the killing of Naxalite of the innocent person or governmental official, therefore it cannot be said that owing to alleged police excess upon Naxalites cannot be the rationale to support the Naxal violence. Violence is violence or murder is murder so there cannot be any excuse for a person to allege that he has killed innocent persons because some other person in the name of fake encounter killed them.

Table 7.2: The State-wise break up of LWE violence profile.⁹

State	2011 Incidents and Deaths	2012 Incidents and Deaths	2013 Incidents and Deaths	2014 Incidents and Deaths	2015 Incidents and Deaths	2016 Incidents and Deaths	2017 Incidents and Deaths
Bihar	314 - i ¹⁰ 62d ¹¹	166 - 44	177 - 69	163 - 32	109 - 17	129 - 28	99 - 22
Chhattisgarh	465 - 204	370 - 109	355 - 111	328 - 111	466 - 97	395 - 107	373 - 130
Jharkhand	517 - 182	480 - 163	387 - 152	384 - 103	310 - 56	323 - 85	251 - 56
Madhya Pradesh	08 - 00	11 - 0	01 - 00	03 - 00	00 - 00	12 - 2	3 - 1
Uttar Pradesh	01 - 00	02 - 0	00 - 00	00 - 00	0 - 0	0 - 0	0 - 0

⁸ (1996),102,CRILJ,3936

⁹ 2011 to 2017 and the source: Government of India, *Annual Report 2017-2018*(Ministry of Home Affairs, 2018)

¹⁰ I means incident

¹¹ D means death

With the positive effort taken by the government the spread of LWE violence is on the path of decline. In the year 2017 the incident of Naxalism are very much reduced in comparison to the incidence happens earlier in the year 2016, 2015, 2014, 2013, 2012 and 2011.¹²

Table 7.3: Civilians Killed By Maoist, Bastar Range for Period- Year 2001 to 15 September 2020¹³

Year	Bastar	Dantewara	Kanker	Bijapur	Narayanpur	Kondagaon	Sukma	Total
2001	-	-	5	3	1	-	4	13
2002	-	-	4	2	5	4	4	19
2003	-	1	9	8	6	1	1	26
2004	-	-	14	10	10	1	9	44
2005	-	4	14	90	2	1	11	122
2006	2	6	20	139	-	-	112	279
2007	-	8	10	98	10	7	19	152
2008	2	9	22	90	5	2	12	242
2009	3	7	19	50	2	3	16	100
2010	5	7	19	56	18	2	25	132
2011	4	5	23	39	13	2	6	92
2012	-	2	7	22	6	3	10	50
2013	18	4	2	19	2	-	11	56
2014	3	4	4	15	1	6	6	39
2015	5	7	2	12	6	1	15	48
2016	1	6	16	12	6	6	10	57
2017	3	3	11	5	11	2	15	50
2018	3	15	12	12	12	4	21	79
2019	1	5	10	11	7	1	11	46
2020	1	8	1	14	2	-	8	34
Total	51	101	224	707	125	46	326	1580

¹² See The Table No 1

¹³ Data Provided by I.P.S., P. Sundar Raj, Inspector General of Police Bastar Range, Chhattisgarh.

7.2.3.2.2 Naxalism v. Terrorism

The basic ideology of the Naxalism is nothing but based on the communism. That is to fight against the exploitation and creation of classless society. In the beginning they were supposed to be representative of landless people who because of their poor economic condition, backwardness, and uneducated there were not able to raise or against the Zamindar or affluent persons of the society. The Dalit people have no means of livelihood except few land. So they cannot think to live without the land. The Naxalism knows no religion it is totality organized and implemented by the trained people who have a very good knowledge of communistic pattern.

CPI (Maoist) organization have a central committee with 21 members, police bureau consisting of 7 members, then regional bureau which are further divided under in many division. Up to October 2004 in India there were 39 major organizations, later on PWG and MCC merged together and form an organization named CPI (Maoist) with an object to set a powerful revolutionary movement and vehemently fight against the repression and inequalities in India. But last ten years though basic objective of the CPI (Maoist) was to fight against exploitation but instead of protecting the tribal people the Naxalite itself harassing and torturing them as they were previously torture by the Zamindar and the affluent persons of the society so motto for which Naxalism came into operation seems to be changed entirely and previous ideology is kept into the box and in present scenario they are mostly engaged in the business of extortion, either legitimately and if person insist then through violence. So the object for which Naxalism movement raised its head are totally cut of thereby own member and now a days no difference exist between Naxalism and terrorism. They are not far behind the terrorism.

7.2.3.2.3 Governmental Laxity to Land Reforms

For tribal population land is only the basic or fundamental source of livelihood rather entire survival and subsistence, is totally depend upon the land. The social justice and human dignity of tribal people are already geo paradise. The governmental laxity open a flood gate to the Naxalite. The government under the provision of land ceiling laws never acted properly that was the reason by distributing the land the tribals were at last. And initiative taken by the government

to rectify the mistake and transfer the land to landless. The researcher came to the conclusion that the distribution of land was not made properly but abruptly by the government in hurried manner therefore there is an urgent need to redistribute the land among the tribal masses as per the norms of the law and also maintain the record to that effect.

7.2.3.2.4 Management of Forest Lands

Forest is the like a mother for tribal people. It gives to the tribas each and everything of their survival. If no forest no tribal. Therefore keeping in view the significant and relevant of forest in the lives of tribal people it is necessary to make a provision in such a way so that tribals are not devoid of their basic necessities.

Under the Forest Act provision was made which consolidate and reserve the area having forest cover or significant wildlife or to regulate the movement and transit of forest produce. But the act took away from the person every right with regard to forest and forest product including the right of lands and right to water. In 1980 the forest conservation act was enacted to provide product of forest and forest land diversion for non-forest purposes. In 2006 recognition of forest right act was passed to recognize the vesting of forest right and occupation in forest land to forest dwelling schedule tribes and other dweller. Who were residing in the forest from generation to generation but without registration. If this act is properly implemented would provide a requisite relief to the affected persons. On spot visit the researcher found that the popuai 80% people are unaware about the enactment of 2006 act. And the methodology given under the act for controlling their asset.

The Naxalite on the other hand taking into initiative or encouraging and assisting the Adivasi is forcefully occupation of the forest land. This has happen mostly Jharkhand and Chhattisgarh. While on the other hand the government static show that 39% of forest encroachment in the country has taken place in Chhattisgarh and Jharkhand. Previous to 1980 the state government of an on regularizes the occupation of the land. But under the provision of forest Act 1980 such regularization put an end. And forest dwellers were evacuated from their own habitat. On visit by the researcher her he highlighted the plight of the people

regarding implementation of forest right act 2006. And recommended use and implementation of MSP for miner forest produce.

7.3 PART SECOND: DATA ANALYSIS, INTERPRETATION AND HYPOTHESIS TESTING

7.3.1 Demographic Profile of the Respondents

Table-7.4 Respondents

Respondents					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	General Public	300	60.0	60.0	60.0
	Surrendered Naxalites	100	20.0	20.0	80.0
	Experts	100	20.0	20.0	100.0
	Total	500	100.0	100.0	

In the present study the researcher has taken total of 500 respondents as the sample size and whose fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 500 respondents, 300 respondents were general public.
- ❖ **Surrendered Naxalities:** Out of total 500 respondents, 100 respondents were surrendered Naxalities.
- ❖ **Experts:** Out of total 500 respondents, 100 respondents were experts.

Histogram-7.1 Respondents

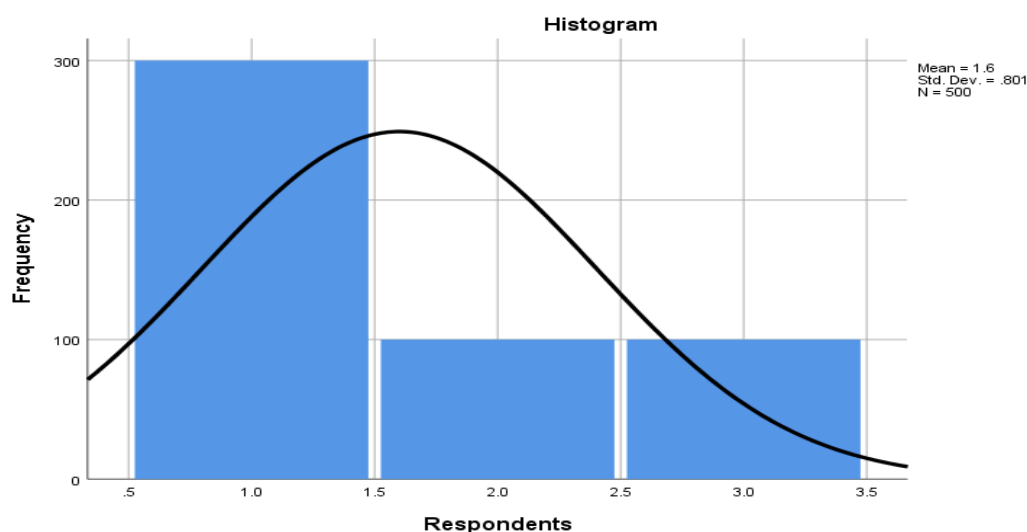


Table-7.5 Crosstab: Respondent's age.

Respondents * Age Crosstabulation								
			Age					Total
			14 years to 24 years	25 years to 35 years	36 years to 46 years	47 years to 57 years	Above 58 years	
Respondents	General Public	Count	79	104	76	27	14	300
		% within	26.3%	34.7%	25.3%	9.0%	4.7%	100.0%
		% of Total	15.8%	20.8%	15.2%	5.4%	2.8%	60.0%
	Surrendered Naxalites	Count	36	31	10	17	6	100
		% within	36.0%	31.0%	10.0%	17.0%	6.0%	100.0%
		% of Total	7.2%	6.2%	2.0%	3.4%	1.2%	20.0%
	Experts	Count	0	0	65	27	8	100
		% within	0.0%	0.0%	65.0%	27.0%	8.0%	100.0%
		% of Total	0.0%	0.0%	13.0%	5.4%	1.6%	20.0%
Total		Count	115	135	151	71	28	500
		% within	23.0%	27.0%	30.2%	14.2%	5.6%	100.0%
		% of Total	23.0%	27.0%	30.2%	14.2%	5.6%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose age wise fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 300 respondents, 26.3% were **14 years to 24 years of age**, 34.7% were **25 years to 35 years of age**, 25.3% were **36 years to 46 years of age**, 9.0% were **47 years to 57 years of age** and 4.7% were **above 58 years of age**.
- ❖ **Surrendered Naxalities:** Out of total 100 respondents, 36.0% were **14 years to 24 years of age**, 31.0% were **25 years to 35 years of age**, 10.0% were **36 years to 46 years of age**, 17.0% were **47 years to 57 years of age** and 6.0% were **above 58 years of age**.
- ❖ **Experts:** Out of total 100 respondents, 0.0% were **14 years to 24 years of age**, 0.0% were **25 years to 35 years of age**, 65.0% were **36 years to 46 years of age**, 27.0% were **47 years to 57 years of age** and 8.0% were **above 58 years of age**.

Figure-7.1 Age

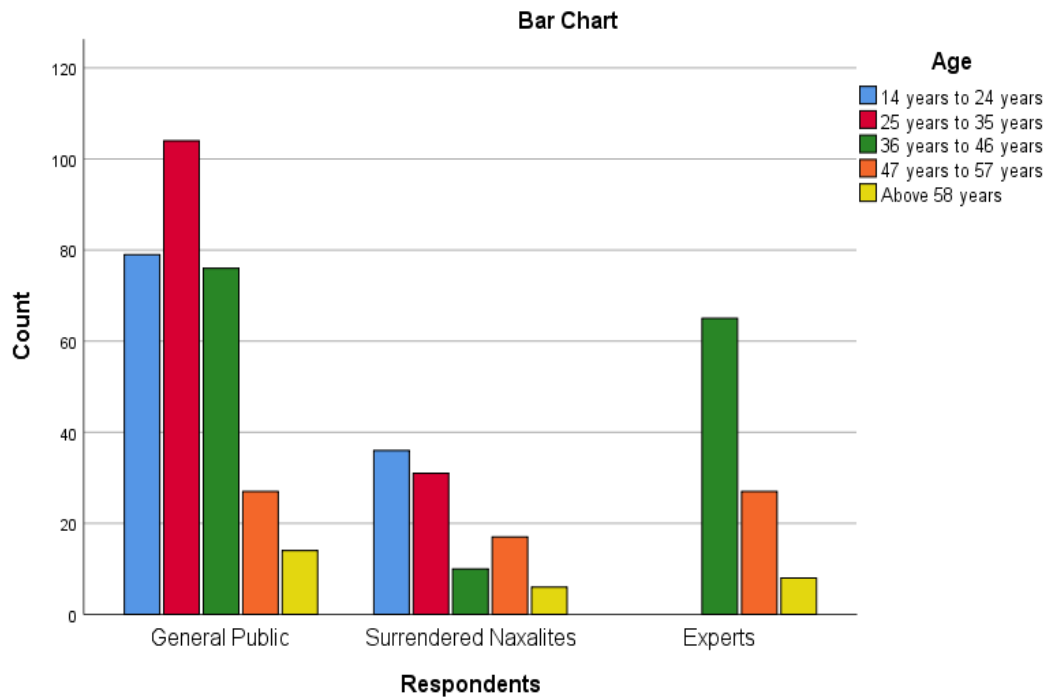


Table-7.6 Crosstab: Respondent's Gender

Respondents * Gender Crosstabulation					
			Gender		Total
			Male	Female	
Respondents	General Public	Count	208	92	300
		% within	69.3%	30.7%	100.0%
		% of Total	41.6%	18.4%	60.0%
	Surrendered Naxalites	Count	60	40	100
		% within	60.0%	40.0%	100.0%
		% of Total	12.0%	8.0%	20.0%
	Experts	Count	64	36	100
		% within	64.0%	36.0%	100.0%
		% of Total	12.8%	7.2%	20.0%
Total		Count	332	168	500
		% within	66.4%	33.6%	100.0%
		% of Total	66.4%	33.6%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose gender wise fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 300 respondents, 69.3% were **male** and 30.7% were **female**.
- ❖ **Surrendered Naxalities:** Out of total 100 respondents, 60.0% were **male** and 40.0% were **female**.
- ❖ **Experts:** Out of total 100 respondents, 64.0% were **Male** and 36.0% were **female**.

Figure-7.2 Gender

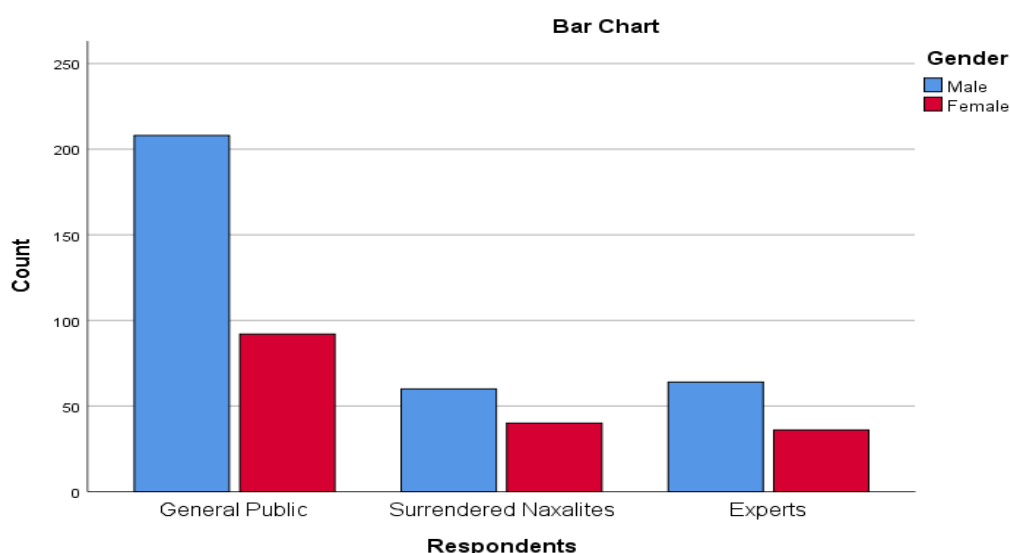


Table- 7.7 Crosstab: Respondent's Class/ Caste

Respondents * Class / Caste Crosstabulation							
			Class / Caste				Total
			General	OBC	SC	ST	
Respondents	General Public	Count	55	82	28	135	300
		% within	18.3%	27.3%	9.3%	45.0%	100.0%
		% of Total	11.0%	16.4%	5.6%	27.0%	60.0%
	Surrendered Naxalites	Count	10	20	20	50	100
		% within	10.0%	20.0%	20.0%	50.0%	100.0%
		% of Total	2.0%	4.0%	4.0%	10.0%	20.0%
	Experts	Count	41	20	20	19	100
		% within	41.0%	20.0%	20.0%	19.0%	100.0%
		% of Total	8.2%	4.0%	4.0%	3.8%	20.0%
Total		Count	106	122	68	204	500
		% within	21.2%	24.4%	13.6%	40.8%	100.0%
		% of Total	21.2%	24.4%	13.6%	40.8%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose class/caste wise fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 300 respondents, 18.3% were **General**, 27.3% were **OBC**, 9.3% were **SC** and 45.0% were **ST**.
- ❖ **Surrendered Naxalities:** Out of total 100 respondents, 10.0% were **General**, 20.0% were **OBC**, 20.0% were **SC** and 50.0% were **ST**.
- ❖ **Experts:** Out of total 100 respondents, 41.0% were **General**, 20.0% were **OBC**, 20.0% were **SC** and 19.0% were **ST**.

Figure-7.3 Class/Caste

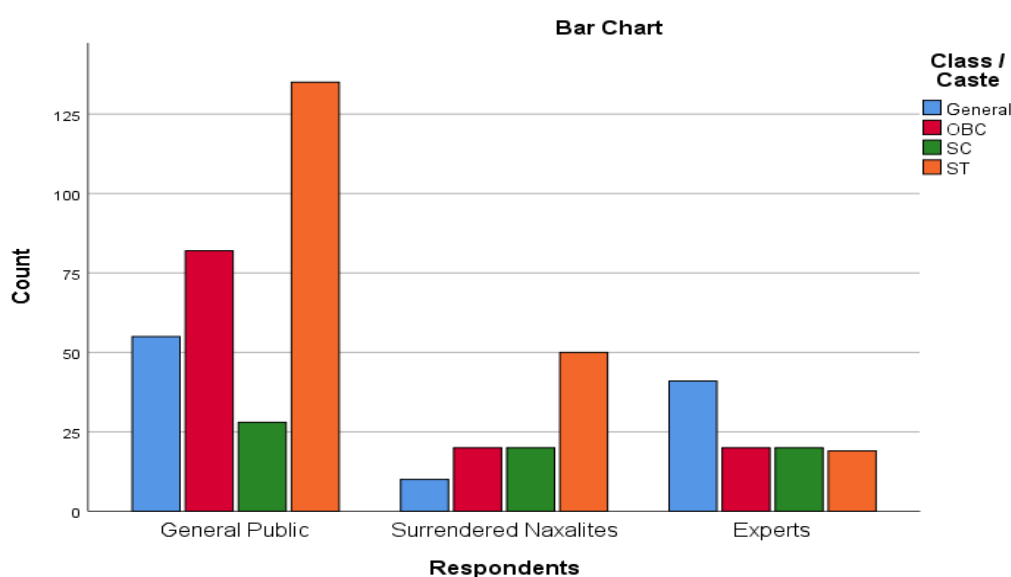


Table- 7.8 Crosstab: Respondent's Location

Respondents * Location Crosstabulation					
			Location		Total
			Urban	Rural	
Respondents	General Public	Count	95	205	300
		% within	31.7%	68.3%	100.0%
		% of Total	19.0%	41.0%	60.0%
	Surrendered Naxalites	Count	20	80	100
		% within	20.0%	80.0%	100.0%
		% of Total	4.0%	16.0%	20.0%
	Experts	Count	70	30	100
		% within	70.0%	30.0%	100.0%
		% of Total	14.0%	6.0%	20.0%
Total		Count	185	315	500
		% within	37.0%	63.0%	100.0%
		% of Total	37.0%	63.0%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose gender wise fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 300 respondents, 31.7% were from **urban** area and 68.3% were from **rural** area.
- ❖ **Surrendered Naxalites:** Out of total 100 respondents, 20.0% were from **urban** area and 80.0% were from **rural** area.
- ❖ **Experts:** Out of total 100 respondents, 70.0% were from **urban** area and 30.0% were from **rural** area.

Figure-7.4 Location

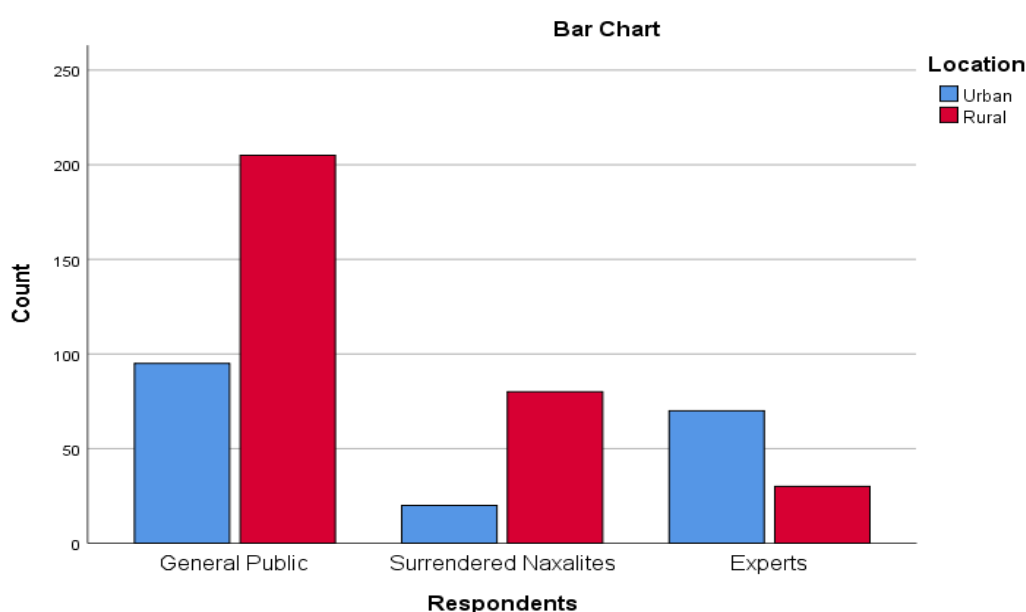


Table- 7.9 Crosstab: Respondent's State

Respondents * State Crosstabulation								
			State					Total
			Chhattisgarh	Madhya Pradesh	Uttar Pradesh	Bihar	Jharkhand	
Respondents	General Public	Count	140	40	12	18	90	300
		% within	46.7%	13.3%	4.0%	6.0%	30.0%	100.0%
		% of Total	28.0%	8.0%	2.4%	3.6%	18.0%	60.0%
	Surrendered Naxalites	Count	69	5	4	3	19	100
		% within	69.0%	5.0%	4.0%	3.0%	19.0%	100.0%
		% of Total	13.8%	1.0%	0.8%	0.6%	3.8%	20.0%
	Experts	Count	41	16	22	10	11	100
		% within	41.0%	16.0%	22.0%	10.0%	11.0%	100.0%
		% of Total	8.2%	3.2%	4.4%	2.0%	2.2%	20.0%
Total		Count	250	61	38	31	120	500
		% within	50.0%	12.2%	7.6%	6.2%	24.0%	100.0%
		% of Total	50.0%	12.2%	7.6%	6.2%	24.0%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose gender wise fragmentation is evident from the above table-

- ❖ **General Public:** Out of total 300 respondents, 46.7% were from **Chhattisgarh**, 13.3% were from **Madhya Pradesh**, 4.0% were from **Uttar Pradesh**, 6.0% were from **Bihar** and 30.0% were from **Jharkhand**.
- ❖ **Surrendered Naxalities:** Out of total 100 respondents, 69.0% were from **Chhattisgarh**, 5.0% were from **Madhya Pradesh**, 4.0% were from **Uttar Pradesh**, 3.0% were from **Bihar** and 19.0% were from **Jharkhand**.
- ❖ **Experts:** Out of total 100 respondents, 41.0% were from **Chhattisgarh**, 16.0% were from **Madhya Pradesh**, 22.0% were from **Uttar Pradesh**, 10.0% were from **Bihar** and 11.0% were from **Jharkhand**.

Figure-7.5 State

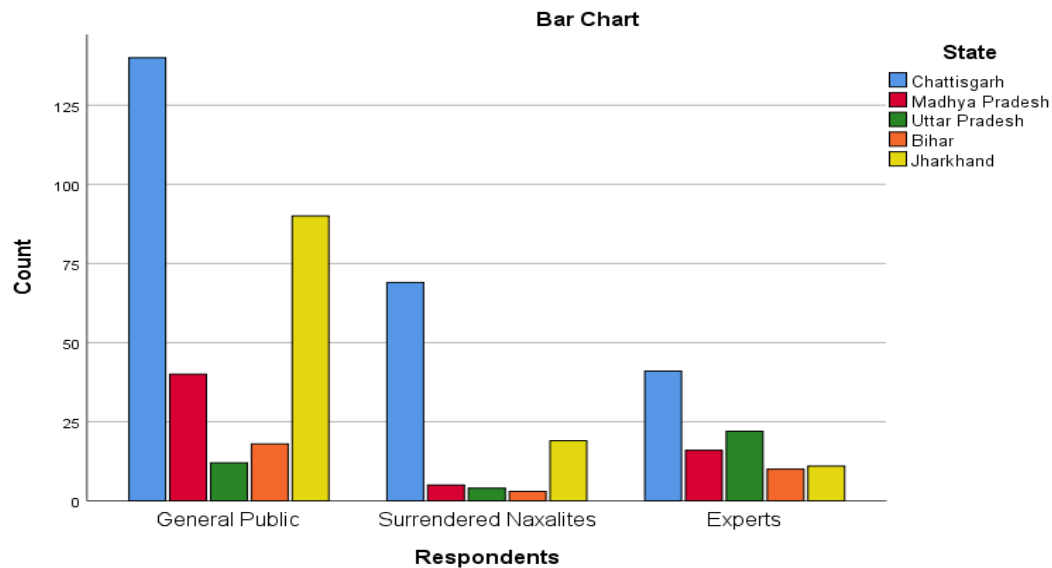


Table-7.10 Crosstab: Respondent: Are you the victim or affected by Naxalism directly/indirectly.

Respondents * Are you the victim or affected by Naxalism directly/indirectly. Crosstabulation				
			Yes	Total
Respondents	General Public	Count	300	300
		% within	100.0%	100.0%
		% of Total	60.0%	60.0%
	Surrendered Naxalites	Count	100	100
		% within	100.0%	100.0%
		% of Total	20.0%	20.0%
	Experts	Count	100	100
		% within	100.0%	100.0%
		% of Total	20.0%	20.0%
Total		Count	500	500
		% within	100.0%	100.0%
		% of Total	100.0%	100.0%

In the present study the researcher has taken total of 500 respondents as the sample size and whose response for the variable- Are you the victim or affected by Naxalism directly/indirectly is evident from the above table-

- ❖ **General Public:** Out of total 500 respondents, **100.0%** respondents said yes that, they have been the victim or affected by Naxalism directly/indirectly.
- ❖ **Surrendered Naxalities:** Out of total 500 respondents, **100.0%** respondents said yes that, they have been the victim or affected by Naxalism directly/indirectly.
- ❖ **Experts:** Out of total 500 respondents, **100.0%** respondents said yes that they have been the victim or affected by Naxalism directly/indirectly.

Figure-7.6 Are you the victim or affected by Naxalism directly/indirectly

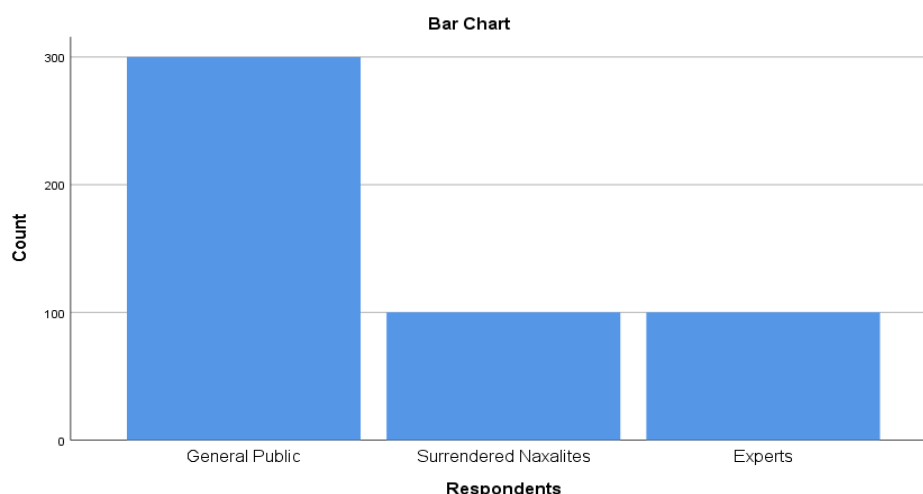


Table- 7.11 Qualification: General Public

Qualification					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Illiterate	9	3.0	3.0	3.0
	Primary Education	12	4.0	4.0	7.0
	Secondary Education	19	6.3	6.3	13.3
	Graduation	67	22.3	22.3	35.7
	Post-Graduation	175	58.3	58.3	94.0
	Other	18	6.0	6.0	100.0
	Total	300	100.0	100.0	

From the above frequency table, it can be seen that out of total 300 respondents belonging to general public, **3.0%** were **Illiterate**, **4.0%** were having **Primary Education**, **6.3%** were having **Secondary Education**, **6.3%** were **Graduates**, **58.3%** were **Post Graduates** and **6.0%** were having **Other** qualification.

Histogram-7.2 Qualification: General Public

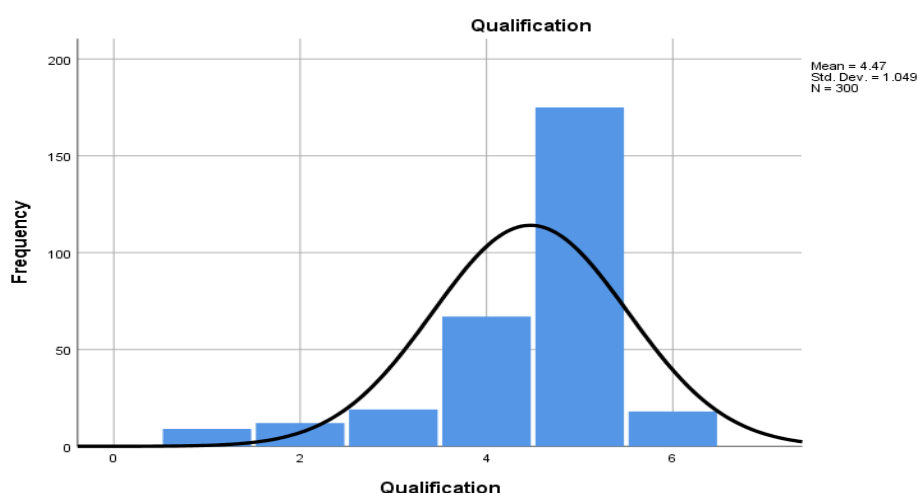


Table- 7.12 Profession: General Public

Profession					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Sarpanch	46	15.3	15.3	15.3
	Panch	24	8.0	8.0	23.3
	Labourer	10	3.3	3.3	26.7
	Farmer	16	5.3	5.3	32.0
	Contractor	5	1.7	1.7	33.7
	Student	38	12.7	12.7	46.3
	Teacher	46	15.3	15.3	61.7
	Medical staff	8	2.7	2.7	64.3
	Local police	59	19.7	19.7	84.0
	Forest official	11	3.7	3.7	87.7
	Media Person	6	2.0	2.0	89.7
	NGO worker	10	3.3	3.3	93.0
	Local Development Officer	2	.7	.7	93.7
	Advocate	12	4.0	4.0	97.7
	Others	7	2.3	2.3	100.0
	Total	300	100.0	100.0	

From the above frequency table, it can be seen that out of total 300 respondents belonging to general public, **15.3%** were **Sarpanch**, **8.0%** were **Panch**, **3.3%** were **Labourer**, **5.3%** were **Farmer**, **1.7%** were **Contractor**, **12.7%** were **Student**, **15.3%** were **Teacher**, **2.7%** were **Medical staff**, **19.7%** were **Local police**, **3.7%** were **Forest official**, **2.0%** were **Media Person**, **3.3%** were **NGO worker**, **0.7 %** were **Local Development Officer**, **4.0%** were **Advocate** and **2.3%** were having **Other** qualification.

Histogram-7.3 profession: General Public

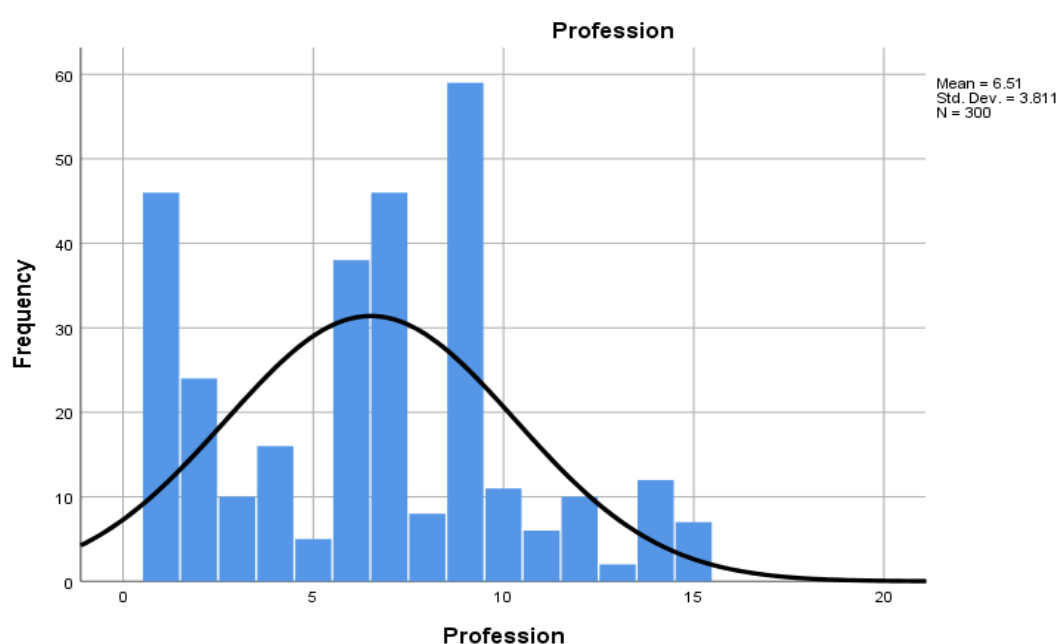


Table- 7.13 Qualification: Surrendered Naxalities

Qualification					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Illiterate	37	37.0	37.0	37.0
	Primary Education	46	46.0	46.0	83.0
	Secondary Education	17	17.0	17.0	100.0
	Total	100	100.0	100.0	

From the above frequency table it can be seen that out of total 100 respondents belonging to surrendered Naxalites, **37.0%** were **Illiterate**, **46.0%** were having **Primary Education** and **17.0%** were having **Secondary Education**.

Histogram-7.4 Qualification: Surrendered Naxalites

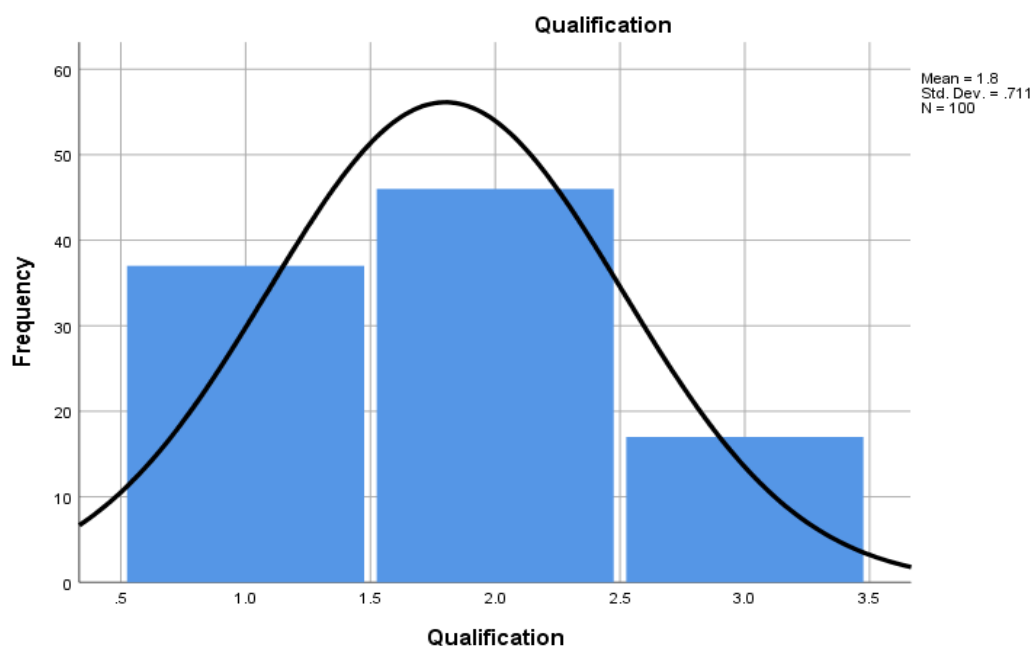


Table- 7.14 Past Association: Surrendered Naxalites

Past Association					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Surrender Naxalites	40	40.0	40.0	40.0
	Member of Salwa Judum Camp	50	50.0	50.0	90.0
	Others	10	10.0	10.0	100.0
	Total	100	100.0	100.0	

From the above frequency table it can be seen that out of total 100 respondents belonging to surrender Naxalites, **40.0%** were having their past association with **surrender Naxalites**, **50.0%** were having their past association with **Member of Salwa Judum Camp** and **10.0%** were having **Other** past association.

Histogram-7.5 Past Association: Surrendered Naxalites

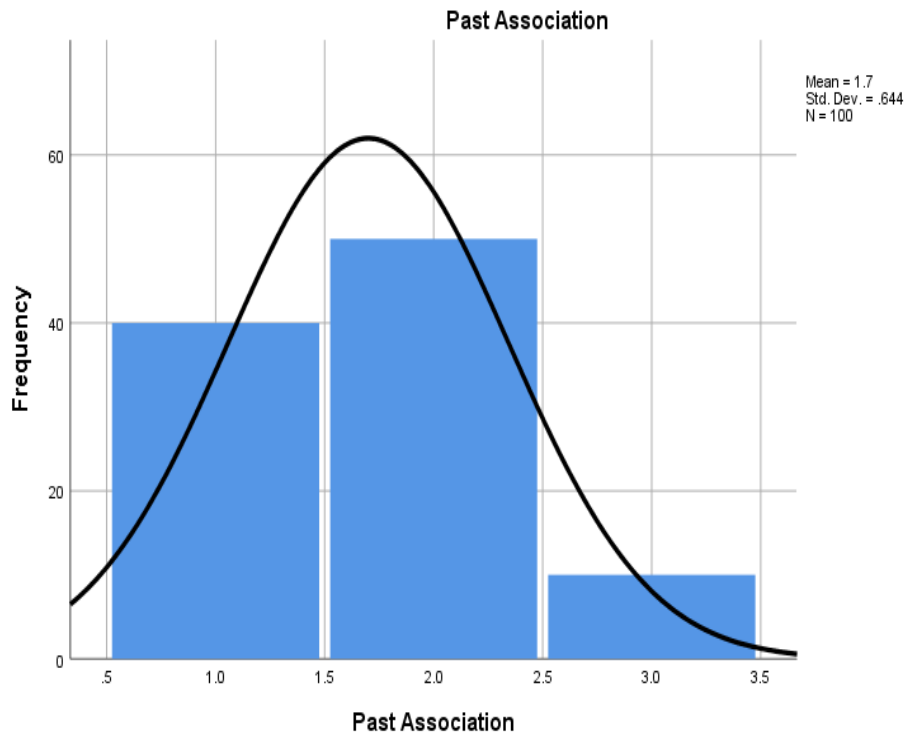


Table- 7.15 Qualification: Experts

Qualification					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Graduation	16	16.0	16.0	16.0
	Post-Graduation	26	26.0	26.0	42.0
	Other	58	58.0	58.0	100.0
	Total	100	100.0	100.0	

From the above frequency table it can be seen that out of total 100 respondents belonging to experts **16.0%** were **Graduates**, **26.0%** were **Post Graduates** and **58.0%** were having **Other qualification**.

Histogram-7.6 Qualification: Experts

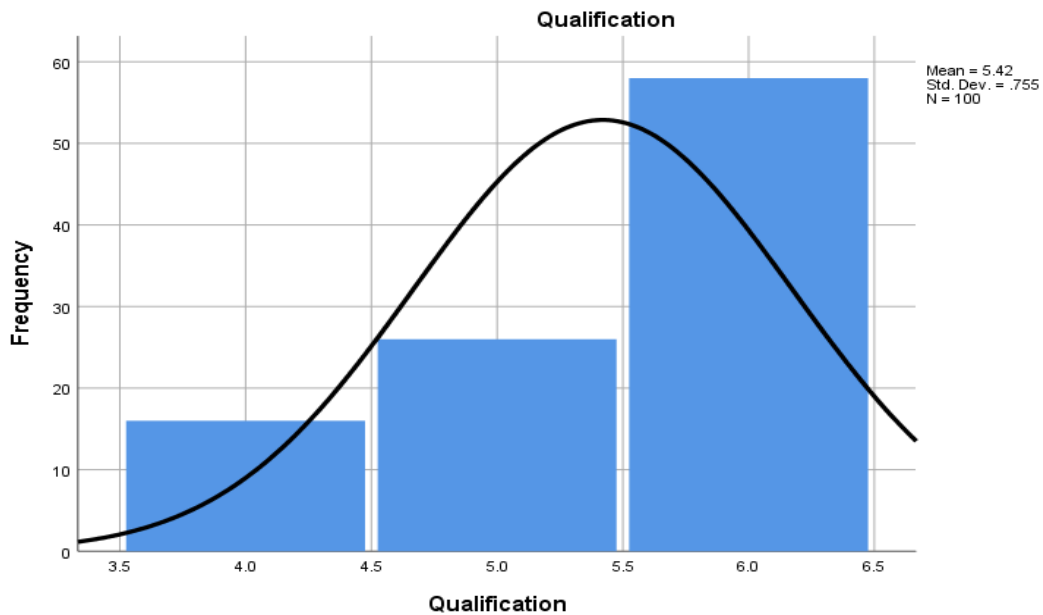
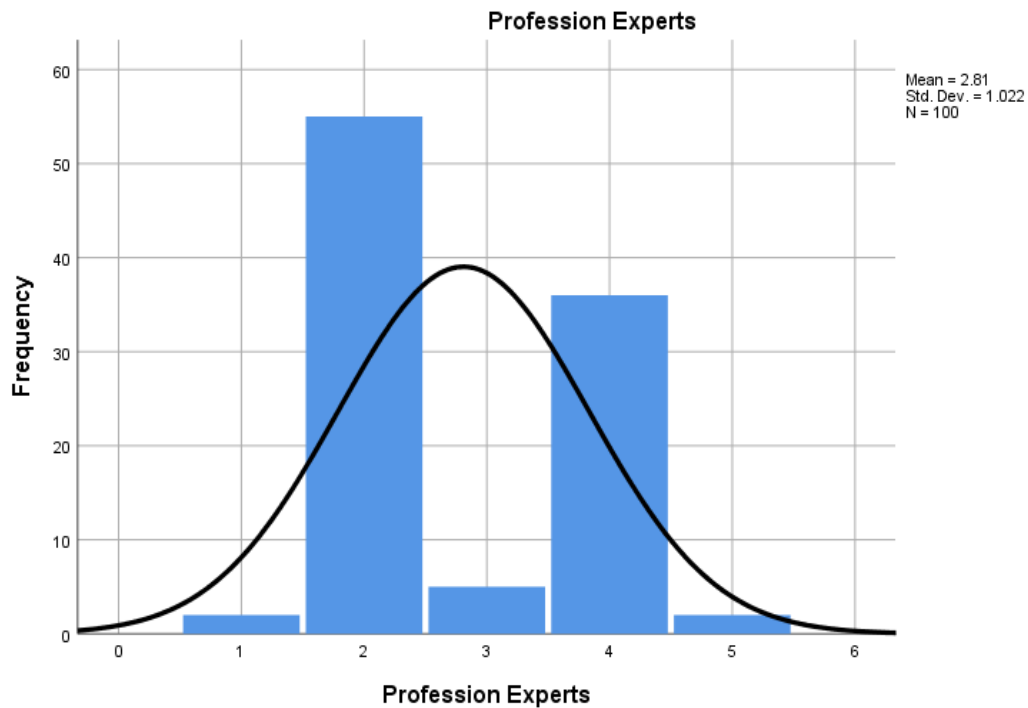


Table- 7.16 Profession: Experts

Profession Experts					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	State Minister	2	2.0	2.0	2.0
	Academician	55	55.0	55.0	57.0
	I.A.S.	5	5.0	5.0	62.0
	I.P.S.	36	36.0	36.0	98.0
	Others	2	2.0	2.0	100.0
	Total	100	100.0	100.0	

From the above frequency table it can be seen that out of total 100 respondents belonging to experts **2.0%** were **State Minister**, **55.0%** were **Academician**, **5.0%** were **I.A.S.**, **36.0%** were **I.P.S.**, and **2.0%** were having **Other profession**.

Histogram-7.7 Profession: Experts



7.3.2 Factor Analysis: Identifying Most Important Factors

Ideological¹⁴, Historical¹⁵, Legal¹⁶, Social¹⁷, Political¹⁸, Economic¹⁹, Government²⁰, Security²¹, Non-Security²² and Environmental²³ Factors/Variables for General Public, Surrendered Naxalites and Experts.

¹⁴ Coded as – IV in fact sheet

¹⁵ Coded as – HV in fact sheet

¹⁶ Coded as – LV in fact sheet

¹⁷ Coded as – SV in fact sheet

¹⁸ Coded as – PV in fact sheet

¹⁹ Coded as – EV in fact sheet

²⁰ Coded as – GV in fact sheet

²¹ Coded as – SEV in fact sheet

²² Coded as – NSV in fact sheet

²³ Coded as – ENV in fact sheet

7.3.2.1 Factor Analysis: Most Important Ideological and Historical Factors/Variables

7.3.2.1.1 Factor Analysis: General Public

Table-7.17 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.817
Bartlett's Test of Sphericity	Approx. Chi-Square	1463.491
	Df	105
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.817** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.18 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	4.598	30.656	30.656	4.598	30.656	30.656	2.960	19.731	19.731
2	2.009	13.394	44.050	2.009	13.394	44.050	2.528	16.856	36.587
3	1.347	8.982	53.032	1.347	8.982	53.032	2.331	15.539	52.126
4	1.013	6.757	59.789	1.013	6.757	59.789	1.149	7.663	59.789
5	.955	6.369	66.158						
6	.891	5.941	72.099						
7	.681	4.543	76.642						
8	.649	4.328	80.969						
9	.563	3.753	84.722						
10	.529	3.525	88.247						
11	.457	3.048	91.295						
12	.412	2.746	94.042						
13	.349	2.327	96.369						
14	.306	2.039	98.407						
15	.239	1.593	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After

extraction and rotation, the most important **factor 1 explained 30.656% of total variance, factor 2 explained 13.394% of total variance, factor 3 explained 8.982% of total variance & factor 4 explained 6.757 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Ideological and Historical Factors/Variables: General Public**), 1st factor is most important and can be extracted.

Table-7.19 Rotated Component Matrix

Rotated Component Matrix^{a,b}				
	Component			
	1	2	3	4
IV-7 Naxalism has been high jacked.	.727	.310	.079	-.047
IV-10 Naxal ideology criminalizing innocent people.	.688	.070	-.098	.317
IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas.	.627	-.083	-.170	-.078
HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.	.562	.433	.231	.224
IV-6 There is deviance in the ideology of Naxalism with the passage of time.	.529	.241	.300	-.029
IV-5 Naxalites are brain washing to the people to join their movement	.525	.459	-.009	.061
HV-3 British colonial laws lead to emergence of Naxalism in India.	.432	.718	.159	.027
HV-1 Naxalism emerged with the Indian struggle of independence.	.329	.700	.141	.124
IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.	-.057	.653	-.101	-.149
IV-1 The ideology of Naxalism come into picture in India as the influence of Russian revolution.	-.040	.025	.769	-.018
IV-2 Mao Zedong provided ideological support to the Naxalbari movement.	.033	-.257	.751	.177
HV-5 Historical injustice lead to Naxalism?	-.049	.445	.641	-.060
HV-4 Whether British revenue system like Zamidar, Mahalwari, Raitwari lead to emergence of Naxalism in India.	.161	.512	.640	-.017
IV-3 Naxals' claim that Indian independence is false, is not right.	.331	.001	.236	.690
IV-9 Naxals ideology is not suited in Indian scenario.	.504	.073	.240	-.660
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 15 iterations.				
b. Only cases for which Respondents = General Public are used in the analysis phase.				

Findings: Most Important Ideological and Historical Factors/Variables: General public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Ideological and Historical Factors/Variables: General public.**

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **6** variables IV-7, IV-10, IV-8, HV-2, IV-6, and IV-5

Factor -2 includes following **3** variables HV-3, HV-1, and IV-4

Factor -3 includes following **4** variables IV-1, IV-2, HV-5, and HV-4

Factor -4 includes following **2** variables IV-3, IV-9

7.3.2.1.2 Factor Analysis: Surrendered Naxalites

Table-7.20 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.803
Bartlett's Test of Sphericity	Approx. Chi-Square	761.460
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.803** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table- 7.21 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	5.146	34.310	34.310	5.146	34.310	34.310	4.605	30.697	30.697
2	2.537	16.915	51.225	2.537	16.915	51.225	2.596	17.303	48.000
3	1.181	7.871	59.097	1.181	7.871	59.097	1.559	10.392	58.393
4	1.033	6.887	65.984	1.033	6.887	65.984	1.139	7.591	65.984
5	.989	6.595	72.579						
6	.840	5.603	78.182						
7	.688	4.584	82.766						
8	.555	3.699	86.465						
9	.536	3.572	90.037						
10	.467	3.112	93.149						
11	.328	2.185	95.334						
12	.251	1.673	97.007						
13	.209	1.397	98.403						
14	.157	1.046	99.449						
15	.083	.551	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 34.310% of total variance, factor 2 explained 16.915% of total variance, factor 3 explained 7.871% of total variance & factor 4 explained 6.887% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Ideological and Historical Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table -7.22 Rotated Component Matrix

Rotated Component Matrix^{a,b}				
	Component			
	1	2	3	4
IV-3 Naxals' claim that Indian independence is false, is not right.	.932	.135	-.039	.062
IV-1 The ideology of Naxalism come into picture in India as the influence of Russian revolution.	-.877	-.077	-.134	-.092
IV-7 Naxalism has been high jacked.	.853	.177	-.066	.140
IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas.	.841	.168	-.189	.155
IV-6 There is deviance in the ideology of Naxalism with the passage of time.	.807	.040	.154	-.087
IV-2 Mao Zedong provided ideological support to the Naxalbari movement.	-.699	-.050	-.214	-.111
IV-5 Naxalites are brain washing to the people to join their movement	.526	-.057	.515	-.288
HV-5 Historical injustice lead to Naxalism?	.111	.753	.106	-.079
IV-9 Naxals ideology is not suited in Indian scenario.	.000	.743	.151	.012
IV-10 Naxal ideology criminalizing innocent people.	.120	.722	.347	.282
HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.	.191	.712	-.139	-.051
HV-1 Naxalism emerged with the Indian struggle of independence.	-.031	.149	.816	.093
HV-3 British colonial laws lead to emergence of Naxalism in India.	.133	.440	.501	.141
IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.	-.184	.178	.054	-.692
HV-4 Whether British revenue system like Zamidar, Mahalwari, Raitwari lead to emergence of Naxalism in India.	.033	.331	.268	.620
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 6 iterations.				
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.				

Findings: Most Important Ideological and Historical Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Ideological and Historical Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following 7 variables IV-3 , IV-1 , IV-7 , IV-8 , IV-6 , IV-2 IV-5

Factor -2 includes following 4 variables HV-5 , IV-9 , IV-10 , HV-2

Factor -3 includes following 2 variables HV-1, HV-3

Factor -4 includes following 2 variables IV-4 , HV-4

7.3.2.1.3 Factor Analysis: Experts

Table- 7.23 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.666
Bartlett's Test of Sphericity	Approx. Chi-Square	279.690
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.666** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.24 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	3.394	22.624	22.624	3.394	22.624	22.624	2.044	13.629	13.629
2	1.554	10.359	32.984	1.554	10.359	32.984	1.747	11.650	25.278
3	1.328	8.856	41.840	1.328	8.856	41.840	1.708	11.385	36.663
4	1.219	8.127	49.966	1.219	8.127	49.966	1.478	9.853	46.516
5	1.114	7.426	57.392	1.114	7.426	57.392	1.413	9.423	55.939
6	1.019	6.796	64.188	1.019	6.796	64.188	1.237	8.249	64.188
7	.984	6.559	70.747						
8	.860	5.731	76.478						
9	.698	4.653	81.131						
10	.675	4.500	85.631						
11	.609	4.060	89.691						
12	.450	2.998	92.689						
13	.413	2.753	95.442						
14	.398	2.653	98.095						
15	.286	1.905	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 22.624% of total variance, factor 2 explained 10.359% of total variance, factor 3 explained 8.856% of total variance, factor 4 explained 8.127% of total variance, factor 5 explained 7.426 % of total variance & factor 6 explained 6.796 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Ideological and Historical Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table- 7.25 Rotated Component Matrix

Rotated Component Matrix^{a,b}						
	Component					
	1	2	3	4	5	6
IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.	.738	.281	.096	-.084	-.072	.034
HV-1 Naxalism emerged with the Indian struggle of independence.	.711	.136	.114	.041	.141	.031
IV-7 Naxalism has been high jacked.	.564	.063	.130	.289	.160	.103
IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas.	.554	-.276	-.137	.162	.074	-.523
IV-2 Mao Zedong provided ideological support to the Naxalbari movement.	.117	.769	.013	.235	.225	-.121
IV-1 The ideology of Naxalism come into picture in India as the influence of Russian revolution.	.300	.705	-.125	-.199	.134	.200
HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.	.140	.508	.430	.366	-.145	-.143
IV-6 There is deviance in the ideology of Naxalism with the passage of time.	.126	-.115	.787	-.158	-.042	.276
HV-3 British colonial laws lead to emergence of Naxalism in India.	.197	-.074	.645	.230	.227	.071
HV-4 Whether British revenue system like Zamidar, Mahalwari, Raitwari lead to emergence of Naxalism in India.	-.075	.298	.633	-.039	.024	-.416
HV-5 Historical injustice lead to Naxalism?	.036	.023	.005	.846	-.013	.126
IV-3 Naxals' claim that Indian independence is false, is not right.	.344	.248	.010	.515	.467	.056
IV-10 Naxal ideology criminalizing innocent people.	-.006	.034	.095	-.089	.808	-.101
IV-5 Naxalites are brain washing to the people to join their movement	.235	.227	-.001	.187	.584	.249
IV-9 Naxals ideology is not suited in Indian scenario.	.094	-.036	.062	.165	.050	.728
Extraction Method: Principal Component Analysis.						
Rotation Method: Varimax with Kaiser Normalization.						
a. Rotation converged in 12 iterations.						
b. Only cases for which Respondents = Experts are used in the analysis phase.						

Findings: Most Important Ideological and Historical Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Ideological and Historical Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following 4 variables IV-4 , HV-1 , IV-7 , IV-8

Factor -2 includes following 3 variables IV-2 , IV-1 , HV-2

Factor -3 includes following 3 variables IV-6 , HV-3 , HV-4

Factor -4 includes following 2 variables HV-5 , IV-3

Factor -5 includes following 2 variables IV-10 ,IV-5

Factor -6 includes following 1 variable IV-9

Table -7.24 Final Findings- Most Important Ideological and Historical Factors

Final Findings- Most Important Ideological and Historical Factors		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
1. IV-7 Naxalism has been high jacked. 2. IV-10 Naxal ideology criminalizing innocent people. 3. IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas. 4. HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism. 5. IV-6 There is deviance in the ideology of Naxalism with the passage of time. 6. IV-5 Naxalites are brain washing to the people to join their movement	1. IV-3 Naxals' claim that Indian independence is false, is not right. 2. IV-1 The ideology of Naxalism come into picture in India as the influence of Russian revolution. 3. IV-7 Naxalism has been high jacked. 4. IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas. 5. IV-6 There is deviance in the ideology of Naxalism with the passage of time. 6. IV-2 Mao Zedong provided ideological support to the Naxalbari movement. 7. IV-5 Naxalites are brain washing to the people to join their movement	1. IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training. 2. HV-1 Naxalism emerged with the Indian struggle of independence. 3. IV-7 Naxalism has been high jacked. 4. IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas.

7.3.2.2 Factor Analysis: Most Important Legal Factors/Variables

7.3.2.2.1 Factor Analysis: General public

Table-7.25 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.901
Bartlett's Test of Sphericity	Approx. Chi-Square	3613.848
	Df	153
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.901** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.26 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	8.448	46.934	46.934	8.448	46.934	46.934	5.276	29.310	29.310
2	1.713	9.518	56.452	1.713	9.518	56.452	4.755	26.416	55.726
3	1.265	7.028	63.480	1.265	7.028	63.480	1.396	7.754	63.480
4	.969	5.384	68.864						

5	.815	4.527	73.391						
6	.743	4.127	77.518						
7	.642	3.566	81.084						
8	.545	3.030	84.114						
9	.514	2.854	86.968						
10	.421	2.342	89.309						
11	.381	2.119	91.429						
12	.344	1.910	93.338						
13	.328	1.825	95.163						
14	.235	1.303	96.466						
15	.215	1.196	97.662						
16	.196	1.089	98.751						
17	.132	.735	99.486						
18	.093	.514	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 18 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 46.934% of total variance, factor 2 explained 9.518% of total variance & factor 3 explained 7.028% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 18 components (**Most Important Legal Factors/Variables: General public**), 1st factor is most important and can be extracted.

Table- 7.27 Rotated Component Matrix

Rotated Component Matrix^{a,b}			
	Component		
	1	2	3
LV-4 Naxals are against the constitution of India.	.812	.369	-.049
LV-5 Whether the justice delay justice deny lead Naxalism?	.799	.328	-.176
LV-6 Failure of implementation of the fifth and sixth schedule of the constitution of India lead Naxalism	.739	.242	-.128
LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism?	.705	.202	-.233
LV-7 Growth of the Naxalism is challenge for the constitution as well as criminal justice system of India?	.686	.390	-.314
LV-3 Naxalism is challenge to legal system of India?	.679	.358	.184
LV-11 In most of the cases registered against suspected Maoist/ Naxalites, they are acquitted in lower courts.	.628	.114	.027
LV-9 Whether the various theories of punishment is not sufficient to tackle the Naxalism?.	.628	.558	.066
LV-17 Adequate legal protection has been provided to troops operating in NAA.	.595	.075	.301
LV-18 There are human rights violations in Naxal Affected Areas.	.395	.805	-.024
LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.	.253	.794	.124
LV-1 Naxalism is only law and order issue alone.	.008	.769	-.272
LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect)	.393	.767	.063
LV-12 The allotment of land to non tribals in fifth scheduled areas provide fertile land to operate Naxal activities?	.204	.684	.023
LV-8 Whether criminal justice system is not sufficient to tackle the problem of Naxalism?	.506	.638	.008
LV-2 Naxalism is a socio- legal problem.	.338	.605	.343
LV-16 Rehabilitation cum surrender policy is effective mechanism to abolish Naxalism.	.058	.246	.742
LV-10 Naxals are the Terrorist organization.	.263	.206	-.548
Extraction Method: Principal Component Analysis.			
Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 5 iterations.			
b. Only cases for which Respondents = General Public are used in the analysis phase.			

Findings: Most Important Legal Factors/Variables: General public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Legal Factors/Variables: General public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **9** variables LV-4 , LV-5 , LV-6 , LV-13, LV-7 , LV-3 , LV-11 , LV-9 , LV-17

Factor -2 includes following 7 variables LV-18 , LV-15 , LV-1 , LV-14 , LV-12 , LV-8 , LV-2

Factor -3 includes following **2** variables LV-16, LV-10

7.3.2.2.2 Factor Analysis: Surrendered Naxalites

Table-7.28 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.672
Bartlett's Test of Sphericity	Approx. Chi-Square	441.155
	Df	153
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.672** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.29 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	3.800	21.111	21.111	3.800	21.111	21.111	3.131	17.392	17.392
2	1.954	10.856	31.967	1.954	10.856	31.967	1.735	9.636	27.029
3	1.416	7.865	39.833	1.416	7.865	39.833	1.711	9.506	36.534
4	1.395	7.749	47.581	1.395	7.749	47.581	1.524	8.466	45.000
5	1.216	6.755	54.336	1.216	6.755	54.336	1.311	7.281	52.281
6	1.127	6.260	60.596	1.127	6.260	60.596	1.274	7.077	59.359
7	1.036	5.755	66.351	1.036	5.755	66.351	1.259	6.992	66.351
8	.942	5.231	71.582						
9	.852	4.733	76.316						
10	.714	3.965	80.280						
11	.647	3.595	83.876						
12	.634	3.522	87.398						
13	.563	3.128	90.526						
14	.497	2.762	93.288						
15	.416	2.311	95.599						
16	.373	2.075	97.674						
17	.277	1.540	99.213						
18	.142	.787	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 18 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 21.111% of total variance, factor 2 explained 10.856% of total variance, factor 3 explained 7.865% of total variance, factor 4 explained 7.749 % of total variance, factor 5 explained 6.755% of total variance, factor 6 explained 6.260 % of total variance & factor 7 explained 5.755 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 18 components (**Most Important Legal Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table-7.30 Rotated Component Matrix

Rotated Component Matrix^{a,b}							
	Component						
	1	2	3	4	5	6	7
LV-15 Reformative theory of law would be effective mechanism to abolish the Naxalism.	.893	.044	-.114	-.040	-.025	.091	-.050
LV-2 Naxalism is a socio- legal problem.	.855	.149	.009	.088	.093	-.068	-.056
LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism?	.761	.140	-.073	.207	-.018	.055	.219
LV-8 Whether criminal justice system is not sufficient to tackle the problem of Naxalism?	.631	.253	.256	.161	.224	.173	-.130
LV-1 Naxalism is only law and order issue alone.	.509	.170	.172	-.089	-.329	.044	.168
LV-7 Growth of the Naxalism is challenge for the constitution as well as criminal justice system of India?	.173	.694	.067	.116	-.055	.168	.203
LV-11 In most of the cases registered against suspected Maoist/ Naxalites, they are acquitted in lower courts.	.118	.683	.083	.333	.014	-.026	-.129

Issues and Challenges of Naxalism: A Socio Legal Analysis

LV-5 Whether the justice delay justice deny lead Naxalism?	.300	.626	-.222	-.143	.072	-.048	.122
LV-10 Naxals are the Terrorist organization.	-.133	-.034	-.731	.264	.135	.111	.234
LV-17 Adequate legal protection has been provided to troops operating in NAA.	.115	-.293	.690	-.040	-.056	-.013	.175
LV-16 Rehabilitation cum surrender policy is effective mechanism to abolish Naxalism.	-.193	.179	.690	.080	.140	-.003	.031
LV-6 Failure of implementation of the fifth and sixth schedule of the constitution of India lead Naxalism	.135	.022	.030	.777	-.085	.048	-.082
LV-12 The allotment of land to non tribals in fifth scheduled areas provide fertile land to operate Naxal activities?	.051	.224	-.168	.663	.117	-.073	.052
LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect)	.018	-.059	-.059	.180	.767	.173	.271
LV-9 Whether the various theories of punishment is not sufficient to tackle the Naxalism?(cause and effect).	.088	.162	.107	-.370	.651	-.095	-.293
LV-18 There are human rights violations in Naxal Affected Areas.	-.046	-.036	-.062	-.021	.181	.848	.165
LV-4 Naxals are against the constitution of India.	.358	.201	-.040	.014	-.162	.645	-.242
LV-3 Naxalism is challenge to legal system of India?	.061	.135	.017	-.046	.041	.017	.864
Extraction Method: Principal Component Analysis.							
Rotation Method: Varimax with Kaiser Normalization.							
a. Rotation converged in 11 iterations.							
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.							

Findings: Most Important Legal Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Legal Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **5** variables LV-15 , LV-2 , LV-13 , LV-8 , LV-1

Factor -2 includes following **3** variables LV-7 , LV-11 , LV-5

Factor -3 includes following **3** variables LV-10 , LV-17 , LV-16

Factor -4 includes following **2** variables LV-6 ,LV-12

Factor -5 includes following **2** variables LV-14 , LV-9

Factor -6 includes following **2** variables LV-18 , LV-4

Factor -7 includes following **1** variable-3

7.3.2.2.3 Factor Analysis: Experts

Table-7.31 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.858
Bartlett's Test of Sphericity	Approx. Chi-Square	1141.906
	Df	153
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.858** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.32 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	7.945	44.140	44.140	7.945	44.140	44.140	6.049	33.608	33.608
2	1.474	8.188	52.327	1.474	8.188	52.327	3.003	16.685	50.294
3	1.295	7.195	59.523	1.295	7.195	59.523	1.473	8.183	58.476
4	1.153	6.407	65.929	1.153	6.407	65.929	1.342	7.453	65.929
5	.911	5.061	70.990						
6	.851	4.730	75.720						
7	.711	3.950	79.670						
8	.591	3.286	82.956						
9	.561	3.118	86.073						
10	.518	2.878	88.951						
11	.431	2.394	91.346						
12	.398	2.209	93.555						
13	.354	1.967	95.522						
14	.243	1.351	96.873						
15	.206	1.146	98.019						
16	.184	1.023	99.042						
17	.141	.781	99.823						
18	.032	.177	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 44.140% of total variance, factor 2 explained 8.188% of total variance, factor 3 explained 7.195% of total variance & factor 4 explained 6.407% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Legal Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table-7.33 Rotated Component Matrix

Rotated Component Matrix^{a,b}				
	Component			
	1	2	3	4
LV-18 There are human rights violations in Naxal Affected Areas.	.851	.320	.240	.006
LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.	.844	.226	.162	.035
LV-17 Adequate legal protection has been provided to troops operating in NAA.	.818	.326	-.042	-.072
LV-16 Rehabilitation cum surrender policy is effective mechanism to abolish Naxalism.	.805	.347	.143	.042
LV-3 Naxalism is challenge to legal system of India?	.772	.231	.299	.080
LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.	.706	.372	.054	.201
LV-5 Whether the justice delay justice deny lead Naxalism?	.678	.072	.063	-.047
LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism?	.638	.469	.046	.124
LV-8 Whether criminal justice system is not sufficient to tackle the problem of Naxalism?	.550	.190	.225	.316
LV-11 In most of the cases registered against suspected Maoist/ Naxalites, they are acquitted in lower courts.	.356	.695	.046	.076
LV-12 The allotment of land to non tribals in fifth scheduled areas provide fertile land to operate Naxal activities?	.443	.672	.084	-.124
LV-7 Growth of the Naxalism is challenge for the constitution as well as criminal justice system of India?	.235	.587	-.030	-.510

LV-1 Naxalism is only law and order issue alone.	.390	.554	.143	-.118
LV-4 Naxals are against the constitution of India.	.137	.529	-.051	.143
LV-2 Naxalism is a socio- legal problem.	.372	-.067	.755	.033
LV-10 Naxals are the Terrorist organization.	.367	-.536	-.564	-.244
LV-6 Failure of implementation of the fifth and sixth schedule of the constitution of India lead Naxalism	.303	.029	.544	-.459
LV-9 Whether the various theories of punishment is not sufficient to tackle the Naxalism?	.340	.103	.006	.763
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 19 iterations.				
b. Only cases for which Respondents = Experts are used in the analysis phase.				

Findings: Most Important Legal Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Legal Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **9** variables LV-18 , LV-14 , LV-17 , LV-16 , LV-3 , LV-15 , LV-5 , LV-13 , LV-8

Factor -2 includes following **7** variables LV-11 , LV-12 , LV-7 , LV-1 , LV-4 , LV-2 , LV-10

Factor -3 includes following **1** variable LV-6

Factor -4 includes following **1** variable LV-9

Table- 7.34 **Final Findings- Most Important Legal Factors/Variables**

Final Findings- Most Important Legal Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
1. LV-4 Naxals are against the constitution of India. 2. LV-5 Whether the justice delay justice	1. LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism. 2. LV-2 Naxalism is a socio-legal problem.	1. LV-18 There are human rights violations in Naxal Affected Areas. 2. LV-14 In tackling the

deny lead Naxalism? 3. LV-6 Failure of implementation of the fifth and sixth schedule of the constitution of India lead Naxalism 4. LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism? 5. LV-7 Growth of the Naxalism is challenge for the constitution as well as criminal justice system of India? 6. LV-3 Naxalism is challenge to legal system of India? 7. LV-11 In most of the cases registered against suspected Maoist/ Naxalites, they are acquitted in lower courts. 8. LV-9 Whether the various theories of punishment is not sufficient to tackle the Naxalism?(cause and effect). 9. LV-17 Adequate legal protection has been provided to troops operating in NAA.	3. LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism? 4. LV-8 Whether criminal justice system is not sufficient to tackle the problem of Naxalism? LV-1 Naxalism is only law and order issue alone.	problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect) 3. LV-17 Adequate legal protection has been provided to troops operating in NAA. 4. LV-16 Rehabilitation cum surrender policy is effective mechanism to abolish Naxalism. 5. LV-3 Naxalism is challenge to legal system of India? 6. LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism. 7. LV-5 Whether the justice delay justice deny lead Naxalism? 8. LV-13 Whether non implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism? 9. LV-8 Whether criminal justice system is not sufficient to tackle the problem of Naxalism?

7.3.2.3 Factor Analysis: Most Important Social Factors/Variables

7.3.2.3.1 Factor Analysis: General Public

Table-7.35 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.908
Bartlett's Test of Sphericity	Approx. Chi-Square	6929.197
	Df	120
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.908** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.36 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	10.850	67.811	67.811	10.850	67.811	67.811	6.449	40.306	40.306
2	1.825	11.409	79.220	1.825	11.409	79.220	5.954	37.214	77.519
3	1.071	6.694	85.913	1.071	6.694	85.913	1.343	8.394	85.913
4	.460	2.874	88.787						
5	.360	2.250	91.037						
6	.301	1.882	92.919						
7	.251	1.568	94.487						
8	.186	1.161	95.648						
9	.181	1.130	96.778						
10	.123	.768	97.546						
11	.101	.634	98.180						
12	.095	.597	98.776						
13	.062	.385	99.162						
14	.059	.367	99.528						
15	.044	.278	99.806						
16	.031	.194	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 16 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 67.811% of total**

variance, factor 2 explained 11.409% of total variance & factor 3 explained 6.694% of total variance that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 16 components (**Most Important Social Factors/Variables: General Public**), 1st factor is most important and can be extracted.

Table-7.37 Rotated Component Matrix

Rotated Component Matrix^{a,b}			
	Component		
	1	2	3
SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).	.911	.291	-.058
SV-7 Naxalites are not true emancipator of the downtrodden people of India.	.878	.103	.095
SV-5 Naxalism is rooted in cultural threat posed by the main stream of the society?	.876	.372	.051
SV-1 I don't consider the Naxals as revolutionary.	.845	.393	-.050
SV-4 Gender discrimination is an important factor to spread Naxalism.	.777	.486	.070
SV-11 Naxalites sexually harass the women in organization.(cause and effect)	.740	.474	-.190
SV-8 Naxalism is against the Tribal Culture.	.738	.577	-.081
SV-6 Religion is also responsible factor of Naxalism.	.679	.420	.500
SV-13 There is lack of quality education facilities in Naxal Affected Areas.	.271	.903	.139
SV-14 Non availability of adequate food, water and nutrition lead the Naxalism.	.171	.892	.114
SV-9 It's big challenge for the locals to escape from the fabrics of the Naxals.	.325	.863	.155
SV-15 Naxals carry out forced recruitment of young children?	.377	.857	.065
SV-12 Proper health and medical care facilities are not available to poor people in Naxal Affected Areas.	.490	.751	.026
SV-16 Naxalism is danger for survival ship of tribal.	.589	.719	.063
SV-3 Caste system is a responsible factor of Naxalism.	.516	.632	.184
SV-10 Women are also part of the Naxal organization.	-.084	.160	.964
Extraction Method: Principal Component Analysis.			
Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 5 iterations.			
b. Only cases for which Respondents = General Public are used in the analysis phase.			

Findings: Most Important Social Factors/Variables: General Public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Social Factors/Variables: General Public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **8** variables SV-2, SV-7, SV-5, SV-1 , SV-4 , SV-11, SV-8, SV-6

Factor -2 includes following **7** variables SV-13, SV-14, SV-9, SV-15, SV-12, SV-16, SV-3

Factor -3 includes following **1** variable SV-10

7.3.2.3.2 Factor Analysis: Surrendered Naxalites

Table-7.38 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.593
Bartlett's Test of Sphericity	Approx. Chi-Square	438.200
	Df	120
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.593** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.39 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	2.957	18.479	18.479	2.957	18.479	18.479	2.357	14.729	14.729
2	2.290	14.314	32.793	2.290	14.314	32.793	2.061	12.884	27.613
3	1.884	11.773	44.566	1.884	11.773	44.566	1.975	12.346	39.959
4	1.379	8.617	53.183	1.379	8.617	53.183	1.618	10.113	50.072
5	1.268	7.928	61.111	1.268	7.928	61.111	1.550	9.685	59.757
6	1.122	7.015	68.127	1.122	7.015	68.127	1.339	8.370	68.127
7	.923	5.771	73.897						
8	.844	5.272	79.169						
9	.663	4.145	83.314						
10	.604	3.777	87.092						
11	.523	3.269	90.361						
12	.431	2.696	93.057						
13	.363	2.269	95.326						
14	.344	2.153	97.479						
15	.218	1.364	98.843						
16	.185	1.157	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 16 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 18.479% of total variance, factor 2 explained 14.314% of total variance, factor 3 explained 11.773% of total variance, factor 4 explained 8.617% of total variance, factor 5 explained 7.928 % of total variance & factor 6 explained 7.015 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 16 components (**Most Important Social Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table-7.40 Rotated Component Matrix

Rotated Component Matrix^{a,b}						
	Component					
	1	2	3	4	5	6
SV-11 Naxalites sexually harass the women in organization.(cause and effect)	.810	.069	.050	.082	-.060	.029
SV-7 Naxalites are not true emancipator of the downtrodden people of India.	.791	-.203	.246	-.283	.022	.101
SV-8 Naxalism is against the Tribal Culture.	.771	.128	-.066	.167	.057	-.151
SV-4 Gender discrimination is an important factor to spread Naxalism.	-.019	.787	.336	.135	-.018	-.134
SV-16 Naxalism is danger for survival ship of tribal.	.182	.757	.230	-.028	.087	.114
SV-1 I don't consider the Naxals as revolutionary.	.483	-.643	.214	.261	.153	-.060
SV-10 Women are also part of the Naxal organization.	.045	-.007	.761	.374	-.069	.084
SV-3 Caste system is a responsible factor of Naxalism.	.130	.369	.750	.035	-.061	-.149
SV-12 Proper health and medical care facilities are not available to poor people in Naxal Affected Areas.	.040	.189	.649	-.309	.108	.018
SV-9 It's big challenge for the locals to escape from the fabrics of the Naxals.	.041	-.130	.034	.827	-.004	-.152
SV-6 Religion is also responsible factor of Naxalism.	.234	-.188	.319	-.490	.336	-.395
SV-5 Naxalism is rooted in cultural threat posed by the main stream of the society?	.294	.265	.144	.452	-.062	.182
SV-13 There is lack of quality education facilities in Naxal Affected Areas.	-.027	-.087	-.041	.075	.853	-.035
SV-14 Non availability of adequate food, water and nutrition lead the Naxalism.	.026	.104	.026	-.167	.796	.151
SV-15 Naxals carry out forced recruitment of young children?	-.162	-.205	.052	.072	.006	.781
SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).	.146	.194	-.061	-.115	.118	.628
Extraction Method: Principal Component Analysis.						
Rotation Method: Varimax with Kaiser Normalization.						
a. Rotation converged in 7 iterations.						
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.						

Findings: Most Important Social Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Social Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **3** variables SV-11 , SV-7 , SV-8

Factor -2 includes following **3** variables SV-4 , SV-16 , SV-1

Factor -3 includes following **3** variables SV-10, SV-3, SV-12

Factor -4 includes following **3** variables SV-9, SV-6, SV-5

Factor -5 includes following **2** variables SV-13, SV-14

Factor -6 includes following **2** variables SV-15, SV-2

7.3.2.3.3 Factor Analysis: Experts

Table-7.41 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.864
Bartlett's Test of Sphericity	Approx. Chi-Square	1299.932
	Df	120
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.864** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.42 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	7.776	48.601	48.601	7.776	48.601	48.601	6.342	39.639	39.639
2	1.471	9.196	57.797	1.471	9.196	57.797	2.376	14.852	54.490
3	1.316	8.225	66.021	1.316	8.225	66.021	1.845	11.531	66.021
4	.996	6.223	72.245						
5	.883	5.520	77.765						
6	.734	4.586	82.350						
7	.640	4.003	86.353						
8	.568	3.553	89.906						
9	.442	2.762	92.667						
10	.398	2.486	95.153						
11	.249	1.557	96.710						
12	.188	1.175	97.885						
13	.130	.811	98.696						
14	.097	.605	99.301						
15	.085	.533	99.834						
16	.027	.166	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 16 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 67.811% of total variance, factor 2 explained 11.409% of total variance & factor 3 explained**

6.694% of total variance that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 16 components (**Most Important Social Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table-7.43 Rotated Component Matrix

Rotated Component Matrix^{a,b}			
	Component		
	1	2	3
SV-3 Caste system is a responsible factor of Naxalism.	.893	.215	.141
SV-11 Naxalites sexually harass the women in organization.	.877	.291	.255
SV-5 Naxalism is rooted in cultural threat posed by the main stream of the society?	.856	.193	.168
SV-6 Religion is also responsible factor of Naxalism.	.829	-.126	.110
SV-8 Naxalism is against the Tribal Culture.	.758	.074	-.070
SV-4 Gender discrimination is an important factor to spread Naxalism.	.758	.235	-.119
SV-9 It's big challenge for the locals to escape from the fabrics of the Naxals.	.755	.389	.243
SV-13 There is lack of quality education facilities in Naxal Affected Areas.	.753	.495	.264
SV-12 Proper health and medical care facilities are not available to poor people in Naxal Affected Areas.	.596	.542	.266
SV-15 Naxals carry out forced recruitment of young children?	.545	.250	.356
SV-14 Non availability of adequate food, water and nutrition lead the Naxalism.	.456	.776	.162
SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).	.289	.754	-.152
SV-7 Naxalites are not true emancipator of the downtrodden people of India.	.015	.090	.821
SV-10 Women are also part of the Naxal organization.	.275	-.301	.569
SV-16 Naxalism is danger for survival ship of tribal.	.128	.055	.450
SV-1 I don't consider the Naxals as revolutionary.	-.184	.328	.351
Extraction Method: Principal Component Analysis.			
Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 6 iterations.			
b. Only cases for which Respondents = Experts are used in the analysis phase.			

Findings: Most Important Social Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Social Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **10** variables SV-3, SV-11, SV-5, SV-6, SV-8, SV-4, SV-9, SV-13, SV-12, SV-15

Factor -2 includes following **2** variables SV-14, SV-2

Factor -3 includes following **4** variable SV-7, SV-10, SV-16, SV-1

Table- 7.44 **Final Findings- Most Important Social Factors/Variables**

Final Findings- Most Important Social Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
- SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land). - SV-7 Naxalites are not true emancipator of the downtrodden people of India. - SV-5 Naxalism is rooted in cultural threat posed by the main stream of the society? - SV-1 I don't consider the Naxals as revolutionary. - SV-4 Gender discrimination is an important factor to spread Naxalism. - SV-11 Naxalites sexually harass the women in organization. - SV-8 Naxalism is against the Tribal Culture. - SV-6 Religion is also responsible factor of Naxalism.	- SV-11 Naxalites sexually harass the women in organization. - SV-7 Naxalites are not true emancipator of the downtrodden people of India. - SV-8 Naxalism is against the Tribal Culture.	- SV-3 Caste system is a responsible factor of Naxalism. - SV-11 Naxalites sexually harass the women in organization.(cause and effect) - SV-5 Naxalism is rooted in cultural threat posed by the main stream of the society? - SV-6 Religion is also responsible factor of Naxalism. - SV-8 Naxalism is against the Tribal Culture. - SV-4 Gender discrimination is an important factor to spread Naxalism. - SV-9 It's big challenge for the locals to escape from the fabrics of the Naxals. - SV-13 There is lack of quality education facilities in Naxal Affected Areas. - SV-12 Proper health and medical care facilities are not available to poor people in Naxal Affected Areas. - SV-15 Naxals carry out forced recruitment of young children?

7.3.2.4 Factor Analysis: Most Important Governance and Political Factors/Variables

7.3.2.4.1 Factor Analysis: General Public

Table-7.45 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.945
Bartlett's Test of Sphericity	Approx. Chi-Square	6162.146
	Df	105
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.945** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.46 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	10.548	70.321	70.321	10.548	70.321	70.321	6.984	46.561	46.561
2	1.524	10.160	80.481	1.524	10.160	80.481	5.088	33.919	80.481
3	.770	5.135	85.616						
4	.458	3.056	88.672						
5	.365	2.435	91.107						
6	.327	2.178	93.286						
7	.200	1.335	94.621						
8	.185	1.236	95.857						
9	.135	.902	96.759						
10	.119	.793	97.552						
11	.097	.646	98.199						
12	.090	.600	98.798						
13	.069	.458	99.256						
14	.063	.417	99.674						
15	.049	.326	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 70.321% of total variance & factor 2 explained 10.160% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Governance and Political Factors/Variables: General Public**), 1st factor is most important and can be extracted.

Table- 7.47 Rotated Component Matrix

Rotated Component Matrix^{a,b}		
	Component	
	1	2
GV-5 Naxalites believe in good governance.	.866	.412
PV-3 Naxalites want to capture state through the barrel of the gun.	.862	.172
GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State.	.854	.290
GV-6 There is corruption caused by the government agencies.	.844	.230
GV-3 E-Governance has been given the requisite impetus to improve situation on ground.	.839	.391
PV-7 Political unawareness leads to Naxalism	.835	.445
PV-2 Naxalites oppose the conducting elections.	.795	.492
GV-7 I trust that Co-operative federalism can counter the threat of Naxalism.	.752	.301
GV-8 Eight pronged strategy of home ministry "SAMADHAN" would be effective mechanism to abolish the Naxalism.	.321	.868
GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.	.368	.859
PV-5 Political leaders take interest to resolve problems and are keen to end of Naxalism.	.106	.810
GV-1 There is improper implementation of the Minimum Wages Act and non-payment of minimum wages fixed by the government for rural labourers.	.571	.720
PV-4 Naxals are showing false dreams to the innocent peoples.	.607	.716
PV-6 State Government is ensuring holistic approach to abolish the Naxalism.	.290	.682
PV-1 Naxalites do not believe in Indian democracy.	.648	.651
Extraction Method: Principal Component Analysis.		
Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		
b. Only cases for which Respondents = General Public are used in the analysis phase.		

Findings: Most Important Governance and Political Factors/Variables: General public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Governance and Political Factors/Variables: General public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **8** variables GV-5, PV-3, GV-2, GV-6, GV-3, PV-7, PV-2, GV-7

Factor -2 includes following **6** variables GV-8, GV-4, PV-5, GV-1, PV-4, PV-6, PV-1

7.3.2.4.2 Factor Analysis: Surrendered Naxalites

Table-7.48 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.478
Bartlett's Test of Sphericity	Approx. Chi-Square	393.148
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.478** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.49 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	2.910	19.402	19.402	2.910	19.402	19.402	2.638	17.589	17.589
2	1.656	11.042	30.444	1.656	11.042	30.444	1.524	10.161	27.750
3	1.553	10.352	40.796	1.553	10.352	40.796	1.517	10.115	37.865
4	1.342	8.948	49.744	1.342	8.948	49.744	1.338	8.918	46.784
5	1.189	7.929	57.673	1.189	7.929	57.673	1.296	8.641	55.425
6	1.058	7.055	64.729	1.058	7.055	64.729	1.274	8.492	63.916
7	1.047	6.983	71.712	1.047	6.983	71.712	1.169	7.795	71.712
8	.869	5.791	77.502						
9	.823	5.487	82.989						
10	.746	4.973	87.962						
11	.666	4.442	92.404						
12	.587	3.914	96.318						
13	.266	1.776	98.093						
14	.165	1.098	99.191						
15	.121	.809	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 19.402% of total variance, factor 2 explained 11.042% of total variance, factor 3 explained 10.352 % of total variance, factor 4 explained 8.948 % of total variance, factor 5 explained 7.929 % of total variance, factor 6 explained 7.055 % of total variance**

& factor 7 explained 6.983 % of total variance that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Governance and Political Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table-7.50 Rotated Component Matrix

Rotated Component Matrix^{a,b}							
	Component						
	1	2	3	4	5	6	7
GV-3 E-Governance has been given the requisite impetus to improve situation on ground.	.935	-.093	-.033	.084	-.012	-.040	.018
GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.	.873	-.055	.215	.033	.058	-.081	.068
GV-5 Naxalites believe in good governance.	.604	.336	.082	.376	.178	-.163	-.249
GV-8 Eight pronged strategy of home ministry "SAMADHAN" would be effective mechanism to abolish the Naxalism.	.580	.569	-.073	-.242	.004	.134	.260
PV-2 Naxalites oppose the conducting elections.	.129	-.937	-.056	-.032	.027	.047	.054
PV-7 Political unawareness leads to Naxalism	.166	-.025	.733	-.053	-.238	-.187	-.002
GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State.	-.040	-.077	.700	.083	.290	-.015	.142
GV-1 There is improper implementation of the Minimum Wages Act and non-payment of minimum wages fixed by the government for rural labourers.	.076	.210	.602	-.138	-.059	.400	-.105
GV-6 There is corruption caused by the government agencies.	-.001	-.022	.025	-.811	.066	.108	-.163
PV-4 Naxals are showing false dreams to the innocent peoples.	.420	-.108	-.067	.636	.100	.369	-.223
PV-5 Political leaders take interest to resolve problems and are keen to end of Naxalism.	-.146	.015	-.085	.122	-.759	.216	.183
PV-6 State Government is ensuring holistic approach to abolish the Naxalism.	-.023	.008	-.081	.082	.722	.226	.138
GV-7 I trust that Co-operative federalism can counter the threat of Naxalism.	-.124	-.016	-.028	-.013	.030	.865	-.058
PV-3 Naxalites want to capture state through the barrel of the gun.	.116	.085	-.031	.103	.019	-.008	.775
PV-1 Naxalites do not believe in Indian democracy.	.146	.355	-.211	.077	.049	.172	-.518
Extraction Method: Principal Component Analysis.							
Rotation Method: Varimax with Kaiser Normalization.							
a. Rotation converged in 7 iterations.							
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.							

Findings: Most Important Governance and Political Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Governance and Political Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following 4 variables GV-3, GV-4, GV-5, GV-8

Factor -2 includes following 1 variable PV-2

Factor -3 includes following 3 variable PV-7, GV-2, GV-1

Factor -4 includes following 2 variable GV-6, PV-4

Factor -5 includes following 2 variable PV-5, PV-6

Factor -6 includes following 1 variable GV-7

Factor -7 includes following 2 variable PV-3, PV-1

7.3.2.4.3 Factor Analysis: Experts

Table-7.51 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.856
Bartlett's Test of Sphericity	Approx. Chi-Square	1125.216
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.856** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.52 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	6.959	46.395	46.395	6.959	46.395	46.395	5.235	34.899	34.899
2	1.516	10.108	56.503	1.516	10.108	56.503	2.586	17.237	52.135
3	1.227	8.181	64.684	1.227	8.181	64.684	1.766	11.776	63.911
4	1.016	6.775	71.459	1.016	6.775	71.459	1.132	7.548	71.459
5	.910	6.068	77.527						
6	.776	5.172	82.699						
7	.689	4.596	87.295						
8	.535	3.566	90.861						
9	.391	2.608	93.469						
10	.300	2.002	95.471						
11	.246	1.642	97.113						
12	.170	1.134	98.246						
13	.129	.862	99.108						
14	.110	.734	99.842						
15	.024	.158	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 46.395% of total variance, factor 2 explained 10.160% of total variance, factor 3 explained 8.181 % of total variance & factor 4 explained 6.775 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found

that from the total 15 components (**Most Important Governance and Political Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table-7.53 Rotated Component Matrix

Rotated Component Matrix^{a,b}				
	Component			
	1	2	3	4
PV-7 Political unawareness leads to Naxalism	.887	.138	-.017	.058
GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.	.860	.224	.262	.002
GV-8 Eight pronged strategy of home ministry “SAMADHAN” would be effective mechanism to abolish the Naxalism.	.850	.418	.107	-.020
GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State.	.805	.268	-.048	.120
PV-5 Political leaders take interest to resolve problems and are keen to end of Naxalism.	.796	.186	.026	.037
GV-5 Naxalites believe in good governance.	.726	.579	.003	-.002
GV-3 E-Governance has been given the requisite impetus to improve situation on ground.	.581	.193	.428	.118
GV-1 There is improper implementation of the Minimum Wages Act and non-payment of minimum wages fixed by the government for rural labourers.	.531	.500	.515	.206
PV-6 State Government is ensuring holistic approach to abolish the Naxalism.	.428	-.242	.251	-.061
GV-7 I trust that Co-operative federalism can counter the threat of Naxalism.	.330	.793	.146	-.012
GV-6 There is corruption caused by the government agencies.	.496	.747	.068	-.109
PV-1 Naxalites do not believe in Indian democracy.	-.024	-.096	.805	-.003
PV-2 Naxalites oppose the conducting elections.	.101	.273	.668	.011
PV-4 Naxals are showing false dreams to the innocent peoples.	.094	-.333	-.103	.769
PV-3 Naxalites want to capture state through the barrel of the gun.	.004	.415	.202	.671
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 9 iterations.				
b. Only cases for which Respondents = Experts are used in the analysis phase.				

Findings: Most Important Governance and Political Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Governance and Political Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **9** variables PV-7, GV-4, GV-8, GV-2, PV-5, GV-5, GV-3, GV-1, PV-6

Factor -2 includes following **2** variables GV-7, GV-6

Factor -3 includes following **2** variables PV-1, PV-2

Factor -4 includes following **2** variables PV-4, PV-3

Table 7.54- Final Findings- Most Important Governance and Political Factors/Variables

Final Findings- Most Important Governance and Political Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
- GV-5 Naxalites believe in good governance. - PV-3 Naxalites want to capture state through the barrel of the gun. - GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State. - GV-6 There is corruption caused by the government agencies. - GV-3 E-Governance has been given the requisite impetus to improve situation on ground. - PV-7 Political unawareness leads to Naxalism - PV-2 Naxalites oppose the conducting elections. - GV-7 I trust that Co-operative federalism can counter the threat of	- GV-3 E-Governance has been given the requisite impetus to improve situation on ground. - GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government. - GV-5 Naxalites believe in good governance. - GV-8 Eight pronged strategy of home ministry "SAMADHAN" would be effective mechanism to abolish the Naxalism.	- PV-7 Political unawareness leads to Naxalism - GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government. - GV-8 Eight pronged strategy of home ministry "SAMADHAN" would be effective mechanism to abolish the Naxalism. - GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State. - PV-5 Political leaders take interest to resolve problems

Naxalism.		and are keen to end of Naxalism. 6. GV-5 Naxalites believe in good governance. 7. GV-3 E-Governance has been given the requisite impetus to improve situation on ground. 8. GV-1 There is improper implementation of the Minimum Wages Act and non-payment of minimum wages fixed by the government for rural labourers. 9. PV-6 State Government is ensuring holistic approach to abolish the Naxalism.

7.3.2.5 Factor Analysis: Most Important Economic Factors/Variables

7.3.2.5.1 Factor Analysis: General Public

Table-7.55 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.894
Bartlett's Test of Sphericity	Approx. Chi-Square	3068.227
	Df	78
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.894** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.56 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	7.511	57.779	57.779	7.511	57.779	57.779	6.671	51.319	51.319
2	1.386	10.665	68.444	1.386	10.665	68.444	2.226	17.125	68.444
3	.728	5.603	74.046						
4	.619	4.764	78.811						
5	.574	4.416	83.227						
6	.483	3.715	86.942						
7	.470	3.614	90.557						
8	.292	2.248	92.805						
9	.269	2.071	94.875						
10	.232	1.788	96.663						
11	.191	1.467	98.130						
12	.155	1.190	99.320						
13	.088	.680	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 57.779% of total variance & factor 2 explained 10.665% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Economic Factors/Variables: General Public**), 1st factor is most important and can be extracted.

Table-7.57 Rotated Component Matrix

Rotated Component Matrix^{a,b}		
	Component	
	1	2
EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA.	.870	-.046
EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA.	.853	.239
EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people.	.827	.240
EV-9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas.	.816	.269
EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization.	.808	.374
EV-12 Naxalites take advantage of inordinate delay of development.	.771	-.144
EV-7 Non-availability of job opportunities for youth in rural areas compels them to join Naxalism.	.761	.161
EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.	.749	.405
EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.	.707	.399
EV-1 Economic injustice lead Naxalism.	.658	.220
EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement.	.632	.427
EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	-.050	.861
EV-3 There is urgent need of electricity, improve road and telephonic connectivity for the development in NAA.	.341	.746
Extraction Method: Principal Component Analysis.		
Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		
b. Only cases for which Respondents = General Public are used in the analysis phase.		

Findings: Most Important Economic Factors/Variables: General public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Economic Factors/Variables: General public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **11** variables EV-8, EV-13, EV-5, EV-9, EV-10, EV-12, EV-7, EV-2, EV-4, EV-1, EV-11

Factor -2 includes following **2** variables EV-6, EV-3

7.3.2.5.2 Factor Analysis: Surrendered Naxalites

Table-7.58 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.747
Bartlett's Test of Sphericity	Approx. Chi-Square	227.615
	Df	78
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.747** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.59 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	3.470	26.694	26.694	3.470	26.694	26.694	2.741	21.085	21.085
2	1.281	9.856	36.550	1.281	9.856	36.550	1.723	13.250	34.335
3	1.114	8.568	45.117	1.114	8.568	45.117	1.202	9.244	43.580
4	1.052	8.093	53.211	1.052	8.093	53.211	1.137	8.748	52.327
5	1.005	7.731	60.942	1.005	7.731	60.942	1.120	8.614	60.942
6	.953	7.329	68.270						
7	.877	6.743	75.014						
8	.774	5.956	80.970						
9	.703	5.411	86.381						
10	.531	4.087	90.468						
11	.445	3.423	93.891						
12	.423	3.258	97.149						
13	.371	2.851	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 26.694% of total variance, factor 2 explained 9.856 % of total variance, factor 3 explained 8.568% of total variance, factor 4 explained 8.093% of total variance & factor 5 explained 7.731 % of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Economic Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table-7.60 Rotated Component Matrix

Rotated Component Matrix^{a,b}					
	Component				
	1	2	3	4	5
EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.	.780	.052	.074	-.085	.071
EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.	.682	.053	-.118	.153	-.092
EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people.	.634	.221	.140	-.176	-.011
EV-3 There is urgent need of electricity, improve road and telephonic connectivity for the development in NAA.	.581	.440	.075	.233	-.034
EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA.	.560	.268	.304	-.015	.306
EV-12 Naxalites take advantage of inordinate delay of development.	.520	-.034	.167	-.404	-.211
EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization.	.008	.773	.311	-.016	-.048
EV-7 Non-availability of job opportunities for youth in rural areas compels them to join Naxalism.	.134	.664	-.016	-.081	.182
EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement.	.409	.589	-.278	.153	-.194
EV-9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas.	.126	.096	.891	.093	-.060
EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	.001	-.027	.116	.890	-.009
EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA.	-.170	-.010	-.143	-.046	.840
EV-1 Economic injustice lead Naxalism.	.339	.083	.186	.157	.431
Extraction Method: Principal Component Analysis.					
Rotation Method: Varimax with Kaiser Normalization.					
a. Rotation converged in 8 iterations.					
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.					

Findings: Most Important Economic Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Economic Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **6** variables EV-2, EV-4, EV-5, EV-3, EV-8, EV-12 .

Factor -2 includes following **3** variables EV-10, EV-7, EV-11

Factor -3 includes following **1** variable EV-9

Factor -4 includes following **1** variable EV-6

Factor -5 includes following **2** variables EV-13, EV-1

7.3.2.5.3 Factor Analysis: Experts

Table-7.61 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.844
Bartlett's Test of Sphericity	Approx. Chi-Square	1042.823
	Df	78
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.844** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.62 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	6.314	48.566	48.566	6.314	48.566	48.566	4.514	34.721	34.721
2	1.346	10.350	58.916	1.346	10.350	58.916	2.498	19.216	53.937
3	1.137	8.744	67.661	1.137	8.744	67.661	1.784	13.724	67.661
4	.865	6.655	74.316						
5	.800	6.158	80.473						
6	.711	5.466	85.939						
7	.655	5.042	90.981						
8	.397	3.052	94.033						
9	.310	2.385	96.418						
10	.253	1.950	98.368						
11	.148	1.135	99.503						
12	.034	.261	99.764						
13	.031	.236	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 48.566% of total variance, factor 2 explained 10.350% of total variance & factor 3 explained 8.744% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Economic Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table-7.63 Rotated Component Matrix

Rotated Component Matrix^{a,b}			
	Component		
	1	2	3
EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement.	.909	.225	.144
EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization.	.862	.323	.193
EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA.	.846	.091	.116
EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA.	.825	.284	.251
EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.	.677	-.050	.082
EV-9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas.	.615	.523	.221
EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people.	-.062	.799	.024
EV-12 Naxalites take advantage of inordinate delay of development.	.532	.689	.319
EV-1 Economic injustice lead Naxalism.	.190	.649	.030
EV-7 Non-availability of job opportunities for youth in rural areas compels them to join Naxalism.	.566	.648	.324
EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.	.050	.080	.741
EV-3 There is urgent need of electricity, improve road and telephonic connectivity for the development in NAA.	.217	.131	.676
EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	.138	.034	.617
Extraction Method: Principal Component Analysis.			
Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 4 iterations.			
b. Only cases for which Respondents = Experts are used in the analysis phase.			

Findings: Most Important Economic Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Economic Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **6** variables EV-11, EV-10, EV-13, EV-8, EV-4, EV-9

Factor -2 includes following **4** variables EV-5, EV-12, EV-1, EV-7

Factor -3 includes following **3** variables EV-2, EV-3, EV-6

Table 7.64- Final Findings- Most Important Economic Factors/Variables

Final Findings- Most Important Economic Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
- EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA. - EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA. - EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people. - EV-9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas. - EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization. - EV-12 Naxalites take advantage of inordinate delay of development.	- EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism. - EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA. - EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people. - EV-3 There is urgent need of electricity, improve road and telephonic connectivity for the development in NAA. - EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA. - EV-12 Naxalites take advantage of inordinate delay of development.	- EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement. - EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization. - EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA. - EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA. - EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA. - EV 9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas.

7. EV-7 Non-availability of job opportunities for youth in rural areas compels them to join Naxalism.		
8. EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.		
9. EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.		
10.EV-1 Economic injustice lead Naxalism.		
11.EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement.		

7.3.2.6 Factor Analysis: Most Important Security Factors/Variables

7.3.2.6.1 Factor Analysis: General Public

Table-7.65 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.907
Bartlett's Test of Sphericity	Approx. Chi-Square	6763.769
	Df	105
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.907** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.66 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	10.958	73.051	73.051	10.958	73.051	73.051	6.252	41.679	41.679
2	1.085	7.232	80.283	1.085	7.232	80.283	5.791	38.604	80.283
3	.960	6.397	86.680						
4	.431	2.873	89.553						
5	.405	2.698	92.251						
6	.300	1.997	94.248						
7	.201	1.339	95.587						
8	.151	1.008	96.595						
9	.120	.801	97.396						
10	.104	.691	98.087						
11	.092	.615	98.702						
12	.069	.460	99.162						
13	.056	.373	99.535						
14	.040	.267	99.802						
15	.030	.198	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 73.051% of total variance & factor 2 explained 7.232% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the

total 15 components (**Most Important Security Factors/Variables: General Public**), 1st factor is most important and can be extracted.

Table-7.67 Rotated Component Matrix

Rotated Component Matrix^{a,b}		
	Component	
	1	2
SEV-1 Naxalism is challenge for security of India.	.866	.058
SEV-7 State agencies like police/CRPF/ forest officers harass local people.	.794	.402
SEV-10 Whether civil intelligence provide reliable information.	.758	.547
SEV-6 Naxalite prisoners are harassed physically, mentally and sexually in the jail.	.738	.428
SEV-9 Naxalism by any means, is weakening India's federal security administration.	.733	.563
SEV-4 Naxalism has been supported by the local people from the fear.	.731	.560
SEV-11 There is problem of fake encounter and false cases against the innocent people.	.725	.450
SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer.	.725	.564
SEV-2 Naxalite want destabilize the state through their gun and violence.	.696	.628
SEV-13 It is difficult to distinguish between the Local people and Naxalites during anti Naxals operations.	.111	.915
SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism.	.417	.827
SEV-12 Technological support is also responsible factor to spread link of Naxalism.	.441	.801
SEV-5 Police deviance is responsible factor for the growth of Naxalism.	.507	.778
SEV-14 There is a problem of tri junction in tracing to Naxalites.	.576	.656
SEV-8 Naxalism can be consider as full-fledged civil war in India.	.421	.631
Extraction Method: Principal Component Analysis.		
Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		
b. Only cases for which Respondents = General Public are used in the analysis phase.		

Findings: Most Important Security Factors/Variables: General Public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Security Factors/Variables: General Public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **9** variables SEV-1, SEV-7, SEV-10, SEV-6, SEV-9, SEV-4, SEV-11, SEV-3, SEV-2

Factor -2 includes following **6** variables SEV-13, SEV-15, SEV-12, SEV-5, SEV-14, SEV-8

7.3.2.6.2 Factor Analysis: Surrendered Naxalites

Table-7.68 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.664
Bartlett's Test of Sphericity	Approx. Chi-Square	507.384
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.664** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.69 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	3.847	25.646	25.646	3.847	25.646	25.646	3.424	22.826	22.826
2	1.963	13.085	38.731	1.963	13.085	38.731	2.152	14.345	37.171
3	1.577	10.513	49.245	1.577	10.513	49.245	1.519	10.126	47.297
4	1.311	8.737	57.981	1.311	8.737	57.981	1.510	10.070	57.367
5	1.039	6.926	64.907	1.039	6.926	64.907	1.131	7.541	64.907
6	.940	6.269	71.176						
7	.918	6.121	77.297						
8	.753	5.019	82.316						
9	.664	4.423	86.740						
10	.611	4.071	90.811						
11	.408	2.717	93.528						
12	.343	2.286	95.814						
13	.319	2.125	97.940						
14	.189	1.262	99.201						
15	.120	.799	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 25.646% of total variance, factor 2 explained 13.085% of total variance, factor 3 explained 10.513% of total variance, factor 4 explained 8.737 % of total variance & factor**

5 explained 6.926 % of total variance that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Security Factors/Variables: Surrendered Naxals**), 1st factor is most important and can be extracted.

Table-7.70 Rotated Component Matrix

Rotated Component Matrix^{a,b}					
	Component				
	1	2	3	4	5
SEV-10 Whether civil intelligence provide reliable information.	.870	.190	-.066	-.057	-.122
SEV-14 There is a problem of tri junction in tracing to Naxalites.	.859	.184	.155	-.014	.107
SEV-9 Naxalism by any means, is weakening India's federal security administration.	.834	.132	-.042	-.038	-.023
SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism.	.771	.166	.294	.111	.106
SEV-7 State agencies like police/CRPF/ forest officers harass local people.	.660	-.249	-.113	.118	-.228
SEV-8 Naxalism can be consider as full-fledged civil war in India.	.154	.871	.017	-.001	.017
SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer.	.294	.830	.046	.076	-.024
SEV-5 Police deviance is responsible factor for the growth of Naxalism.	-.139	.561	-.008	-.485	.168
SEV-12 Technological support is also responsible factor to spread link of Naxalism.	.209	-.010	.725	.026	.155
SEV-2 Naxalite want destabilize the state through their gun and violence.	.058	.302	.661	.015	-.298
SEV-1 Naxalism is challenge for security of India.	-.134	-.115	.631	-.197	-.043
SEV-6 Naxalite prisoners are harassed physically, mentally and sexually in the jail.	-.051	-.077	-.063	.736	.107
SEV-13 It is difficult to distinguish between the Local people and Naxalites during anti Naxals operations.	-.020	-.012	.028	-.628	-.009
SEV-11 There is problem of fake encounter and false cases against the innocent people.	.073	.298	-.122	.506	-.449
SEV-4 Naxalism has been supported by the local people from the fear.	-.036	.109	-.083	.080	.827
Extraction Method: Principal Component Analysis.					
Rotation Method: Varimax with Kaiser Normalization.					
a. Rotation converged in 6 iterations.					
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.					

Findings: Most Important Security Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Security Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **5** variables SEV-10, SEV-14, SEV-9, SEV-15, SEV-7

Factor -2 includes following **3** variables SEV-8, SEV-3, SEV-5

Factor -3 includes following **3** variables SEV-12, SEV-2, SEV-1

Factor -4 includes following **3** variables SEV-6, SEV-13, SEV-11

Factor -5 includes following **1** variable SEV-4

7.3.2.6.3 Factor Analysis: Experts

Table-7.71 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.886
Bartlett's Test of Sphericity	Approx. Chi-Square	1748.048
	Df	105
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.886** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.72 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	8.645	57.635	57.635	8.645	57.635	57.635	6.675	44.497	44.497
2	1.606	10.710	68.345	1.606	10.710	68.345	3.434	22.897	67.394
3	1.239	8.259	76.604	1.239	8.259	76.604	1.382	9.210	76.604
4	.905	6.034	82.638						
5	.796	5.304	87.942						
6	.434	2.895	90.837						
7	.419	2.794	93.631						
8	.311	2.075	95.706						
9	.181	1.206	96.912						
10	.158	1.054	97.966						
11	.104	.691	98.657						
12	.082	.546	99.203						
13	.065	.432	99.635						
14	.038	.251	99.886						
15	.017	.114	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 57.635% of total variance, factor 2 explained 10.710% of total variance & factor 3 explained 8.259% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most**

Important Security Factors/Variables: Experts), 1st factor is most important and can be extracted.

Table-7.73 Rotated Component Matrix

Rotated Component Matrix^{a,b}			
	Component		
	1	2	3
SEV-8 Naxalism can be consider as full-fledged civil war in India.	.958	.215	.039
SEV-1 Naxalism is challenge for security of India.	.932	.163	.046
SEV-2 Naxalite want destabilize the state through their gun and violence.	.908	.161	.081
SEV-9 Naxalism by any means, is weakening India's federal security administration.	.864	.416	.029
SEV-4 Naxalism has been supported by the local people from the fear.	.850	.196	.224
SEV-10 Whether civil intelligence provide reliable information.	.826	.300	.057
SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism.	.795	.381	-.009
SEV-5 Police deviance is responsible factor for the growth of Naxalism.	.711	.455	.287
SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer.	.567	.416	.037
SEV-6 Naxalite prisoners are harassed physically, mentally and sexually in the jail.	.089	.860	-.134
SEV-11 There is problem of fake encounter and false cases against the innocent people.	.314	.856	.078
SEV-7 State agencies like police/CRPF/ forest officers harass local people.	.453	.766	.025
SEV-12 Technological support is also responsible factor to spread link of Naxalism.	.357	.671	.217
SEV-13 It is difficult to distinguish between the Local people and Naxalites during anti Naxals operations.	.012	.023	.800
SEV-14 There is a problem of tri junction in tracing to Naxalites.	.125	.018	.722
Extraction Method: Principal Component Analysis.			
Rotation Method: Varimax with Kaiser Normalization.			
a. Rotation converged in 4 iterations.			
b. Only cases for which Respondents = Experts are used in the analysis phase.			

Findings: Most Important Security Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Security Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following 6 variables SEV-8, SEV-1, SEV-2, SEV-9, SEV-4, SEV-10, SEV-15, SEV-5, SEV-3

Factor -2 includes following 4 variables SEV-6, SEV-11, SEV-7, SEV-12

Table- 7.74 **Final Findings- Most Important Security Factors/Variables**

Final Findings- Most Important Security Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
1. SEV-1 Naxalism is challenge for security of India. 2. SEV-7 State agencies like police/CRPF/ forest officers harass local people. 3. SEV-10 Whether civil intelligence provide reliable information. 4. SEV-6 Naxalite prisoners are harassed physically, mentally and sexually in the jail. 5. SEV-9 Naxalism by any means, is weakening India's federal security administration. 6. SEV-4 Naxalism has been supported by the local people from the fear. 7. SEV-11 There is problem of fake encounter and false cases against the innocent people. 8. SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer. 9. SEV-2 Naxalite want destabilize the state through their gun and violence.	1. SEV-10 Whether civil intelligence provide reliable information. 2. SEV-14 There is a problem of tri junction in tracing to Naxalites. 3. SEV-9 Naxalism by any means, is weakening India's federal security administration. 4. SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism. 5. SEV-7 State agencies like police/CRPF/ forest officers harass local people.	1. SEV-8 Naxalism can be consider as full-fledged civil war in India. 2. SEV-1 Naxalism is challenge for security of India. 3. SEV-2 Naxalite want destabilize the state through their gun and violence. 4. SEV-9 Naxalism by any means, is weakening India's federal security administration. 5. SEV-4 Naxalism has been supported by the local people from the fear. 6. SEV-10 Whether civil intelligence provide reliable information. 7. SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism. 8. SEV-5 Police deviance is responsible factor for the growth of Naxalism. 9. SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer

7.3.2.7 Factor Analysis: Most Important Non-Security and Environmental Factors/Variables

7.3.2.7.1 Factor Analysis: General Public

Table-7.75 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.862
Bartlett's Test of Sphericity	Approx. Chi-Square	3561.218
	Df	36
	Sig.	.000
a. Only cases for which Respondents = General Public are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.862** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.76 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	6.499	72.211	72.211	6.499	72.211	72.211	5.719	63.544	63.544
2	1.075	11.948	84.159	1.075	11.948	84.159	1.855	20.615	84.159
3	.574	6.379	90.539						
4	.382	4.240	94.779						
5	.189	2.105	96.884						
6	.108	1.201	98.084						
7	.067	.748	98.832						
8	.058	.648	99.480						
9	.047	.520	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = General Public are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 72.211% of total variance & factor 2 explained 11.948% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Non-Security and Environmental Factors/Variables: General Public**), 1st factor is most important and can be extracted

Table-7.77 Rotated Component Matrix

Rotated Component Matrix^{a,b}		
	Component	
	1	2
NSV-2 State agency could not win the hearts and mind of local people.	.968	.023
ENV-1 Environmental crisis leads Naxalism.	.910	.201
ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.	.899	-.046
NSV-3 NGOs support Naxalism	.850	.354
NSV-6 Civil society is capable to counter the Naxalism.	.809	.428
NSV-1 Naxalism has been supported by the local people voluntarily.	.791	.388
ENV-3 Naxalite preserve, protect and defend the environment.	.789	.526
NSV-4 Naxalism disturbed the local people physiologically?	.716	.417
NSV-5 Media does not make serious efforts to expose Naxalism.	.074	.950
Extraction Method: Principal Component Analysis.		
Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		
b. Only cases for which Respondents = General Public are used in the analysis phase.		

Findings: Most Important Non-Security and Environmental Factors/Variables: General Public

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Non-Security and Environmental Factors/Variables: General Public**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **8** variables NSV-2, ENV-1, ENV-2, NSV-3, NSV-6, NSV-1, ENV-3, NSV-4 .

Factor -2 includes following **1** variable NSV-5 .

7.3.2.7.2 Factor Analysis: Surrendered Naxals

Table-7.78 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.542
Bartlett's Test of Sphericity	Approx. Chi-Square	183.220
	Df	36
	Sig.	.000
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.542** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.79 Total Variance Explained

Total Variance Explained^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	2.340	25.995	25.995	2.340	25.995	25.995	2.048	22.755	22.755
2	1.607	17.860	43.855	1.607	17.860	43.855	1.548	17.195	39.950
3	1.332	14.804	58.659	1.332	14.804	58.659	1.513	16.806	56.756
4	1.024	11.383	70.042	1.024	11.383	70.042	1.196	13.286	70.042
5	.802	8.911	78.953						
6	.693	7.695	86.648						
7	.603	6.698	93.346						
8	.369	4.098	97.443						
9	.230	2.557	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 25.995% of total variance, factor 2 explained 17.860% of total variance, factor 3 explained 14.804% of total variance & factor 4 explained 11.383% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Non-Security and Environmental Factors/Variables: Surrendered Naxalites**), 1st factor is most important and can be extracted.

Table-7.80 Rotated Component Matrix

Rotated Component Matrix^{a,b}				
	Component			
	1	2	3	4
NSV-1 Naxalism has been supported by the local people voluntarily.	.888	-.118	.117	.022
NSV-6 Civil society is capable to counter the Naxalism.	.843	.176	-.123	.006
ENV-3 Naxalite preserve, protect and defend the environment.	.716	-.229	.428	-.088
ENV-1 Environmental crisis leads Naxalism.	-.099	.846	-.173	-.030
NSV-3 NGOs support Naxalism	-.031	-.770	-.259	-.043
NSV-2 State agency could not win the hearts and mind of local people.	.076	.308	.751	-.230
NSV-4 Naxalism disturbed the local people physiologically?	.068	-.164	.678	.270
ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.	-.080	-.060	-.112	.855
NSV-5 Media does not make serious efforts to expose Naxalism.	.090	.126	.409	.573
Extraction Method: Principal Component Analysis.				
Rotation Method: Varimax with Kaiser Normalization.				
a. Rotation converged in 5 iterations.				
b. Only cases for which Respondents = Surrendered Naxalites are used in the analysis phase.				

Findings: Most Important Non-Security and Environmental Factors/Variables: Surrendered Naxalites

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Non-Security and Environmental Factors/Variables: Surrendered Naxalites**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **3** variables NSV-1, NSV-6, ENV-3

Factor -2 includes following **2** variables ENV-1, NSV-3

Factor -3 includes following **2** variables NSV-2, NSV-4

Factor -4 includes following **2** variables ENV-2, NSV-5

7.3.2.7.3 Factor Analysis: Experts

Table-7.81 KMO and Bartlett's Test

KMO and Bartlett's Test ^a		
Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.870
Bartlett's Test of Sphericity	Approx. Chi-Square	817.214
	Df	36
	Sig.	.000
a. Only cases for which Respondents = Experts are used in the analysis phase.		

Adequacy of the data is tested on the basis of results the Kaiser-Meyer-Olkin (KMO) measure of sampling adequacy and Bartlett's test of sphericity (homogeneity of Variance) provided in above table. The KMO measure of sampling adequacy is **0.870** which indicates the present data is suitable for factor analysis. Similarly, Bartlett's test of sphericity is significant ($p < 0.001$); that explains existence of sufficient correlation between variables to proceed with the analysis.

Table-7.82 Total Variance Explained

Total Variance Explained ^a									
Component	Initial Eigenvalues			Extraction Sums of Squared Loadings			Rotation Sums of Squared Loadings		
	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
1	5.515	61.272	61.272	5.515	61.272	61.272	4.748	52.760	52.760
2	1.544	17.151	78.424	1.544	17.151	78.424	2.310	25.663	78.424
3	.665	7.392	85.816						
4	.468	5.199	91.015						
5	.271	3.006	94.021						
6	.208	2.306	96.327						
7	.139	1.547	97.874						
8	.108	1.200	99.074						
9	.083	.926	100.000						
Extraction Method: Principal Component Analysis.									
a. Only cases for which Respondents = Experts are used in the analysis phase.									

Interpretation: In above table, output lists the eigen values associated with each linear component (factor) before extraction, after extraction and after rotation. Before extraction, Output has identified 15 linear components within the data set. After extraction and rotation, the most important **factor 1 explained 61.272% of total variance & factor 2 explained 17.151% of total variance** that can be extracted. As evident from the above table (Total Variations Explained) it was found that from the total 15 components (**Most Important Non-Security and Environmental Factors/Variables: Experts**), 1st factor is most important and can be extracted.

Table-7.83 Rotated Component Matrix

Rotated Component Matrix^{a,b}		
	Component	
	1	2
NSV-3 NGOs support Naxalism	.925	.152
NSV-6 Civil society is capable to counter the Naxalism.	.904	.207
ENV-1 Environmental crisis leads Naxalism.	.845	.244
NSV-4 Naxalism disturbed the local people physiologically?	.821	-.017
NSV-5 Media does not make serious efforts to expose Naxalism.	.789	.103
NSV-2 State agency could not win the hearts and mind of local people.	.769	.486
ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.	-.117	.851
ENV-3 Naxalite preserve, protect and defend the environment.	.303	.828
NSV-1 Naxalism has been supported by the local people voluntarily.	.606	.727
Extraction Method: Principal Component Analysis.		
Rotation Method: Varimax with Kaiser Normalization.		
a. Rotation converged in 3 iterations.		
b. Only cases for which Respondents = Experts are used in the analysis phase.		

Findings: Most Important Non-Security and Environmental Factors/Variables: Experts

In the present study Factor Analysis exhibits the rotated factor loading for the statements (Variables) of **Most Important Non-Security and Environmental Factors/Variables: Experts**.

Looking at table of Rotated Component Matrix, we find out that-

Factor -1 includes following **5** variables NSV-3, NSV-6, ENV-1, NSV-4, NSV-5, NSV-2

Factor -2 includes following **4** variables ENV-2, ENV-3, NSV-1

Table-7.84 Final Findings- Most Important Non-Security and Environmental Factors/Variables

Final Findings- Most Important Non-Security and Environmental Factors/Variables		
General Public	Surrendered Naxalites	Experts
Factor-1	Factor-1	Factor-1
1. NSV-2 State agency could not win the hearts and mind of local people. 2. ENV-1 Environmental crisis leads Naxalism. 3. ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism. 4. NSV-3 NGOs support Naxalism 5. NSV-6 Civil society is capable to counter the Naxalism. 6. NSV-1 Naxalism has been supported by the local people voluntarily. 7. ENV-3 Naxalite preserve, protect and defend the environment. 8. NSV-4 Naxalism disturbed the local people physiologically?	1. NSV-1 Naxalism has been supported by the local people voluntarily. 2. NSV-6 Civil society is capable to counter the Naxalism. 3. ENV-3 Naxalite preserve, protect and defend the environment.	1. NSV-3 NGOs support Naxalism 2. NSV-6 Civil society is capable to counter the Naxalism. 3. ENV-1 Environmental crisis leads Naxalism. 4. NSV-4 Naxalism disturbed the local people physiologically? 5. NSV-5 Media does not make serious efforts to expose Naxalism. 6. NSV-2 State agency could not win the hearts and mind of local people.

7.3.3 Chi Square Analysis: Association between Respondents and variables

7.3.3.1 Association between Respondents and Ideological Variables

❖ **IV-3 Naxals' claim that Indian independence is false, is not right.**

Table-7.85 Crosstab: IV-3 Naxals' claim that Indian independence is false, is not right

Crosstab						
			IV-3 Naxals' claim that Indian independence is false, is not right.			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	54	55	191	300
		% within Respondents	18.0%	18.3%	63.7%	100.0%
		% of Total	10.8%	11.0%	38.2%	60.0%
	Surrendered Naxalites	Count	20	30	50	100
		% within Respondents	20.0%	30.0%	50.0%	100.0%
		% of Total	4.0%	6.0%	10.0%	20.0%
	Experts	Count	0	18	82	100
		% within Respondents	0.0%	18.0%	82.0%	100.0%
		% of Total	0.0%	3.6%	16.4%	20.0%
Total		Count	74	103	323	500
		% within Respondents	14.8%	20.6%	64.6%	100.0%
		% of Total	14.8%	20.6%	64.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 63.7% respondents strongly agreed, 18.3% respondents agreed and 18.0%

respondents were neutral that the Naxals' claim that Indian independence is false, is not right.

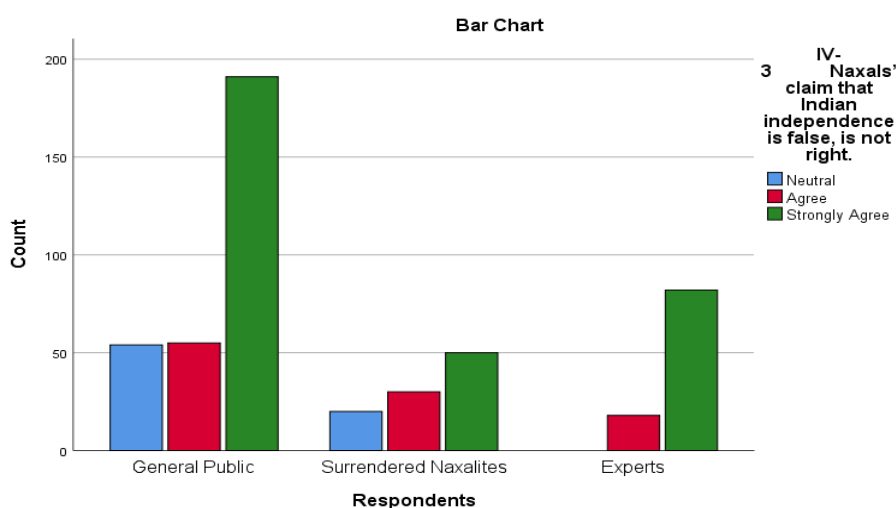
- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 50.0% respondents strongly agreed, 30.0% respondents agreed and 20.0% respondents were neutral that the Naxals' claim that Indian independence is false, is not right.
- **Out of 100 respondents (20.0%) who were Experts**, 82.0% respondents strongly agreed, 18.0% respondents agreed and 0.0% respondents were neutral that the Nasal's claim that Indian independence is false, is not right.

Table-7.86 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	32.095 ^a	4	.000
Likelihood Ratio	45.995	4	.000
Linear-by-Linear Association	11.362	1	.001
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 14.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.7 IV-3 Naxal's claim that Indian independence is false, is not right



❖ **IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.**

Table-7.87 Crosstab: IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training

Crosstab						
			IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	27	172	101	300
		% within Respondents	9.0%	57.3%	33.7%	100.0%
		% of Total	5.4%	34.4%	20.2%	60.0%
	Surrendered Naxalites	Count	0	22	78	100
		% within Respondents	0.0%	22.0%	78.0%	100.0%
		% of Total	0.0%	4.4%	15.6%	20.0%
	Experts	Count	0	12	88	100
		% within Respondents	0.0%	12.0%	88.0%	100.0%
		% of Total	0.0%	2.4%	17.6%	20.0%
Total		Count	27	206	267	500
		% within Respondents	5.4%	41.2%	53.4%	100.0%
		% of Total	5.4%	41.2%	53.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

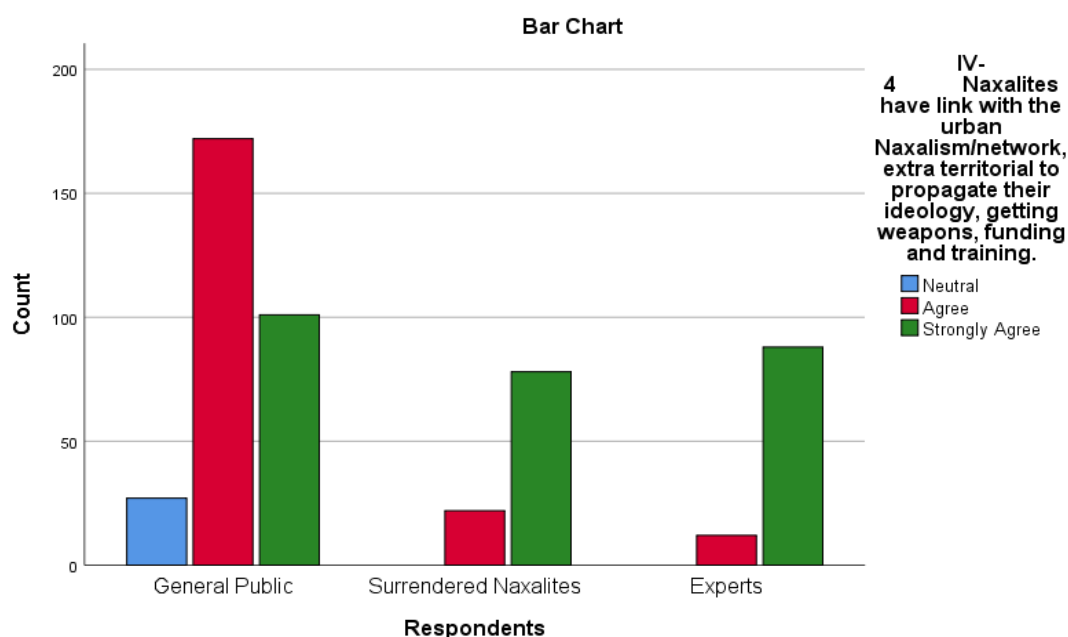
- **Out of 300 respondents (60.0%)who were General Public**, 33.7% respondents strongly agreed, 57.3% respondents agreed and 9.0% respondents were neutral that Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 78.0% respondents strongly agreed, 22.0% respondents agreed and 0.0% respondents were neutral that Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training
- **Out of 100 respondents (20.0%)who were Experts**, 88.0% respondents strongly agreed, 12.0% respondents agreed and 0.0% respondents were neutral that Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training..

Table-7.88 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	122.223 ^a	4	.000
Likelihood Ratio	137.889	4	.000
Linear-by-Linear Association	105.528	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 5.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.8 IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training



❖ **IV-7 Naxalism has been high jacked.**

Table-7.89 Crosstab: IV-7 Naxalism has been high jacked.

Crosstab							
			IV-7 Naxalism has been high jacked.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	46	36	160	58	300
		% within Respondents	15.3%	12.0%	53.3%	19.3%	100.0%
		% of Total	9.2%	7.2%	32.0%	11.6%	60.0%
	Surrendered Naxalites	Count	7	11	42	40	100
		% within Respondents	7.0%	11.0%	42.0%	40.0%	100.0%
		% of Total	1.4%	2.2%	8.4%	8.0%	20.0%
	Experts	Count	5	3	72	20	100
		% within Respondents	5.0%	3.0%	72.0%	20.0%	100.0%
		% of Total	1.0%	0.6%	14.4%	4.0%	20.0%
Total		Count	58	50	274	118	500
		% within Respondents	11.6%	10.0%	54.8%	23.6%	100.0%
		% of Total	11.6%	10.0%	54.8%	23.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

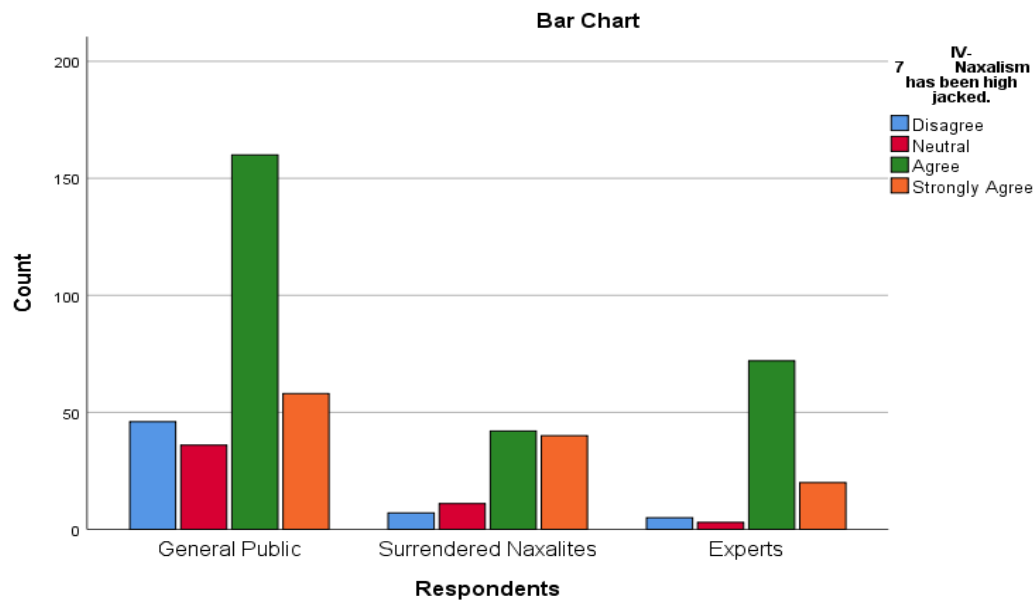
- **Out of 300 respondents (60.0%)who were General Public**, 19.3% respondents strongly agreed, 53.3% respondents agreed, 12.0% respondents were neutral and 15.3% respondents disagreed that Naxalism has been high jacked.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 40.0% respondents strongly agreed, 42.0% respondents agreed, 11.0% respondents were neutral and 7.0% respondents disagreed thatNaxalism has been high jacked.
- **Out of 100 respondents (20.0%)who were Experts**, 20.0% respondents strongly agreed, 72.0% respondents agreed, 3.0% respondents were neutral and 5.0% respondents disagreed that Naxalism has been high jacked.

Table-7.90 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	38.150 ^a	6	.000
Likelihood Ratio	38.923	6	.000
Linear-by-Linear Association	13.176	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 10.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.9 IV-7 Naxalism has been high jacked



7.3.3.2 Association between Respondents and Historical Variables

❖ **HV-1 Naxalism emerged with the Indian struggle of independence.**

Table-7.91 Crosstab: HV-1 Naxalism emerged with the Indian struggle of independence.

Crosstab								
			HV-1 Naxalism emerged with the Indian struggle of independence.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	14	110	170	6	300
		% within Respondents	0.0%	4.7%	36.7%	56.7%	2.0%	100.0%
		% of Total	0.0%	2.8%	22.0%	34.0%	1.2%	60.0%
	Surrendered Naxalites	Count	0	0	5	61	34	100
		% within Respondents	0.0%	0.0%	5.0%	61.0%	34.0%	100.0%
		% of Total	0.0%	0.0%	1.0%	12.2%	6.8%	20.0%
	Experts	Count	1	0	3	48	48	100
		% within Respondents	1.0%	0.0%	3.0%	48.0%	48.0%	100.0%
		% of Total	0.2%	0.0%	0.6%	9.6%	9.6%	20.0%
Total		Count	1	14	118	279	88	500
		% within Respondents	0.2%	2.8%	23.6%	55.8%	17.6%	100.0%
		% of Total	0.2%	2.8%	23.6%	55.8%	17.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

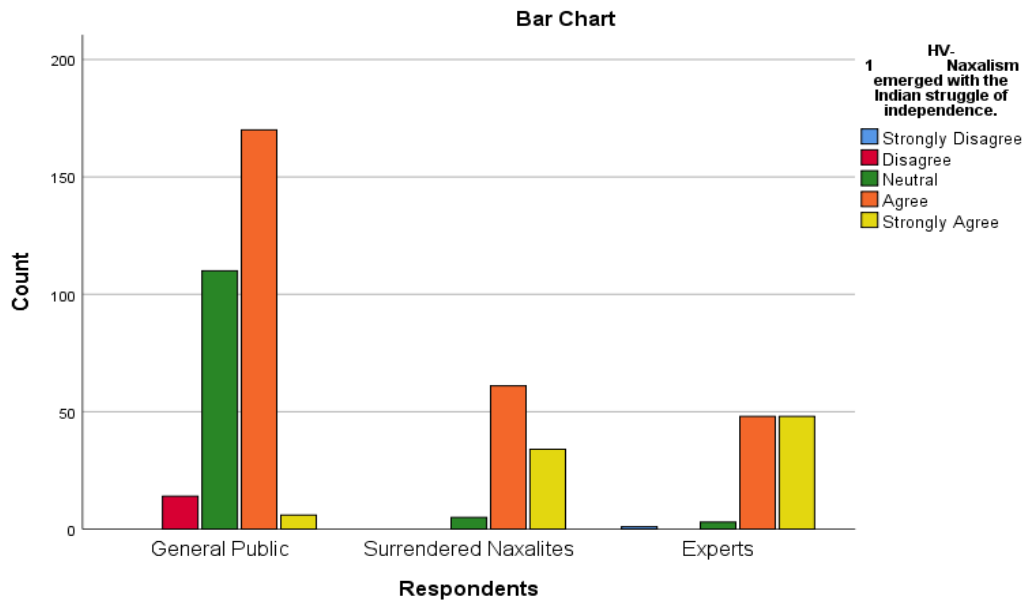
- **Out of 300 respondents (60.0%)who were General Public**, 2.0% respondents strongly agreed, 56.7% respondents agreed, 36.7% respondents were neutral 4.7% respondents disagreed and 0.0% respondents strongly disagreed that Naxalism emerged with the Indian struggle of independence.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 34.0% respondents strongly agreed, 61.0% respondents agreed, 5.0% respondents were neutral, 0.0% respondents disagreed and 0.0% respondents strongly disagreed that Naxalism emerged with the Indian struggle of independence.
- **Out of 100 respondents (20.0%)who were Experts**, 48.0% respondents strongly agreed, 48.0% respondents agreed, 3.0% respondents were neutral, 0.0% respondents disagreed and 1.0% respondents strongly disagreed that Naxalism emerged with the Indian struggle of independence.

Table-7.92 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	178.566 ^a	8	.000
Likelihood Ratio	203.216	8	.000
Linear-by-Linear Association	132.415	1	.000
N of Valid Cases	500		
a. 5 cells (33.3%) have expected count less than 5. The minimum expected count is .20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with HV-1 Naxalism** emerged with the Indian struggle of independence.

Figure-7.10 HV-1 Naxalism emerged with the Indian struggle of independence.



❖ **HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.**

Table-7.93 Crosstab: HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism

Crosstab							
			HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	5	46	235	14	300
		% within Respondents	1.7%	15.3%	78.3%	4.7%	100.0%
		% of Total	1.0%	9.2%	47.0%	2.8%	60.0%
	Surrendered Naxalites	Count	0	10	24	66	100
		% within Respondents	0.0%	10.0%	24.0%	66.0%	100.0%
		% of Total	0.0%	2.0%	4.8%	13.2%	20.0%
	Experts	Count	0	5	41	54	100
		% within Respondents	0.0%	5.0%	41.0%	54.0%	100.0%
		% of Total	0.0%	1.0%	8.2%	10.8%	20.0%
Total		Count	5	61	300	134	500
		% within Respondents	1.0%	12.2%	60.0%	26.8%	100.0%
		% of Total	1.0%	12.2%	60.0%	26.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

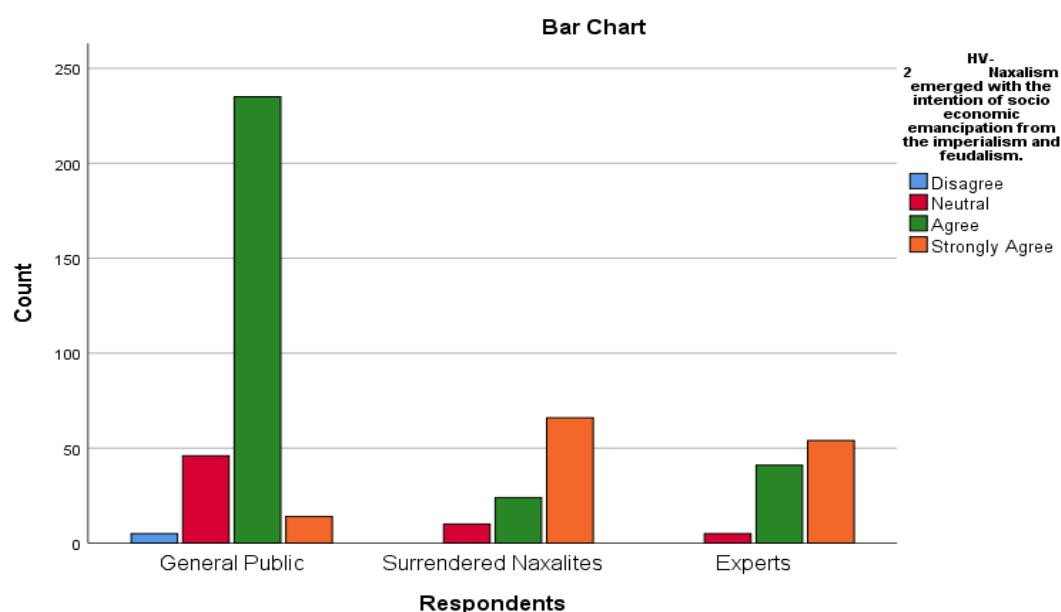
- **Out of 300 respondents (60.0%)who were General Public,** 4.7% respondents strongly agreed, 78.3% respondents agreed, 15.3% respondents were neutral and 1.7% respondents disagreed that Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 66.0% respondents strongly agreed, 24.0% respondents agreed, 10.0% respondents were neutral and 0.0% respondents disagreed that Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.
- **Out of 100 respondents (20.0%)who were Experts,** 20.0% respondents strongly agreed, 72.0% respondents agreed, 3.0% respondents were neutral and 5.0% respondents disagreed that Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.

Table-7.94 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	194.597 ^a	6	.000
Likelihood Ratio	209.037	6	.000
Linear-by-Linear Association	101.686	1	.000
N of Valid Cases	500		
a. 3 cells (25.0%) have expected count less than 5. The minimum expected count is 1.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with** HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism.

Figure-7.11 HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism



7.3.3.3 Association between Respondents and Legal Variables

LV-2 Naxalism is a socio- legal problem.

Table-7.95 Crosstab: LV-2 Naxalism is a socio- legal problem.

Crosstab							
			LV-2 Naxalism is a socio- legal problem.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	15	179	106	300
		% within Respondents	0.0%	5.0%	59.7%	35.3%	100.0%
		% of Total	0.0%	3.0%	35.8%	21.2%	60.0%
	Surrendered Naxalites	Count	2	2	58	38	100
		% within Respondents	2.0%	2.0%	58.0%	38.0%	100.0%
		% of Total	0.4%	0.4%	11.6%	7.6%	20.0%
	Experts	Count	0	0	62	38	100
		% within Respondents	0.0%	0.0%	62.0%	38.0%	100.0%
		% of Total	0.0%	0.0%	12.4%	7.6%	20.0%
Total		Count	2	17	299	182	500
		% within Respondents	0.4%	3.4%	59.8%	36.4%	100.0%
		% of Total	0.4%	3.4%	59.8%	36.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

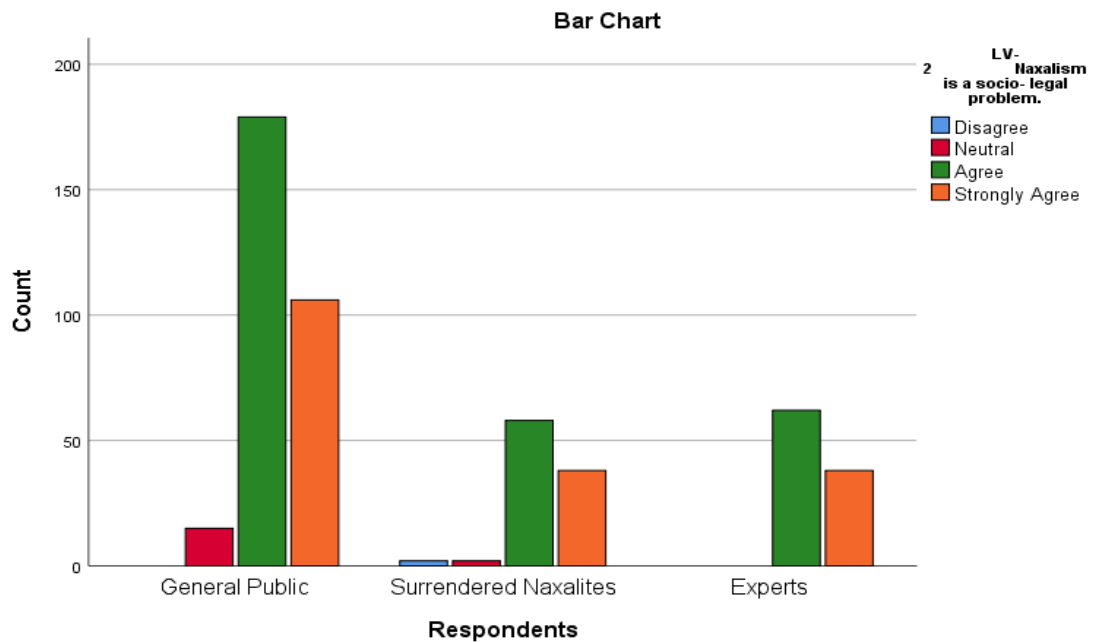
- **Out of 300 respondents (60.0%)who were General Public**, 35.3% respondents strongly agreed, 59.7% respondents agreed, 5.0% respondents were neutral and 0.0% respondents disagreed that Naxalism is a socio- legal problem.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 38.0% respondents strongly agreed, 58.0% respondents agreed, 2.0% respondents were neutral and 2.0% respondents disagreed that Naxalism is a socio- legal problem.
- **Out of 100 respondents (20.0%)who were Experts**, 38.0% respondents strongly agreed, 62.0% respondents agreed, 0.0% respondents were neutral and 0.0% respondents disagreed that Naxalism is a socio- legal problem..

Table-7.96 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	14.606 ^a	6	.024
Likelihood Ratio	16.254	6	.012
Linear-by-Linear Association	1.306	1	.253
N of Valid Cases	500		
a. 5 cells (41.7%) have expected count less than 5. The minimum expected count is .40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with LV-2 Naxalism is a socio- legal problem.**

Figure-7.12 LV-2 Naxalism is a socio- legal problem



LV-5 Whether the justice delay justice deny lead Naxalism?

Table-7.97 Crosstab: LV-5 Whether the justice delay justice deny lead Naxalism?

Crosstab							
			LV-5 Whether the justice delay justice deny lead Naxalism?				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	25	70	205	300
		% within Respondents	0.0%	8.3%	23.3%	68.3%	100.0%
		% of Total	0.0%	5.0%	14.0%	41.0%	60.0%
	Surrendered Naxalites	Count	8	11	37	44	100
		% within Respondents	8.0%	11.0%	37.0%	44.0%	100.0%
		% of Total	1.6%	2.2%	7.4%	8.8%	20.0%
	Experts	Count	15	3	73	9	100
		% within Respondents	15.0%	3.0%	73.0%	9.0%	100.0%
		% of Total	3.0%	0.6%	14.6%	1.8%	20.0%
Total		Count	23	39	180	258	500
		% within Respondents	4.6%	7.8%	36.0%	51.6%	100.0%
		% of Total	4.6%	7.8%	36.0%	51.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

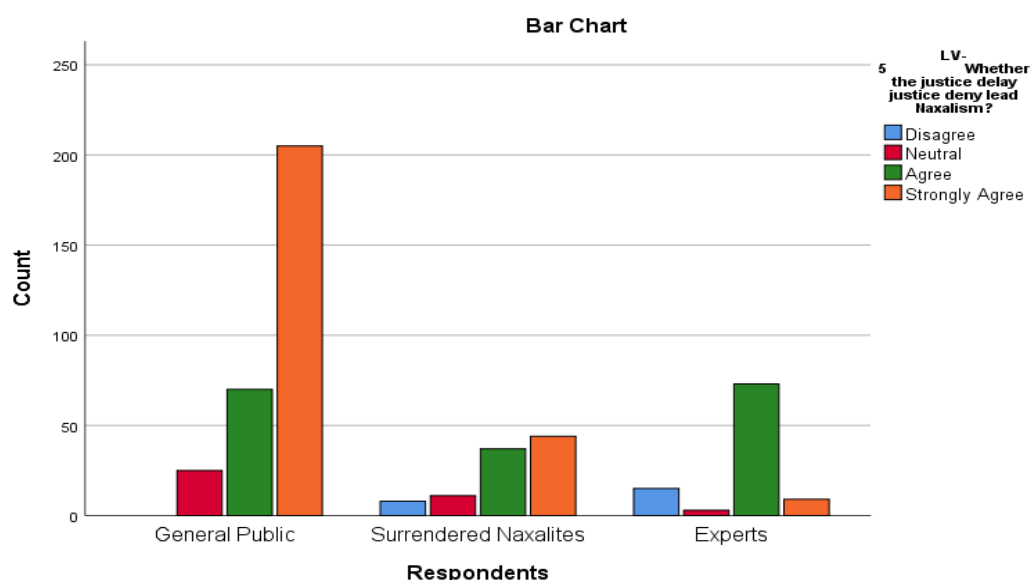
- **Out of 300 respondents (60.0%)who were General Public**, 68.3% respondents strongly agreed, 23.3% respondents agreed, 8.3% respondents were neutral and 0.0% respondents disagreed that the justice delay justice deny lead Naxalism..
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 44.0% respondents strongly agreed, 37.0% respondents agreed, 11.0% respondents were neutral and 8.0% respondents disagreed that the justice delay justice deny lead Naxalism..
- **Out of 100 respondents (20.0%)who were Experts**, 9.0% respondents strongly agreed, 73.0% respondents agreed, 3.0% respondents were neutral and 15.0% respondents disagreed that the justice delay justice deny lead Naxalism.

Table-7.98 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	148.197 ^a	6	.000
Likelihood Ratio	163.687	6	.000
Linear-by-Linear Association	86.089	1	.000
N of Valid Cases	500		
a. 2 cells (16.7%) have expected count less than 5. The minimum expected count is 4.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with LV-5** Whether the justice delay justice deny lead Naxalism?

Figure-7.13 LV-5 Whether the justice delay justice deny lead Naxalism?



❖ **LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.**

Table-7.99 Crosstab: LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.

Crosstab							
			LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	11	38	166	85	300
		% within Respondents	3.7%	12.7%	55.3%	28.3%	100.0%
		% of Total	2.2%	7.6%	33.2%	17.0%	60.0%
	Surrendered Naxalites	Count	10	19	41	30	100
		% within Respondents	10.0%	19.0%	41.0%	30.0%	100.0%
		% of Total	2.0%	3.8%	8.2%	6.0%	20.0%
	Experts	Count	27	5	54	14	100
		% within Respondents	27.0%	5.0%	54.0%	14.0%	100.0%
		% of Total	5.4%	1.0%	10.8%	2.8%	20.0%
Total		Count	48	62	261	129	500
		% within Respondents	9.6%	12.4%	52.2%	25.8%	100.0%
		% of Total	9.6%	12.4%	52.2%	25.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

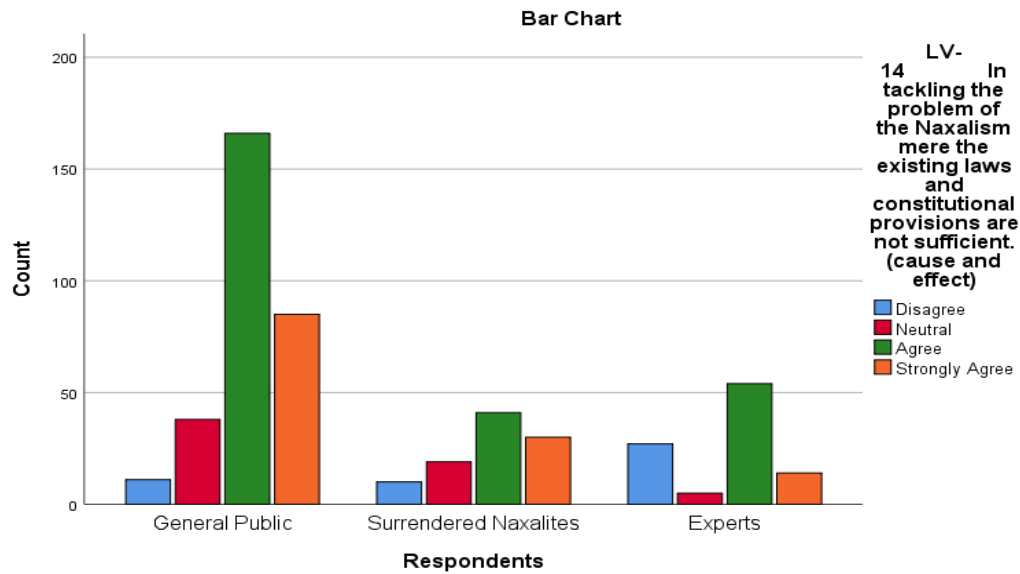
- **Out of 300 respondents (60.0%)who were General Public**, 28.3% respondents strongly agreed, 55.3% respondents agreed, 12.7% respondents were neutral and 3.7% respondents disagreed that in tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect).
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 30.0% respondents strongly agreed, 41.0% respondents agreed, 19.0% respondents were neutral and 10.0% respondents disagreed that in tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect).
- **Out of 100 respondents (20.0%)who were Experts**, 14.0% respondents strongly agreed, 54.0% respondents agreed, 5.0% respondents were neutral and 27.0% respondents disagreed that in tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. (cause and effect).

Table-7.100 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	60.358 ^a	6	.000
Likelihood Ratio	55.299	6	.000
Linear-by-Linear Association	27.230	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 9.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with** LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.

Figure-7.14 LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient.



❖ **LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.**

Table-7.101 Crosstab: LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.

Crosstab							
			LV-15 Reformative theory of law would be effective mechanism to abolish the Naxalism.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	5	24	172	99	300
		% within Respondents	1.7%	8.0%	57.3%	33.0%	100.0%
		% of Total	1.0%	4.8%	34.4%	19.8%	60.0%
	Surrendered Naxalites	Count	22	22	31	25	100
		% within Respondents	22.0%	22.0%	31.0%	25.0%	100.0%
		% of Total	4.4%	4.4%	6.2%	5.0%	20.0%
	Experts	Count	11	10	45	34	100
		% within Respondents	11.0%	10.0%	45.0%	34.0%	100.0%
		% of Total	2.2%	2.0%	9.0%	6.8%	20.0%
Total		Count	38	56	248	158	500
		% within Respondents	7.6%	11.2%	49.6%	31.6%	100.0%
		% of Total	7.6%	11.2%	49.6%	31.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

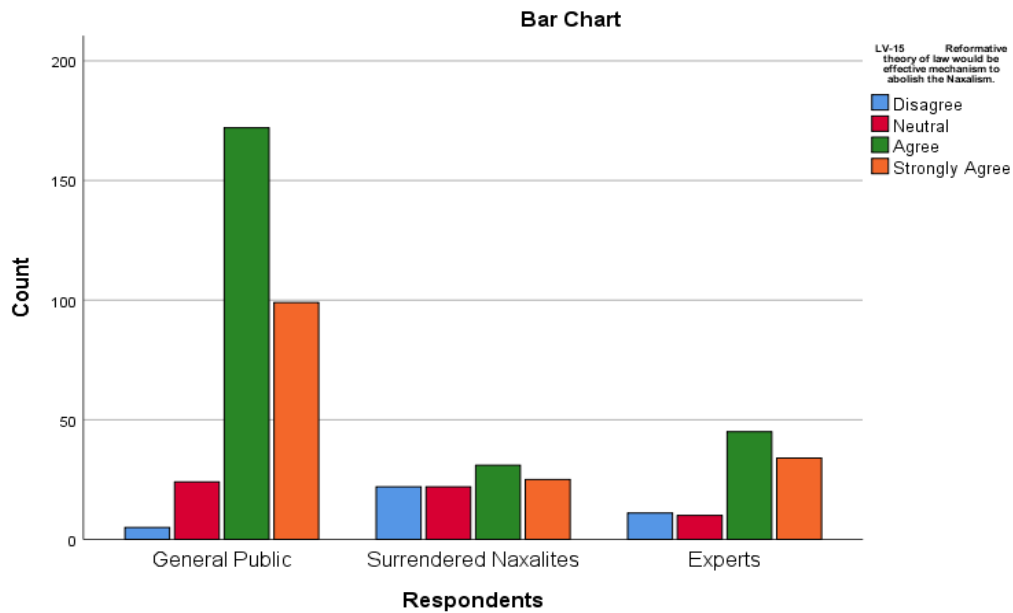
- **Out of 300 respondents (60.0%)who were General Public**, 33.0% respondents strongly agreed, 57.3% respondents agreed, 8.0% respondents were neutral and 1.7% respondents disagreed that reformative theory of law would be effective mechanism to abolish the Naxalism..
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 25.0% respondents strongly agreed, 31.0% respondents agreed, 22.0% respondents were neutral and 22.0% respondents disagreed that reformative theory of law would be effective mechanism to abolish the Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 34.0% respondents strongly agreed, 45.0% respondents agreed, 10.0% respondents were neutral and 11.0% respondents disagreed that reformative theory of law would be effective mechanism to abolish the Naxalism.

Table-7.102 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	68.753 ^a	6	.000
Likelihood Ratio	64.807	6	.000
Linear-by-Linear Association	11.832	1	.001
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded respondents of three group A, B, C are **associated with** LV-15 Reformative theory of law would be effective mechanism to abolish the Naxalism.

Figure-7.15 LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism.



❖ **LV-18 There are human rights violations in Naxal Affected Areas.**

Table-7.103 Crosstab: LV-18 There are human rights violations in Naxal Affected Areas.

Crosstab							
			LV-18 There are human rights violations in Naxal Affected Areas.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	21	16	168	95	300
		% within Respondents	7.0%	5.3%	56.0%	31.7%	100.0%
		% of Total	4.2%	3.2%	33.6%	19.0%	60.0%
	Surrendered Naxalites	Count	12	5	45	38	100
		% within Respondents	12.0%	5.0%	45.0%	38.0%	100.0%
		% of Total	2.4%	1.0%	9.0%	7.6%	20.0%
	Experts	Count	20	11	62	7	100
		% within Respondents	20.0%	11.0%	62.0%	7.0%	100.0%
		% of Total	4.0%	2.2%	12.4%	1.4%	20.0%
Total		Count	53	32	275	140	500
		% within Respondents	10.6%	6.4%	55.0%	28.0%	100.0%
		% of Total	10.6%	6.4%	55.0%	28.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

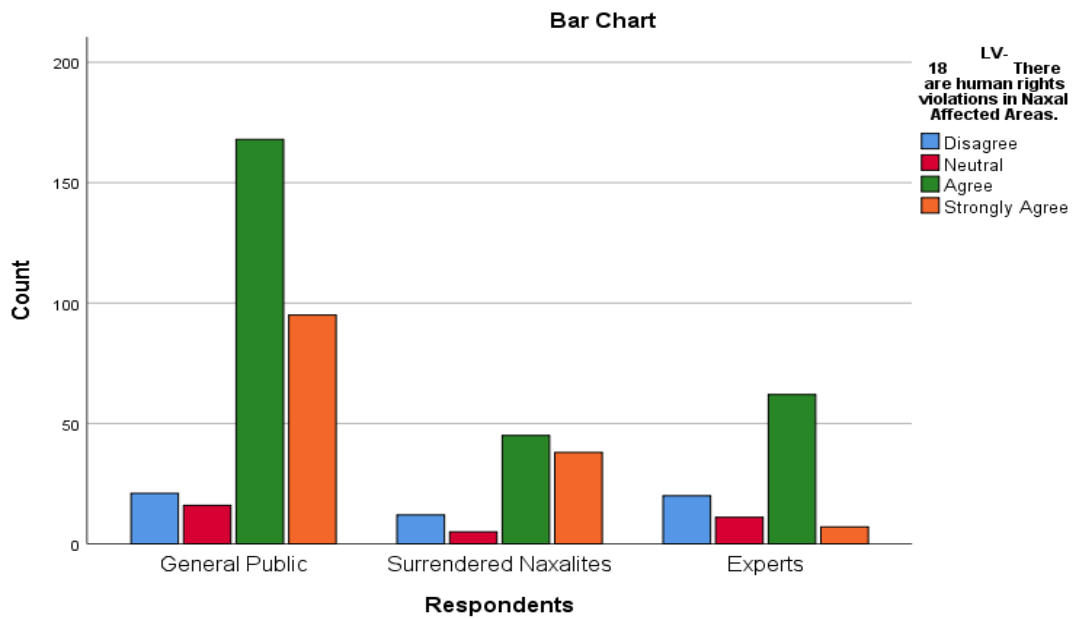
- **Out of 300 respondents (60.0%)who were General Public** 31.7% respondents strongly agreed, 56.0% respondents agreed, 5.3% respondents were neutral and 7.0% respondents disagreed that there are human rights violations in Naxal Affected Areas..
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 38.0% respondents strongly agreed, 45.0% respondents agreed, 5.0% respondents were neutral and 12.0% respondents disagreed that there are human rights violations in Naxal Affected Areas..
- **Out of 100 respondents (20.0%)who were Experts**, 7.0% respondents strongly agreed, 62.0% respondents agreed, 11.0% respondents were neutral and 20.0% respondents disagreed that there are human rights violations in Naxal Affected Areas..

Table-7.104 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	39.860 ^a	6	.000
Likelihood Ratio	44.589	6	.000
Linear-by-Linear Association	26.120	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that respondents of three group A, B, C are **associated with LV-18** There are human rights violations in Naxal Affected Areas.

Figure-7.16 LV-18 There are human rights violations in Naxal Affected Areas



7.3.3.4 Association between Respondents and Social Variables

❖ SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).

Table-7.105 Crosstab: SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).

Crosstab							
			SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	102	27	141	30	300
		% within Respondents	34.0%	9.0%	47.0%	10.0%	100.0%
		% of Total	20.4%	5.4%	28.2%	6.0%	60.0%
	Surrendered Naxalites	Count	39	11	31	19	100
		% within Respondents	39.0%	11.0%	31.0%	19.0%	100.0%
		% of Total	7.8%	2.2%	6.2%	3.8%	20.0%
	Experts	Count	63	18	19	0	100
		% within Respondents	63.0%	18.0%	19.0%	0.0%	100.0%
		% of Total	12.6%	3.6%	3.8%	0.0%	20.0%
Total		Count	204	56	191	49	500
		% within Respondents	40.8%	11.2%	38.2%	9.8%	100.0%
		% of Total	40.8%	11.2%	38.2%	9.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

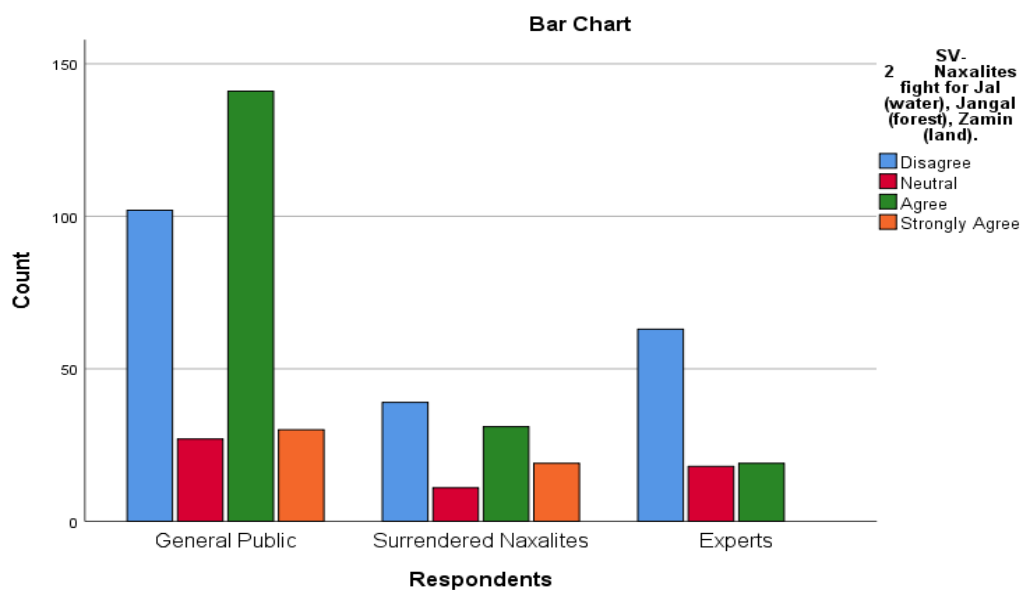
- **Out of 300 respondents (60.0%)who were General Public** 10.0% respondents strongly agreed, 47.0% respondents agreed, 9.0% respondents were neutral and 34.0% respondents disagreed that Naxalites fight for Jal (water), Jangal (forest), Zamin (land).h
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 19.0% respondents strongly agreed, 31.0% respondents agreed, 11.0% respondents were neutral and 39.0% respondents disagreed that Naxalites fight for Jal (water), Jangal (forest), Zamin (land).
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents strongly agreed, 19.0% respondents agreed, 18.0% respondents were neutral and 63.0% respondents disagreed that Naxalites fight for Jal (water), Jangal (forest), Zamin (land).

Table-7.106 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	56.525 ^a	6	.000
Likelihood Ratio	64.248	6	.000
Linear-by-Linear Association	32.134	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 9.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.17 SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land).



SV-3 Caste system is a responsible factor of Naxalism.

Table-7.107 Crosstab: SV-3 Caste system is a responsible factor of Naxalism.

Crosstab							
			SV-3 Caste system is a responsible factor of Naxalism.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	27	12	185	76	300
		% within Respondents	9.0%	4.0%	61.7%	25.3%	100.0%
		% of Total	5.4%	2.4%	37.0%	15.2%	60.0%
	Surrendered Naxalites	Count	20	11	39	30	100
		% within Respondents	20.0%	11.0%	39.0%	30.0%	100.0%
		% of Total	4.0%	2.2%	7.8%	6.0%	20.0%
	Experts	Count	19	1	71	9	100
		% within Respondents	19.0%	1.0%	71.0%	9.0%	100.0%
		% of Total	3.8%	0.2%	14.2%	1.8%	20.0%
Total		Count	66	24	295	115	500
		% within Respondents	13.2%	4.8%	59.0%	23.0%	100.0%
		% of Total	13.2%	4.8%	59.0%	23.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

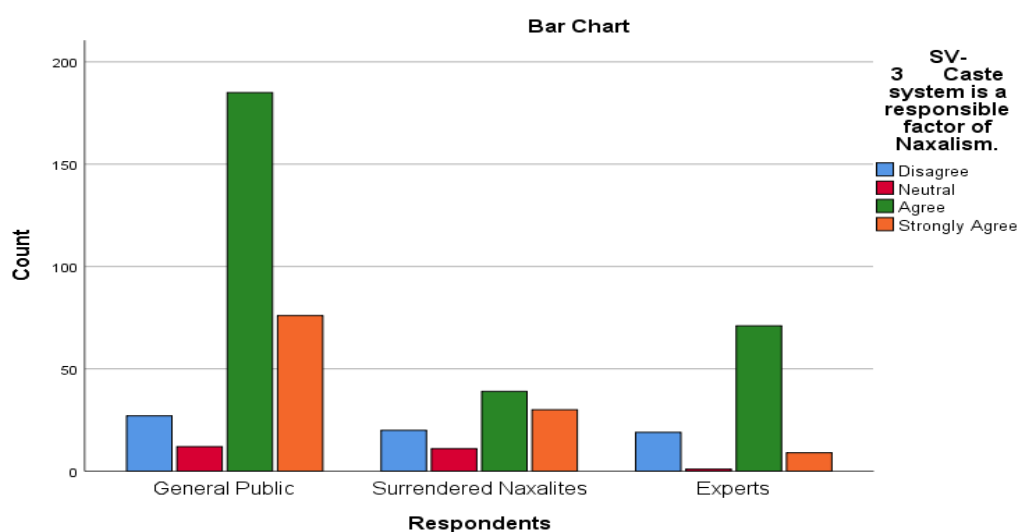
- **Out of 300 respondents (60.0%)who were General Public** 25.3% respondents strongly agreed, 61.7% respondents agreed, 4.0% respondents were neutral and 9.0% respondents disagreed that caste system is a responsible factor of Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 30.0% respondents strongly agreed, 39.0% respondents agreed, 11.0% respondents were neutral and 20.0% respondents disagreed that caste system is a responsible factor of Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 9.0% respondents strongly agreed, 71.0% respondents agreed, 1.0% respondents were neutral and 19.0% respondents disagreed that caste system is a responsible factor of Naxalism.

Table-7.108 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	42.422 ^a	6	.000
Likelihood Ratio	44.608	6	.000
Linear-by-Linear Association	12.412	1	.000
N of Valid Cases	500		
a. 2 cells (16.7%) have expected count less than 5. The minimum expected count is 4.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.18 SV-3 Caste system is a responsible factor of Naxalism.



SV-11 Naxalites sexually harass the women in organization.

Table-7.109 Crosstab: SV-11 Naxalites sexually harass the women in organization.

Crosstab								
			SV-11 Naxalites sexually harass the women in organization.(cause and effect)					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	47	86	108	59	300
		% within Respondents	0.0%	15.7%	28.7%	36.0%	19.7%	100.0%
		% of Total	0.0%	9.4%	17.2%	21.6%	11.8%	60.0%
	Surrendered Naxalites	Count	19	51	10	20	0	100
		% within Respondents	19.0%	51.0%	10.0%	20.0%	0.0%	100.0%
		% of Total	3.8%	10.2%	2.0%	4.0%	0.0%	20.0%
	Experts	Count	0	12	5	71	12	100
		% within Respondents	0.0%	12.0%	5.0%	71.0%	12.0%	100.0%
		% of Total	0.0%	2.4%	1.0%	14.2%	2.4%	20.0%
Total		Count	19	110	101	199	71	500
		% within Respondents	3.8%	22.0%	20.2%	39.8%	14.2%	100.0%
		% of Total	3.8%	22.0%	20.2%	39.8%	14.2%	100.0%

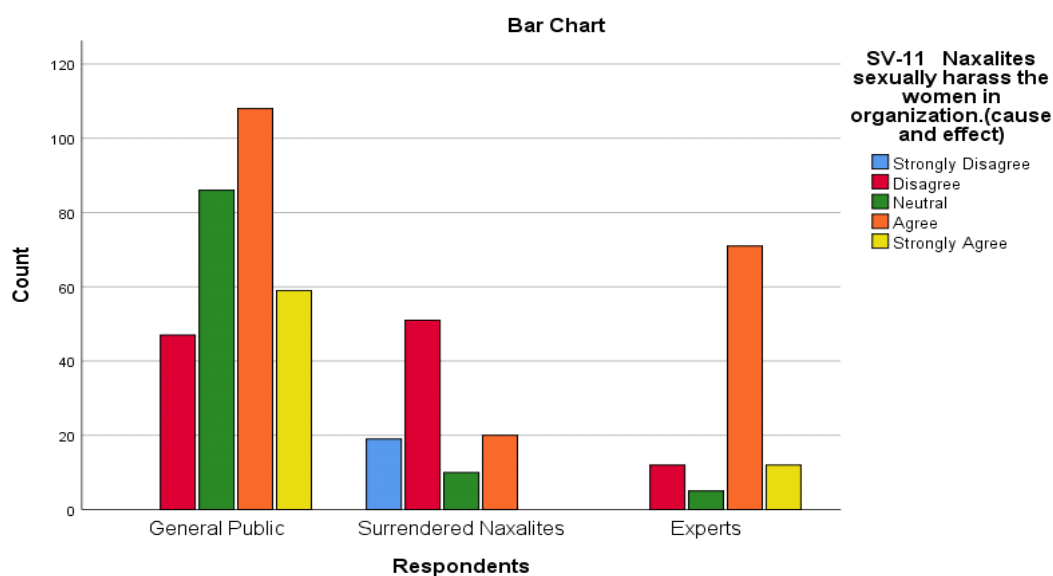
Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public**, 19.7% respondents strongly agreed, 36.0% respondents agreed, 28.7% respondents were neutral 15.7% respondents disagreed and 0.0% respondents strongly disagreed that Naxalites sexually harass the women in organization.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents strongly agreed, 20.0% respondents agreed, 10.0% respondents were neutral, 51.0% respondents disagreed and 19.0% respondents strongly disagreed that Naxalites sexually harass the women in organization.
- **Out of 100 respondents (20.0%)who were Experts**, 12.0% respondents strongly agreed, 71.0% respondents agreed, 5.0% respondents were neutral, 12.0% respondents disagreed and 0.0% respondents strongly disagreed that Naxalites sexually harass the women in organization.

Table-7.110 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	207.728 ^a	8	.000
Likelihood Ratio	200.024	8	.000
Linear-by-Linear Association	.927	1	.336
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 3.80.			

Figure-7.19 SV-11 Naxalites sexually harass the women in organization.



7.3.3.5 Association between Respondents and Political Variables

PV-2 Naxalites oppose the conducting elections.

Table-7.111 Crosstab: PV-2 Naxalites oppose the conducting elections

Crosstab							
			PV-2 Naxalites oppose the conducting elections.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	18	33	81	168	300
		% within Respondents	6.0%	11.0%	27.0%	56.0%	100.0%
		% of Total	3.6%	6.6%	16.2%	33.6%	60.0%
	Surrendered Naxalites	Count	0	4	40	56	100
		% within Respondents	0.0%	4.0%	40.0%	56.0%	100.0%
		% of Total	0.0%	0.8%	8.0%	11.2%	20.0%
	Experts	Count	0	0	26	74	100
		% within Respondents	0.0%	0.0%	26.0%	74.0%	100.0%
		% of Total	0.0%	0.0%	5.2%	14.8%	20.0%
Total		Count	18	37	147	298	500
		% within Respondents	3.6%	7.4%	29.4%	59.6%	100.0%
		% of Total	3.6%	7.4%	29.4%	59.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

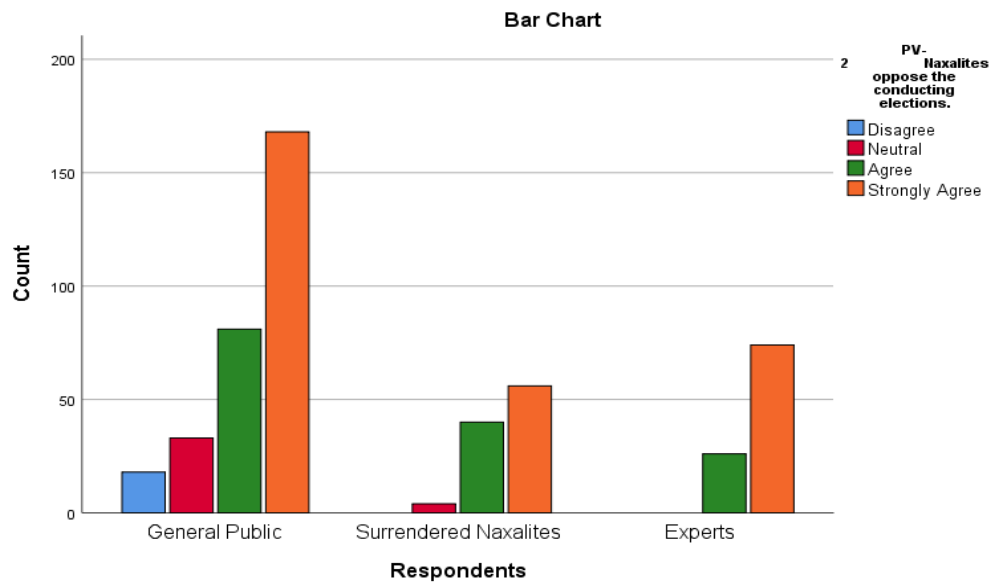
- **Out of 300 respondents (60.0%)who were General Public,** 56.0% respondents strongly agreed, 27.0% respondents agreed, 11.0% respondents were neutral and 6.0% respondents disagreed that Naxalites oppose the conducting elections.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 56.0% respondents strongly agreed, 40.0% respondents agreed, 4.0% respondents were neutral and 0.0% respondents disagreed that Naxalites oppose the conducting elections.
- **Out of 100 respondents (20.0%)who were Experts,** 74.0% respondents strongly agreed, 26.0% respondents agreed, 0.0% respondents were neutral and 0.0% respondents disagreed that Naxalites oppose the conducting elections.

Table-7.112 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	35.368 ^a	6	.000
Likelihood Ratio	48.193	6	.000
Linear-by-Linear Association	21.548	1	.000
N of Valid Cases	500		
a. 2 cells (16.7%) have expected count less than 5. The minimum expected count is 3.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.20 PV-2 Naxalites oppose the conducting elections



PV-3 Naxalites want to capture state through the barrel of the gun.

Table-7.113 Crosstab: PV-3 Naxalites want to capture state through the barrel of the gun.

Crosstab						
			PV-3 Naxailites want to capture state through the barrel of the gun.			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	14	54	232	300
		% within Respondents	4.7%	18.0%	77.3%	100.0%
		% of Total	2.8%	10.8%	46.4%	60.0%
	Surrendered Naxalites	Count	0	47	53	100
		% within Respondents	0.0%	47.0%	53.0%	100.0%
		% of Total	0.0%	9.4%	10.6%	20.0%
	Experts	Count	0	49	51	100
		% within Respondents	0.0%	49.0%	51.0%	100.0%
		% of Total	0.0%	9.8%	10.2%	20.0%
Total		Count	14	150	336	500
		% within Respondents	2.8%	30.0%	67.2%	100.0%
		% of Total	2.8%	30.0%	67.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

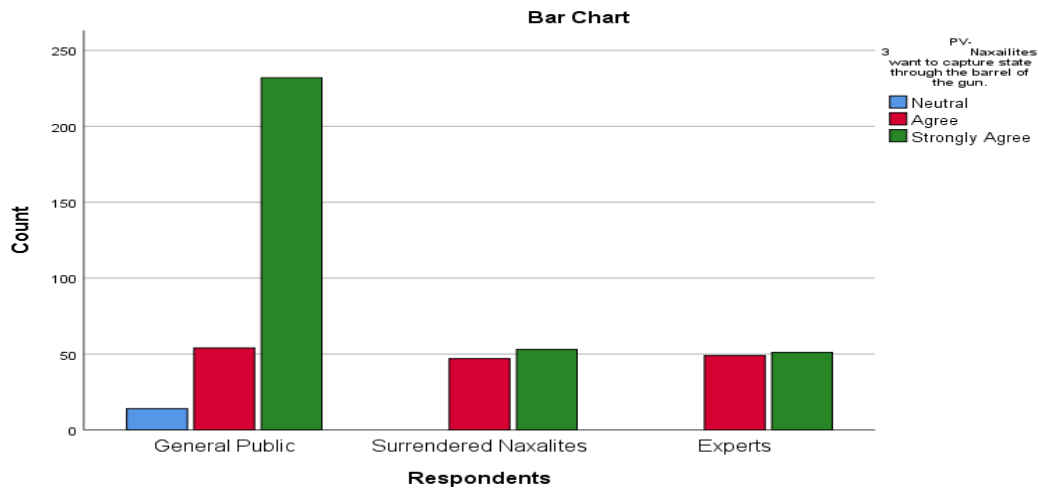
- **Out of 300 respondents (60.0%)who were General Public**, 77.3% respondents strongly agreed, 18.0% respondents agreed and 4.7% respondents were neutral that Naxalites want to capture state through the barrel of the gun..
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 53.0% respondents strongly agreed, 47.0 respondents agreed and 0.0% respondents were neutral that Naxalites want to capture state through the barrel of the gun.
- **Out of 100 respondents (20.0%)who were Experts**, 51.0% respondents strongly agreed, 49.0% respondents agreed and 0.0% respondents were neutral that Naxalites want to capture state through the barrel of the gun..

Table-7.114 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	56.890 ^a	4	.000
Likelihood Ratio	61.287	4	.000
Linear-by-Linear Association	15.954	1	.000
N of Valid Cases	500		
a. 2 cells (22.2%) have expected count less than 5. The minimum expected count is 2.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.21 PV-3 Naxailites want to capture state through the barrel of the gun.



❖ **PV-7 Political unawareness leads to Naxalism**

Table-7.115 Crosstab: PV-7 Political unawareness leads to Naxalism

Crosstab						
			PV-7 Political unawareness leads to Naxalism			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	37	77	186	300
		% within Respondents	12.3%	25.7%	62.0%	100.0%
		% of Total	7.4%	15.4%	37.2%	60.0%
	Surrendered Naxalites	Count	11	39	50	100
		% within Respondents	11.0%	39.0%	50.0%	100.0%
		% of Total	2.2%	7.8%	10.0%	20.0%
	Experts	Count	0	30	70	100
		% within Respondents	0.0%	30.0%	70.0%	100.0%
		% of Total	0.0%	6.0%	14.0%	20.0%
Total		Count	48	146	306	500
		% within Respondents	9.6%	29.2%	61.2%	100.0%
		% of Total	9.6%	29.2%	61.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

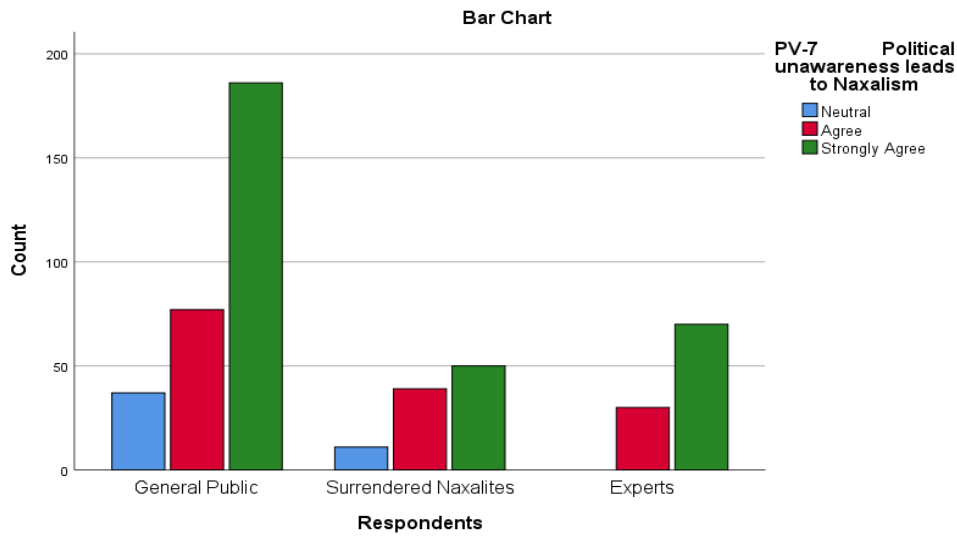
- **Out of 300 respondents (60.0%)who were General Public**, 62.0% respondents strongly agreed, 25.7% respondents agreed and 12.3% respondents were neutral that Political unawareness leads to Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 50.0% respondents strongly agreed, 39.0% respondents agreed and 11.0% respondents were neutral that Political unawareness leads to Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 70.0% respondents strongly agreed, 30.0% respondents agreed and 0.0% respondents were neutral that Political unawareness leads to Naxalism.

Table-7.116 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	20.079 ^a	4	.000
Likelihood Ratio	29.295	4	.000
Linear-by-Linear Association	4.135	1	.042
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 9.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.22 PV-7 Political unawareness leads to Naxalism



7.3.3.6 Association between Respondents and Governance Variables

GV-3 E-Governance has been given the requisite impetus to improve situation on ground.

Table-7.117 Crosstab: GV-3 E-Governance has been given the requisite impetus to improve situation on ground.

Crosstab							
			GV-3 E-Governance has been given the requisite impetus to improve situation on ground.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	6	19	87	188	300
		% within Respondents	2.0%	6.3%	29.0%	62.7%	100.0%
		% of Total	1.2%	3.8%	17.4%	37.6%	60.0%
	Surrendered Naxalites	Count	10	30	50	10	100
		% within Respondents	10.0%	30.0%	50.0%	10.0%	100.0%
		% of Total	2.0%	6.0%	10.0%	2.0%	20.0%
	Experts	Count	16	8	67	9	100
		% within Respondents	16.0%	8.0%	67.0%	9.0%	100.0%
		% of Total	3.2%	1.6%	13.4%	1.8%	20.0%
Total		Count	32	57	204	207	500
		% within Respondents	6.4%	11.4%	40.8%	41.4%	100.0%
		% of Total	6.4%	11.4%	40.8%	41.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

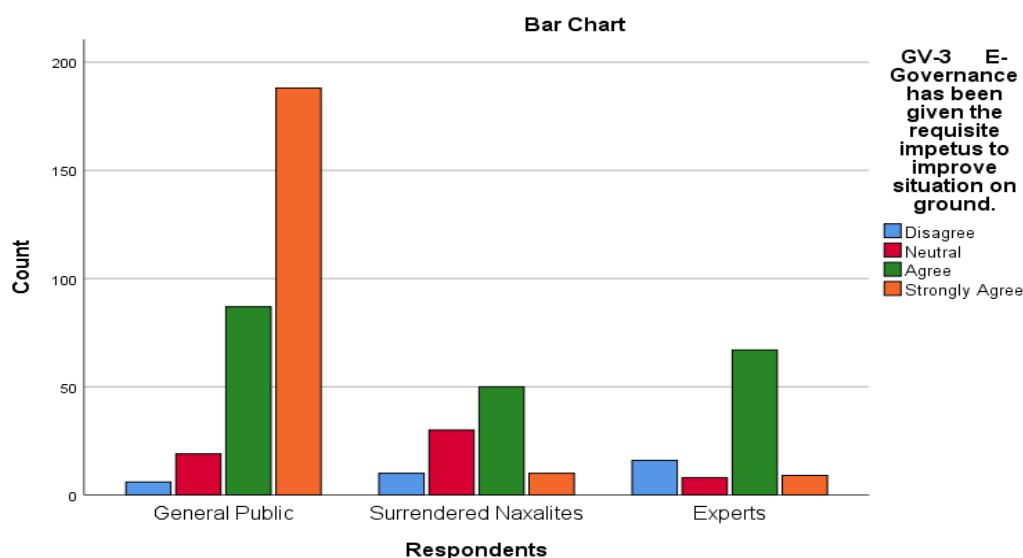
- **Out of 300 respondents (60.0%)who were General Public** 62.7% respondents strongly agreed, 29.0% respondents agreed, 6.3% respondents were neutral and 2.0% respondents disagreed that E-Governance has been given the requisite impetus to improve situation on ground.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 10.0% respondents strongly agreed, 50.0% respondents agreed, 30.0% respondents were neutral and 10.0% respondents disagreed that E-Governance has been given the requisite impetus to improve situation on ground..
- **Out of 100 respondents (20.0%)who were Experts**, 9.0% respondents strongly agreed, 67.0% respondents agreed, 8.0% respondents were neutral and 16.0% respondents disagreed that E-Governance has been given the requisite impetus to improve situation on ground.

Table-7.118 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	174.699 ^a	6	.000
Likelihood Ratio	181.727	6	.000
Linear-by-Linear Association	97.533	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.23 GV-3 E-Governance has been given the requisite impetus to improve situation on ground.



❖ **GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.**

Table-7.119 Crosstab: GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government

Crosstab							
			GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	84	122	94	0	300
		% within Respondents	28.0%	40.7%	31.3%	0.0%	100.0%
		% of Total	16.8%	24.4%	18.8%	0.0%	60.0%
	Surrendered Naxalites	Count	18	26	48	8	100
		% within Respondents	18.0%	26.0%	48.0%	8.0%	100.0%
		% of Total	3.6%	5.2%	9.6%	1.6%	16.4%

Issues and Challenges of Naxalism: A Socio Legal Analysis

	Experts	% of Total	3.6%	5.2%	9.6%	1.6%	20.0%
		Count	21	4	67	8	100
		% within Respondents	21.0%	4.0%	67.0%	8.0%	100.0%
		% of Total	4.2%	0.8%	13.4%	1.6%	20.0%
Total		Count	123	152	209	16	500
		% within Respondents	24.6%	30.4%	41.8%	3.2%	100.0%
		% of Total	24.6%	30.4%	41.8%	3.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

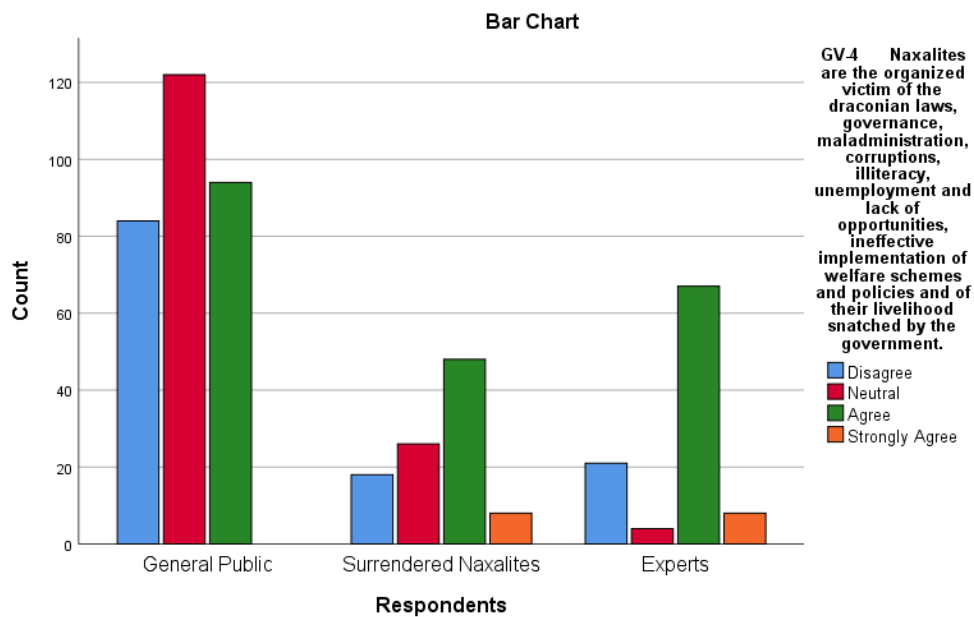
- **Out of 300 respondents (60.0%)who were General Public** 0.0% respondents strongly agreed, 31.3% respondents agreed, 40.7% respondents were neutral and 28.0% respondents disagreed that Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 8.0% respondents strongly agreed, 48.0% respondents agreed, 26.0% respondents were neutral and 18.0% respondents disagreed that Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government
- **Out of 100 respondents (20.0%)who were Experts,** 8.0% respondents strongly agreed, 67.0% respondents agreed, 4.0% respondents were neutral and 21.0% respondents disagreed that Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government.

Table-7.120 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	85.647 ^a	6	.000
Likelihood Ratio	102.134	6	.000
Linear-by-Linear Association	41.682	1	.000
N of Valid Cases	500		
a. 2 cells (16.7%) have expected count less than 5. The minimum expected count is 3.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.24 GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government



GV-5 Naxalites believe in good governance.

Table-7.121 Crosstab: GV-5 Naxalites believe in good governance

Crosstab							
			GV-5 Naxalites believe in good governance.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	15	43	68	174	300
		% within Respondents	5.0%	14.3%	22.7%	58.0%	100.0%
		% of Total	3.0%	8.6%	13.6%	34.8%	60.0%
	Surrendered Naxalites	Count	16	8	50	26	100
		% within Respondents	16.0%	8.0%	50.0%	26.0%	100.0%
		% of Total	3.2%	1.6%	10.0%	5.2%	20.0%
	Experts	Count	39	4	40	17	100
		% within Respondents	39.0%	4.0%	40.0%	17.0%	100.0%
		% of Total	7.8%	0.8%	8.0%	3.4%	20.0%
Total		Count	70	55	158	217	500
		% within Respondents	14.0%	11.0%	31.6%	43.4%	100.0%
		% of Total	14.0%	11.0%	31.6%	43.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public** 58.0% respondents strongly agreed, 22.7% respondents agreed, 14.3% respondents were neutral and 5.0% respondents disagreed that Naxalites believe in good governance

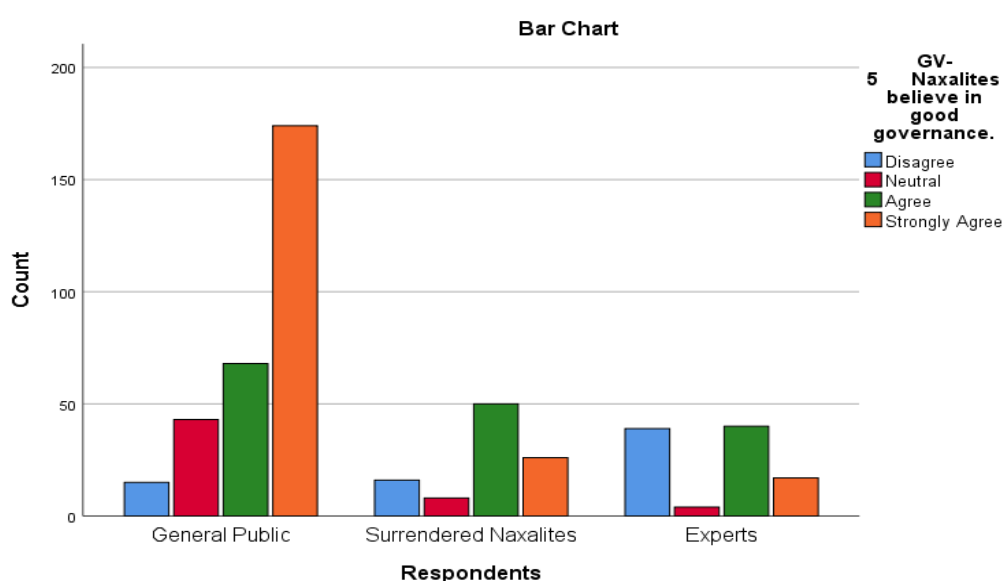
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 26.0% respondents strongly agreed, 50.0% respondents agreed, 8.0% respondents were neutral and 16.0% respondents disagreed that Naxalites believe in good governance.
- **Out of 100 respondents (20.0%)who were Experts**, 17.0% respondents strongly agreed, 40.0% respondents agreed, 4.0% respondents were neutral and 39.0% respondents disagreed that Naxalites believe in good governance.

Table-7.122 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	128.882 ^a	6	.000
Likelihood Ratio	124.833	6	.000
Linear-by-Linear Association	69.932	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 11.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.25 GV-5 Naxalites believe in good governance



7.3.3.7 Association between Respondents and Economic Variables

EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.

Table-7.123 Crosstab: EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism

Crosstab								
			EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	31	30	42	116	81	300
		% within Respondents	10.3%	10.0%	14.0%	38.7 %	27.0%	100.0%
		% of Total	6.2%	6.0%	8.4%	23.2 %	16.2%	60.0%
	Surrendered Naxalites	Count	0	0	4	24	72	100
		% within Respondents	0.0%	0.0%	4.0%	24.0 %	72.0%	100.0%
		% of Total	0.0%	0.0%	0.8%	4.8%	14.4%	20.0%
	Experts	Count	0	0	0	59	41	100
		% within Respondents	0.0%	0.0%	0.0%	59.0 %	41.0%	100.0%
		% of Total	0.0%	0.0%	0.0%	11.8 %	8.2%	20.0%
Total		Count	31	30	46	199	194	500
		% within Respondents	6.2%	6.0%	9.2%	39.8 %	38.8%	100.0%
		% of Total	6.2%	6.0%	9.2%	39.8 %	38.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

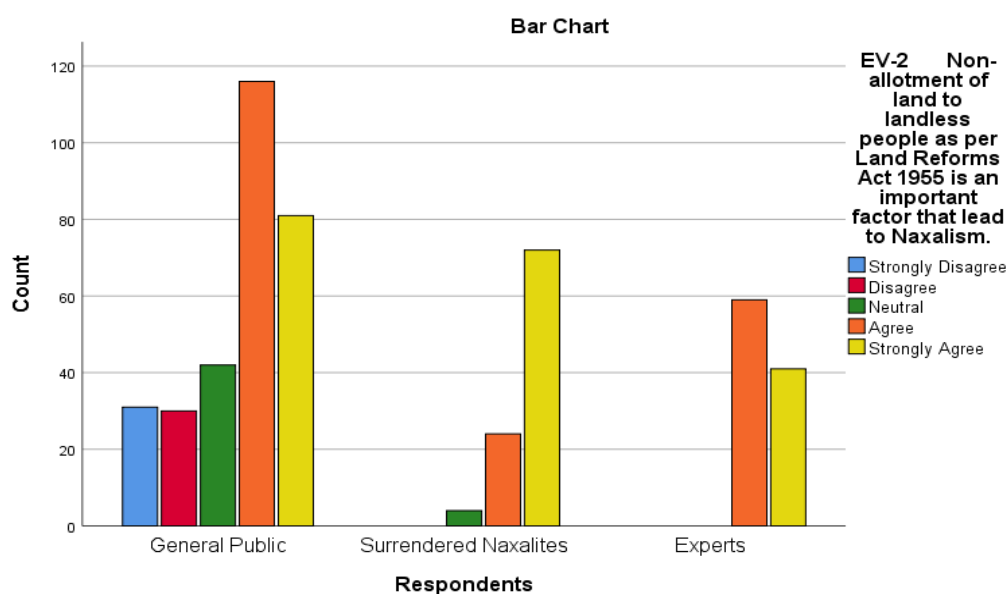
- **Out of 300 respondents (60.0%)who were General Public**, 27.0% respondents strongly agreed, 38.7% respondents agreed , 14.0% respondents were neutral, 10.0% respondents disagreed and 10.3% respondents disagreed that Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 72.0% respondents strongly agreed, 24.0% respondents agreed , 4.0% respondents were neutral, 0.0% respondents disagreed and 0.0% respondents disagreed that Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 41.0% respondents strongly agreed, 59.0% respondents agreed , 0.0% respondents were neutral, 0.0% respondents disagreed and 0.0% respondents disagreed that Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism.

Table-7.124 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	115.249 ^a	8	.000
Likelihood Ratio	141.208	8	.000
Linear-by-Linear Association	57.130	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.26 EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism



EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.

Table-7.125 Crosstab: EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA

Crosstab							
			EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	5	42	95	158	300
		% within Respondents	1.7%	14.0%	31.7%	52.7%	100.0%
		% of Total	1.0%	8.4%	19.0%	31.6%	60.0%
	Surrendered Naxalites	Count	0	13	26	61	100
		% within Respondents	0.0%	13.0%	26.0%	61.0%	100.0%
		% of Total	0.0%	2.6%	5.2%	12.2%	20.0%
	Experts	Count	0	0	47	53	100
		% within Respondents	0.0%	0.0%	47.0%	53.0%	100.0%
		% of Total	0.0%	0.0%	9.4%	10.6%	20.0%
Total		Count	5	55	168	272	500
		% within Respondents	1.0%	11.0%	33.6%	54.4%	100.0%
		% of Total	1.0%	11.0%	33.6%	54.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

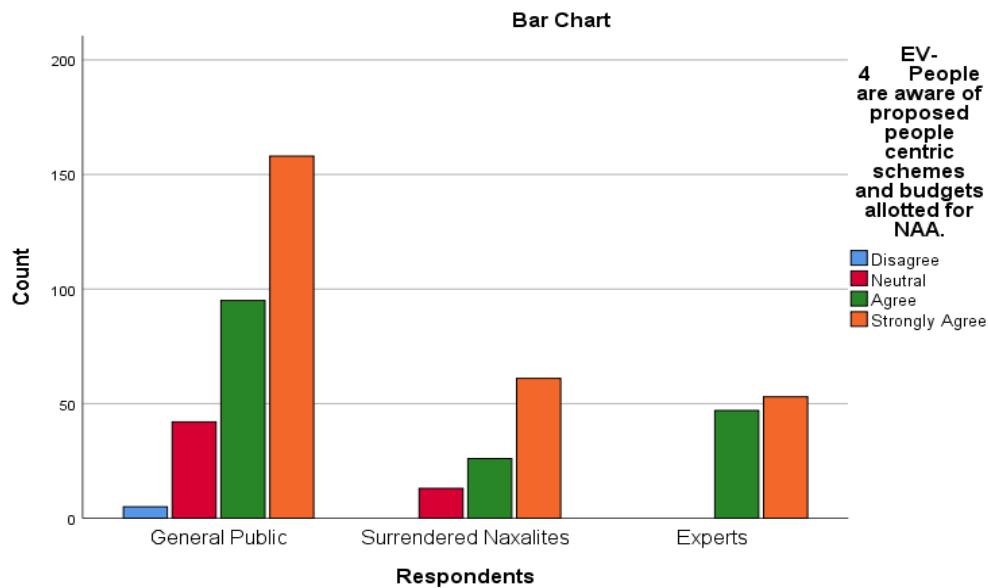
- **Out of 300 respondents (60.0%)who were General Public**, 52.7% respondents strongly agreed, 31.7% respondents agreed , 14.0% respondents were neutral and 1.7% respondents disagreed that People are aware of proposed people centric schemes and budgets allotted for NAA.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 61.0% respondents strongly agreed, 26.0% respondents agreed , 13.0% respondents were neutral and 0.0% respondents disagreed that People are aware of proposed people centric schemes and budgets allotted for NAA.
- **Out of 100 respondents (20.0%)who were Experts**, 53.0% respondents strongly agreed, 47.0% respondents agreed, 0.0% respondents were neutral and 0.0% respondents disagreed that People are aware of proposed people centric schemes and budgets allotted for NAA.

Table-7.126 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	25.551 ^a	6	.000
Likelihood Ratio	37.638	6	.000
Linear-by-Linear Association	5.300	1	.021
N of Valid Cases	500		
a. 3 cells (25.0%) have expected count less than 5. The minimum expected count is 1.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.27 EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA



EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA.

Table-7.127 Crosstab: EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA

Crosstab							
			EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	13	96	191	300
		% within Respondents	0.0%	4.3%	32.0%	63.7%	100.0%
		% of Total	0.0%	2.6%	19.2%	38.2%	60.0%
	Surrendered Naxalites	Count	0	2	22	76	100
		% within Respondents	0.0%	2.0%	22.0%	76.0%	100.0%
		% of Total	0.0%	0.4%	4.4%	15.2%	20.0%
	Experts	Count	23	0	23	54	100
		% within Respondents	23.0%	0.0%	23.0%	54.0%	100.0%
		% of Total	4.6%	0.0%	4.6%	10.8%	20.0%
Total		Count	23	15	141	321	500
		% within Respondents	4.6%	3.0%	28.2%	64.2%	100.0%
		% of Total	4.6%	3.0%	28.2%	64.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

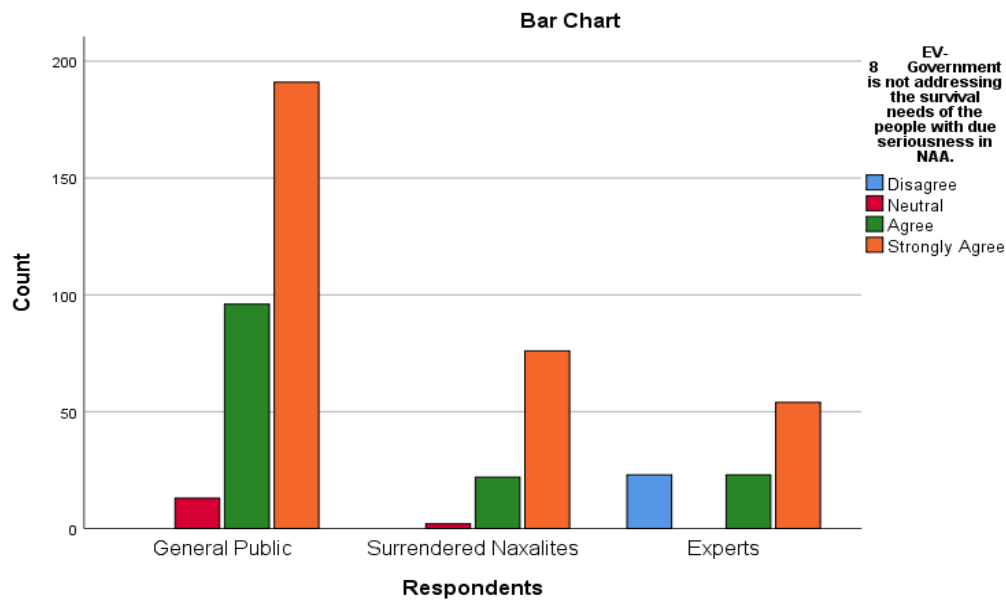
- **Out of 300 respondents (60.0%)who were General Public**, 63.7% respondents strongly agreed, 32.0% respondents agreed , 4.3% respondents were neutral and 0.0% respondents disagreed that Government is not addressing the survival needs of the people with due seriousness in NAA.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 76.0% respondents strongly agreed, 22.0% respondents agreed , 2.0% respondents were neutral and 0.0% respondents disagreed that Government is not addressing the survival needs of the people with due seriousness in NAA.
- **Out of 100 respondents (20.0%)who were Experts**, 54.0% respondents strongly agreed, 23.0% respondents agreed, 0.0% respondents were neutral and 23.0% respondents disagreed that Government is not addressing the survival needs of the people with due seriousness in NAA.

Table-7.128 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	104.772 ^a	6	.000
Likelihood Ratio	89.718	6	.000
Linear-by-Linear Association	23.199	1	.000
N of Valid Cases	500		
a. 4 cells (33.3%) have expected count less than 5. The minimum expected count is 3.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.28 EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA



EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization.

Table-7.129 Crosstab: EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization

Crosstab							
			EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	30	38	146	86	300
		% within Respondents	10.0%	12.7%	48.7%	28.7%	100.0%
		% of Total	6.0%	7.6%	29.2%	17.2%	60.0%
	Surrendered Naxalites	Count	0	8	15	77	100
		% within Respondents	0.0%	8.0%	15.0%	77.0%	100.0%
		% of Total	0.0%	1.6%	3.0%	15.4%	20.0%
	Experts	Count	23	5	63	9	100
		% within Respondents	23.0%	5.0%	63.0%	9.0%	100.0%
		% of Total	4.6%	1.0%	12.6%	1.8%	20.0%
Total		Count	53	51	224	172	500
		% within Respondents	10.6%	10.2%	44.8%	34.4%	100.0%
		% of Total	10.6%	10.2%	44.8%	34.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

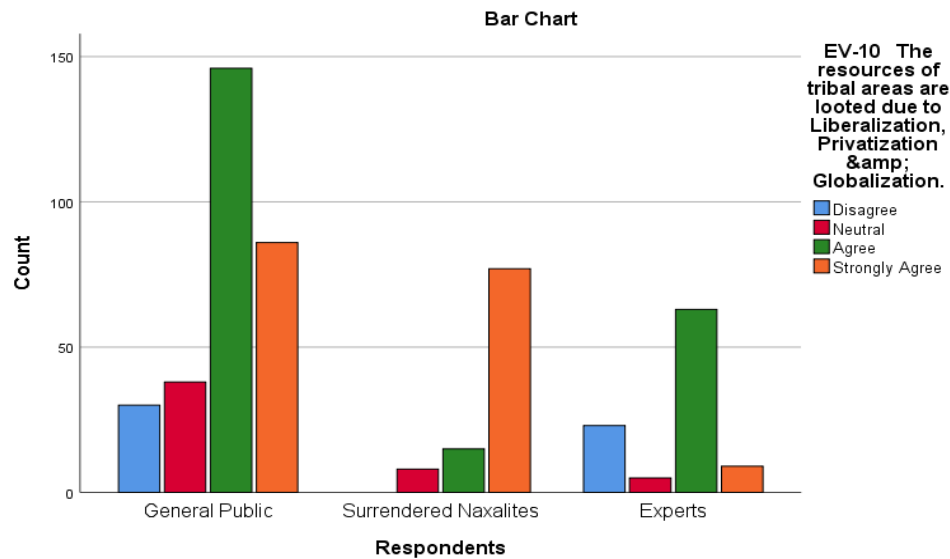
- **Out of 300 respondents (60.0%)who were General Public**, 28.7% respondents strongly agreed, 48.7% respondents agreed, 12.7% respondents were neutral and 10.0% respondents disagreed that the resources of tribal areas are looted due to Liberalization, Privatization & Globalization.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 77.0% respondents strongly agreed, 15.0% respondents agreed, 8.0% respondents were neutral and 0.0% respondents disagreed that the resources of tribal areas are looted due to Liberalization, Privatization & Globalization.
- **Out of 100 respondents (20.0%)who were Experts**, 9.0% respondents strongly agreed, 63.0% respondents agreed, 5.0% respondents were neutral and 23.0% respondents disagreed that the resources of tribal areas are looted due to Liberalization, Privatization & Globalization.

Table-7.130 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	132.716 ^a	6	.000
Likelihood Ratio	140.478	6	.000
Linear-by-Linear Association	2.067	1	.151
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 10.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.29 EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization



❖ **EV-11 Due to Liberalization, Privatization & Globalization, tribal people are facing displacement.**

Table-7.131 Crosstab: EV-11 Due to Liberalization, Privatization & Globalization, tribal people are facing displacement

Crosstab							
			EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	14	163	123	300
		% within Respondents	0.0%	4.7%	54.3%	41.0%	100.0%
		% of Total	0.0%	2.8%	32.6%	24.6%	60.0%
	Surrendered Naxalites	Count	0	11	23	66	100
		% within Respondents	0.0%	11.0%	23.0%	66.0%	100.0%
		% of Total	0.0%	2.2%	4.6%	13.2%	20.0%
	Experts	Count	28	3	57	12	100
		% within Respondents	28.0%	3.0%	57.0%	12.0%	100.0%
		% of Total	5.6%	0.6%	11.4%	2.4%	20.0%
Total		Count	28	28	243	201	500
		% within Respondents	5.6%	5.6%	48.6%	40.2%	100.0%
		% of Total	5.6%	5.6%	48.6%	40.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

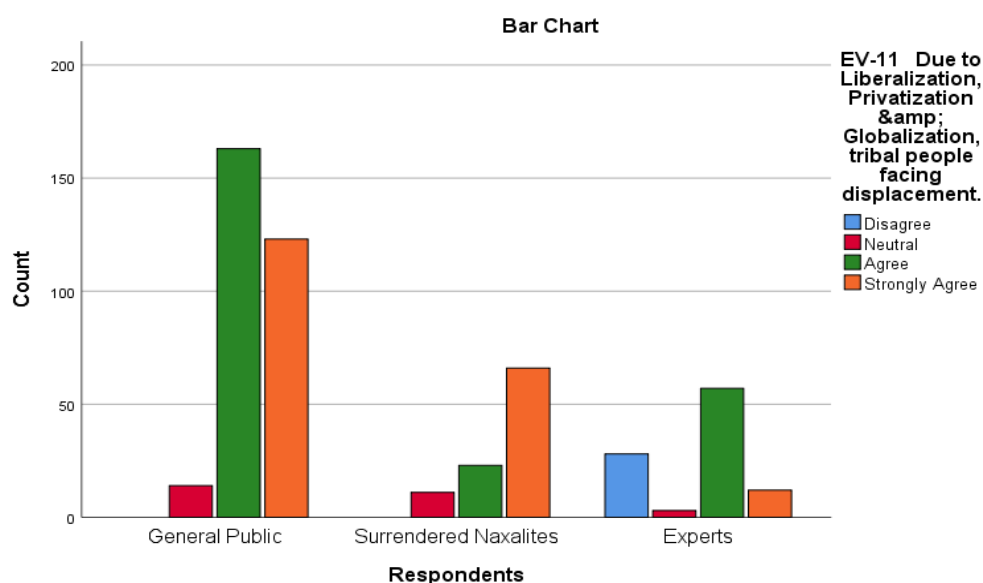
- **Out of 300 respondents (60.0%)who were General Public**, 41.0% respondents strongly agreed, 54.3% respondents agreed, 4.7% respondents were neutral and 0.0% respondents disagreed that Due to Liberalization, Privatization & Globalization, tribal people are facing displacement.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 66.0% respondents strongly agreed, 23.0% respondents agreed, 11.0% respondents were neutral and 0.0% respondents disagreed that Due to Liberalization, Privatization & Globalization, tribal people are facing displacement.
- **Out of 100 respondents (20.0%)who were Experts**, 12.0% respondents strongly agreed, 57.0% respondents agreed, 3.0% respondents were neutral and 28.0% respondents disagreed that Due to Liberalization, Privatization & Globalization, tribal people are facing displacement.

Table-7.132 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	172.235 ^a	6	.000
Likelihood Ratio	157.522	6	.000
Linear-by-Linear Association	59.291	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 5.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.30 EV-11 Due to Liberalization, Privatization & Globalization, tribal people are facing displacement



EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA.

Table-7.133 Crosstab: EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA

Crosstab							
			EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	82	22	77	119	300
		% within Respondents	27.3%	7.3%	25.7%	39.7%	100.0%
		% of Total	16.4%	4.4%	15.4%	23.8%	60.0%
	Surrendered Naxalites	Count	10	10	50	30	100
		% within Respondents	10.0%	10.0%	50.0%	30.0%	100.0%
		% of Total	2.0%	2.0%	10.0%	6.0%	20.0%
	Experts	Count	41	10	49	0	100
		% within Respondents	41.0%	10.0%	49.0%	0.0%	100.0%
		% of Total	8.2%	2.0%	9.8%	0.0%	20.0%
Total		Count	133	42	176	149	500
		% within Respondents	26.6%	8.4%	35.2%	29.8%	100.0%
		% of Total	26.6%	8.4%	35.2%	29.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

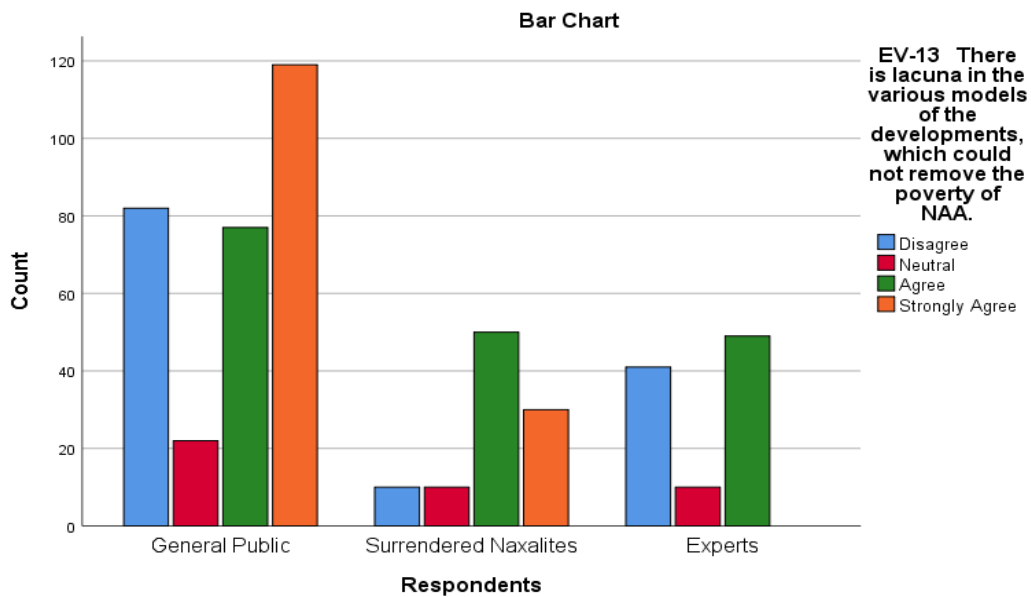
- **Out of 300 respondents (60.0%)who were General Public,** 39.7% respondents strongly agreed, 25.7% respondents agreed, 7.3% respondents were neutral and 27.3% respondents disagreed that there is lacuna in the various models of the developments, which could not remove the poverty of NAA.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 30.0% respondents strongly agreed, 50.0% respondents agreed, 10.0% respondents were neutral and 10.0% respondents disagreed that there is lacuna in the various models of the developments, which could not remove the poverty of NAA.
- **Out of 100 respondents (20.0%)who were Experts,** 0.0% respondents strongly agreed, 49.0% respondents agreed, 10.0% respondents were neutral and 41.0% respondents disagreed that there is lacuna in the various models of the developments, which could not remove the poverty of NAA.

Table-7.134 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	78.212 ^a	6	.000
Likelihood Ratio	108.713	6	.000
Linear-by-Linear Association	18.204	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 8.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.31 EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA



7.3.3.8 Association between Respondents and Security Variables

SEV-1 Naxalism is challenge for security of India.

Table-7.135 Crosstab: SEV-1 Naxalism is challenge for security of India

Crosstab						
			SEV-1 Naxalism is challenge for security of India.			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	8	142	150	300
		% within Respondents	2.7%	47.3%	50.0%	100.0%
		% of Total	1.6%	28.4%	30.0%	60.0%
	Surrendered Naxalites	Count	2	66	32	100
		% within Respondents	2.0%	66.0%	32.0%	100.0%
		% of Total	0.4%	13.2%	6.4%	20.0%
	Experts	Count	0	26	74	100
		% within Respondents	0.0%	26.0%	74.0%	100.0%
		% of Total	0.0%	5.2%	14.8%	20.0%
Total		Count	10	234	256	500
		% within Respondents	2.0%	46.8%	51.2%	100.0%
		% of Total	2.0%	46.8%	51.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

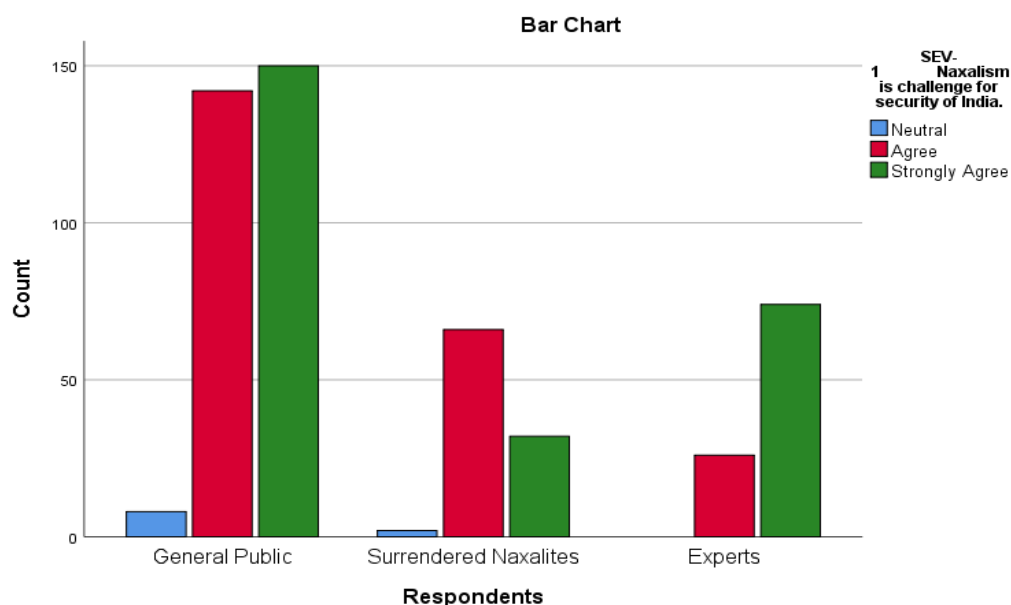
- **Out of 300 respondents (60.0%)who were General Public**, 50.0% respondents strongly agreed, 47.3% respondents agreed and 2.7% respondents were neutral that Naxalism is challenge for security of India.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 32.0% respondents strongly agreed, 66.0% respondents agreed and 2.0% respondents were neutral that Naxalism is challenge for security of India.
- **Out of 100 respondents (20.0%)who were Experts**, 74.0% respondents strongly agreed, 26.0% respondents agreed and 0.0% respondents were neutral that Naxalism is challenge for security of India.

Table-7.136 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	37.244 ^a	4	.000
Likelihood Ratio	39.951	4	.000
Linear-by-Linear Association	9.941	1	.002
N of Valid Cases	500		
a. 2 cells (22.2%) have expected count less than 5. The minimum expected count is 2.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.32 SEV-1 Naxalism is challenge for security of India



SEV-7 State agencies like police/CRPF/ forest officers harass local people.

Table-7.137 Crosstab: SEV-7 State agencies like police/CRPF/ forest officers harass local people

Crosstab								
			SEV-7 State agencies like police/CRPF/ forest officers harass local people.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	31	140	13	84	32	300
		% within Respondents	10.3%	46.7%	4.3%	28.0 %	10.7%	100.0%
		% of Total	6.2%	28.0%	2.6%	16.8 %	6.4%	60.0%
	Surrendered Naxalites	Count	0	10	10	70	10	100
		% within Respondents	0.0%	10.0%	10.0%	70.0 %	10.0%	100.0%
		% of Total	0.0%	2.0%	2.0%	14.0 %	2.0%	20.0%
	Experts	Count	19	69	0	12	0	100
		% within Respondents	19.0%	69.0%	0.0%	12.0 %	0.0%	100.0%
		% of Total	3.8%	13.8%	0.0%	2.4%	0.0%	20.0%
Total		Count	50	219	23	166	42	500
		% within Respondents	10.0%	43.8%	4.6%	33.2 %	8.4%	100.0%
		% of Total	10.0%	43.8%	4.6%	33.2 %	8.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

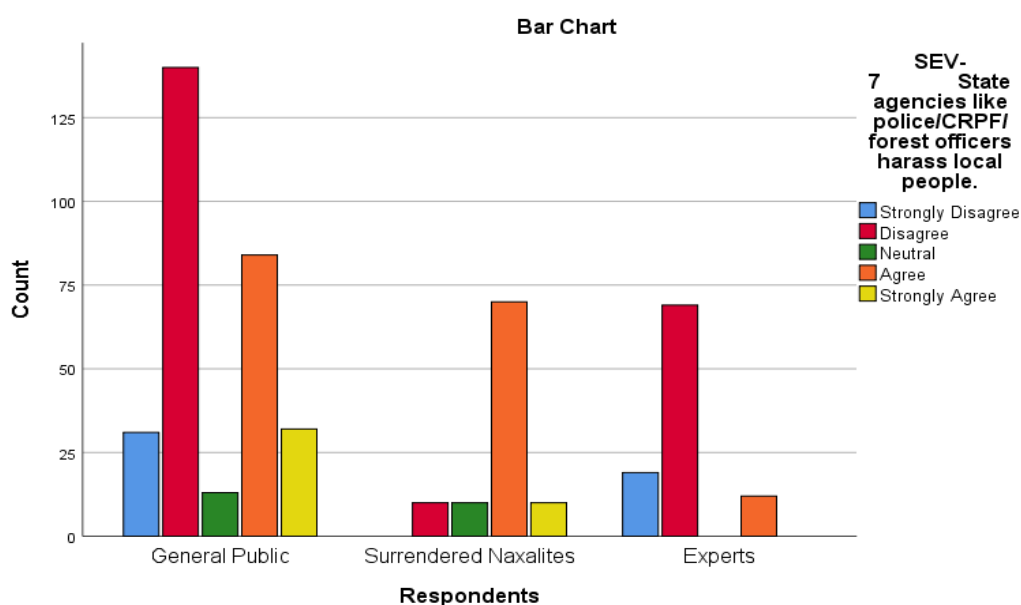
- **Out of 300 respondents (60.0%)who were General Public**, 10.7% respondents strongly agreed, 28.0% respondents agreed, 4.3% respondents were neutral, 46.7% respondents disagreed and 10.3% respondents strongly disagreed that State agencies like police/CRPF/ forest officers harass local people.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 10.0% respondents strongly agreed, 70.0% respondents agreed, 10.0% respondents were neutral, 10.0% respondents disagreed and 0.0% respondents strongly disagreed that State agencies like police/CRPF/ forest officers harass local people.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents strongly agreed, 12.0% respondents agreed, 0.0% respondents were neutral, 69.0% respondents disagreed and 19.0% respondents strongly disagreed that State agencies like police/CRPF/ forest officers harass local people.

Table-7.138 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	137.574 ^a	8	.000
Likelihood Ratio	161.496	8	.000
Linear-by-Linear Association	9.870	1	.002
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 4.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.33 SEV-7 State agencies like police/CRPF/ forest officers harass local people



SEV-10 Whether civil intelligence provide reliable information.

Table-7.139 Crosstab: SEV-10 Whether civil intelligence provide reliable information

Crosstab							
			SEV-10 Whether civil intelligence provide reliable information.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	45	129	101	25	300
		% within Respondents	15.0%	43.0%	33.7%	8.3%	100.0%
		% of Total	9.0%	25.8%	20.2%	5.0%	60.0%
	Surrendered Naxalites	Count	15	37	38	10	100
		% within Respondents	15.0%	37.0%	38.0%	10.0%	100.0%
		% of Total	3.0%	7.4%	7.6%	2.0%	20.0%
	Experts	Count	39	0	61	0	100
		% within Respondents	39.0%	0.0%	61.0%	0.0%	100.0%
		% of Total	7.8%	0.0%	12.2%	0.0%	20.0%
Total		Count	99	166	200	35	500
		% within Respondents	19.8%	33.2%	40.0%	7.0%	100.0%
		% of Total	19.8%	33.2%	40.0%	7.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

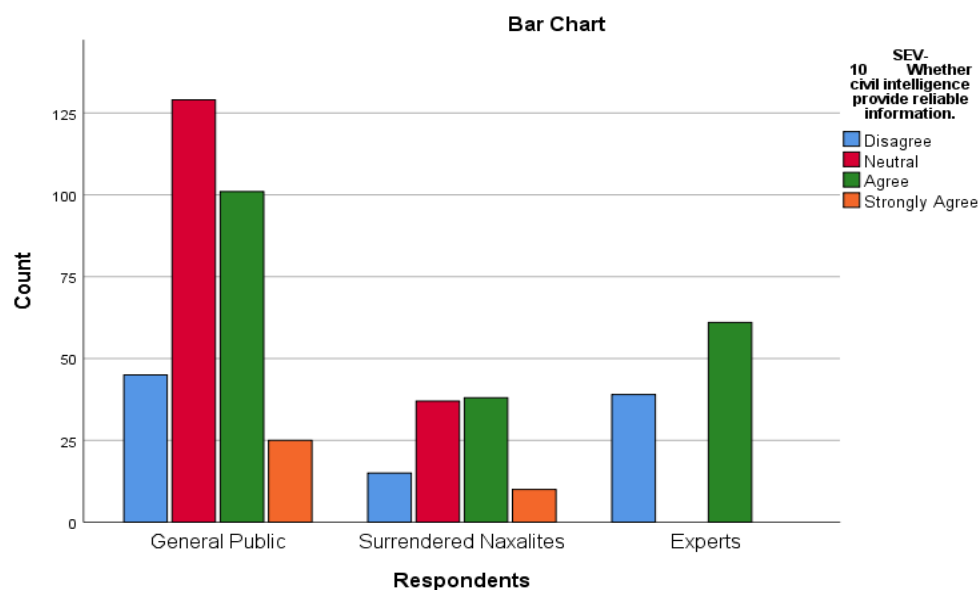
- **Out of 300 respondents (60.0%)who were General Public**, 8.3% respondents strongly agreed, 33.7% respondents agreed, 43.0% respondents were neutral and 15.0% respondents disagreed that civil intelligence provide reliable information.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 10.0% respondents strongly agreed, 38.0% respondents agreed, 37.0% respondents were neutral and 15.0% respondents disagreed that civil intelligence provide reliable information.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents strongly agreed, 61.0% respondents agreed, 0.0% respondents were neutral and 39.0% respondents disagreed that civil intelligence provide reliable information.

Table-7.140 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	88.767 ^a	6	.000
Likelihood Ratio	122.927	6	.000
Linear-by-Linear Association	.997	1	.318
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.34 SEV-10 Whether civil intelligence provide reliable information



❖ **SEV-14 There is a problem of tri junction in tracing to Naxalites.**

Table-7.141 Crosstab: SEV-14 There is a problem of tri junction in tracing to Naxalites

Crosstab								
			SEV-14 There is a problem of tri junction in tracing to Naxalites.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	53	19	195	33	300
		% within Respondents	0.0%	17.7%	6.3%	65.0 %	11.0%	100.0%
		% of Total	0.0%	10.6%	3.8%	39.0 %	6.6%	60.0%
	Surrendered Naxalites	Count	6	22	4	48	20	100
		% within Respondents	6.0%	22.0%	4.0%	48.0 %	20.0%	100.0%
		% of Total	1.2%	4.4%	0.8%	9.6%	4.0%	20.0%
	Experts	Count	0	0	0	49	51	100
		% within Respondents	0.0%	0.0%	0.0%	49.0 %	51.0%	100.0%
		% of Total	0.0%	0.0%	0.0%	9.8%	10.2%	20.0%
Total		Count	6	75	23	292	104	500
		% within Respondents	1.2%	15.0%	4.6%	58.4 %	20.8%	100.0%
		% of Total	1.2%	15.0%	4.6%	58.4 %	20.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

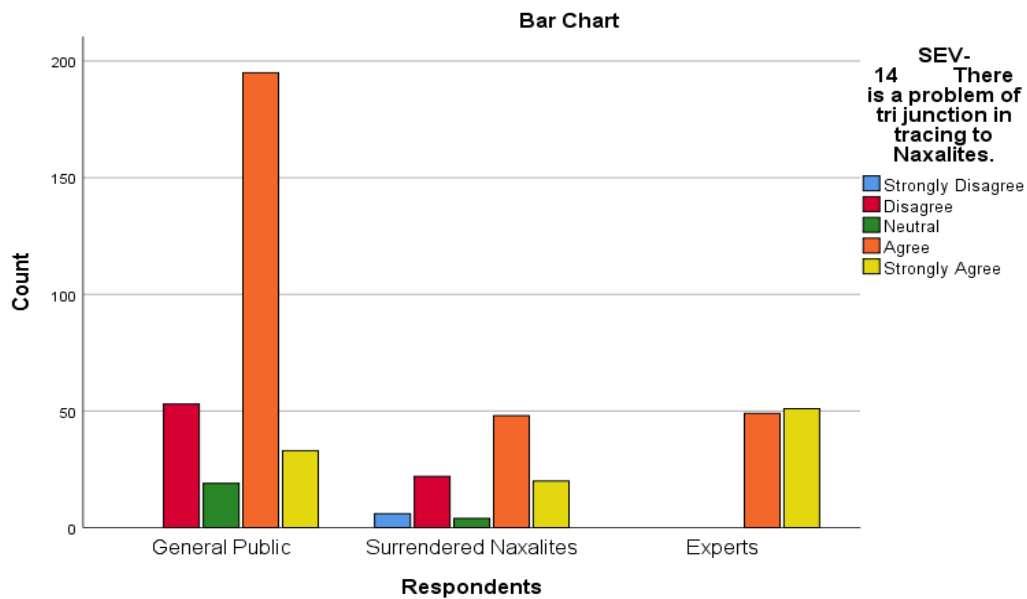
- **Out of 300 respondents (60.0%)who were General Public,** 11.0% respondents strongly agreed, 65.0% respondents agreed, 6.3% respondents were neutral, 17.7% respondents disagreed and 0.0% respondents strongly disagreed that there is a problem of tri junction in tracing to Naxalites.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 20.0% respondents strongly agreed, 48.0% respondents agreed, 4.0% respondents were neutral, 22.0% respondents disagreed and 6.0% respondents strongly disagreed that there is a problem of tri junction in tracing to Naxalites.
- **Out of 100 respondents (20.0%)who were Experts,** 51.0% respondents strongly agreed, 49.0% respondents agreed, 0.0% respondents were neutral, 0.0% respondents disagreed and 0.0% respondents strongly disagreed that there is a problem of tri junction in tracing to Naxalites.

Table-7.142 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	113.660 ^a	8	.000
Likelihood Ratio	118.141	8	.000
Linear-by-Linear Association	39.188	1	.000
N of Valid Cases	500		
a. 5 cells (33.3%) have expected count less than 5. The minimum expected count is 1.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.35 SEV-14 There is a problem of tri junction in tracing to Naxalites



7.3.3.9 Association between Respondents and Non-Security Variables

NSV-1 Naxalism has been supported by the local people voluntarily.

Table-7.143 Crosstab: NSV-1 Naxalism has been supported by the local people voluntarily

Crosstab								
			NSV-1 Naxalism has been supported by the local people voluntarily.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	18	94	30	140	18	300
		% within Respondents	6.0%	31.3%	10.0%	46.7%	6.0%	100.0%
		% of Total	3.6%	18.8%	6.0%	28.0%	3.6%	60.0%
	Surrendered Naxalites	Count	10	20	20	40	10	100
		% within Respondents	10.0%	20.0%	20.0%	40.0%	10.0%	100.0%
		% of Total	2.0%	4.0%	4.0%	8.0%	2.0%	20.0%
	Experts	Count	11	54	5	27	3	100
		% within Respondents	11.0%	54.0%	5.0%	27.0%	3.0%	100.0%
		% of Total	2.2%	10.8%	1.0%	5.4%	0.6%	20.0%
Total		Count	39	168	55	207	31	500
		% within Respondents	7.8%	33.6%	11.0%	41.4%	6.2%	100.0%
		% of Total	7.8%	33.6%	11.0%	41.4%	6.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

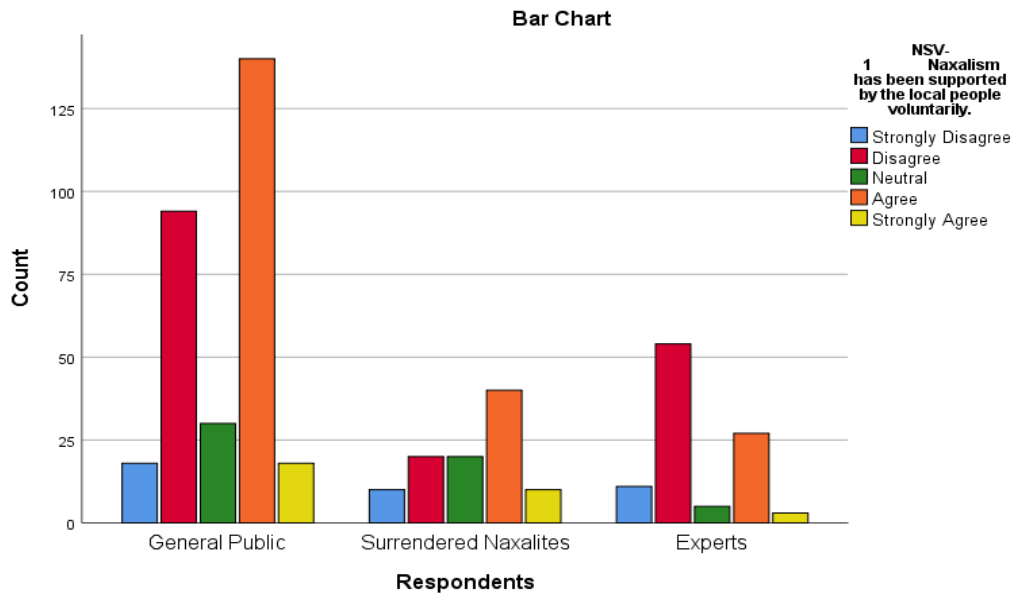
- **Out of 300 respondents (60.0%) who were General Public**, 6.0% respondents strongly agreed, 46.7% respondents agreed, 10.0% respondents were neutral, 31.3% respondents disagreed and 6.0% respondents strongly disagreed that Naxalism has been supported by the local people voluntarily.
- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 10.0% respondents strongly agreed, 40.0% respondents agreed, 20.0% respondents were neutral, 20.0% respondents disagreed and 10.0% respondents strongly disagreed that Naxalism has been supported by the local people voluntarily.
- **Out of 100 respondents (20.0%) who were Experts**, 3.0% respondents strongly agreed, 27.0% respondents agreed, 5.0% respondents were neutral, 54.0% respondents disagreed and 11.0% respondents strongly disagreed that Naxalism has been supported by the local people voluntarily.

Table-7.144 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	43.504 ^a	8	.000
Likelihood Ratio	42.477	8	.000
Linear-by-Linear Association	15.185	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.36 NSV-1 Naxalism has been supported by the local people voluntarily



❖ **NSV-2 State agency could not win the hearts and mind of local people.**

Table-7.145 Crosstab: NSV-2 State agency could not win the hearts and mind of local people

Crosstab								
			NSV-2 State agency could not win the hearts and mind of local people.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	0	47	21	148	84	300
		% within Respondents	0.0%	15.7%	7.0%	49.3%	28.0%	100.0%
		% of Total	0.0%	9.4%	4.2%	29.6%	16.8%	60.0%
	Surrendered Naxalites	Count	0	10	10	40	40	100
		% within Respondents	0.0%	10.0%	10.0%	40.0%	40.0%	100.0%
		% of Total	0.0%	2.0%	2.0%	8.0%	8.0%	20.0%
	Experts	Count	11	36	4	39	10	100
		% within Respondents	11.0%	36.0%	4.0%	39.0%	10.0%	100.0%
		% of Total	2.2%	7.2%	0.8%	7.8%	2.0%	20.0%
Total		Count	11	93	35	227	134	500
		% within Respondents	2.2%	18.6%	7.0%	45.4%	26.8%	100.0%
		% of Total	2.2%	18.6%	7.0%	45.4%	26.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

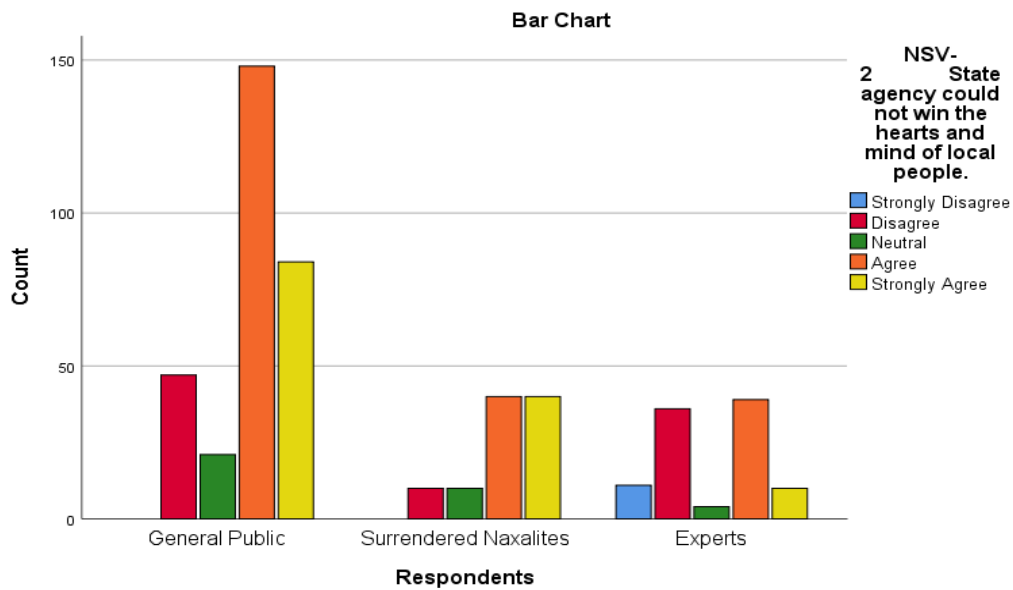
- **Out of 300 respondents (60.0%)who were General Public**, 28.0% respondents strongly agreed, 49.3% respondents agreed, 7.0% respondents were neutral, 15.7% respondents disagreed and 0.0% respondents strongly disagreed that State agency could not win the hearts and mind of local people.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 40.0% respondents strongly agreed, 40.0% respondents agreed, 10.0% respondents were neutral, 10.0% respondents disagreed and 0.0% respondents strongly disagreed that State agency could not win the hearts and mind of local people.
- **Out of 100 respondents (20.0%)who were Experts**, 10.0% respondents strongly agreed, 39.0% respondents agreed, 4.0% respondents were neutral, 36.0% respondents disagreed and 11.0% respondents strongly disagreed that State agency could not win the hearts and mind of local people.

Table-7.146 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	87.974 ^a	8	.000
Likelihood Ratio	79.358	8	.000
Linear-by-Linear Association	34.331	1	.000
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 2.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.37 NSV-2 State agency could not win the hearts and mind of local people



❖ **NSV-3 NGOs support Naxalism**

Table-7.147 Crosstab: NSV-3 NGOs support Naxalism

Crosstab								
			NSV-3 NGOs support Naxalism					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	33	94	27	119	27	300
		% within Respondents	11.0%	31.3%	9.0%	39.7%	9.0%	100.0%
		% of Total	6.6%	18.8%	5.4%	23.8%	5.4%	60.0%
	Surrendered Naxalites	Count	4	49	9	33	5	100
		% within Respondents	4.0%	49.0%	9.0%	33.0%	5.0%	100.0%
		% of Total	0.8%	9.8%	1.8%	6.6%	1.0%	20.0%
	Experts	Count	6	9	12	62	11	100
		% within Respondents	6.0%	9.0%	12.0%	62.0%	11.0%	100.0%
		% of Total	1.2%	1.8%	2.4%	12.4%	2.2%	20.0%
Total		Count	43	152	48	214	43	500
		% within Respondents	8.6%	30.4%	9.6%	42.8%	8.6%	100.0%
		% of Total	8.6%	30.4%	9.6%	42.8%	8.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

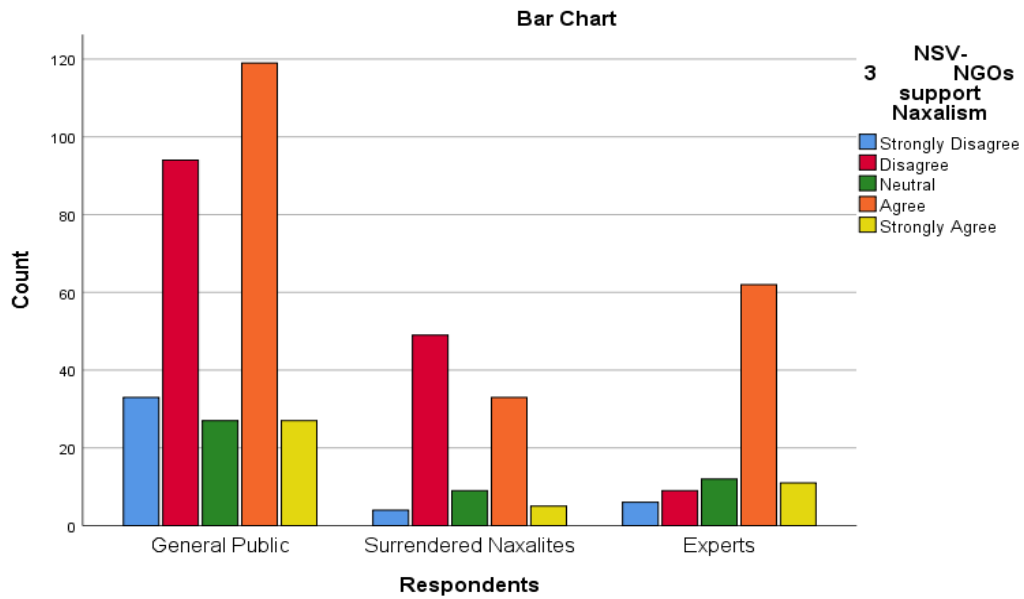
- **Out of 300 respondents (60.0%) who were General Public**, 9.0% respondents strongly agreed, 39.7% respondents agreed, 9.0% respondents were neutral, 31.3% respondents disagreed and 11.0% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 5.0% respondents strongly agreed, 33.0% respondents agreed, 9.0% respondents were neutral, 49.0% respondents disagreed and 4.0% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%) who were Experts**, 5.0% respondents strongly agreed, 33.0% respondents agreed, 9.0% respondents were neutral, 49.0% respondents disagreed and 4.0% respondents strongly disagreed that NGOs support Naxalism.

Table-7.148 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	46.314 ^a	8	.000
Likelihood Ratio	50.212	8	.000
Linear-by-Linear Association	12.423	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 8.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.38 NSV-3 NGOs support Naxalism



❖ **NSV-6 Civil society is capable to counter the Naxalism.**

Table-7.149 Crosstab: NSV-6 Civil society is capable to counter the Naxalism

Crosstab								
			NSV-6 Civil society is capable to counter the Naxalism.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	35	149	30	86	0	300
		% within Respondents	11.7%	49.7%	10.0%	28.7%	0.0%	100.0%
		% of Total	7.0%	29.8%	6.0%	17.2%	0.0%	60.0%
	Surrendered Naxalites	Count	6	59	5	20	10	100
		% within Respondents	6.0%	59.0%	5.0%	20.0%	10.0%	100.0%
		% of Total	1.2%	11.8%	1.0%	4.0%	2.0%	20.0%
	Experts	Count	3	8	8	67	14	100
		% within Respondents	3.0%	8.0%	8.0%	67.0%	14.0%	100.0%
		% of Total	0.6%	1.6%	1.6%	13.4%	2.8%	20.0%
Total		Count	44	216	43	173	24	500
		% within Respondents	8.8%	43.2%	8.6%	34.6%	4.8%	100.0%
		% of Total	8.8%	43.2%	8.6%	34.6%	4.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

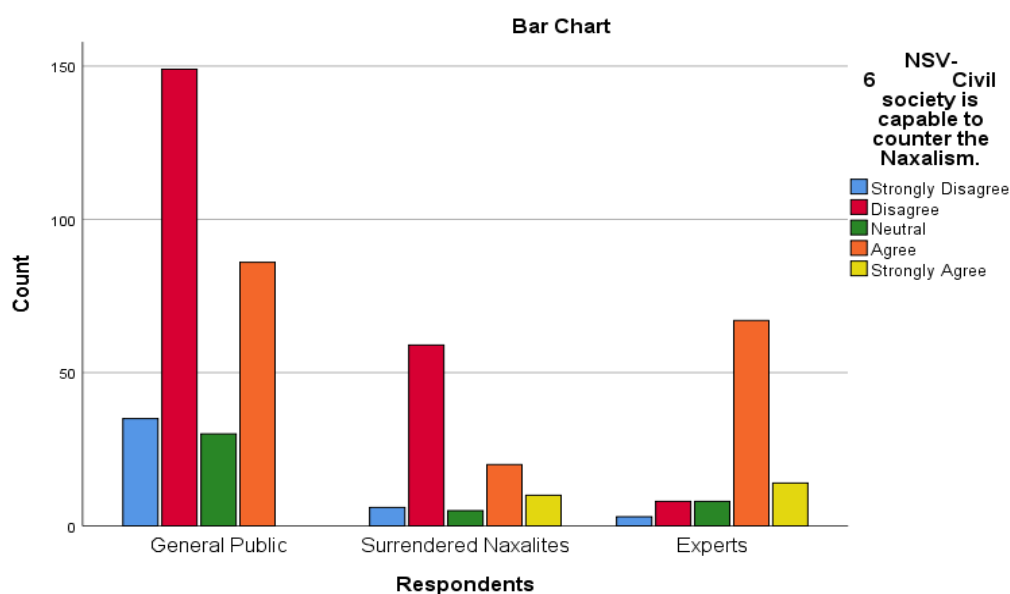
- **Out of 300 respondents (60.0%)who were General Public,** 0.0% respondents strongly agreed, 28.7% respondents agreed, 10.0% respondents were neutral, 49.7% respondents disagreed and 11.7% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 10.0% respondents strongly agreed, 20.0% respondents agreed, 5.0% respondents were neutral, 59.0% respondents disagreed and 6.0% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%)who were Experts,** 14.0% respondents strongly agreed, 67.0% respondents agreed, 8.0% respondents were neutral, 8.0% respondents disagreed and 3.0% respondents strongly disagreed that NGOs support Naxalism.

Table-7.150 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	124.332 ^a	8	.000
Likelihood Ratio	141.445	8	.000
Linear-by-Linear Association	78.758	1	.000
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 4.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.39 NSV-6 Civil society is capable to counter the Naxalism



7.3.3.10 Association between Respondents and Environmental Variables

ENV-1 Environmental crisis leads Naxalism.

Table-7.151 Crosstab: ENV-1 Environmental crisis leads Naxalism

Crosstab								
			ENV-1 Environmental crisis leads Naxalism.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	8	21	30	145	96	300
		% within Respondents	2.7%	7.0%	10.0%	48.3 %	32.0%	100.0%
		% of Total	1.6%	4.2%	6.0%	29.0 %	19.2%	60.0%
	Surrendered Naxalites	Count	0	10	20	50	20	100
		% within Respondents	0.0%	10.0%	20.0%	50.0 %	20.0%	100.0%
		% of Total	0.0%	2.0%	4.0%	10.0 %	4.0%	20.0%
	Experts	Count	0	31	0	60	9	100
		% within Respondents	0.0%	31.0%	0.0%	60.0 %	9.0%	100.0%
		% of Total	0.0%	6.2%	0.0%	12.0 %	1.8%	20.0%
Total		Count	8	62	50	255	125	500
		% within Respondents	1.6%	12.4%	10.0%	51.0 %	25.0%	100.0%
		% of Total	1.6%	12.4%	10.0%	51.0 %	25.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

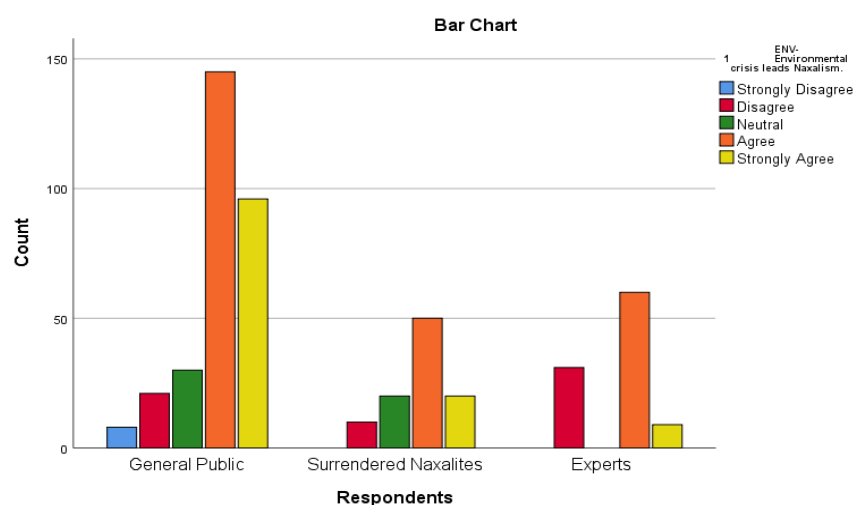
- **Out of 300 respondents (60.0%)who were General Public,** 32.0% respondents strongly agreed, 48.3% respondents agreed, 10.0% respondents were neutral, 7.0% respondents disagreed and 2.7% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 20.0% respondents strongly agreed, 50.0% respondents agreed, 20.0% respondents were neutral, 10.0% respondents disagreed and 0.0% respondents strongly disagreed that NGOs support Naxalism.
- **Out of 100 respondents (20.0%)who were Experts,** 9.0% respondents strongly agreed, 60.0% respondents agreed, 0.0% respondents were neutral, 31.0% respondents disagreed and 0.0% respondents strongly disagreed that NGOs support Naxalism.

Table-7.152 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	79.899 ^a	8	.000
Likelihood Ratio	86.421	8	.000
Linear-by-Linear Association	21.754	1	.000
N of Valid Cases	500		
a. 3 cells (20.0%) have expected count less than 5. The minimum expected count is 1.60.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.40 ENV-1 Environmental crisis leads Naxalism



❖ **ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.**

Table-7.153 Crosstab: ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.

Crosstab							
			ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	27	46	201	26	300
		% within Respondents	9.0%	15.3%	67.0%	8.7%	100.0%
		% of Total	5.4%	9.2%	40.2%	5.2%	60.0%
	Surrendered Naxalites	Count	10	11	53	26	100
		% within Respondents	10.0%	11.0%	53.0%	26.0%	100.0%
		% of Total	2.0%	2.2%	10.6%	5.2%	20.0%
	Experts	Count	0	0	68	32	100
		% within Respondents	0.0%	0.0%	68.0%	32.0%	100.0%
		% of Total	0.0%	0.0%	13.6%	6.4%	20.0%
Total		Count	37	57	322	84	500
		% within Respondents	7.4%	11.4%	64.4%	16.8%	100.0%
		% of Total	7.4%	11.4%	64.4%	16.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

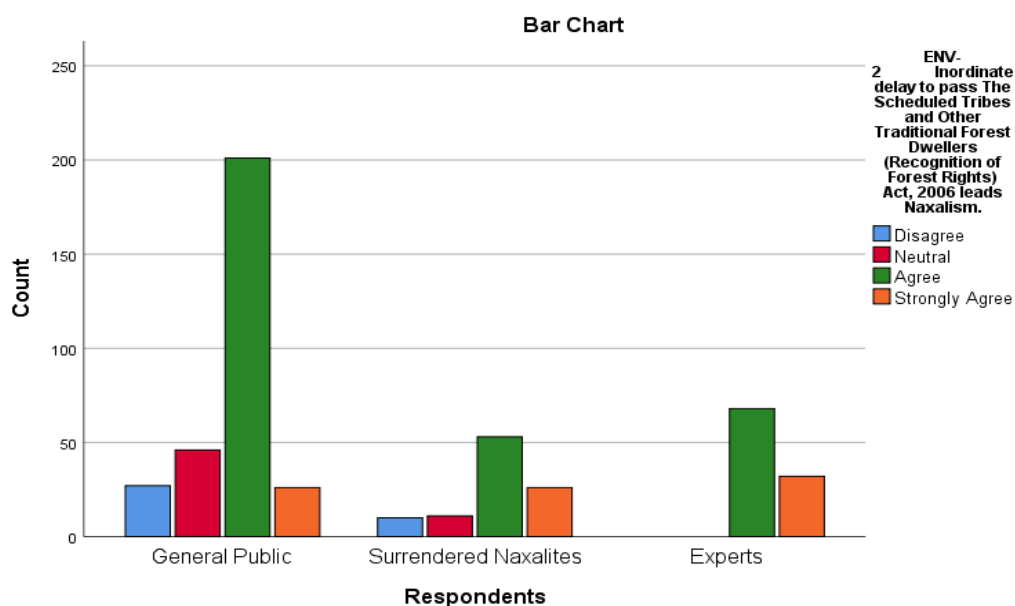
- **Out of 300 respondents (60.0%)who were General Public**, 8.7% respondents strongly agreed, 67.0% respondents agreed, 15.3% respondents were neutral and 9.0% respondents disagreed that Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 lead to Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 26.0% respondents strongly agreed, 53.0% respondents agreed, 11.0% respondents were neutral and 10.0% respondents disagreed that Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 lead to Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 32.0% respondents strongly agreed, 68.0% respondents agreed, 0.0% respondents were neutral and 0.0% respondents disagreed that Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 lead to Naxalism.

Table-7.154 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	57.974 ^a	6	.000
Likelihood Ratio	75.264	6	.000
Linear-by-Linear Association	41.665	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 7.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.41 ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism.



❖ **ENV-3 Naxalite preserve, protect and defend the environment.**

Table-7.155 Crosstab: ENV-3 Naxalite preserve, protect and defend the environment

Crosstab								
			ENV-3 Naxalite preserve, protect and defend the environment.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	20	127	50	97	6	300
		% within Respondents	6.7%	42.3%	16.7%	32.3%	2.0%	100.0%
		% of Total	4.0%	25.4%	10.0%	19.4%	1.2%	60.0%
	Surrendered Naxalites	Count	8	34	9	39	10	100
		% within Respondents	8.0%	34.0%	9.0%	39.0%	10.0%	100.0%
		% of Total	1.6%	6.8%	1.8%	7.8%	2.0%	20.0%
	Experts	Count	0	50	16	34	0	100
		% within Respondents	0.0%	50.0%	16.0%	34.0%	0.0%	100.0%
		% of Total	0.0%	10.0%	3.2%	6.8%	0.0%	20.0%
Total		Count	28	211	75	170	16	500
		% within Respondents	5.6%	42.2%	15.0%	34.0%	3.2%	100.0%
		% of Total	5.6%	42.2%	15.0%	34.0%	3.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

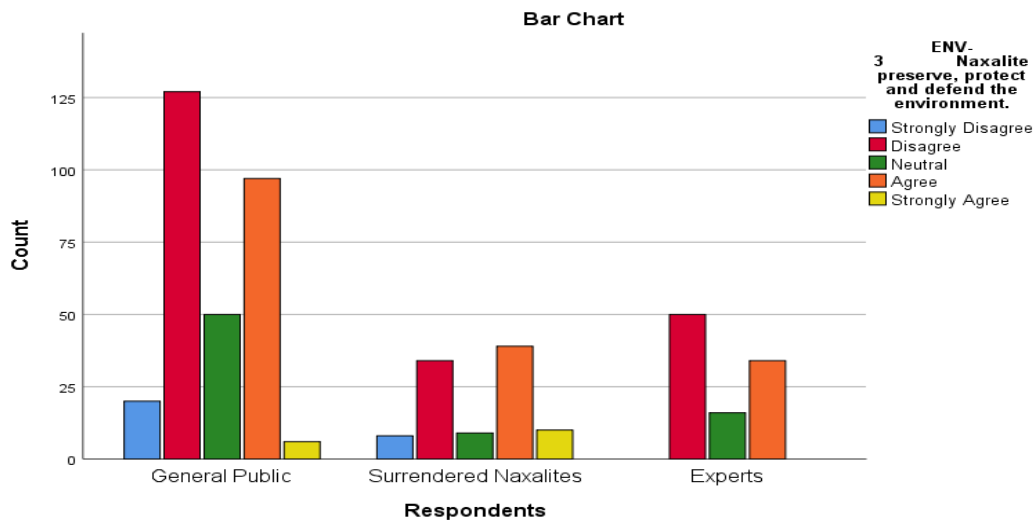
- **Out of 300 respondents (60.0%) who were General Public,** 2.0% respondents strongly agreed, 32.3% respondents agreed, 16.7% respondents were neutral, 42.3% respondents disagreed and 6.7% respondents strongly disagreed that Naxalite preserve, protect and defend the environment.
- **Out of 100 respondents (20.0%) who were Surrendered Naxalites,** 10.0% respondents strongly agreed, 39.0% respondents agreed, 9.0% respondents were neutral, 34.0% respondents disagreed and 8.0% respondents strongly disagreed that Naxalite preserve, protect and defend the environment.
- **Out of 100 respondents (20.0%) who were Experts,** 0.0% respondents strongly agreed, 34.0% respondents agreed, 16.0% respondents were neutral, 50.0% respondents disagreed and 0.0% respondents strongly disagreed that Naxalite preserve, protect and defend the environment.

Table-7.156 Chi-Square Tests

Chi-Square Tests			
	Value	Df	Asymptotic Significance (2-sided)
Pearson Chi-Square	33.277 ^a	8	.000
Likelihood Ratio	37.256	8	.000
Linear-by-Linear Association	.728	1	.394
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 3.20.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05 at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.42 ENV-3 Naxalite preserve, protect and defend the environment



7.3.4 HYPOTHESIS RELATED DISCUSSION

H1. Factors such as Ideological, Historical, Legal, Social, Political, Economic, Government, Security Issues, Non-Security, and Environmental Issues are associated with Naxalism.

7.3.4.1 Correlations Analysis and Hypothesis 1

Correlations analysis has been performed to study the correlation between Ideological Issues Historical Issues, Legal Issues, Social Issues Political Issues, Economic Issues ,Government Issues, Security Issues, Non-Security Issues) and Environmental Issues (Independent variables) and **Total Problem Level of Naxalism** (dependent variable).

Table-7.157 Correlations Matrix

Correlations												
		Total Problem Level of Naxalism	IV	HV	LV	SV	PV	EV	GV	SEV	NSV	ENV
Pearson Correlation	Total Problem Level of Naxalism	1.000	.626	.640	.846	.825	.798	.837	.812	.881	.820	.829
	Ideological Issues (IV)	.626	1.000	.564	.529	.507	.556	.476	.456	.569	.579	.548
	Historical Issues (HV)	.640	.564	1.000	.548	.474	.646	.585	.435	.499	.554	.539
	Legal Issues (LV)	.846	.529	.548	1.000	.729	.673	.761	.760	.786	.737	.754
	Social Issues (SV)	.825	.507	.474	.729	1.000	.709	.748	.797	.825	.730	.791
	Political Issues (PV)	.798	.556	.646	.673	.709	1.000	.722	.633	.724	.649	.688
	Economic Issues (EV)	.837	.476	.585	.761	.748	.722	1.000	.777	.776	.675	.745
	Government Issues (GV)	.812	.456	.435	.760	.797	.633	.777	1.000	.834	.747	.811
	Security Issues (SEV)	.881	.569	.499	.786	.825	.724	.776	.834	1.000	.800	.845
	Non-Security Issues (NSV)	.820	.579	.554	.737	.730	.649	.675	.747	.800	1.000	.740
	Environmental Issues (ENV)	.829	.548	.539	.754	.791	.688	.745	.811	.845	.740	1.000
Sig. (1-tailed)	Total Problem Level of Naxalism		.000	.000	.000	.000	.000	.000	.000	.000	.000	.000
	Ideological Issues (IV)	.000		.000	.000	.000	.000	.000	.000	.000	.000	.000
	Historical Issues (HV)	.000	.000		.000	.000	.000	.000	.000	.000	.000	.000
	Legal Issues (LV)	.000	.000	.000		.000	.000	.000	.000	.000	.000	.000
	Social Issues (SV)	.000	.000	.000	.000		.000	.000	.000	.000	.000	.000
	Political Issues (PV)	.000	.000	.000	.000	.000		.000	.000	.000	.000	.000
	Economic Issues (EV)	.000	.000	.000	.000	.000	.000		.000	.000	.000	.000

Issues and Challenges of Naxalism: A Socio Legal Analysis

	Government Issues (GV)	.000	.000	.000	.000	.000	.000	.000	.	.000	.000	.000
	Security Issues (SEV)	.000	.000	.000	.000	.000	.000	.000	.000	.	.000	.000
	Non-Security Issues (NSV)	.000	.000	.000	.000	.000	.000	.000	.000	.000	.	.000
	Environmental Issues (ENV)	.000	.000	.000	.000	.000	.000	.000	.000	.000	.000	.
N	Total Problem Level of Naxalism	500	500	500	500	500	500	500	500	500	500	500
	Ideological Issues (IV)	500	500	500	500	500	500	500	500	500	500	500
	Historical Issues (HV)	500	500	500	500	500	500	500	500	500	500	500
	Legal Issues (LV)	500	500	500	500	500	500	500	500	500	500	500
	Social Issues (SV)	500	500	500	500	500	500	500	500	500	500	500
	Political Issues (PV)	500	500	500	500	500	500	500	500	500	500	500
	Economic Issues (EV)	500	500	500	500	500	500	500	500	500	500	500
	Government Issues (GV)	500	500	500	500	500	500	500	500	500	500	500
	Security Issues (SEV)	500	500	500	500	500	500	500	500	500	500	500
	Non-Security Issues (NSV)	500	500	500	500	500	500	500	500	500	500	500
	Environmental Issues (ENV)	500	500	500	500	500	500	500	500	500	500	500

Interpretation and Conclusion

The correlation matrix presented above shows that there is a positive correlation among the Ideological Issues (IV), Historical Issues (HV), Legal Issues (LV), Social Issues (SV), Political Issues (PV), Economic Issues (EV), Government Issues (GV), Security Issues (SEV), Non-Security Issues (NSV) and Environmental Issues (ENV) (Independent variables) and Total Problem Level of Naxalism (dependent variable). The correlation analysis shows that 10 independent variables are significant at the 0.000 level, which is lower than the 0.05 confidence level for the study.

Ideological Issues (IV), Historical Issues (HV), Legal Issues (LV), Social Issues (SV), Political Issues (PV), Economic Issues (EV), Government Issues (GV), Security Issues (SEV), Non-Security Issues (NSV) and Environmental Issues

(ENV) indicates that there was a significant and positive correlation with **one another also**.

Hence it can be said that, H1. Factors such as Ideological, Historical, Legal, Social, Political, Economic, Government, Security Issues, Non-Security, and Environmental Issues are associated with Naxalism **is accepted**.

7.3.4.2 Chi- Square Test, Mean Analysis and Hypothesis 2

H2. Naxal ideology is criminalizing innocent people.

Table-7.158 Crosstab: IV-10 Naxal ideology criminalizing innocent people.

Crosstab						
			IV-10 Naxal ideology criminalizing innocent people.			Total
			Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	20	57	223	300
		% within	6.7%	19.0%	74.3%	100.0%
		% of Total	4.0%	11.4%	44.6%	60.0%
	Surrendered Naxalites	Count	7	8	85	100
		% within	7.0%	8.0%	85.0%	100.0%
		% of Total	1.4%	1.6%	17.0%	20.0%
	Experts	Count	5	55	40	100
		% within	5.0%	55.0%	40.0%	100.0%
		% of Total	1.0%	11.0%	8.0%	20.0%
Total		Count	32	120	348	500
		% within	6.4%	24.0%	69.6%	100.0%
		% of Total	6.4%	24.0%	69.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

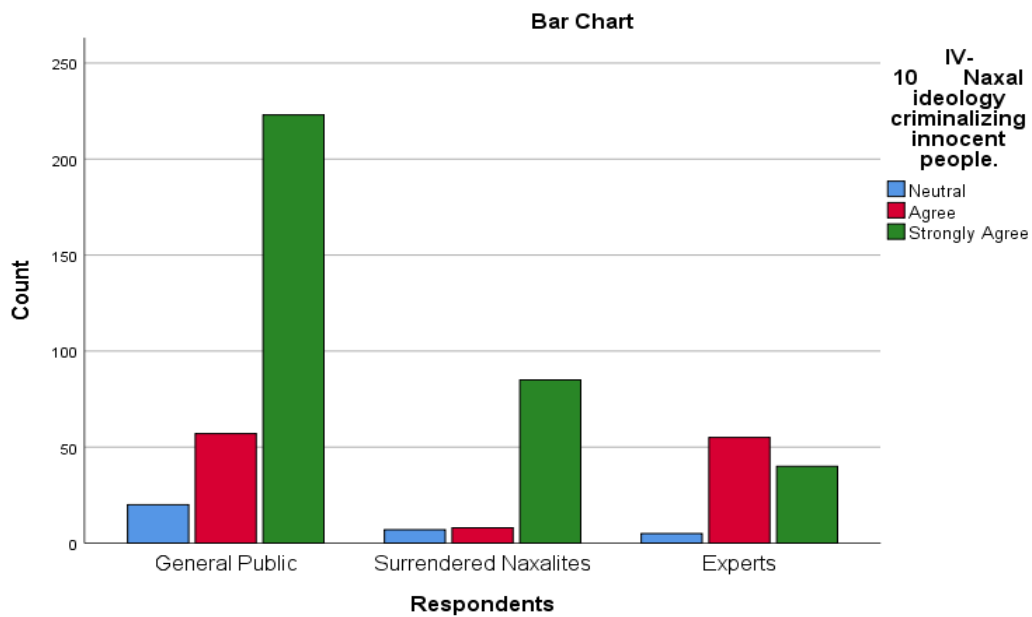
- **Out of 300 respondents (60.0%) who were General Public**, 74.3% respondents strongly agreed, 19.0% respondents agreed, and 6.7% respondents were neutral that Naxal ideology is criminalizing innocent people.
- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 85.0% respondents strongly agreed, 8.0% respondents agreed, and 7.0% respondents were neutral that Naxal ideology is criminalizing innocent people.
- **Out of 100 respondents (20.0%) who were Experts**, 40.0% respondents strongly agreed, 55.0% respondents agreed, and 5.0% respondents were neutral that Naxal ideology is criminalizing innocent people.

Table-7.159 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	71.191 ^a	4	.000
Likelihood Ratio	66.444	4	.000
Linear-by-Linear Association	14.968	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.40.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.43 IV-10 Naxal ideology is criminalizing innocent people.



7.3.2.3 Mean Analysis

Table 7. 160- Mean Analysis

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
IV-10 Naxal ideology criminalizing innocent people.	500	3	5	4.63	.601

It is proved from the mean value (4.63) of the variable-Naxal ideology criminalizing innocent people, which shows that most of the respondents agree and strongly agreed that Naxal ideology is criminalizing innocent people. Hence it can be said that hypothesis (H2) is accepted.

7.3.4.3 Chi- Square Test, Mean Analysis and Hypothesis 3

H3. The criminal justice system is not sufficient to tackle the problem of Naxalism

Table-7.161 Crosstab: LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism

Respondents * LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism.								
Crosstabulation								
			LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism.					Total
			Strongly Disagree	Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	10	22	27	162	79	300
		% within	3.3%	7.3%	9.0%	54.0%	26.3%	100.0%
		% of Total	2.0%	4.4%	5.4%	32.4%	15.8%	60.0%
	Surrendered Naxalites	Count	0	5	5	60	30	100
		% within	0.0%	5.0%	5.0%	60.0%	30.0%	100.0%
		% of Total	0.0%	1.0%	1.0%	12.0%	6.0%	20.0%
	Experts	Count	0	14	9	59	18	100
		% within	0.0%	14.0%	9.0%	59.0%	18.0%	100.0%
		% of Total	0.0%	2.8%	1.8%	11.8%	3.6%	20.0%
Total		Count	10	41	41	281	127	500
		% within	2.0%	8.2%	8.2%	56.2%	25.4%	100.0%
		% of Total	2.0%	8.2%	8.2%	56.2%	25.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public,** 26.3% respondents strongly agreed, 54.0% respondents agreed, 9.0% respondents were neutral, 7.3% respondents disagreed and 3.3% respondents strongly disagreed that the criminal justice system is not sufficient to tackle the problem of Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites,** 30.0% respondents strongly agreed, 60.0% respondents agreed, 5.0% respondents

were neutral, 5.0% respondents disagreed and 0.0% respondents strongly disagreed that the criminal justice system is not sufficient to tackle the problem of Naxalism.

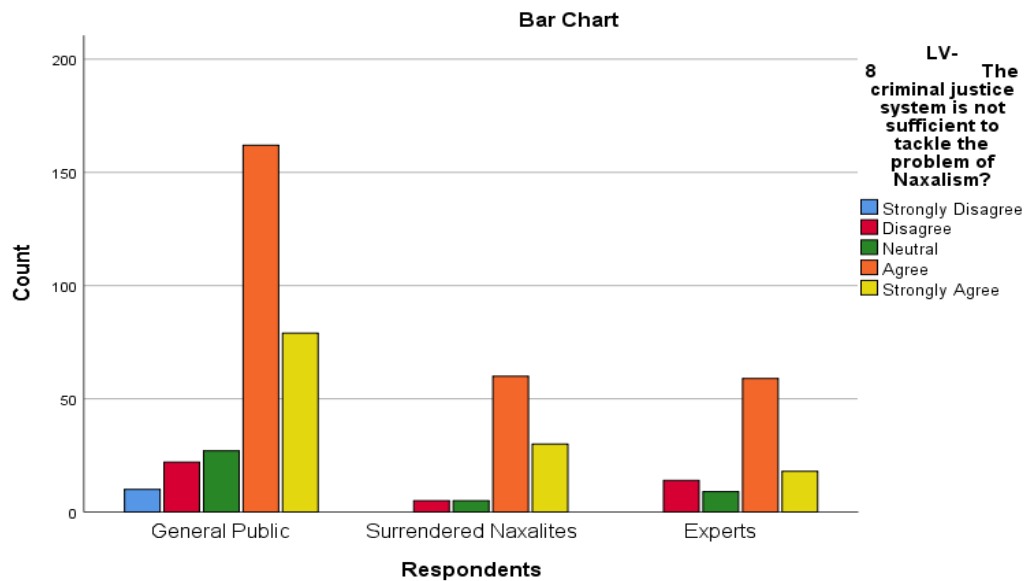
- **Out of 100 respondents (20.0%) who were Experts,** 18.0% respondents strongly agreed, 59.0% respondents agreed, 9.0% respondents were neutral, 14.0% respondents disagreed and 0.0% respondents strongly disagreed that the criminal justice system is not sufficient to tackle the problem of Naxalism.

Table-7.162 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	17.600 ^a	8	.024
Likelihood Ratio	21.029	8	.007
Linear-by-Linear Association	.203	1	.652
N of Valid Cases	500		
a. 2 cells (13.3%) have expected count less than 5. The minimum expected count is 2.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.44 LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism.



MEAN ANALYSIS

Table-7.163 Mean Analysis

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism?	500	1	5	3.95	.918

It can also be proved from the mean value (3.95) of the variable- The criminal justice system is not sufficient to tackle the problem of Naxalism, which shows that most of the respondents agree and strongly agreed that The criminal justice system is not sufficient to tackle the problem of Naxalism. Hence it can be said that hypothesis (H3) is accepted.

7.3.4.4 Chi- Square Test, Mean Analysis and Hypothesis 4

H4. Naxalism can be considered as full-fledged civil war in India.

Table-7.164 Crosstab: SEV-8 Naxalism can be considered as full-fledged civil war in India.

Respondents * SEV-8 Naxalism can be consider as full-fledged civil war in India.							
Crosstabulation							
			SEV-8 Naxalism can be consider as full-fledged civil war in India.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	28	12	138	122	300
		% within	9.3%	4.0%	46.0%	40.7%	100.0%
		% of Total	5.6%	2.4%	27.6%	24.4%	60.0%
	Surrendered Naxalites	Count	29	14	38	19	100
		% within	29.0%	14.0%	38.0%	19.0%	100.0%
		% of Total	5.8%	2.8%	7.6%	3.8%	20.0%
	Experts	Count	24	4	8	64	100
		% within	24.0%	4.0%	8.0%	64.0%	100.0%
		% of Total	4.8%	0.8%	1.6%	12.8%	20.0%
Total		Count	81	30	184	205	500
		% within	16.2%	6.0%	36.8%	41.0%	100.0%
		% of Total	16.2%	6.0%	36.8%	41.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public,** 40.7% respondents strongly agreed, 46.0% respondents agreed, 4.0% respondents were neutral and 9.3% respondents disagreed that Naxalism can be considered as full-fledged civil war in India.

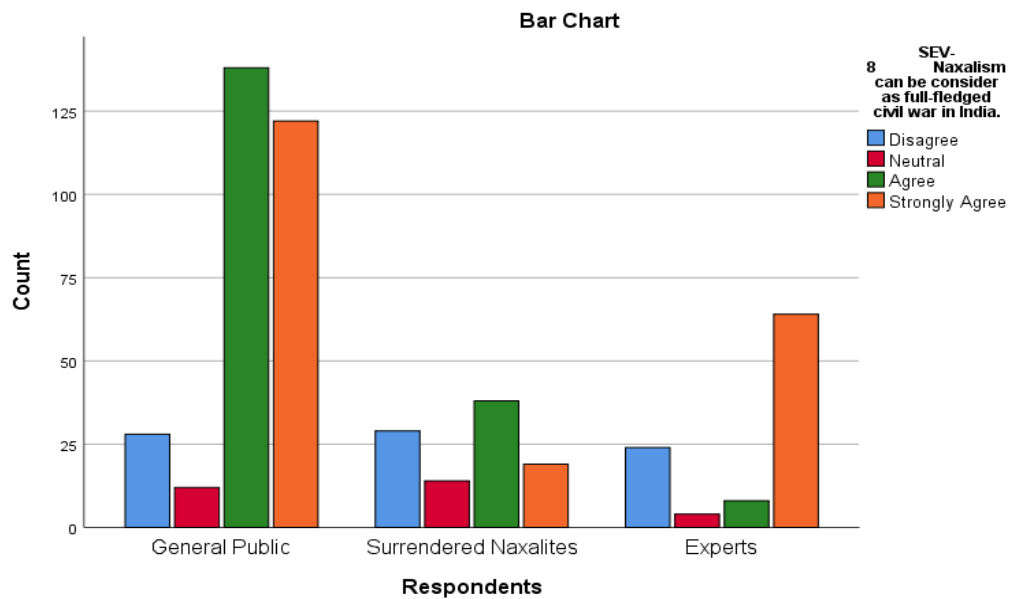
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 19.0% respondents strongly agreed, 38.0% respondents agreed, 14.0% respondents were neutral and 29.0% respondents disagreed that Naxalism can be considered as full-fledged civil war in India.
- **Out of 100 respondents (20.0%)who were Experts**, 64.0% respondents strongly agreed, 8.0% respondents agreed, 4.0% respondents were neutral and 24.0% respondents disagreed that Naxalism can be considered as full-fledged civil war in India.

Table-7.165 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	90.128 ^a	6	.000
Likelihood Ratio	97.899	6	.000
Linear-by-Linear Association	3.780	1	.052
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 6.00.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.45 SEV-8 Naxalism can be consider as full-fledged civil war in India.



MEAN ANALYSIS

Table-7.166 Mean Analysis

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
SEV-8 Naxalism can be consider as full-fledged civil war in India.	500	2	5	4.03	1.058

It is proved from the mean value (4.03) of the variable that Naxalism can be consider as full-fledged civil war in India, which shows that most of the respondents agree and strongly agreed that Naxalism can be consider as full-fledged civil war in India. Hence it can be said that hypothesis (H4) is accepted.

7.3.4.5 Chi- Square Test, Mean Analysis and Hypothesis 5

H5. Naxalites are not true emancipator of the downtrodden people of India.

Table-7.167 Crosstab: SV-7 Naxalites are not true emancipator of the downtrodden people of India

Respondents * SV-7 Naxalites are not true emancipator of the downtrodden people of India. Crosstabulation							
			SV-7 Naxalites are not true emancipator of the downtrodden people of India.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	35	87	116	62	300
		% within	11.7%	29.0%	38.7%	20.7%	100.0%
		% of Total	7.0%	17.4%	23.2%	12.4%	60.0%
	Surrendered Naxalites	Count	28	21	31	20	100
		% within	28.0%	21.0%	31.0%	20.0%	100.0%
		% of Total	5.6%	4.2%	6.2%	4.0%	20.0%
	Experts	Count	1	7	46	46	100
		% within	1.0%	7.0%	46.0%	46.0%	100.0%
		% of Total	0.2%	1.4%	9.2%	9.2%	20.0%
Total		Count	64	115	193	128	500
		% within	12.8%	23.0%	38.6%	25.6%	100.0%
		% of Total	12.8%	23.0%	38.6%	25.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 20.7% respondents strongly agreed, 38.7% respondents agreed, 29.0% respondents were neutral and 11.7% respondents disagreed that Naxalites are not true emancipator of the downtrodden people of India.

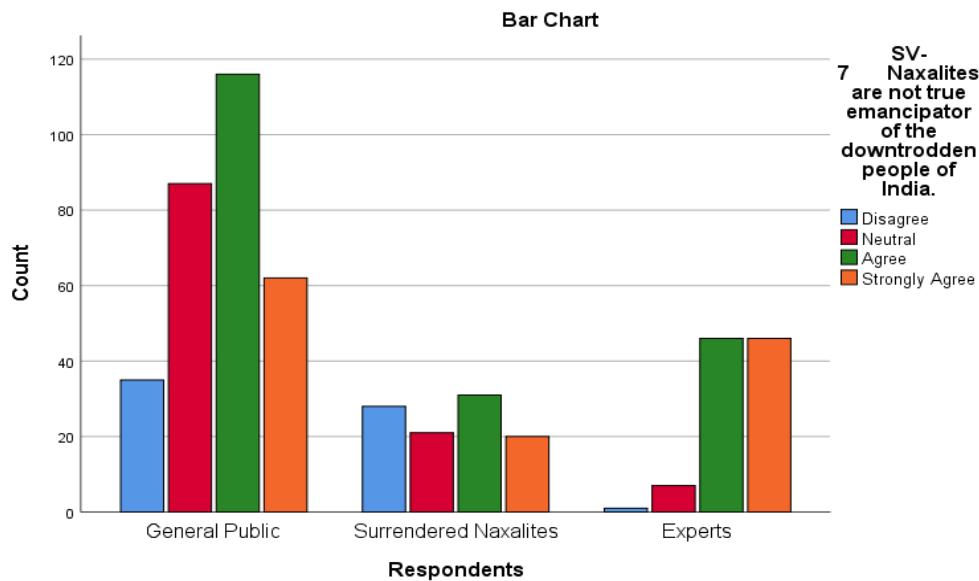
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 20.0% respondents strongly agreed, 31.0% respondents agreed, 21.0% respondents were neutral and 28.0% respondents disagreed that Naxalites are not true emancipator of the downtrodden people of India.
- **Out of 100 respondents (20.0%)who were Experts**, 46.0% respondents strongly agreed, 46.0% respondents agreed, 7.0% respondents were neutral and 1.0% respondents disagreed that Naxalites are not true emancipator of the downtrodden people of India.

Table-7.168 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	68.478 ^a	6	.000
Likelihood Ratio	72.544	6	.000
Linear-by-Linear Association	24.406	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 12.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.46 SV-7 Naxalites are not true emancipator of the downtrodden people of India



MEAN ANALYSIS

Table-7.169 Mean Analysis

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
SV-7 Naxalites are not true emancipator of the downtrodden people of India.	500	2	5	3.77	.973

It is proved from the mean value (3.77) of the variable-Naxalites are not true emancipator of the downtrodden people of India, which shows that most of the respondents agree and strongly agreed that Naxalites are not true emancipator of the downtrodden people of India. Hence it can be said that hypothesis (H5) is accepted.

7.3.4.6 Chi- Square Test, Mean Analysis and Hypothesis 6

H6. Naxals oppose to the developmental work of the government in the Naxal Affected Areas.

Table-7.170 Crosstab: EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.

Crosstab							
			EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.				Total
			Disagree	Neutral	Agree	Strongly Agree	
Respondents	General Public	Count	34	29	146	91	300
		% within	11.3%	9.7%	48.7%	30.3%	100.0%
		% of Total	6.8%	5.8%	29.2%	18.2%	60.0%
	Surrendered Naxalites	Count	10	26	43	21	100
		% within	10.0%	26.0%	43.0%	21.0%	100.0%
		% of Total	2.0%	5.2%	8.6%	4.2%	20.0%
	Experts	Count	0	0	44	56	100
		% within	0.0%	0.0%	44.0%	56.0%	100.0%
		% of Total	0.0%	0.0%	8.8%	11.2%	20.0%
Total		Count	44	55	233	168	500
		% within	8.8%	11.0%	46.6%	33.6%	100.0%
		% of Total	8.8%	11.0%	46.6%	33.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public**, 30.3% respondents strongly agreed, 48.7% respondents agreed, 9.7% respondents were neutral and 11.3% respondents disagreed that Naxals oppose to the developmental work of the government in the Naxal Affected Areas.

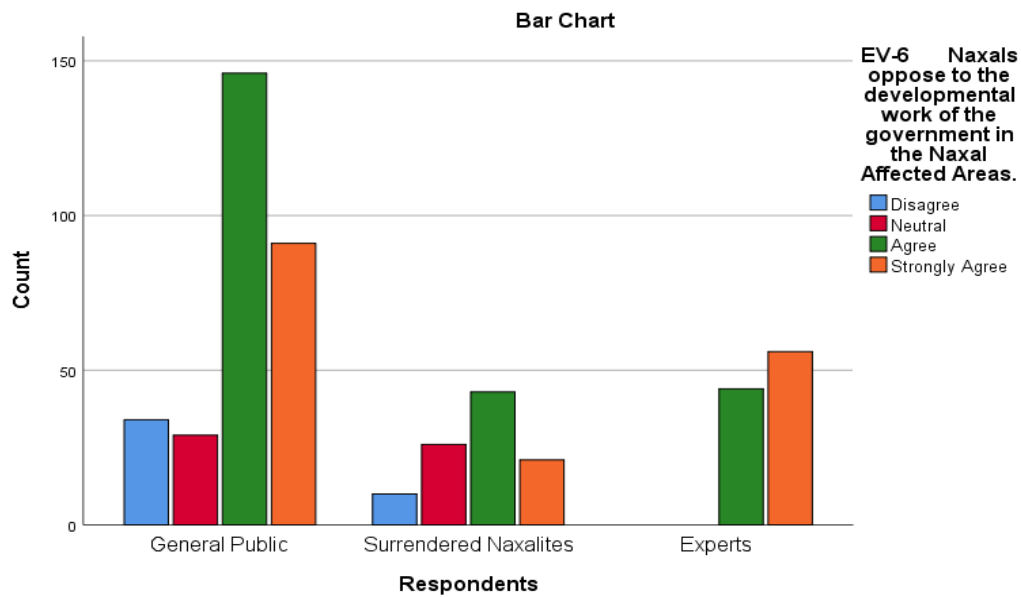
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 21.0% respondents strongly agreed, 43.0% respondents agreed, 26.0% respondents were neutral and 10.0% respondents disagreed that Naxals oppose to the developmental work of the government in the Naxal Affected Areas.
- **Out of 100 respondents (20.0%)who were Experts**, 56.0% respondents strongly agreed, 44.0% respondents agreed, 0.0% respondents were neutral and 0.0% respondents disagreed that Naxals oppose to the developmental work of the government in the Naxal Affected Areas.

Table-7.171 Chi-Square Tests

Chi-Square Tests			
	Value	df	Asymptotic Significance (2-sided)
Pearson Chi-Square	64.400 ^a	6	.000
Likelihood Ratio	76.559	6	.000
Linear-by-Linear Association	20.324	1	.000
N of Valid Cases	500		
a. 0 cells (0.0%) have expected count less than 5. The minimum expected count is 8.80.			

Interpretation & Findings: From the table it was found that asymptotic significance for Pearson Chi Square comes out to be less than 0.05, at 5% level of significance. Hence it can be concluded that **two variables are associated**.

Figure-7.47 EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.



MEAN ANALYSIS

Table-7.172 Mean Analysis

Descriptive Statistics					
	N	Minimum	Maximum	Mean	Std. Deviation
EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas.	500	2	5	4.05	.893

It is proved from the mean value (4.05) of the variable-Naxals oppose to the developmental work of the government in the Naxal Affected Areas, which shows that most of the respondents agree and strongly agreed that Naxals oppose to the developmental work of the government in the Naxal Affected Areas. Hence it can be said that hypothesis (H6) is accepted.

7.3.4.7 Final Result of Hypothesis Testing

Table-7.173 Result of Hypothesis Testing

No.	Hypothesis	Result
1	H1. Factors such as ideological, historical, legal, social, political, economic, security, non-security, governance, and environment are associated with Naxalism.	Accepted
2	H2. Naxal ideology is criminalizing innocent people.	Accepted
3	H3. The criminal justice system is not sufficient to tackle the problem of Naxalism	Accepted
4	H4. Naxalism can be consider as full-fledged civil war in India more than law& order problem.	Accepted
5	H5. Naxalites are not the true emancipator of the downtrodden of India.	Accepted
6	H6. Naxalites oppose developmental work in Naxal Affected Areas.	Accepted

7.4 PART THIRD: INDEXING METHOD

7.4.1 Index for Problems of Naxalism

Researcher developed a Total Problems Index for Problems of Naxalism. The primary objective of developing problem index was to measure the level of problems of Naxalism in the five states of India namely- Chhattisgarh, Madhya Pradesh, Uttar Pradesh, Bihar & Jharkhand. Researcher studied 101 variables related to different types of following issues and problems related to Naxalism.

1. Ideological Problems
2. Historical Problems
3. Legal Problems
4. Social Problems
5. Political Problems
6. Economic Problems
7. Government Problems
8. Security Problems
9. Non-Security Problems
10. Environmental Problems

7.4.2 Process of Developing Index/Scale: Level of Problems: Z score based analysis

7.4.2.1 Administration & Scoring

The final questionnaires were distributed amongst the general public, surrendered Naxals and Expert. The final version consists of items where a respondent has to make his/her agreement with each item on 5-point scale. All the 101 variables / items were given score from 5 to 1. There were 5 choices namely '**Strongly Agree (5), Agree (4), Undecided/Neutral (3), Disagree (2), and Strongly Disagree (1)**'.

In order to measure the level of Problems of Naxalism, researcher calculated-

- ❖ All the scores were converted into Z scores for all the variables.
- ❖ Total score of all the 101 variables of Problems for all the 500 respondents.
- ❖ Then 5 categories were decided on the basis of Z score division.

Table-7.174 Statistics:Administration & Scoring

Statistics		
Z score: Z Total Problem Level of Naxalism		
N	Valid	500
	Missing	0
Mean		.0000
Range		287.36
Minimum		-180.39
Maximum		106.97
287.36= 290		
290/5=58		
Mid-Point= 0.0		

Levels					
	Very High Level	High Level	Moderate Level	Low Level	Very Low Level
Coding	5	4	3	2	1
Values	From 87.01 to 107	From 29.01 to 87.0	From 29.0 to -29.0	From -29.01 to -87.0	From -87.01 to -181

Table-7.175 Statistics

Statistics											
		TZ IV	TZ HV	TZ LV	TZ SV	TZ PV	TZ EV	TZ GV	TZ SEV	TZ NSV	TZ ENV
N	Valid	500	500	500	500	500	500	500	500	500	500
	Missing	0	0	0	0	0	0	0	0	0	0
Mean		.0000	.0000	.0000	.0000	.0000	.0000	.0000	.0000	.0000	.0000
Range		26.43	19.95	50.27	49.54	23.83	39.98	23.69	50.60	19.56	11.85
Minimum		-15.76	-12.48	-30.65	-31.96	-15.26	-28.78	-15.39	-30.21	-10.93	-7.20
Maximum		10.66	7.46	19.62	17.59	8.57	11.20	8.29	20.39	8.63	4.64
Categorical Variable Conversion for Various Problems of Naxalism											
TZ: Total Z Score											
Class Interval Approximately		6	5	12	12	6	12	10	12	5	3
Categorisation & Coding		Values of Each Level of Problem									
Very Low Level – Coding-1		From -16.0 To -9.01	From -13.0 To -7.51	From -31.0 To -18.01	From -32.0 To -18.01	From -16.0 To -9.01	From -30.0 To -18.01	From -16.0 To -10.01	From -31.0 To -18.01	From -11.0 To -7.51	From -8.0 To -4.51

Issues and Challenges of Naxalism: A Socio Legal Analysis

Low Level Coding-2	From -9.0 To -3.01	From -7.50 To -2.51	From -18.0 To -6.01	From -18.0 To -6.01	From -9.0 To -3.01	From -18.0 To -6.01	From -10.0 To -5.01	From -18.0 To -6.01	From -7.50 To -2.51	From -4.50 To -1.51
Moderate Level Coding-3	From -3.0 To 3.0	From -2.50 To 2.50	From -6.0 To 6.0	From -6.0 To 6.0	From -3.0 To 3.0	From -6.0 To 6.0	From -5.0 To 5.0	From -6.0 To 6.0	From -2.50 To 2.50	From -1.5 To 1.5
High Level Coding-4	From 3.01 To 9.0	From 2.51 To 7.50	From 6.01 To 18.0	From 6.01 To 18.0	From 3.01 To 9.0	From 6.01 To 18.0	From 5.01 To 10.0	From 6.01 To 18.0	From 2.51 To 7.50	From 1.51 To 4.50
Very High Level Coding-5	From 9.01 To 16.0	From 7.51 To 13.0	From 18.01 To 31.0	From 18.01 To 32.0	From 9.01 To 16.0	From 18.01 To 30.0	From 10.01 To 16.0	From 18.01 To 31.0	From 7.51 To 11.0	From 4.51 To 8.0

- **Problem Level:** Hence, researcher divided problems into following 5 categories on the basis of Z scores-

Table-7.176 Reliability Statistics

Reliability Statistics		
Variables	Cronbach's Alpha	N of Items
Ideological Problems (IV)	.607	10
Historical Problems (HV)	.786	5
Legal Problems (LV)	.876	18
Social Problems (SV)	.928	16
Political Problems (PV)	.837	7
Economic Problems (EV)	.895	13
Government Problems (GV)	.869	8
Security Problems (SEV)	.927	15
Non-Security Problems (NSV)	.814	6
Environmental Problems (ENV)	.680	3

Table-7.177 Descriptive Statistics

Descriptive Statistics			
	Mean	Std. Deviation	N
Total Problem Level of Naxalism	3.0020	.97360	500
Ideological Problems (IV)	2.9980	.82179	500
Historical Problems (HV)	3.0160	.83013	500
Legal Problems (LV)	2.9220	.88854	500
Social Problems (SV)	3.0180	.88047	500
Political Problems (PV)	2.9820	.88953	500
Economic Problems (EV)	3.0440	.79959	500
Government Problems (GV)	2.9040	.74827	500
Security Problems (SEV)	3.0360	.87878	500
Non-Security Problems (NSV)	3.0140	.93142	500
Environmental Problems (ENV)	3.0220	.81906	500

7.5 Multiple Linear Regression Analysis

Impact of Ideological Issues (IV), Historical Issues (HV), Legal Issues (LV), Social Issues (SV), Political Issues (PV), Economic Issues (EV), Government Issues (GV), Security Issues (SEV), Non-Security Issues (NSV) and Environmental Issues (ENV) (Independent Variables) on Dependent Variable: Total Problem Level of Naxalism.

The objective is to measure the relationship and impact of **10** important dimensions namely- Ideological Issues (IV), Historical Issues (HV), Legal Issues (LV), Social Issues (SV), Political Issues (PV), Economic Issues (EV), Government Issues (GV), Security Issues (SEV), Non-Security Issues (NSV) and Environmental Issues (ENV) (Independent Issues) on Dependent Variable: Total Problem Level of Naxalism. Multiple linear regression provides equation of best fit, in the least square sense, between a dependent variable and two or more independent variables.

The value of multiple correlation coefficient (R) lies between 0 and 1. The higher is the value of multiple correlation coefficients (R) the better is the fit of regression equation. It shows a substantial correlation between dependent variable and the independent variables. R SQUARE: The square of multiple correlation coefficient is termed as coefficient of multiple determination (R²) which describes the percentage of variation in the dependent variable explained by the independent variables.

Table-7.178-Regression: Model Summary

Model Summary ^b									
Model	R	R Square	Adjusted R Square	Std. Error of the Estimate	Change Statistics				
					R Square Change	F Change	df1	df2	Sig. F Change
1	.950 ^a	.902	.900	.30836	.902	448.528	10	489	.000
a. Predictors: (Constant), ENV, HV, IV, PV, NSV, EV, LV, SV, GV, SEV									
b. Dependent Variable: Total Problem Level of Naxalism									

Findings: In model, the proportion of explained variance as measured by R-SQUARE was ($R^2=0.902$) which indicates that about 90.2% of the variance in Total Problem Level of Naxalism is explained by the 10 predictor variables (independent). The table provides the results of Multiple Linear Regression. Based on the results, it seems model has worked realistically well in explaining the variation in Total Problem Level of Naxalism.

Table-7.179-: Regression Coefficients

Coefficients ^a								
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.	Collinearity Statistics	
		B	Std. Error	Beta			Tolerance	VIF
1	(Constant)	-.754	.067		-11.265	.000		
	Ideological Issues	.077	.023	.065	3.355	.001	.540	1.852
	Historical Issues	.081	.025	.069	3.284	.001	.451	2.219
	Legal Issues	.205	.029	.187	7.041	.000	.286	3.497
	Social Issues	.099	.032	.090	3.130	.002	.245	4.083
	Political Issues	.147	.027	.134	5.390	.000	.325	3.074
	Economic Issues	.195	.034	.160	5.732	.000	.258	3.876
	Government Issues	.037	.041	.028	.905	.366	.207	4.832
	Security Issues	.226	.040	.204	5.701	.000	.156	6.391
	Non-Security Issues	.138	.028	.132	4.985	.000	.288	3.473
	Environmental Issues	.048	.036	.040	1.328	.185	.221	4.535
a. Dependent Variable: Total Problem Level of Naxalism								

Findings

- 1. Ideological Issues:** In case of Ideological Issues, the value of standardised coefficients (Beta) is 0.065, it means that 1-unit positive standard deviation change in Ideological Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.065 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Ideological Issues have positive and significant relationship with dependent variable.
- 2. Historical Problem:** In case of Historical Issues, the value of standardised coefficients (Beta) is 0.069, it means that 1-unit positive standard deviation change in Historical Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.069 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Historical Issues have positive and significant relationship with dependent variable.
- 3. Legal Issues:** In case of Legal Issues, the value of standardised coefficients (Beta) is 0.187, it means that 1-unit positive standard deviation change in Legal Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.187 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Legal Issues have positive and significant relationship with dependent variable.
- 4. Social Issues:** In case of Social Issues, the value of standardised coefficients (Beta) is 0.090, it means that 1-unit positive standard deviation change in Social Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.090 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Social Issues have positive and significant relationship with dependent variable.
- 5. Political Issues:** In case of Social Issues, the value of standardised coefficients (Beta) is 0.134, it means that 1-unit positive standard deviation change in Social Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.134 unit. Hence, it can be concluded that as the value of coefficient is

significant, thus, Social Issues have positive and significant relationship with dependent variable.

6. **Economic Issues:** In case of Economic Issues, the value of standardised coefficients (Beta) is 0.160, it means that 1-unit positive standard deviation change in Economic Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.160 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Economic Issues have positive and significant relationship with dependent variable.
7. **Government Issues:** In case of Government Issues, the value of standardised coefficients (Beta) is 0.028, it means that 1-unit positive standard deviation change in Government Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.028 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Government Issues have positive and insignificant relationship with dependent variable.
8. **Security Issues:** In case of Security Issues, the value of standardised coefficients (Beta) is 0.204, it means that 1-unit positive standard deviation change in Security Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.204 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Security Issues have positive and significant relationship with dependent variable.
9. **Non-Security Issues:** In case of Non-Security Issues, the value of standardised coefficients (Beta) is 0.132, it means that 1-unit positive standard deviation change in Non-Security Issues, while holding other variables constant, would result in the increase of standard deviation of dependent variable 'Total Problem Level of Naxalism' by 0.132 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Non-Security Issues have positive and significant relationship with dependent variable.
10. **Environmental Issues:** In case of Environmental Issues, the value of standardised coefficients (Beta) is 0.040, it means that 1-unit positive standard deviation change in Environmental Issues, while holding other variables constant,

would result in the increase of standard deviation of dependent variable ‘Total Problem Level of Naxalism’ by 0.040 unit. Hence, it can be concluded that as the value of coefficient is significant, thus, Environmental Issues have positive and insignificant relationship with dependent variable.

7.4.4 Index 1: Total Problem Level of Naxalism

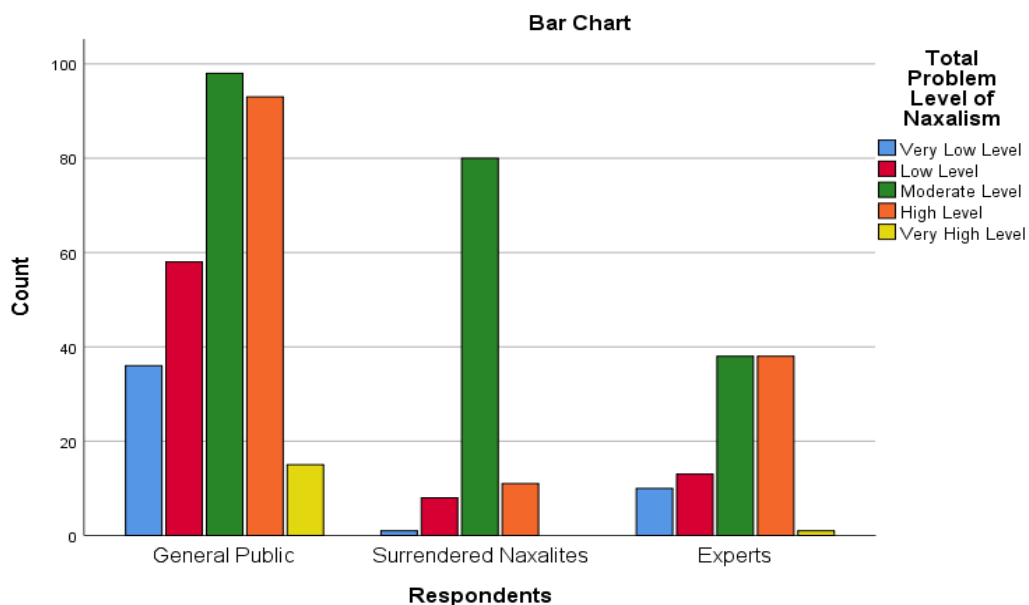
Table-7.180 Crosstab: Total Problem Level of Naxalism

Crosstab								
			Total Problem Level of Naxalism					Total
			Very				Very	
			Low	Low	Moderate	High	High	
			Level	Level	Level	Level	Level	
Respondents	General Public	Count	36	58	98	93	15	300
		% within	12.0%	19.3%	32.7%	31.0%	5.0%	100.0%
		% of Total	7.2%	11.6%	19.6%	18.6%	3.0%	60.0%
	Surrendered Naxalites	Count	1	8	80	11	0	100
		% within	1.0%	8.0%	80.0%	11.0%	0.0%	100.0%
		% of Total	0.2%	1.6%	16.0%	2.2%	0.0%	20.0%
	Experts	Count	10	13	38	38	1	100
		% within	10.0%	13.0%	38.0%	38.0%	1.0%	100.0%
		% of Total	2.0%	2.6%	7.6%	7.6%	0.2%	20.0%
Total		Count	47	79	216	142	16	500
		% within	9.4%	15.8%	43.2%	28.4%	3.2%	100.0%
		% of Total	9.4%	15.8%	43.2%	28.4%	3.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public**, 5.0% respondents faced very high, 31.0% respondents faced high, 32.7% respondents faced moderate, 19.3% respondents faced low and 12.0% respondents faced very low problem level of Naxalism.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents faced very high, 11.0% respondents faced high, 80.0% respondents faced moderate, 8.0% respondents faced low and 1.0% respondents faced very low problem level of Naxalism.
- **Out of 100 respondents (20.0%)who were Experts**, 1.0% respondents faced very high, 38.0% respondents faced high, 38.0% respondents faced moderate, 13.0% respondents faced low and 10.0% respondents faced very low problem level of Naxalism.

Figure-7.48 Total Problem Level of Naxalism



7.4.5 Index II: Ideological Issues

Table-7.181 Crosstab: Ideological Issues

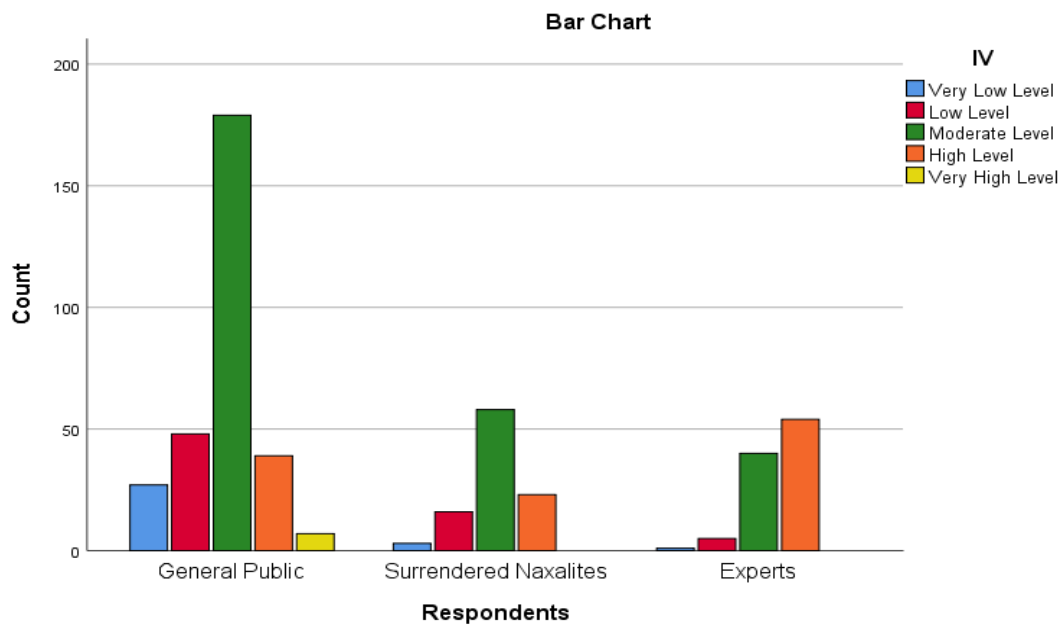
Crosstab								
			Ideological Issues					Total
			Very Low Level	Low Level	Moderate Level	High Level	Very High Level	
Respondents	General Public	Count	27	48	179	39	7	300
		% within	9.0%	16.0%	59.7%	13.0%	2.3%	100.0%
		% of Total	5.4%	9.6%	35.8%	7.8%	1.4%	60.0%
	Surrendered Naxalites	Count	3	16	58	23	0	100
		% within	3.0%	16.0%	58.0%	23.0%	0.0%	100.0%
		% of Total	0.6%	3.2%	11.6%	4.6%	0.0%	20.0%
	Experts	Count	1	5	40	54	0	100
		% within	1.0%	5.0%	40.0%	54.0%	0.0%	100.0%
		% of Total	0.2%	1.0%	8.0%	10.8%	0.0%	20.0%
Total		Count	31	69	277	116	7	500
		% within	6.2%	13.8%	55.4%	23.2%	1.4%	100.0%
		% of Total	6.2%	13.8%	55.4%	23.2%	1.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 2.3% respondents faced very high, 13.0% respondents faced high, 59.7% respondents faced moderate, 16.0% respondents faced low and 9.0% respondents faced very low Ideological problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents faced very high, 23.0% respondents faced high, 58.0% respondents faced moderate, 16.0% respondents faced low and 3.0% respondents faced very low Ideological problems.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents faced very high, 54.0% respondents faced high, 40.0% respondents faced moderate, 5.0% respondents faced low and 1.0% respondents faced very low Ideological problems.

Figure-7.49 Ideological Issues



7.4.6 Index III: Historical Issues

Table-7.182 Crosstab: Historical Issues

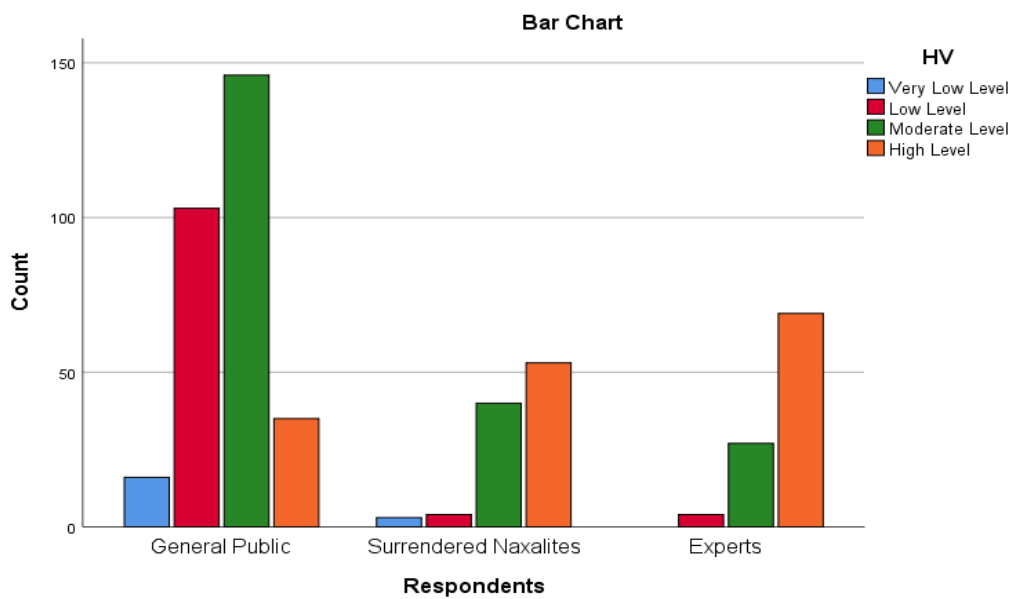
Crosstab							
			Historical Issues				Total
			Very Low Level	Low Level	Moderate Level	High Level	
Respondents	General Public	Count	16	103	146	35	300
		% within	5.3%	34.3%	48.7%	11.7%	100.0%
		% of Total	3.2%	20.6%	29.2%	7.0%	60.0%
	Surrendered Naxalites	Count	3	4	40	53	100
		% within	3.0%	4.0%	40.0%	53.0%	100.0%
		% of Total	0.6%	0.8%	8.0%	10.6%	20.0%
	Experts	Count	0	4	27	69	100
		% within	0.0%	4.0%	27.0%	69.0%	100.0%
		% of Total	0.0%	0.8%	5.4%	13.8%	20.0%
Total		Count	19	111	213	157	500
		% within	3.8%	22.2%	42.6%	31.4%	100.0%
		% of Total	3.8%	22.2%	42.6%	31.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 11.7% respondents faced high, 48.7% respondents faced moderate, 34.3% respondents faced low and 5.3% respondents faced very low Historical problems.

- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 53.0% respondents faced high, 40.0% respondents faced moderate, 4.0% respondents faced low and 3.0% respondents faced very low Historical problems.
- **Out of 100 respondents (20.0%) who were Experts**, 69.0% respondents faced high, 27.0% respondents faced moderate, 4.0% respondents faced low and 0.0% respondents faced very low Historical problems.

Figure-7.50 Historical Issues



7.4.7 Index III: Legal Issues

Table-7.183 Crosstab: Legal Issues

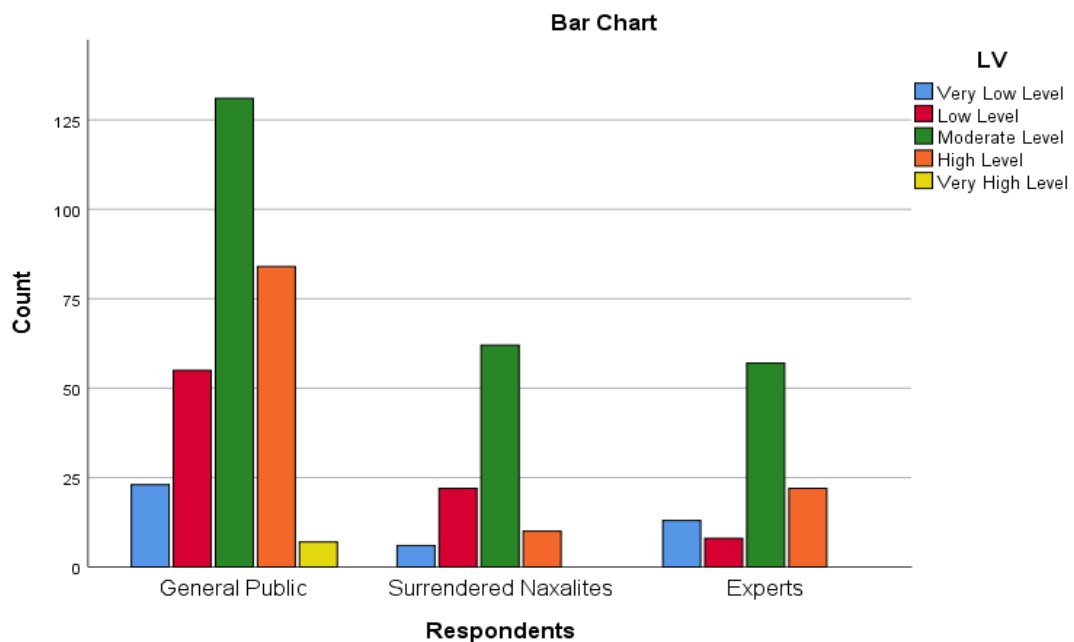
Crosstab								
			Legal Issues					Total
			Very Low Level	Low Level	Moderate Level	High Level	Very High Level	
Respondents	General Public	Count	23	55	131	84	7	300
		% within	7.7%	18.3%	43.7%	28.0%	2.3%	100.0%
		% of Total	4.6%	11.0%	26.2%	16.8%	1.4%	60.0%
	Surrendered Naxalites	Count	6	22	62	10	0	100
		% within	6.0%	22.0%	62.0%	10.0%	0.0%	100.0%
		% of Total	1.2%	4.4%	12.4%	2.0%	0.0%	20.0%
	Experts	Count	13	8	57	22	0	100
		% within	13.0 %	8.0%	57.0%	22.0%	0.0%	100.0%
		% of Total	2.6%	1.6%	11.4%	4.4%	0.0%	20.0%
Total		Count	42	85	250	116	7	500
		% within	8.4%	17.0%	50.0%	23.2%	1.4%	100.0%
		% of Total	8.4%	17.0%	50.0%	23.2%	1.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 2.3% respondents faced very high, 28.0% respondents faced high, 43.7% respondents faced moderate, 18.3% respondents faced low and 7.7% respondents faced very low Legal problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents faced very high, 10.0% respondents faced high, 62.0% respondents faced moderate, 22.0% respondents faced low and 6.0% respondents faced very low Legal problems.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents faced very high, 22.0% respondents faced high, 57.0% respondents faced moderate, 8.0% respondents faced low and 13.0% respondents faced very low Legal problems.

Figure-7.51 Legal Issues



7.4.7 Index III: Social Issues

Table-7.184 Crosstab: Social Issues

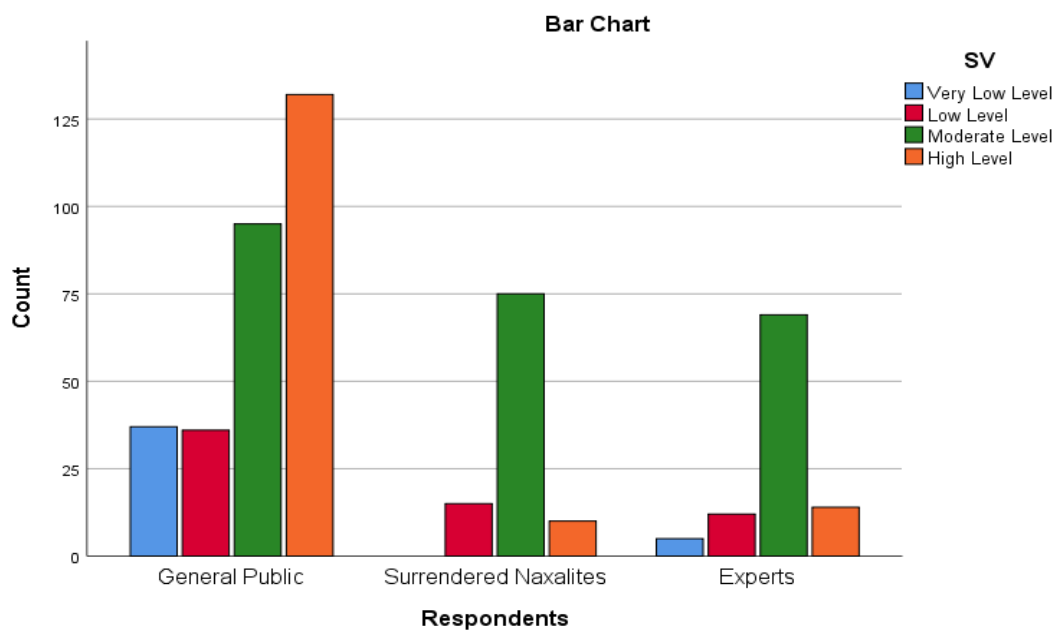
Crosstab							
			Social Issues				Total
			Very Low Level	Low Level	Moderate Level	High Level	
Respondents	General Public	Count	37	36	95	132	300
		% within	12.3%	12.0%	31.7%	44.0%	100.0%
		% of Total	7.4%	7.2%	19.0%	26.4%	60.0%
	Surrendered Naxalites	Count	0	15	75	10	100
		% within	0.0%	15.0%	75.0%	10.0%	100.0%
		% of Total	0.0%	3.0%	15.0%	2.0%	20.0%
	Experts	Count	5	12	69	14	100
		% within	5.0%	12.0%	69.0%	14.0%	100.0%
		% of Total	1.0%	2.4%	13.8%	2.8%	20.0%
Total		Count	42	63	239	156	500
		% within	8.4%	12.6%	47.8%	31.2%	100.0%
		% of Total	8.4%	12.6%	47.8%	31.2%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 44.0% respondents faced high, 31.7% respondents faced moderate, 12.0% respondents faced low and 12.3% respondents faced very low Social problems.

- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 10.0% respondents faced high, 75.0% respondents faced moderate, 15.0% respondents faced low and 0.0% respondents faced very low Social problems.
- **Out of 100 respondents (20.0%) who were Experts**, 14.0% respondents faced high, 69.0% respondents faced moderate, 12.0% respondents faced low and 5.0% respondents faced very low Social problems.

Figure-7.52 Social Issues



7.4.8 Index III: Political Issues

Table-7.185 Crosstab: Political Issues

Crosstab							
			Political Issues				Total
			Very Low Level	Low Level	Moderate Level	High Level	
Respondents	General Public	Count	44	55	97	104	300
		% within	14.7%	18.3%	32.3%	34.7%	100.0%
		% of Total	8.8%	11.0%	19.4%	20.8%	60.0%
	Surrendered Naxalites	Count	0	12	86	2	100
		% within	0.0%	12.0%	86.0%	2.0%	100.0%
		% of Total	0.0%	2.4%	17.2%	0.4%	20.0%
	Experts	Count	0	3	54	43	100
		% within	0.0%	3.0%	54.0%	43.0%	100.0%
		% of Total	0.0%	0.6%	10.8%	8.6%	20.0%
Total		Count	44	70	237	149	500
		% within	8.8%	14.0%	47.4%	29.8%	100.0%
		% of Total	8.8%	14.0%	47.4%	29.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 34.7% respondents faced high, 32.3% respondents faced moderate, 18.13% respondents faced low and 14.7% respondents faced very low Political problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 2.0% respondents faced high, 86.0% respondents faced moderate, 12.0% respondents faced low and 0.0% respondents faced very low Political problems.
- **Out of 100 respondents (20.0%)who were Experts**, 43.0% respondents faced high, 54.0% respondents faced moderate, 3.0% respondents faced low and 0.0% respondents faced very low Political problems.

7.4.9 Index III: Economic Issues

Table-7.186 Crosstab: Economic Issues

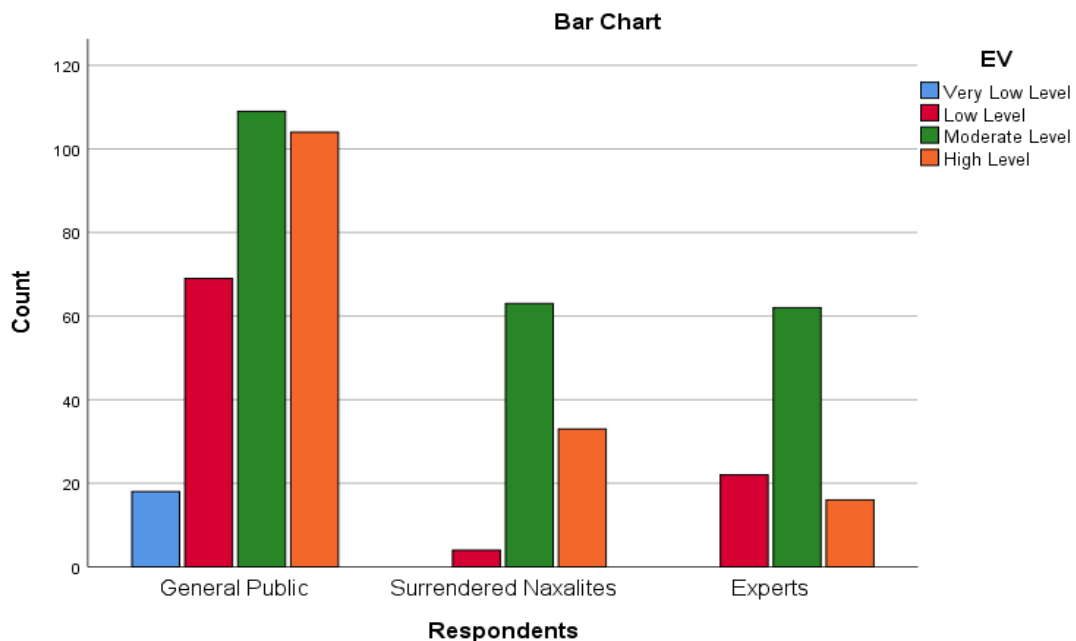
Crosstab							
			Economic Issues				Total
			Very Low Level	Low Level	Moderate Level	High Level	
Respondents	General Public	Count	18	69	109	104	300
		% within	6.0%	23.0%	36.3%	34.7%	100.0%
		% of Total	3.6%	13.8%	21.8%	20.8%	60.0%
	Surrendered Naxalites	Count	0	4	63	33	100
		% within	0.0%	4.0%	63.0%	33.0%	100.0%
		% of Total	0.0%	0.8%	12.6%	6.6%	20.0%
	Experts	Count	0	22	62	16	100
		% within	0.0%	22.0%	62.0%	16.0%	100.0%
		% of Total	0.0%	4.4%	12.4%	3.2%	20.0%
Total		Count	18	95	234	153	500
		% within	3.6%	19.0%	46.8%	30.6%	100.0%
		% of Total	3.6%	19.0%	46.8%	30.6%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100

respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public**, 34.7% respondents faced high, 36.3% respondents faced moderate, 23.0% respondents faced low and 6.0% respondents faced very low Economic problems.
- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 33.0% respondents faced high, 63.0% respondents faced moderate, 4.0% respondents faced low and 0.0% respondents faced very low Economic problems.
- **Out of 100 respondents (20.0%)who were Experts**, 16.0% respondents faced high, 62.0% respondents faced moderate, 22.0% respondents faced low and 0.0% respondents faced very low Economic problems.

Figure-7.53 Economic Issues



7.4.10 Index III: Governance Issues

Table-7.187 Crosstab: Governance Issues

Crosstab							
			Governance Issues				Total
			Very Low Level	Low Level	Moderate Level	High Level	
Respondents	General Public	Count	17	48	164	71	300
		% within	5.7%	16.0%	54.7%	23.7%	100.0%
		% of Total	3.4%	9.6%	32.8%	14.2%	60.0%
	Surrendered Naxalites	Count	0	5	88	7	100
		% within	0.0%	5.0%	88.0%	7.0%	100.0%
		% of Total	0.0%	1.0%	17.6%	1.4%	20.0%
	Experts	Count	14	20	57	9	100
		% within	14.0%	20.0%	57.0%	9.0%	100.0%
		% of Total	2.8%	4.0%	11.4%	1.8%	20.0%
Total		Count	31	73	309	87	500
		% within	6.2%	14.6%	61.8%	17.4%	100.0%
		% of Total	6.2%	14.6%	61.8%	17.4%	100.0%

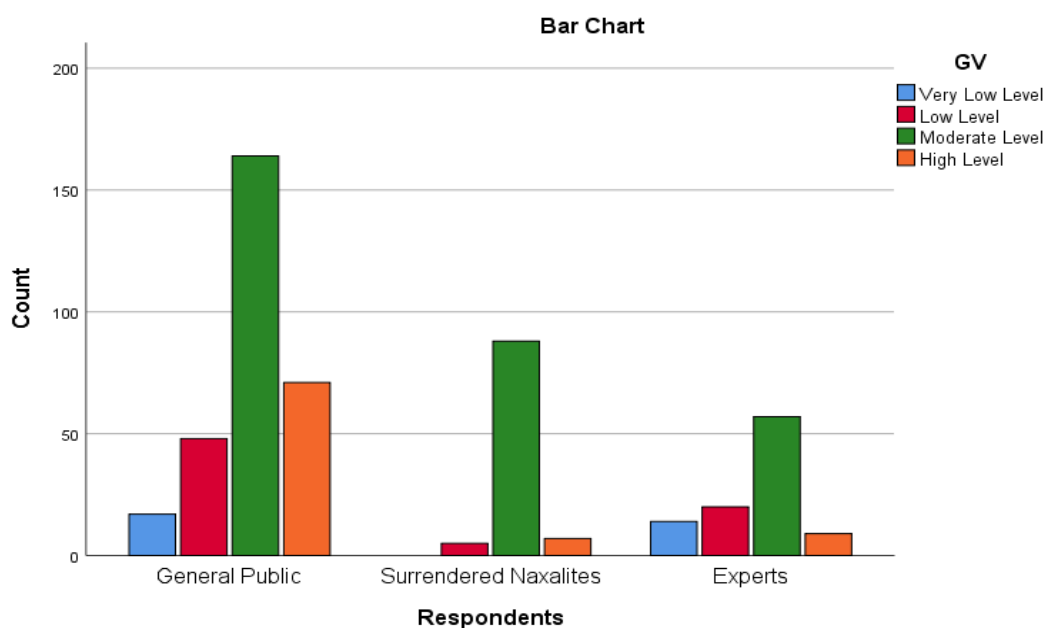
Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public,** 23.7% respondents faced high, 54.7% respondents faced moderate, 16.0% respondents faced low and 5.7% respondents faced very low Governance problems.

- **Out of 100 respondents (20.0%) who were Surrendered Naxalites**, 7.0% respondents faced high, 88.0% respondents faced moderate, 5.0% respondents faced low and 0.0% respondents faced very low Governance problems.

Out of 100 respondents (20.0%) who were Experts, 9.0% respondents faced high, 57.0% respondents faced moderate, 20.0% respondents faced low and 14.0% respondents faced very low Governance problems.

Figure-7.54 Governance Issues



7.4.11 Index III: Security Issues

Table-7.188 Crosstab: Security Issues

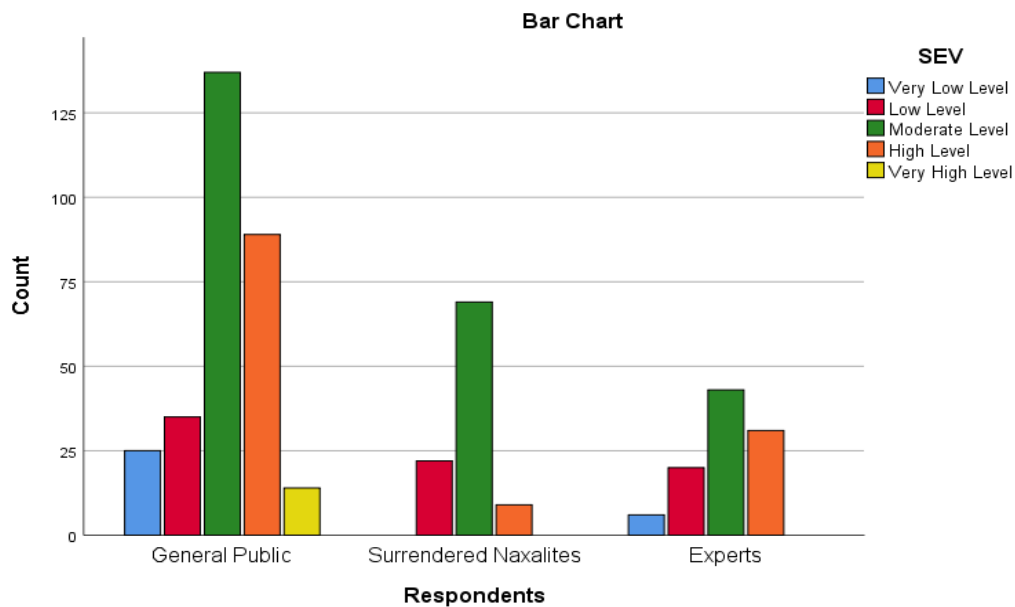
Crosstab								
			Security Issues					Total
			Very Low Level	Low Level	Moderate Level	High Level	Very High Level	
Respondents	General Public	Count	25	35	137	89	14	300
		% within	8.3%	11.7%	45.7%	29.7%	4.7%	100.0%
		% of Total	5.0%	7.0%	27.4%	17.8%	2.8%	60.0%
	Surrendered Naxalites	Count	0	22	69	9	0	100
		% within	0.0%	22.0%	69.0%	9.0%	0.0%	100.0%
		% of Total	0.0%	4.4%	13.8%	1.8%	0.0%	20.0%
	Experts	Count	6	20	43	31	0	100
		% within	6.0%	20.0%	43.0%	31.0%	0.0%	100.0%
		% of Total	1.2%	4.0%	8.6%	6.2%	0.0%	20.0%
Total		Count	31	77	249	129	14	500
		% within	6.2%	15.4%	49.8%	25.8%	2.8%	100.0%
		% of Total	6.2%	15.4%	49.8%	25.8%	2.8%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%) who were General Public**, 4.7% respondents faced very high, 29.7% respondents faced high, 45.7% respondents faced moderate, 11.7% respondents faced low and 8.3% respondents faced very low Security problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents faced very high, 9.0% respondents faced high, 69.0% respondents faced moderate, 22.0% respondents faced low and 0.0% respondents faced very low Security problems.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents faced very high, 31.0% respondents faced high, 43.0% respondents faced moderate, 20.0% respondents faced low and 6.0% respondents faced very low Security problems.

Figure-7.55 Security Issues



7.4.12 Index III: Non- Security Issues

Table-7.189 Crosstab: Non- security Issues

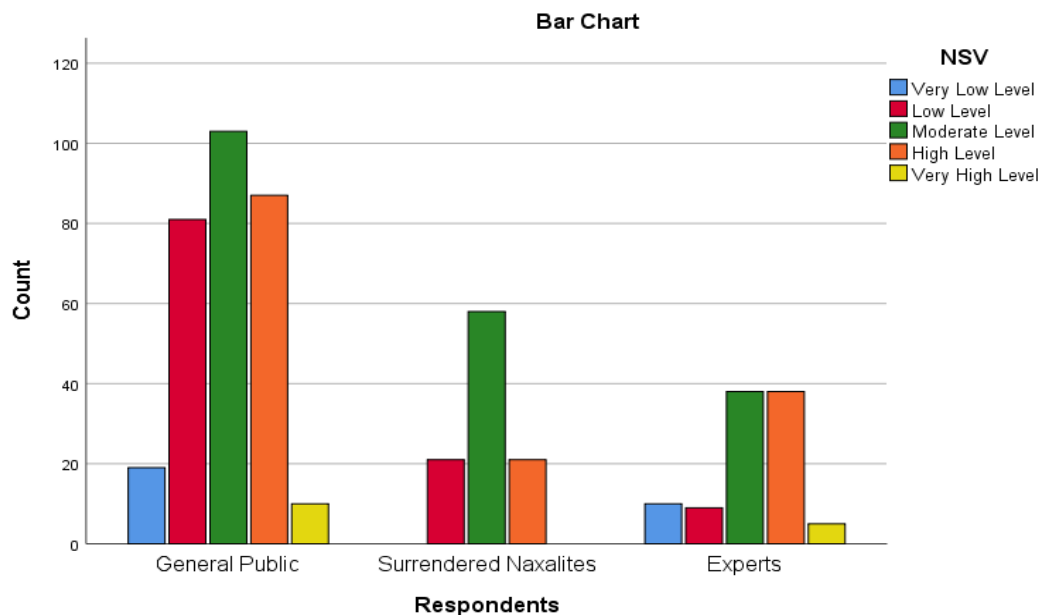
Crosstab								
			Non- security Issues					Total
			Very Low Level	Low Level	Moderate Level	High Level	Very High Level	
Respondents	General Public	Count	19	81	103	87	10	300
		% within	6.3%	27.0%	34.3%	29.0%	3.3%	100.0%
		% of Total	3.8%	16.2%	20.6%	17.4%	2.0%	60.0%
	Surrendered Naxalites	Count	0	21	58	21	0	100
		% within	0.0%	21.0%	58.0%	21.0%	0.0%	100.0%
		% of Total	0.0%	4.2%	11.6%	4.2%	0.0%	20.0%
	Experts	Count	10	9	38	38	5	100
		% within	10.0%	9.0%	38.0%	38.0%	5.0%	100.0%
		% of Total	2.0%	1.8%	7.6%	7.6%	1.0%	20.0%
Total		Count	29	111	199	146	15	500
		% within	5.8%	22.2%	39.8%	29.2%	3.0%	100.0%
		% of Total	5.8%	22.2%	39.8%	29.2%	3.0%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public**, 3.3% respondents faced very high, 29.0% respondents faced high, 34.3% respondents faced moderate, 27.0% respondents faced low and 6.3% respondents faced very low Non-security problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 0.0% respondents faced very high, 21.0% respondents faced high, 58.0% respondents faced moderate, 21.0% respondents faced low and 0.0% respondents faced very low Non-security problems.
- **Out of 100 respondents (20.0%)who were Experts**, 5.0% respondents faced very high, 38.0% respondents faced high, 38.0% respondents faced moderate, 9.0% respondents faced low and 10.0% respondents faced very low Non-security problems.

Figure-7.56 Non- security Issues



7.4.13 Index III: Environmental Issues

❖ Table-7.190 Crosstab: Environmental Issues

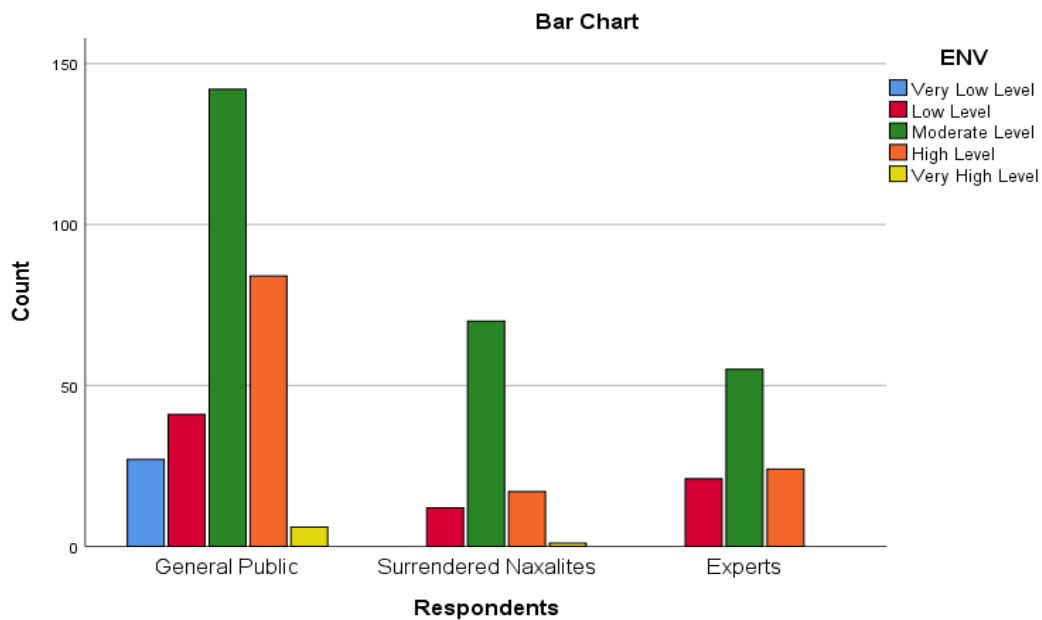
Crosstab								
			Environmental Issues					Total
			Very Low Level	Low Level	Moderate Level	High Level	Very High Level	
Respondents	General Public	Count	27	41	142	84	6	300
		% within	9.0%	13.7%	47.3%	28.0%	2.0%	100.0%
		% of Total	5.4%	8.2%	28.4%	16.8%	1.2%	60.0%
	Surrendered Naxalites	Count	0	12	70	17	1	100
		% within	0.0%	12.0%	70.0%	17.0%	1.0%	100.0%
		% of Total	0.0%	2.4%	14.0%	3.4%	0.2%	20.0%
	Experts	Count	0	21	55	24	0	100
		% within	0.0%	21.0%	55.0%	24.0%	0.0%	100.0%
		% of Total	0.0%	4.2%	11.0%	4.8%	0.0%	20.0%
Total		Count	27	74	267	125	7	500
		% within	5.4%	14.8%	53.4%	25.0%	1.4%	100.0%
		s% of Total	5.4%	14.8%	53.4%	25.0%	1.4%	100.0%

Interpretation: From the above table it can be seen that there were total 500 respondents out of which, 300 respondents (60.0%) were General Public, 100 respondents (20.0%) were Surrendered Naxalites and 100 respondents (20.0%) were Experts.

- **Out of 300 respondents (60.0%)who were General Public**, 2.0% respondents faced very high, 28.0% respondents faced high, 47.3% respondents faced moderate, 13.7% respondents faced low and 9.0% respondents faced very low Environmental problems.

- **Out of 100 respondents (20.0%)who were Surrendered Naxalites**, 1.0% respondents faced very high, 17.0% respondents faced high, 70.0% respondents faced moderate, 12.0% respondents faced low and 0.0% respondents faced very low Environmental problems.
- **Out of 100 respondents (20.0%)who were Experts**, 0.0% respondents faced very high, 24.0% respondents faced high, 55.0% respondents faced moderate, 21.0% respondents faced low and 0.0% respondents faced very low Environmental problems.

Figure-7.57 Environmental issues



BIBLIOGRAPHY

BOOKS

1. Agarwal A K, *The Third Dimension: Air Power in Combating the Maoist Insurgency* (Vij Books India Pvt., Ltd, New Delhi India, 2013).
2. Agrawal Dr. PK, IAS (Retd), *Solution to Naxalism* (Manas Publications, New Delhi, 2016).
3. Agrawal, Dr. PK, *Land Reforms in Uttar Pradesh* (MD Publications Pvt Ltd, New Delhi 1993).
4. Banerjee Sumanta, *In The Wake of Naxalbari: A History of The Naxalites Movement in India*, (Subarnarekha, Calcutta, 1980).
5. Banerjee Sumanta, *India's Simmering Revolution: The Naxalite Uprising* (London: Zed Books Ltd., 1984).
6. Bhattacharjee Kishalay, *An Unfinished Revolution: A Hostage Crisis, Adivasi Resistance and the Naxal Movement* (Pan Macmillan India, 2017).
7. Bhuyan Dasarathi, *Naxalism: Issues and Concerns* (Discovery Publishing Pvt. Ltd, 2010).
8. C. Singh, *Common Property and Common Poverty* (London: Oxford University Press, 1986).
9. Chakrabarty Bidyut, *Communism in India: Events, Process and Ideologies* (Oxford University Press, 2014).
10. Chakrabarty Bidyut, Kujur Rajat Kumar, *Maoism in India: Reincarnation of Ultra-Left Wing Extremism in the Twenty First - Century* (Routledge Taylor and Francis Group Landon and New York, 1st edn., 2010).
11. Chakravarti Sundeep, *Red Sun* (Penguin Publishing Group, 2014).
12. Chakravarty Bidyut, *Left Radicalism in India* (Routledge Tylor & Francis Group, London and New York, 2015).
13. Dasgupta Biplab, *The Naxalite Movement* (Allied Publishers, Calcutta, 1974).
14. Dasgupta B., *The Naxalite Movement* (Allied Publishers, New Delhi 1974).
15. Deogaonkar Shashishekhar Gopal "Tribal Administration and Development: With Ethnographic Profiles of Selected Tribes" (Concept Publishing Company New Delhi, 1994).

16. Dixit Arun Kumar, Verma Pankaj Kumar (eds.), *Naxalism Issues, Challenges & Alternative Approaches* (Satyam Publishing House, New Delhi, 2014).
17. Duyker Edward, *Tribal Guerrillas: The Santhals of West Bengal and the Naxalite Movement* (Delhi: Oxford University Press, 1987).
18. Franda Marcus F., *Radical Politics in West Bengal* (Cambridge: M.I.T. Press, 1971).
19. Gaur K.D, *Criminal Law, Cases and Materials* (Butterworth's, New Delhi, 3rd Ed., 1999).
20. Ghosh Sankar, *The Naxalite Movement: A Maoist Experiment* (Calcutta:Firma K.L. Mukhopadhyay, 1974)
21. Gupta Om, *Encyclopaedia of India, Pakistan & Bangladesh* Vol. III (Isha Books, New Delhi, 2006).
22. Gupta Ranjit Kumar, *The Crimson Agenda: Maoist Protest and Terror*, (Wordsmiths, Delhi, 2004).
23. Jain M.P. and Jain S.N., *Principles of The Administrative Law* (Lexis Nexis Butterworth's Wadhwa Nagpur, 6th edn. 2001).
24. Jawaid Sohail, *The Naxalite Movement in India: Origin and Failure of Maoist Revolutionary Strategy in West Bengal*, (Associate Publishing House, New Delhi, 1979).
25. Kumar Ashwani, *Community Warriors: State, Peasants and Caste Armies in Bihar* (Anthen, London 2008).
26. Kumar Manoj, *The Naxalite Movement in Bihar: Ideology, Setting, Practice and Outcome* (Manak Publications, New Delhi, 2012).
27. Kumari Selja,(eds,) *Dr. Babasaheb Ambedkar: Writings and Speeches Vol. 1* (Dr. Ambedkar Foundation Ministry of Social Justice & Empowerment, Govt. of India 15, Janpath, New Delhi - 110 001).
28. Kumawat M L IPS & Islam Dr.Nazrul, *IPS Police and Naxalism strategy for solutions* (Manas Publications New Delhi, India, 2011).
29. Mathew Thomas, *Re Reding Ambedkar Marxist -Ambedkarite Praxis*, (Samyak Prakashan, New Delhi).
30. Mathur K.M., *Crime Human Rights and National Security*, ((Gyan Publishing House, New Delhi, First Edition, 201).

31. Miller William Lockley, *A Culture of Corruption?: Coping with Government in Post-communist Europe* (Budapest: Central University European Press, Hungary, 2001).
32. Miluwi Joshua O and Rashid Hina, *Naxalism the biggest security threat to India* (Mangalam Publications, New Delhi, First Edition, 2013).
33. Mishra Omprakash and Ghosh Sucheta, *Terrorism And Low intensity Conflict In South Region*(Manak Publication Pvt. Ltd, New Delhi, 2003).
34. Mishra R K, *Facets of Naxalism- Threat to Internal Security* (Y king Books, Jaipur, First Edition 2013).
35. Mohanty Manoranjan, *Revolutionary Violence: A Study of Maoist Movement in India*, (Sterling Publishers, New Delhi, 1977).
36. Mukherji Nirmalangshu, *The Maoist in India*, (Manjul Publishing House Pvt. Ltd. Daryaganj, New Delhi).
37. Nag, *Battleground Telengana: Chronicle of an Agitation* (Harper Collins Publishers, India, 2011).
38. Narayan S., *Naxalism and Maoism in India*, (Gyan Publishing House Daryaganj, New Delhi, 1st edn., 2015).
39. Nayak Girdhari “*Neo –Naxal Challenges: Issue & Options*” (Pentagon Press, 2011).
40. Pound Roscoe, *An Introduction to the Philosophy of Law* (London: Yale University Press, 1954).
41. Pristland David, *The Red Flag Communism and The Making of The Modern World*, (Penguin Publishing Group, 2009).
42. Raghavan V.R., (ed.), *The Naxal Threat Causes, State Responses and consequences* (Vij Books India Pvt Ltd New Delhi, India, 2011).
43. Raj Jai, Janak, *Bail Law and Procedure* (Universal Publications, 2009).
44. Ram Mohan, *Indian Communism: Split within A Split*, (Vikash Publications, Delhi, 1969).
45. Ram Mohan, *Maoism in India*, (Vikash Publications, Delhi, 1972).
46. Ramana P V, *Understanding India’s Maoists: Select Documents* (Pentagon Press, New Delhi, 2014).
47. Ramana P.V. (ed.), *The Naxal Challenge: Causes, Linkages, and Policy Options* (Dorling Kindersley, (New Delhi, 2008).

48. Ramana P.V. (ed.), *The Naxal Challenges: Causes, Linkages, and policy options*. (Pearson Education India, Delhi, 2008).
49. Rammohan EN, and Singh Amrit Pal, (eds.), *Maoist Insurgency and India's Internal Security Architecture* (New Delhi: Vij Books, 2012).
50. Ramohan E.M., IPS (Ret), *Countering Insurgencies in India: An Insider's View* (Vij Books India Pvt. Ltd, New Delhi, India, 2011).
51. Ray Rabindra, *The Naxalites and Their Ideology* (Delhi: Oxford University Press, 1988).
52. Roy Asish Kumar, *The Spring Thunder and After: A Survey of Maoist and Ultra-Leftist Movements in India (1962-75)*, (Minerva Associates, Calcutta, 1975).
53. Sankar Ghosh, *The Naxalite Movement: A Maoist Experiment*, (Firma K.L. Mukhopadhyay, Culcutta, 1974.).
54. Sarkar Bhaskar, *Tackling the Maoist Insurgency* (New Delhi: Atlantic & Distributors, 2012).
55. Sehgal B.P Singh., *Human Rights in India: Problems and Perspectives* (Deep & Deep Publication, New Delhi).
56. Singh Mann Rann "Culture and Integration of Indian Tribes" (M.D. Publications Pvt Ltd New Delhi, 1993).
57. Singh Prakash, *Irregular Warfare: The Maoist Challenge to India's Internal Security* (Joint Special Operation University Press, 2012).
58. Singh Prakash, *The Naxalite Movement in India* (Rupa Publication India Pvt. Ltd Daryaganj, New Delhi, 2006).
59. Singh Ujjwal Kumar, *The State, Democracy and Anti-Terror Laws in India* (Sage Publication, New Delhi, 2007).
60. Srivastava Arun, *Maoism in India* (Prabhat Prakashan, New Delhi, 2015).
61. Sudhakar M Singh, *Human Rights and Internal Security* (Mangalam publications, New Delhi-First Edition-2012).
62. Tse Tung Mao "Selected Works of Mao Tse Tung Volume 2" (Pergamon Press Oxford New York, Toronto Sydney Paris Frankfurt, 1965).
63. Verma Arvind & Subramanian KS, *Understanding the Police in India* (Lexis Nexis, Delhi, Second edition-2014).

64. Verma Samita (ed.), *Underdevelopment and Naxalism in India* (Rawat Publication Jaipur, 2018).
65. Vidyarthi Lalita Prasad, Rai Binay Kumar “*The Tribal Culture of India*” (Concept Publishing Company New Delhi, Reprint 1985).

UNPUBLISHED WORK

1. Lt General Vijay Kumar Ahluwalia, *Problem of Naxalism in India: Ground Realities and Strategic Challenge towards Conflict Resolution* (2016) (Unpublished Ph.D. thesis, Amity University, Noida, Uttar Pradesh).
2. Rajat Kumar Kujur, *The Naxal Movement: A Case study of the Naxal Politics in Orissa: 1990-2005*(2006) (Unpublished Ph.D. Thesis, Jawahar Lal Nehru University, New Delhi).

STATUTES

1. Arms Act, 1959(Act 54 of 1959).
2. Code of Criminal Procedure 1973 (Act No. 2 of 1973).
3. Customs and Central Excise Act1944(Act 1 of 1944).
4. Defence of India Act, 1971(Act 42 of 1971).
5. Foreign Exchange Management Act(Act 42 of 1999).
6. Foreign Exchange Regulations Act, 1973(Act 46 of 1973).
7. Import and Export (Control) Act, 1947(Act 18 of 1947).
8. Indian Explosives Act, 1884 (As Amended in 1978)(Act 4 of 1884).
9. Information Technologies Act 2002(Act 21 of 2000).
10. Narcotic Drugs and Psychotropic Substance Act, 1985(Act 61 of 1985).
11. National Security Act, 1980(Act 65 of 1980).
12. Prevention of Seditious Meetings Act, 1911(Act 10 of 1911).
13. Suppression of Unlawful Act against Safety of Civil Aviation Act, 1982(Act 66 of 1982).
14. The Chhattisgarh Special Public Safety Act 2005(Act 14 of 2006).
15. The Civil Defence Act, 1968(Act 27 of 1968).
16. The Conservation of Foreign Exchange and Prevention of Smuggling Act, 1974 (Act 52 of 1974).
17. The Constitution of India, 1950.

18. The Disturbed Area (Special Courts) Act, 1976(Act 77 of 1976).
19. The Explosives Substance Act, 1908(Act 6 of 1908).
20. The Indian Penal Code, 1860(Act 45 of 1860).
21. The Maharashtra Control of Organised Crime Act, 1999 (Maharashtra Act 30 of 1999).
22. The National Investigation Agency Act, 2008 (Act 34 of 2008).
23. The police Act, 1861(Act 5 of 1861).
24. The Prevention of Terrorism Act, 2002 (Act 15 of 2002).
25. The Terrorist Affected Arrears (Special Courts) Act, 1984(Act 61 of 1984).
26. The Terrorist and Disruptive Activities (Prevention) Act, 1987 (Act 28 of 1987).
27. The Unlawful Activities (Prevention) Act, 1967 (Act 37 of 1967).

REPORTS

1. Government of India Report: *Second Administrative Reforms Commission Fifth Report* (Ministry of Home Affairs, June-2007).
2. Government of India, “*Report of Second Administrative Reforms Commission- Public Order*”, (Ministry of Home Affairs, June 2007).
3. Government of India, “*Report on the Draft National Policy on Criminal Justice*”, (Ministry of Home Affairs 2007).
4. Government of India, *Annual Report 2006-07* (Ministry of Home Affairs 2007).
5. Government of India, *Annual Report 2006-07*, (Ministry of Tribal Affairs, 2007).
6. Government of India, *Annual Report 2014-2015*(Ministry of Home Affairs, 2015).
7. Government of India, *National Common Minimum Programme: Recommendations on Tribal Welfare and Development*, (National Advisory Council, 2004).
8. Government of India, *Padmanabhan Committee on Police Reforms* (Ministry of Home Affairs, January 2000).
9. Government of India, *Report on Center-State relations-Internal security, Criminal Justice and Center State co-operation vol-3* (Ministry of Home Affairs, March-2010).

10. Government of India, *Report on the Draft National Policy on Criminal Justice* (Ministry of Home Affairs, 2007).
11. Government of India, Report: *Development Challenges in Extremist Affected Areas* (Planning Commission, 2008).
12. Government of India, Report: *The Commission on Center-State Relations* (Ministry of Home Affairs-1983).
13. Government of India, *Second Administrative Reform Commission 8th Report on Combatting Terrorism Protecting by Righteousness* (June, 2008).
14. Institute of Peace And Conflict Studies, Repot: *The Naxal Problem Understanding the Issues, Challenges and Alternative Approach* (March, 2012).
15. Ministry of Home Affairs, *Annual Report 2004-2005*(New Delhi: Ministry of Home Affairs, 2005).
16. Peoples Union Democratic Rights, *A Time to Kill: A Report On Massacre In Jahenabad*, (August 1999).
17. Peoples Union Democratic Rights, *Encounters: A Report on Land Struggle in Bihar* (April, 1996).
18. Planning Commission of India, *Development Challenges in Extremist Affected Areas* (2008).
19. Press Information Bureau, “*Development Schemes in the Naxal Affected Districts*,” (Government of India, Ministry of Home Affairs, 2019).

INTERNATIONAL DOCUMENTS

1. Geneva Conventions 1949
2. ILO Convention 107 of 1957
3. ILO Convention 169 of 1989

ARTICLES AND JOURNALS

1. Ali Dr. Abid & Lal Dr. Sant, Naxalite Movement in India: Causes and Solutions 2 *IJIFR* 2976.
2. Awashti Snail, and Mishra Ayush, (eds.), “ The Naxalite Movement in India” 1 *IJLMH* 1(2018).
3. Banerjee Sumanta, “Naxalbari: Between Past and Present”, *Economic and Political Weekly*, June 0 I, 2002.

4. Banerjee Sumanta, "Naxalites: Time for Retrospection", *Economic and Political Weekly*, November I 2003.
5. Chandra Uday, "The Maoist Movement in Contemporary India", *Social Movement Studies: Journal of Social, Cultural and Political Protest*, (2013).
6. Chandran Suba and Joseph Mallika, "India: The Naxalite Movement", *Searching for Peace in Central and South Asia*, Global Partnership for the Prevention of armed conflict, 2002.
7. Colonial Continuities: Human Rights, Terrorism, and Security Laws in India, Kalhan, Anil, *Columbia Journal of Asian Law*, Vol. 20, 2006.
8. Deshpande R.S., "Land Reforms and Agrarian Structure in Maharashtra" 10 *JISPE* 1 (1998).
9. Dixit Raman, "Naxalite Movement in India: The State's Response" 4 *IDS* 1(2010).
10. Dubey Sandeep Kumar, "Maoist Movement in India: An Overview" *IDS* (2013).
11. Janyala Sreenivas, "The Andhra Fightback," *The Indian Express*, June 28, 2009.
12. Jha Dr. Sanjay K, "Naxalite Movement in Bihar and Jharkhand".
13. Jha Sanjay Kumar, "Naxalite Consolidation in Orissa", 2, No. 3, *SAIR* August 4, 2003, South Asia Terrorism Portal.
14. Jha Sanjay Kumar, "Political Bases and Dimensions of the Naxalite Movement", Paper presented at the Workshop on the Naxalite Movement Organised by Observer Research Foundation, Chennai, India, January 28-29, 2005.
15. Kalhan, Anil, "Colonial Continuities: Human Rights, Terrorism, and Security Laws in India", 20 *CJAL* 93 (2006).
16. Kumar K.P. Narayana, "Naxalites 'Tamed' in Andhra Pradesh, Hub of the Movement".
17. Mahapatra Richard, "Unquiet Forests: A Comprehensive Look at how Forest Laws are Triggering Conflicts in India with a Focus on Naxalite Movement", Prem Bhatia Memorial Trust under the Scholarship for Young Indian Journalists, 2004-2005.
18. Majumdar Charu, "Historic Eight Documents" .

19. Mashru Ram, - Justice Delayed is Justice Denied: India's 30 Million Case Judicial Backlog, *The Diplomat*.
20. Mehra Ajay, "Naxalism in India: Revolution or Terror?" 12 *TAPV*, 51-52 (2000).
21. Mohanty Manoranjan, "The Course of Naxalism," *Himal South Asian*, September 2005.
22. Purohit Jugal R, "Disaster in the Making as Maharashtra's Fails to Fill Key Anti-Maoist Posts," *India Today*.
23. "Politics of Naxalite Violence in Andhra Pradesh," *Observer Research Foundation*, November 24, 2000.
24. Ramana P. V., "Measure to Deal with Left Wing Extremism/Naxalism" 20 *IDSA* 7-8(2011).
25. Ramana P.V., "AP Maoists: The Party is over" *Rediff*, January 25, 2005.
26. Ramana P.V., "Maoist Finance" 1 *IDSA* 59(2018).
27. Ramanna PV, "Left Wing Extremism in India", *Observer Research foundation*.
28. Sahni Ajay, "Naxalism: The Retreat of Civil Governance", 5 *FICM* (May 2005).
29. Sahoo Niranjana, "Dealing with Maoist Threats, Development and Governance Conundrum", 2 *ICSSRJ* (2013).
30. "Surrender of Left-Wing Extremists from 1990," *South Asia Terrorism Portal*.
31. Venkatasubramanian K., *Land Reforms Remain an Unfinished Business*, Planning Commission of India.
32. Vora Priyanka & Buxy Siddhant, "Marginalization and Violence: The Story of Naxalism in India" 6 *IJCJS* 358-371(2011).
33. Zedong Mao "Law on Contradiction".

MAGAZINES

1. Chronical
2. Frontline
3. Kurukshetra
4. The New Indian Express.
5. Yozana

NEW PAPERS

1. Hindustan Times
2. The Hindu
3. Time of India

ESOURCES

1. <http://academics.wellesley.edu/Polisci/wj/China/Mao%20Readings/OnContradiction.pdf>
2. http://bannedthought.net/International/RIM/AWTW/2004-30/mcc_india.htm
3. <http://economictimes.indiatimes.com/news/politics-and-nation/down-memory-lane-forestrights-act-yet-to-achieve-major-milestones/articleshow/53469538.cms>
4. http://en.wikipedia.org/wiki/National_Investigation_Agency.
5. http://en.wikipedia.org/wiki/Naxalite%E2%80%93Maoist_insurgency,
6. <http://ibnlive.in.com/news/bihar-3-killed-in-naxal-attack-on-dhanbadpatna-trainnear-jamui/398509-3-232.html>
7. <http://indianexpress.com/article/india/india-others/70-chhattisgarh-naxal-surrenders-are-neither-naxal-nor-surrenders/>
8. <http://indianexpress.com/article/india/politics/rajnath-draws-hard-line-on-maoists-no-talks-attacks-will-get-befitting-reply/#sthash.3CVv5cPq.dpuf>
9. http://infochangeindia.org/agenda/migration_a_displacement/paying_the_price_for_someone_elses_displacement.html
10. <http://JUDIS.NIC.IN>
11. http://planningcommission.gov.in/reports/publications/rep_dce.pdf
12. http://planningcommission.nic.in/reports/sereport/ser/ser_pesa.pdf
13. http://planningcommission.nic.in/reports/sereport/ser/ser_pesa.pdf
14. <http://timesofindia.indiatimes.com/city/patna/Rehab-scheme-for-Maoists-fails-to-yield-desired-results-in-Bihar/articleshow/50568658.cms>
15. <http://tribal.nic.in/actRules/PESA.pdf>
16. <http://www.achrweb.org/ncm/editorial.htm>
17. http://www.achrweb.org/reports/india/AR08/chhattisgarh.html#_ftn7

18. http://www.business-standard.com/article/current-affairs/chhattisgarh-govt-cancels-tribal-rights-overforest-lands-116021601327_1.html
19. http://www.business-standard.com/article/current-affairs/naxal-ideologues-more-dangerous-than-armed-cadres-govt-113111500583_1.html
20. <http://www.business-standard.com/india/news/cms-meet-agrees-to-set-unified-command-to-combat-naxals/101376/on>
21. <http://www.conflict-prevention.net/page.php?id=40&formid=73&action=show&surveyid=44#22>
22. <http://www.dailymail.co.uk/indiahome/indianews/article2201870/Drug-trafficking-Money-funds-terror-acts-India.html>
23. <http://www.frontline.in/static/html/fl1724/17240320.htm>
24. <http://www.hindustantimes.com/delhi-news/chhattisgarh-attack-consequence-of-green-hunt-maoist-leader/storyG4utwRHT24hNgnug1PLs1L.html>
25. <http://www.ijifr.com/pdfs/31-10-2015520V2-E8-048.pdf>
26. http://www.ipcs.org/pdf_file/issue/CR38TheNaxalProblem.pdf
27. <http://www.jagranjosh.com/current-affairs/bihar-announced-new-surrender-and-rehabilitation-policy-formaoists-1386136419-1>
28. <http://www.jagranjosh.com/current-affairs/bihar-announced-new-surrender-and-rehabilitation-policy-formaoists-1386136419>
29. <http://www.jstor.org/stable/pdfplus/4395129.pdf?acceptTC=true&jpdConfirm=true>
30. <http://www.lawyerscollective.org/news/archived-news-a-articles/114-scgrants-bail-to-binayak-sen-drops-sedition-charges-against-him.html>
31. <http://www.ndtv.com/article/india/naxals-strike-again-4-crfp-men-killed-in-bengal-26484>
32. <http://www.nia.gov.in/mission.aspx>
33. <http://www.observerindia.com/analysis/A072>
34. <http://www.pib.nic.in/newsite/erelease.aspx?relid=50833>
35. <http://www.presidency.ucsb.edu/ws/?pid=37376>
36. <http://www.satp.org/satporgtp/countries/india/document/actandordinances/TADA.HTM>
37. http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/fatalitiesnaxal_mha.htm

38. http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/arrsurrender.htm
39. http://www.satp.org/satporgtp/countries/india/maoist/data_sheets/fatalitiesnaxalmha.htm
40. http://www.satp.org/satporgtp/countries/india/maoist/documents/papers/SARANDA_ACTION_PLAN.pdf
41. <http://www.satp.org/satporgtp/sair>
42. <http://www.tandfonline.com/loi/cdan20>
43. http://www.telegraphindia.com/1130118/jsp/nation/story_16456216.jsp#.VUYAedKqqko
44. <http://www.thehindu.com/thehindu/2003/10/02/stories/2003100207560100.htm>
45. <http://www.un.org/law/terrorism/>
46. <http://www.unodc.org/unodc/en/frontpage/drugtrafficking-and-the-financing-of-terrorism.html>
47. <https://cpindiaml.wordpress.com/2013/02/16/the-historical-eight-documents-respected-leader-comrade-charu-mazumder/>
48. https://idsa.in/jds/4_2_2010_NaxaliteMovementinIndia_rdit
49. https://idsa.in/system/files/BG_MaoistMovement.pdf
50. <https://idsa.in/system/files/jds/jds-12-2-2018-maoist-finances.pdf>
51. https://mha.gov.in/division_of_mha/left-wing-extremism-division
52. https://mha.gov.in/sites/default/files/UAPA1967_0.pdf
53. <https://ploughshares.ca/plarmedconflict/india-maoist-insurgency-1980-first-combadeaths/>
54. <https://sci.gov.in>
55. https://www.asthabharati.org/Dia_Apr05/Sanj.htm
56. <https://www.gktoday.in/gk/factors-responsible-for-growth-of-naxalism-in-india/>
57. <https://www.hrw.org/report/2009/12/09/sabotaged-schooling/naxalite-attacks-and-policeoccupation-schools-indias-bihar>
58. <https://www.ijlmh.com/wp-content/uploads/2019/03/The-Naxalite-Movement-in-India.pdf>
59. <https://www.ijlmh.com/wp-content/uploads/2019/03/The-Naxalite-Movement-in-India.pdf>
60. <https://www.legalcrystal.com>

61. <https://www.orfonline.org/research/policy-to-fight-naxalism-need-for-political-consensus/>
62. <https://www.outlookindia.com/magazine/story/the-state-at-the-doorstep/265091>
63. <https://www.rediff.com/news/column/how-the-new-government-must-tackle-the-maoist-threat/20140606.htm>
64. <https://www.sascv.org/ijcjs/pdfs/vohrabuxiicjs2011i&iindpdf>
65. <https://www.satp.org/satporgtp/countries/india/maoist/documents/papers/strategy.htm>
66. https://www.satp.org/satporgtp/countries/india/maoist/terrorist_outfits/PWG.htm
67. <https://www.tandfonline.com/doi/abs/10.1080/09546550008427560>
68. www.rediff.com/news/1998/oct/07gana.htm
69. www.satp.org
70. www.survivalinternational.org

Annexure 1

QUESTIONNAIRE

THE STUDY OF SOCIO LEGAL CHALLENGES OF NAXALISM IN INDIA

भारत में नक्सलवाद की सामाजिक विधिक चुनौतियों का अध्ययन

Questionnaire No.(प्रश्नावली नं.)	
Respondent Code(प्रतिवादी कोड)	

Confidential: For Research
purpose only गोपनीय: केवल
अनुसंधान उद्देश्य के लिए

Background to the study

Sir/Madam, Greetings, I am, **Ranjeet Bharti** a doctoral research scholar from Babasaheb BhimRao Ambedkar (A Central) University Lucknow. I am researching on topic “*The study of socio legal challenges of Naxalism in India.*” For this purpose, I request your kind cooperation and some precious time to fill-in the questionnaire. The information given by you will be kept confidential and used only for research purpose.

अध्ययन की पृष्ठभूमि

सर/मैडम, मैं रंजीत भारती बाबासाहेब भीमराव अंबेडकर (केन्द्रीय विश्वविद्यालय) विश्वविद्यालय लखनऊ में शोध छात्र हूँ। मैं “भारत में नक्सलवाद की सामाजिक विधिक चुनौतियों का अध्ययन” विषय पर शोध कर रहा हूँ। इस उद्देश्य के लिए, मैं आपके सहयोग और प्रश्नावली भरने के लिए कुछ बहुमूल्य समय का अनुरोध करता हूँ। आपके द्वारा दी गई जानकारी को गोपनीय रखा जाएगा और केवल शोध उद्देश्य के लिए इस्तेमाल किया जाएगा।

_____Thanking You

Yours truly

Ranjeet Bharti

धन्यवाद

रंजीत भारती

Contact (संपर्क): M.No. :+9161130351

Email ID (ईमेल आईडी): bhartiranjeeet1989@gmail.com

Signature of the respondent (प्रतिवादी के हस्ताक्षर).....

Date(दिनांक):

• **Personal Information (व्यक्तिगत जानकारी)**

1. Age (उम्र)	1- <u>14 -24</u> 2- <u>25- 35</u> 3- <u>36- 46</u> 4- <u>47-57</u> 5- <u>Above (ऊपर) 58</u>
2. Gender (लिंग)	1- <u>Male (पुरुष)</u> 2- <u>Female (महिला)</u>
3. Class / Caste (वर्ग/जाति)	1- <u>General (सामान्य)</u> 2- <u>O.B.C</u> 3- <u>SC</u> 4- <u>ST</u>
4. Qualifications (योग्यता)	1- <u>Illiterate (अनपढ़)</u> 2- <u>Primary Education (प्राथमिक शिक्षा)</u> 3- <u>Secondary Education (माध्यमिक शिक्षा)</u> 4- <u>Graduation (स्नातक)</u> 5- <u>Post-Graduation (स्नातकोत्तर)</u> 6- <u>Others (दूसरों)</u>
5. Profession/ (व्यवसाय)	1- Sarpanch (सरपंच) 2. Panch (पंच) 3- Labourers (मजदूर) 4. Farmers (किसान) 5. Contractors (ढेकेदार) 6. Students (छात्र) 7. Local teachers (स्थानीय शिक्षक) 8- Medical staff (मेडिकल स्टाफ)

	9- Local police (स्थानीय पुलिस) 10. Forest officials (वन अधिकारी) 11. Media Persons (मीडियाकर्मी) 12- NGO workers (एनजीओ कार्यकर्ता) 13- Local Development Officers (स्थानीय विकास अधिकारी) 14. Advocates (अधिवक्ता) 15- Others (दूसरों)
6. Location (स्थान)	1- <u>Urban (शहरी)</u> 2- <u>Rural (ग्रामीण)</u>
7. State (राज्य)	1. <u>Chhattisgarh (छत्तीसगढ़)</u> 2. <u>Madhya Pradesh (मध्य प्रदेश)</u> 3- <u>Uttar Pradesh (उत्तर प्रदेश)</u> 4- <u>Bihar (बिहार)</u> 5- <u>Jharkhand (झारखंड)</u>

8. Are you the victim or affected by Naxalism directly/indirectly.

क्या आप प्रत्यक्ष/अप्रत्यक्ष रूप से नक्सलवाद के शिकार या प्रभावित हैं।

हाँ/नहीं

1. YES ☐

☐

2. NO

9. What is Naxalism?

नक्सलवाद क्या है ?

.....

10. What is the aim of the Naxals?

नक्सलियों का उद्देश्य क्या है?

.....

Questions on Naxalism (नक्सलवाद पर सवाल)

Some Statements related to the problems of Naxalism are given, which asks about your reactions associated with performance incertain situations. Please, carefully read each statement and express your views regard to each by ticking appropriate choice. There are five choices namely Strongly Agree (5), Agree (4), Undecided (neither agree nor disagree) (3), Disagree (2), and Strongly Disagree (1). Kindly do not omit any item. Give your responses as truthfully as possible. I shall be grateful to you. नक्सलवाद की समस्याओं से संबंधित कुछ वक्तव्य दिए गए हैं, जो कुछ स्थितियों में प्रदर्शन से जुड़ी आपकी प्रतिक्रियाओं के बारे में पूछते हैं। कृपया, ध्यान से प्रत्येक बयान पढ़ें और उचित विकल्प टिक द्वारा प्रत्येक के लिए अपने विचारों के संबंध व्यक्त करते हैं। वहां पांच विकल्प अर्थात् दृढ़ता से सहमत है (5), सहमत (4), दुविधा में पड़ा हुआ (न तो सहमत है और न ही असहमत) (3), असहमत (2), और दृढ़ता से असहमत (1) कृपया किसी भी आइटम को छोड़ न दें। अपनी प्रतिक्रियाओं को यथासंभव सच्चाई से दें। मैं आपका आभारी रहूंगा।					
• Ideological Variables (वैचारिक चर)					
IV-1 The ideology of Naxalism come into picture in India as the influence of Russian revolution. भारत में नक्सलवाद की विचारधारा रूसी क्रांति के प्रभाव के रूप में तस्वीर में आती है।	5	4	3	2	1
IV-2 Mao Zedong provided ideological support to the Naxalbari movement. माओ जेडोंग ने नक्सलबाड़ी आंदोलन को वैचारिक समर्थन प्रदान किया।	5	4	3	2	1
IV-3 Naxals' claim that Indian independence is false, is not right. नक्सलियों का दावा है कि भारतीय स्वतंत्रता झूठी है, सही नहीं है।	5	4	3	2	1
IV-4 Naxalites have link with the urban Naxalism/network, extra territorial to propagate their ideology, getting weapons, funding and training. अपनी विचार धारा का प्रचार-प्रसार करने, हथियार प्राप्त करने, वित्तपोषण और प्रशिक्षण प्राप्त करने के लिए नक्सलियों का शहरी नक्सलवाद तथा बाहरी क्षेत्र से सम्बन्ध रखते हैं।	5	4	3	2	1
IV-5 Naxalites are brain washing to the people to join their movement.	5	4	3	2	1

नक्सली अपने आंदोलन में शामिल करने के लिए लोगों का ब्रेन वॉश कर रहे हैं।					
IV-6 There is deviance in the ideology of Naxalism with the passage of time. समय बीतने के साथ नक्सलवाद की विचारधारा में विचलन हुआ है।	5	4	3	2	1
IV-7 Naxalism has been highjacked. नक्सलवाद को हाईजैक कर लिया गया है।	5	4	3	2	1
IV-8 Urban Naxal take advantage of local people of Naxal Affected Areas. शहरी नक्सली, नक्सल प्रभावित क्षेत्रों के स्थानीय लोगों का लाभ उठाते हैं।	5	4	3	2	1
IV-9 Naxals ideology is not suited in Indian scenario. भारतीय परिदृश्य में नक्सली विचारधारा अनुकूल नहीं है।	5	4	3	2	1
IV-10 Naxal ideology criminalizing innocent people. नक्सली विचारधारा निर्दोष लोगों का अपराधीकरण कर रही है।	5	4	3	2	1
• Historical Variables(ऐतिहासिक चर)					
HV-1 Naxalism emerged with the Indian struggle of independence. नक्सलवाद, भारतीय आजादी संघर्ष के साथ उभरा।	5	4	3	2	1
HV-2 Naxalism emerged with the intention of socio economic emancipation from the imperialism and feudalism. साम्राज्यवाद और सामंतवाद से सामाजिक आर्थिक मुक्ति के इरादे से नक्सलवाद उभरा।	5	4	3	2	1
HV-3 British colonial laws lead to emergence of Naxalism in India. ब्रिटिश औपनिवेशिक कानूनों से भारत में नक्सलवाद का उद्भव होता है।	5	4	3	2	1
HV-4 Whether British revenue system like Zamidar, Mahalwari, Raitwari lead to emergence of Naxalism in India. क्या जमींदार, महालवाड़ी, रैयतवाड़ी जैसी ब्रिटिश राजस्व प्रणाली के वजह से भारत में नक्सलवाद का उद्भव हुआ।	5	4	3	2	1
HV-5 Historical injustice lead to Naxalism? ऐतिहासिक अन्याय नक्सलवाद की ओर ले जाते हैं?	5	4	3	2	1
• Legal Variables (कानूनी चर)					
LV-1 Naxalism is only law and order issue alone. नक्सलवाद केवल कानून व्यवस्था का मुद्दा है।	5	4	3	2	1
LV-2 Naxalism is a socio- legal problem.	5	4	3	2	1

नक्सलवाद एक सामाजिक-कानूनी समस्या है।					
LV-3 Naxalism is challenge to legal system of India. नक्सलवाद भारत की विधि व्यवस्था के लिए चुनौती है।	5	4	3	2	1
LV-4 Naxals are against the constitution of India. नक्सली, भारत के संविधान के खिलाफ हैं।	5	4	3	2	1
LV-5 The justice delay justice denied, lead Naxalism. न्याय में देरी न्याय को विफल कर देती है जिसके वजह से नक्सलवाद को बढ़ावा मिलता है।	5	4	3	2	1
LV-6 Failure of implementation of the fifth and sixth schedule of the constitution of India lead Naxalism भारत के संविधान की पांचवीं और छठी अनुसूची के कार्यान्वयन में विफलता नक्सलवाद को बढ़ावा देती है।	5	4	3	2	1
LV-7 Growth of the Naxalism is challenge for the constitution as well as criminal justice system of India? नक्सलवाद का विकास संविधान के साथ-साथ भारत की आपराधिक न्याय प्रणाली के लिए चुनौती है?	5	4	3	2	1
LV-8 The criminal justice system is not sufficient to tackle the problem of Naxalism. नक्सलवाद की समस्या से निपटने के लिए आपराधिक न्याय प्रणाली पर्याप्त नहीं है।	5	4	3	2	1
LV-9 Adequate legal protection has been provided to troops operating in. सैन्य टुकड़ी में काम कर रहे सैनिकों को पर्याप्त कानूनी सुरक्षा प्रदान की गई है।	5	4	3	2	1
LV-10 Naxals are the Terrorist organization. नक्सली आतंकी संगठन हैं।	5	4	3	2	1
LV-11 In most of the cases registered against suspected Maoist/ Naxalites, they are acquitted in lower courts. संदिग्ध माओवादी नक्सलियों के खिलाफ दर्ज अधिकांश मामलों में उन्हें निचली अदालतों में बरी कर दिया जाता है।	5	4	3	2	1
LV-12 The allotment of land to non tribals in fifth scheduled areas provide fertile land to operate Naxal activities? पांचवें अनुसूचित क्षेत्रों में गैर आदिवासियों को भूमि आवंटन नक्सल	5	4	3	2	1

गतिविधियों के संचालन के लिए उपजाऊ भूमि प्रदान करता है?					
LV-13 The non-implementation of PESA, Forest Rights Act, 2006 and Land Reforms on ground lead Naxalism. पेसा, वन अधिकार अधिनियम, 2006 और भूमि सुधारों को धरातल पर उतारने पर लागू न होने से नक्सलवाद को बल मिलता है	5	4	3	2	1
LV-14 In tackling the problem of the Naxalism mere the existing laws and constitutional provisions are not sufficient. नक्सलवाद की समस्या से निपटने में केवल मौजूदा कानून और संवैधानिक प्रावधान पर्याप्त नहीं हैं।	5	4	3	2	1
LV-15 Reformatory theory of law would be effective mechanism to abolish the Naxalism. नक्सलवाद को समाप्त करने के लिए कानून का सुधारात्मक सिद्धांत प्रभावी होगा।	5	4	3	2	1
LV-16 Rehabilitation cum surrender policy is effective mechanism to abolish Naxalism. नक्सलवाद को समाप्त करने के लिए पुनर्वास सह आत्मसमर्पण नीति प्रभावी तंत्र है।	5	4	3	2	1
LV-17 The various theories of punishment are not sufficient to tackle the Naxalism. नक्सलवाद से निपटने के लिए सजा के विभिन्न सिद्धांत पर्याप्त नहीं हैं।	5	4	3	2	1
LV-18 There are human rights violations in Naxal Affected Areas. नक्सल प्रभावित क्षेत्रों में मानवाधिकारों का उल्लंघन हो रहा है।	5	4	3	2	1
• Social Variables (सामाजिक चर)					
SV-1 I don't consider the Naxals as revolutionary. मैं नक्सलियों को क्रांतिकारी नहीं मानता।	5	4	3	2	1
SV-2 Naxalites fight for Jal (water), Jangal (forest), Zamin (land). नक्सली जल, जंगल, जमीन के लिए लड़ते हैं।	5	4	3	2	1
SV-3 Caste system is a responsible factor of Naxalism. जाति व्यवस्था नक्सलवाद के लिये जिम्मेदार कारक है।	5	4	3	2	1
SV-4 Gender discrimination is an important factor to spread Naxalism. नक्सलवाद फैलाने के लिए लैंगिक भेदभाव एक महत्वपूर्ण कारक है।	5	4	3	2	1
SV-5 Naxalism is rooted as cultural threat posed by the main stream of the society?	5	4	3	2	1

नक्सलवाद की जड़ें समाज की मुख्य धारा से उत्पन्न सांस्कृतिक खतरे के रूप में हैं?					
SV-6 Religion is also responsible factor of Naxalism. धर्म भी नक्सलवाद के लिये जिम्मेदार कारक है।	5	4	3	2	1
SV-7 Naxalites are not true emancipator of the downtrodden people of India. नक्सली भारत के दलित लोगों के सच्चे मुक्तिदाता नहीं हैं।	5	4	3	2	1
SV-8 Naxalism is against the Tribal Culture. नक्सलवाद आदिवासी संस्कृति के खिलाफ है।	5	4	3	2	1
SV-9 It's big challenge for the locals to escape from the fabrics of the Naxals. नक्सलियों के जाल से बचकर निकलना स्थानीय लोगों के लिए बड़ी चुनौती है।	5	4	3	2	1
SV-10 Women are also part of the Naxal organization. महिलाएं भी नक्सली संगठन का हिस्सा हैं।	5	4	3	2	1
SV-11 Naxalites sexually harass the women in organization. नक्सली, संगठन में महिलाओं का यौन उत्पीड़न करते हैं।	5	4	3	2	1
SV-12 Proper health and medical care facilities are not available to poor people in Naxal Affected Areas. नक्सल प्रभावित क्षेत्रों में, गरीब लोगों को समुचित स्वास्थ्य और चिकित्सा सुविधा उपलब्ध नहीं है।	5	4	3	2	1
SV-13 There is lack of quality education facilities in Naxal Affected Areas. नक्सल प्रभावित क्षेत्रों में गुणवत्तापूर्ण शिक्षा सुविधाओं का अभाव है।	5	4	3	2	1
SV-14 Non availability of adequate food, water and nutrition lead the Naxalism. पर्याप्त भोजन, पानी और पोषण की अनुपलब्धता नक्सलवाद का नेतृत्व करते हैं।	5	4	3	2	1
SV-15 Naxals carry out forced recruitment of young children? नक्सली छोटे बच्चों को जबरन अपने संगठन में भर्ती करते हैं?	5	4	3	2	1
SV-16 Naxalism is danger for survival ship of tribal. नक्सलवाद आदिवासियों के अस्तित्व के लिए खतरा है।	5	4	3	2	1
• Political Variables (राजनीतिक चर)					

PV-1 Naxalites do not believe in Indian democracy. नक्सली भारतीय लोकतंत्र में विश्वास नहीं करते।	5	4	3	2	1
PV-2 Naxalites oppose the conducting elections. नक्सली चुनाव कराने का विरोध करते हैं।	5	4	3	2	1
PV-3 Naxalites want to capture state through the barrel of the gun. नक्सली बंदूक की नाल से राज्य पर कब्जा करना चाहते हैं।	5	4	3	2	1
PV-4 Naxals are showing false dreams to the innocent peoples. नक्सली निर्दोष लोगों को झूठे सपने दिखा रहे हैं।	5	4	3	2	1
PV-5 Political leaders take interest to resolve problems and are keen to end of Naxalism. राजनीतिक नेता समस्याओं के समाधान के लिए रुचि लेते हैं और नक्सलवाद को समाप्त करने के लिए उत्सुक हैं।	5	4	3	2	1
PV-6 State Government is ensuring holistic approach to abolish the Naxalism. राज्य सरकार नक्सलवाद को समाप्त करने के लिए समग्र दृष्टिकोण सुनिश्चित कर रही है।	5	4	3	2	1
PV-7 Political unawareness leads to Naxalism राजनीतिक अनभिज्ञता के कारण नक्सलवाद को समर्थन मिलता है।	5	4	3	2	1
• Economic Variables (आर्थिक चर)					
EV-1 Economic injustice lead Naxalism. आर्थिक अन्याय नक्सलवाद को बढ़ावा देता है।	5	4	3	2	1
EV-2 Non-allotment of land to landless people as per Land Reforms Act 1955 is an important factor that lead to Naxalism. भूमि सुधार अधिनियम 1955 के अनुसार भूमिहीन लोगों को भूमि आवंटन न करना एक महत्वपूर्ण कारक है जो नक्सलवाद का कारण बन रहा है।	5	4	3	2	1
EV-3 There is urgent need of electricity, improve road and telephonic connectivity for the development in NAA. नक्सल प्रभावित क्षेत्रों में विकास के लिए बिजली, सड़क में सुधार और टेलीफोन कनेक्टिविटी की आवश्यकता है।	5	4	3	2	1
EV-4 People are aware of proposed people centric schemes and budgets allotted for NAA. लोगों को प्रस्तावित जन केंद्रित योजनाओं और एनएए के लिए आवंटित बजट की जानकारी है।	5	4	3	2	1

EV-5 Ideology of Naxalism criminalizes Liberalization, Privatization and Globalization for the proselytizing innocent people. नक्सलवाद की विचारधारा निर्दोष लोगों को भ्रमित करने के लिए उदारीकरण, निजीकरण और वैश्वीकरण को गैरकानूनी ठहराती है ।	5	4	3	2	1
EV-6 Naxals oppose to the developmental work of the government in the Naxal Affected Areas. नक्सल प्रभावित क्षेत्रों में सरकार के विकास कार्यों का नक्सलियों विरोध करते हैं।	5	4	3	2	1
EV-7 Non-availability of job opportunities for youth in rural areas compels them to join Naxalism. ग्रामीण क्षेत्रों में युवाओं को रोजगार के अवसर उपलब्ध न होना उन्हें नक्सलवाद में शामिल होने के लिए मजबूर करता है।	5	4	3	2	1
EV-8 Government is not addressing the survival needs of the people with due seriousness in NAA. सरकार एनएए में उचित गंभीरता के साथ लोगों की अस्तित्व की जरूरतों को पूरा नहीं कर रही है।	5	4	3	2	1
EV-9 Liberalization, Privatization & Globalization had an adverse impact on tribal areas. उदारीकरण, निजीकरण और वैश्वीकरण का जनजातीय क्षेत्रों पर प्रतिकूल प्रभाव पड़ा।	5	4	3	2	1
EV-10 The resources of tribal areas are looted due to Liberalization, Privatization & Globalization. उदारीकरण, निजीकरण और वैश्वीकरण का जनजातीय क्षेत्रों पर प्रतिकूल प्रभाव पड़ा।	5	4	3	2	1
EV-11 Due to Liberalization, Privatization & Globalization, tribal people facing displacement. उदारीकरण, निजीकरण और वैश्वीकरण के कारण आदिवासी लोगों को विस्थापन का सामना करना पड़ रहा है।	5	4	3	2	1
EV-12 Naxalites take advantage of inordinate delay of development. नक्सली विकास की अत्यधिक देरी का फायदा उठाते हैं।	5	4	3	2	1
EV-13 There is lacuna in the various models of the developments, which could not remove the poverty of NAA. नक्सली विकास की अत्यधिक देरी का फायदा उठाते हैं।	5	4	3	2	1

• Governance Variables (सरकारी चर)					
GV-1 There is improper implementation of the Minimum Wages Act and non-payment of minimum wages fixed by the government for rural labourers. न्यूनतम मजदूरी अधिनियम को सही तरीके से लागू करना और ग्रामीण मजदूरों के लिए सरकार द्वारा निर्धारित न्यूनतम मजदूरी का भुगतान न करना है।	5	4	3	2	1
GV-2 In the Naxal affected areas; the implementing authorities are honestly discharging their duties in implementing welfare programme launched by the State. सरकार द्वारा लाये गये कल्याणकारी योजनाओं को प्रशासनिक अधिकारी, नक्सल प्रभावित क्षेत्रों में लागू करने में अपने कर्तव्यों का निर्वहन ठीक तरीके से कर रहे हैं .	5	4	3	2	1
GV-3 E-Governance has been given the requisite impetus to improve situation on ground. जमीनी स्तर पर स्थिति में सुधार के लिए ई-गवर्नेंस को अपेक्षित दिया है।	5	4	3	2	1
GV-4 Naxalites are the organized victim of the draconian laws, governance, maladministration, corruptions, illiteracy, unemployment and lack of opportunities, ineffective implementation of welfare schemes and policies and of their livelihood snatched by the government. नक्सली, कठोर कानूनों, शासन, कुप्रशासन, भ्रष्टाचार, अशिक्षा, बेरोजगारी और अवसरों की कमी, कल्याणकारी योजनाओं और नीतियों के अप्रभावी कार्यान्वयन और सरकार द्वारा छीनी गई उनकी आजीविका के संगठित शिकार हैं ।	5	4	3	2	1
GV-5 Naxalites believe in good governance. नक्सली सुशासन में विश्वास करते हैं	5	4	3	2	1
GV-6 There is corruption caused by the government agencies. सरकारी एजेंसियों भ्रष्टाचार में लिप्त है।	5	4	3	2	1
GV-7 I trust that Co-operative federalism can counter the threat of Naxalism. मुझे विश्वास है कि सहकारी संघवाद नक्सलवाद के खतरे का मुकाबला कर सकता है ।	5	4	3	2	1
GV-8 Eight pronged strategy of home ministry “SAMADHAN” would	5	4	3	2	1

be effective mechanism to abolish the Naxalism. नक्सलवाद को खत्म करने के लिए गृह मंत्रालय की आठ आयामी रणनीति समाधान प्रभावी तंत्र होगा।					
• Security variables (सुरक्षा चर)					
SEV-1 Naxalism is challenge for security of India. नक्सलवाद भारत की सुरक्षा के लिए चुनौती है।	5	4	3	2	1
SEV-2 Naxalite want destabilize the state through their gun and violence. नक्सली अपनी बंदूक और हिंसा के जरिए राज्य को अस्थिर करना चाहते हैं।	5	4	3	2	1
SEV-3 Naxals kill innocent tribal people on mere doubt of being Police informer. नक्सली पुलिस मुखबिर होने के संदेह में निर्दोष आदिवासी लोगों की हत्या कर देते हैं।	5	4	3	2	1
SEV-4 Naxalism has been supported by the local people from the fear. स्थानी लोग डर के कारण नक्सलवाद को समर्थन देते हैं।	5	4	3	2	1
SEV-5 Police deviance is responsible factor for the growth of Naxalism. नक्सलवाद के विकास के लिए पुलिस विचलन जिम्मेदार कारक है।	5	4	3	2	1
SEV-6 Naxalite prisoners are harassed physically, mentally and sexually in the jail. जेल में नक्सली कैदियों को शारीरिक, मानसिक और यौन उत्पीड़न किया जाता है।	5	4	3	2	1
SEV-7 State agencies like police/CRPF/ forest officers harass local people. पुलिस/सीआरपीएफ/वन अधिकारी जैसी राज्य एजेंसियां स्थानीय लोगों को परेशान करती हैं।	5	4	3	2	1
SEV-8 Naxalism can be consider as full-fledged civil war in India. भारत में नक्सलवाद को पूर्ण गृहयुद्ध माना जा सकता है।	5	4	3	2	1
SEV-9 Naxalism by any means, is weakening India's federal security administration. किसी भी तरह से नक्सलवाद भारत के संघीय सुरक्षा प्रशासन को कमजोर कर रहा है।	5	4	3	2	1
SEV-10 The civil intelligence provide reliable information. सिविल इंटेलिजेंस विश्वसनीय जानकारी प्रदान करता है।	5	4	3	2	1

SEV-11 There is problem of fake encounter and false cases against the innocent people. निर्दोष लोगों के खिलाफ फर्जी मुठभेड़ और झूठे मामले की समस्या है।	5	4	3	2	1
SEV-12 Technological support is also responsible factor to spread link of Naxalism. नक्सलवाद के संपर्क को फैलाने के लिए तकनीकी सहायता भी जिम्मेदार कारक है।	5	4	3	2	1
SEV-13 It is difficult to distinguish between the Local people and Naxalites during anti Naxals operations. नक्सल विरोधी अभियानों के दौरान स्थानीय लोगों और नक्सलियों के बीच अंतर करना मुश्किल है।	5	4	3	2	1
SEV-14 There is a problem of tri junction in tracing to Naxalites. नक्सलियों को ट्रेस करने में ट्राई जंक्शन की समस्या है।	5	4	3	2	1
SEV-15 There is a lack of coordination between state police and central armed police forces to combating Naxalism. नक्सलवाद से निपटने के लिए राज्य पुलिस और केंद्रीय सशस्त्र पुलिस बलों के बीच समन्वय का अभाव है।	5	4	3	2	1
• Non-Security (गैर-सुरक्षा चर)					
NSV-1 Naxalism has been supported by the local people voluntarily. नक्सलवाद को स्थानीय लोगों ने स्वेच्छा से समर्थन दिया है।	5	4	3	2	1
NSV-2 State agency could not win the hearts and mind of local people. राज्य एजेंसी स्थानीय लोगों का दिल और दिमाग नहीं जीत सकी।	5	4	3	2	1
NSV-3 NGOs support Naxalism. एनजीओ नक्सलवाद का समर्थन करते हैं।	5	4	3	2	1
NSV-4 Naxalism disturbed the local people physiologically. नक्सलवाद ने स्थानीय लोगों को शारीरिक रूप से परेशान किया।	5	4	3	2	1
NSV-5 Media does not make serious efforts to expose Naxalism. मीडिया नक्सलवाद को बेनकाब करने के लिए गंभीर प्रयास नहीं करता है।	5	4	3	2	1
NSV-6 Civil society is capable to counter the Naxalism. नागरिक समाज नक्सलवाद का मुकाबला करने में सक्षम है।	5	4	3	2	1
• Environmental Variables (पर्यावरण चर)					
ENV-1 Environmental crisis leads Naxalism. पर्यावरण संकट नक्सलवाद का नेतृत्व करता है।	5	4	3	2	1

ENV-2 Inordinate delay to pass The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 leads Naxalism. अनुसूचित जनजाति और अन्य पारंपरिक वनवासी (वन अधिकारों की मान्यता) अधिनियम, 2006 को पारित करने में अत्यधिक विलंब नक्सलवाद का नेतृत्व करता है।	5	4	3	2	1
ENV-3 Naxalite preserve, protect and defend the environment. नक्सली पर्यावरण को संरक्षित, संरक्षण और रक्षा करते हैं।	5	4	3	2	1

THANK YOU FOR YOU PARTICIPATION.

आपकी भागीदारी के लिए धन्यवाद।

Annexure 2

THE NAXAL ACTIVITY PREVENTION BILL 2021

A Bill define to the Naxalism as offence and amend and consolidate the Acts related the Naxal Activities. And to provide for constitution of the ‘**The Naxal Activity Prevention Bill 2021**’ at National Level to deal with challenges of Naxalism with the help of the Federal Naxal Prevention Department and strengthen the coordination between Center-State in maintaining internal security as well as abolition of the Naxalism.

1. Short Title, extent and Application

This Act may be called as The Naxal Activity Prevention Act 2021

2. It extends to whole of India and is applicable

To the Citizens of India and non-Citizens India

3. Definitions-

a. **Central Naxal Prevention Department** means department constituted under Sec.4 of this Bill.

b. **Naxal offence** means, offenses committed by the active member of the Naxalites organization.

c. **Director of Naxal Prevention Department** means, Director appointed under Sec.5 of this Bill

d. **Wings** means, different departments constituted under sec.8 of this Bill

e. **Advisory Board** means, Board constituted under Sec. 9 of this Bill.

f. **State Naxal Prevention Department** means, State Naxal Prevention Department Constituted under Sec.10 of this Bill.

g. **Director-state** means, Director State appointed under this sec. 11 of this Bill.

h. **State Wings** means, different state departments constituted under sec.14 of this Bill

i. **Special Court means**, Court constituted under sec.15 by the Supreme Court of India or the High Court of the State.

j. **Special Public prosecutor**-means special public prosecutor appointed under sec.18

of this Bill

4. Naxal Prevention Department

a).Central Government may constitute a special department to be called as the**Central Naxal Prevention Department** for investigation and prosecution of offenses under the Acts specified in the schedule and to exercise all other powers endowed under this Act for protection and maintenance of security.

b) Overall superintendence of **Central Naxal Prevention Department** shall vest in Central Government of India.

c) There will be **Central Naxal Prevention Department** at national level headed by highly qualified professionals.

d) **Central Naxal Prevention Department** will specifically look after the Naxal offence.

e) **Central Naxal Prevention Department** should be constituted with an object, to respond to different kinds of terror unleashed by any group.

f) This department shall perform all functions relating to intelligence, prevention, investigation & operations.

g) The Headquarter of the Commission shall be at New Delhi, headed by Director Federal Naxal Prevention Department

5. Appointment, tenure of the Director- Federal Naxal Prevention Department.

a) The Director- **Central Naxal Prevention Department** shall be appointed by the President of India by warrant under his hand and seal.

b) The President of India shall constitute a collegiums for the appointment of Director **Central Naxal Prevention Department** which shall consist of

1. The Prime Minister of India (Chairman)
2. The Minister of Home Affair (Member)
3. The Leader of opposition in the House of the people. (Member)
4. National Security Advisor
5. Chief of Army

c) Based on the recommendations of the committee, President shall appoint the Director of Central Naxal Prevention Department.

d) The Central Government shall appoint a Secretary and Secretariat to the Central Naxal Prevention Department on such terms and conditions as it deem fit to exercise such powers and discharge such duties as the Department may by resolution specify

e) The Director, Central Naxal Prevention Department shall hold the office for the term of five years from the date on which he enters upon his office or till he attain the age of sixty five years, whichever is earlier

f) The Director – Central Naxal Prevention Department may be removed from his office in the manner provided in Sec-7.

g) The salary and allowances payable to and the other conditions of the service of the Central Naxal Prevention Department shall be the same as those of the Chairman, Union Public Service Commission.

6. Powers and Duties of the Director

a) Subject to any Rules which the Central Government may make in this behalf, Director- Central Naxal Prevention Department shall have all powers in relation to the investigation and prosecution of offenses mentioned in the schedule throughout India.

b) Director shall take all important and emergency decisions pertaining to internal security in consultation with Prime Minister of India.

c) Receiving and analyzing intelligence gathering from all sources,

d) Arrest of person concerned in such offenses, all the powers, duties, privileges and liabilities which investigating officers have in connection with the investigation of offenses under Cr. P.C. e) The Director shall delegate necessary powers to the subordinate wings and their officials to effectively perform their functions.

f) Director shall exercise all other allied necessary powers endowed under this Act for protection and maintenance of security from the Naxal offence.

g) Overall administration of Federal Naxal Prevention Department shall vest in Director.

h) Laying down the policies for improvement in internal security condition in consultation with advisory board,

7. Removal of the Director

a) Subject of the provisions of sec. 6, the Director-Central Naxal Prevention Department shall be removed from his office only by order of the President on the ground of proved misbehavior or incapacity after the Supreme Court, on a reference made to it by the President, has, on inquiry, reported that the Director-Central Naxal Prevention Department ought on such ground be removed.

b) The President may suspend from office, and if deem necessary prohibit also from attending the office during inquiry

c) The President may by order remove the person from the office of the Director if he is

1. Adjudged an insolvent; or
2. Has been convinced of an offense which in the opinion of the Central Government, involve moral turpitude; or
3. Engages during his term of office in any paid employment outside the duties of his office

4. Is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body.

8. Wings under Central Naxal Prevention Department

- a) **Training Wing-** For training of staff
- b) **Intelligence Wing-** Intelligence gathering and analysis
- c) **Research & Development and Advance Technology Wing-** for research into means and equipments and methods based on technology and assist the training department to train the staff in this regard.
- d) **Investigation Wing-** For investigation of offenses
- e) **Finance Wing-** For financial advice and annual budget
- f) **Disaster Management Wing-** For extra ordinary emergency
- g) **Federal Action Force (FAF)-** Operational Force of Central Naxal Prevention Department.

9. Constitution of Advisory Board-

- (1) There shall be Advisory Board consisting of following personnel-

- a) Prime Minister
- b) Home Minister
- c) Defense Minister
- d) Chief Minister of each state
- e) Opposition
- f) Chiefs of Army, Navy and Air Force
- g) 2 Scholars and Experts appointed by President

9. (2) Director Central Naxal Prevention Department shall take all policy decisions pertaining to Central Naxal Prevention Department in consultation with Advisory Board.

9. (3) Advisory Board may render their advice to Director, own their own, if they consider it necessary.

10. State Naxal Prevention Department

a) There shall be State Naxal Prevention Department constituted in each state & union territory of India for investigation and prosecution of offenses under the Acts specified in the schedule and to exercise all other powers endowed under this Act for protection and maintenance of internal security from the Naxals within respective state.

b) Overall superintendence of State Naxal Prevention Department shall vest in State Naxal Prevention Department -Delhi

c) State Naxal Prevention Department will specifically look after the crimes affecting internal security which are also endangering National Security within respective state from Naxals.

d) State Naxal Prevention Department should be constituted with an object, to respond to different kinds of terror unleashed by any group within respective state.

e) This department shall perform all functions relating to intelligence, prevention, investigation & operations.

f) The headquarter of the State Naxal Prevention Department shall be constituted in Capital of the state or in consultation with Director-

11. Appointment, tenure of the Director- State Naxal Prevention Department.

a) The Director- State Naxal Prevention Department shall be appointed by the President of India by warrant under his hand and seal

b) The President of India shall constitute a collegiums for the appointment of DirectorState Naxal Prevention Department which shall consist of

1. The Prime Minister of India (Chairman)
2. The Minister of Home Affair (Member)
3. The Leader of opposition in the House of the people. (Member)

4. National Security Advisor
5. Chief of Army

c) Based on the recommendations of the committee, President shall appoint the Director State Naxal Prevention Department.

d) The Central Government shall appoint a Secretary to the State Naxal Prevention Department on such terms and conditions as it deem fit to exercise such powers and discharge such duties as the Department may by resolution specify

e) The Director, State Naxal Prevention Department shall hold the office for the term of five years from the date on which he enters upon his office or till he attain the age of sixty five years, whichever is earlier

f) The Director – State Naxal Prevention Department may be removed from his office in the manner provided in Sec-13.

g) The salary and allowances payable to and the other conditions of the service of the State Naxal Prevention Department shall be the same as those of the Chairman, Union Public Service Commission.

12. Powers and Duties of Director State Naxal Prevention Department

a) Subject to any Rules which the Central Government may make in this behalf, Director- State Naxal Prevention Department shall have all powers in relation to the investigation and prosecution of offenses mentioned in the schedule within particular state.

b) Director-State shall take all important and emergency decisions pertaining to internal security in consultation with State Federal Naxal Prevention Department.

c) Receiving and analyzing intelligence gathering from all sources within state.

d) Arrest of person concerned in such offenses, all the powers, duties, privileges and liabilities which investigating officers have in connection with the investigation of offenses under Cr. P.C.

e) The Director-State shall delegate necessary powers to the subordinate wings and their officials to effectively perform their functions.

f) Director shall exercise all other allied necessary powers endowed under this Act for protection and maintenance of internal security.

g) Overall administration of State Naxal Prevention Department shall vest in Director.

h) Laying down the policies for improvement in internal security condition in consultation with advisory board,

13. Removal of the Director- State Naxal Prevention Department

a) Subject of the provisions of sec. 6, the Director- State Naxal Prevention Department shall be removed from his office only by order of the President on the ground of proved misbehavior or incapacity after the High Court, on a reference made to it by the President, has, on inquiry, reported that the Director- State Naxal Prevention Department ought on such ground be removed.

b) The President may suspend from office, and if deem necessary prohibit also from attending the office during inquiry

c) The President may by order remove the person from the office of the Director if he is

1. Adjudged an insolvent; or
2. Has been convinced of an offense which in the opinion of the Central Government, involve moral turpitude; or
3. Engages during his term of office in any paid employment outside the duties of his office
4. Is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body

14. Wings - State Naxal Prevention Department

a) Training Wing- For training of staff

- b) Intelligence Wing-** Intelligence gathering and analysis
- c) Research & Development and Advance Technology Wing-** for research into means and equipments and methods based on technology and assist the training department to train the staff in this regard.
- d) Investigation Wing-** For investigation of offenses
- e) Finance Wing-** For financial advice and annual budget
- f) Disaster Management Wing-** For extra ordinary emergency
- g) State Action Force (SAF)-** State operational Force of State Naxal Prevention Department

15. Power of Central Government to constitute Special Courts

- a) The Central Government shall, by notification in the official gazette, for the trial of offenses may constitute one or more special courts for such area or areas, or for such case or class or group of cases, as may be specified in the notification.
- b) In case any question arises as to the Jurisdiction of any special court, it shall be referred to the Central Government whose decision shall be final.
- c) A Special Court shall be presided over by a Judge to be appointed by the Central Government on the recommendation of the Chief Justice of India.
- d) A special court may, on its own motion, or an application made by the public prosecutor and if it is considers it expedient to do, sit for any of its proceedings at any place other than its ordinary place of sitting.

16. Jurisdiction of the Special Court

- a) The scheduled offenses mentioned and investigated by the State Federal Naxal Prevention Department shall be tried only by the Special Court within whose local jurisdiction it was committed
- b) If, having regard to the exigencies of the situation prevailing in a state if –

1. It is not possible to have fair, impartial or speedy trial or
2. It is not possible to have the trial without the breach of peace or grave risk to the safety of accused, the witnesses the public prosecutor or a judge of a special court or any of them; or
3. It is not otherwise in the interest of justice

The Supreme Court may transfer any case pending before the special court to any other special court.

17. Power of Special Court

- a) While trying any offense, a special court may also try any other offense with which the accused may under the code be charged, at the same trial if the offense is connected with such other offense
- b) Appointment, qualification, rules of service shall be governed by rules framed under this Act.

18. Public Prosecutor

- a) The Central Government shall appoint a person to be the Public prosecutor and may appoint one or more persons to the additional public prosecutor
- b) A person shall not be eligible to be appointed as a Public Prosecutor unless he has been in practice as an advocate for not less than 7 years or held any post, for a period of not less than seven years under the Union to State requiring special knowledge of law

19. Expenses and Annual report

- a) The expenses of the Department, including any salaries, allowances and pensions payable or in respect of Director, staff of the Central Naxal Prevention Department shall be charged on the consolidated fund of India
- b) It shall be the duty of Director to present annual report as to the functioning of Central Naxal Prevention Department to the Prime minister.
- c) The expenses of State Naxal Prevention Departments shall be charged on respective State Governments.

d) Central government shall provide financial assistance to all respective state Governments for establishment, creating infrastructure to the State Naxal Prevention Department

20. Miscellaneous Provisions-

a) The Central Government may, by notification in the official gazette, make rules for carrying out the provisions of the Act.

b) Every rule made under this Act shall be laid down as soon as may be after it is made, before each House of Parliament.

c) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the official Gazette make such provisions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty. d) The High Court may, by notification in the official Gazette make such rules, as it may deem necessary for carrying out the provisions of this Act relating to special courts.

Possible outcome of the Bill

Specific crimes of Naxalism related to internal security affecting National security will be called as Naxal Offence in respect of which proposed department will work independently in association with all state governments. Central Naxal Prevention Department will be entrusted with all powers and privileges to deal with the problem of internal security effectively.

Annexure 3

INTERVIEW

Professional profile

1. Name: I.P.S., P.Sundar Raj

Designation: D.I.G. Anti Naxal Operation Chhattisgarh

Place: S.I.B, PHQ Raipur, Chhattisgarh

2. Name : Umashnkar Jangde

Designation: Inspector

S.I.B, PHQ Raipur, Chhattisgarh

QN 1 What is Naxalism

Karl Marx and Lenin propounded the theory of classless and egalitarian society in which Mao has added armed struggle that is known as Maoism under the leadership of Charu Mazumdar and Kanu Sanyal the peasants has started armed revolution in village of Naxalbari Dargiling District of West Bengal on 22 April 1967 On the principles of Maoism in respect of Naxalbari Village this is known as Naxalism.

QN 2 Who are Naxalite and how they become Naxals and what are their object?

1 Farmer

2 Labourer

3 Proletariat

4 National Capitalist – who are exploited by the system

These four groups established a joint front who want to established new democratic revolution through protracted war and capture political power. Naxalites have three magic weapons like Party, PLGA, and Joint Front.

On the ideology of Maoism the CPI (MAOIST) brain wash the people on the issue of class inequality, jal , jangle and jamin thus fabricated in their organization. Firstly they recruited people as member and keep under surveillance of their activity and after six month gives party membership.

Party organization used to meeting and supply propaganda and recruitment on the issue of jal , jangle , jamin.

PLGA

Is an army. Its responsibility is fight in areas take away the enemies and capture the arsenal.

Three type

Base Area force

Its primary function is provide to security to village level. Provide food grains and deliver information of police.

Militia

ASSG

ARG

DRG- have tirdhanush

Secondary force

Area has been increased which has been deemed to thana and division of platun supply platun.

LGAS Platun take responsibility of counter to police. When big leader of naxalite comes then pass him. Goods supply. Have automatic weapons like A.K 47 .

MAIN FORCE

Have no area. Fight anywhere like Tarmetla. Jahanbad, Girinid, Korepote. Its have high level force like military, company, battalion, action team.

Joint front

People belong to which profession, on the issues and problems of the profession they makes joint front of female, worker, laborers, farmers like Rao Ghat movement- Rao GhatBachawohjoint fronts has been established.

How make joint front

1 survey of geographical area for the taining, hide, ambush , push and backward areas. class analysis of residence- they targeted the backward areas and illiterate peoples, economically weak, problems of the peoples deep servay conducted which cast beng , religion, occupation, profession, and contradictions of the society.

After servay they make front like women frint, labourfrunt, child front, in DKMS, KMS

2 Lal Pratirodh- it is primary stage they are in position to war but they can induced the people for insurgency. Maharashtra, Madhya Pradesh, Chhattisgarh Zone.

3 Gurrilla zone-

They become powerful, recruitment of military, company battalion etc. they have good quality weapons, villagers ready to harbor the Naxalite and provides foods and shelter. Now they used to fight against the police. Gurrilla Zone has been established within the West Bengal, Assam, Kerala, Tamil Nadu, Andhra Pradesh, and Karnataka.

Under the Guirrila zone naxalites adopt hit and run policy which has been technique of Shiva ji .where enemy powerful go back. Where is weak attack on. Where is police camp to apprehended him. To ambush the police.

4 base areas (adharilaka)-

D.K. BIHAR, Jharkhand areas. In this areas Naxalites running his own government like Jantana Sarkar, which have nine committees.

Object-

To established CPI (Maoist) rule in India through the protracted people's war. And for this purpose to organized the peasant's class or proletariat class. After establishment of the maoist rule to coney or transfer land to the farmers. And established rule of peasants through the peasants committees.

QN 3 What are the reasons behind the developing of Naxalism in India?

There are so many reasons like

Oppose the feudalism, imperialism and lumped broker beurocracy.

1 Social- backwardness, illiteracy, casteism, status of women. Medical facility, poverty

2 Economic- exploitation, inequality, diversity, displacement. Transportation

3 Political- shoshit and shashit. One class ruled over you and exploited you and for their interest imposed draconian laws.

4 Cultural- ghotulcustome of marriage and method of worship. Interfere in traditional culture is reason of violence for example adivasi Budha DEV some people claim as Hanuman. Adivasi culture are different from others they have very emotional touch with the land. Maoist induced the adivasi with the faers of displacement .specially in Dandkaranya. And corporate would looted your resources

5 Geographical- geographical backwardness

6 Tatkalik – Naxalbari

7 Main reasons are exploitation and inequality.

8 Environmental-

9 Constitutional and legal failure-

QN 4 What is the ideology of Naxalism?

Adivasi people have right over jal jangle, jamin

Economic equality

Establishment of Classless society and unexplotation

Internal and social contradiction

QN 5 How the Naxalite fabricated to general people in his ideology along with legitimacy?

Naxalite used to go into villages and search the problems and find out facts and class analysis. Deny forest cut, levy increase of rate of tendue leaves. They rise the issue of problem between people. Basically people is source of naxalite. Teacher salary anukampaetc is legitimate rights raised by naxalites. Basically on which issues they can use people against the governments.

QN 6 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

Maoist deliver loan to people through Jantana Governments.

Distributing lands

They have gun, and there is no police.

QN 7 Whether Naxalite believe in democracy, good governance and nationalism?

Naxalite don't believe in democracy because of democracy has so many fault. There is inequality like social, religious, and economic. Rule of law and administration not just fair and reasonable. Positive change ever been not realized. Democracy is tool of exploitation. We are practicing democracy in support of British imperialism. Democracy is not according to the culture of Indian society. Democracy have no democratic attitude this cannot welfare of the people and country.

They don't believe in nationality. They believe in communism in the world. Nationality has no geographical map. And ultimate aim to established socialism and then after communism.

Good governance-

Local people formed government. Age of 18 years have right to vote. 21 year old can elected as a representative of people. By these people government has been running. Jantanagovernment have nine committees like

- 1 Economic
- 2 Agriculture
- 3 Industry
- 4 Forest
- 5 Coordination (Jan Sampark)
- 6 Justice- Janadalaat
- 7 Security
- 8 Education And Culture
- 9 Health.

QN 8 What is your perception towards Naxal ideologue whether Naxal are revolutionary or terrorist?

Naxals are neither revolutionary nor terrorist they are extremist. Extremists are those people who struggle for regional problems. Litte is another subject matter. Revolutionary fight for the country for the all people. They come in power in Russia , China, Nepal but can't survive successfully.

QN9 whether Naxals have links to other country?

Yes. Kobar Gandhi or kishanji who have linked with other country before arresting on 2011. Now a day's party has been weak then links has been crushed. But underground cadre of Delhi has links to foreign. Till 2011, Myanmar supply weapons to Naxals. Through COMPOSA Naxals have linked with Nepal, Srilanka . IN 1987 LITTE comes and gave training to the Naxalite. They have linked with Philippine's Maoist.

QN 10 whether the Naxalism in its horrifying manifestation of violence poses the greatest threat to the stability of society and state.

Yes. They used to murder of mukhbir and innocent villager. And they become obstacle to the schemes of the government like education, employment, and development etc. they used to damage railway property. They mislead to the peoples. After recruitment nasbandi has been done which is against the nature.

QN 11 whether it is so considering fact that the violence is a one sided affairs by the Naxalites or the government too. How the naxal get weapons? Who are the providers of weapons to Naxals?

From the both side gehukesathghunbhipisatahai.

They are looted weapons from police and CRPF.

And also made gun, kata, graned, barud,

And purchased the weapons.

QN 12 why Naxals attacks on police and CRPF?

Due to the corporate houses, police and CRPF are engaged in the security of imperialist government without the defeat to police CRPF they cannot achieve to corporate houses.

Second police and CRPF is the source of weapons without attacks on these force they cannot loot the weapons.

These forces have cruelty over the people. These forces are stand on front to harbor the exploiting system.

But Naxals have no personal enemies they know very well that these people are their brothers. These forces defy the local system and forest as well as prevent the freely movement of people. People are hesitated to go in market.

Police CRPF has been established so many camps and on mere doubt can harassed and jailed to the innocent people. Take food from the people in marriages and other rituals. And raped the female .these issues Naxalites takes advantage in his favour.

Force has some weakness. And individualism has been exist under the forces. So on individualism you cant target the forces.

QN 13 Whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

These issues are connected to each other. Every problems comes within the society whether it is law and order or other else. Everyone have own perception. Police take its law and order problem many people has been killed development has been crushed. Social issues have nexus with Naxalites cannot deny. With the emergence of Naxalism local culture has been defy. Freely movement has been banned. Naxal committed murder on the mere of the doubt of the police informer .some has been encountered by the police action which is loss of family. Naxals committed economic damage like train, bus, school, government property even personal property of the villagers also. If poor people joined the police or Naxal are surrendered or become police informer then Naxalite used to coercive means and torture the family member even escaped from the villages.

QN 14 What are the perceptions of Naxals towards the constitution of India?

They don't believe in indian constitution. If they believe in the constitution then why the become organization. They called that indian constitution is the instrument of the imperialist and capitalist to rule . and rule of law is mere a myth. Infact rule of law is nothing its rule for serve the corporate and its brokersbeurocracy. Naxals have own constitution of 63 articles under which party programme and object has been written.ultimate object to established communism.

QN 15 Whether Naxalism is for social justice?

We see the perception of Naxalites then answer is positive. But there is contradiction in his own perception. They are fighting for many years in ground but there is no realistic change has been done. Local people not realized any benefits from Naxalites. Whereas social economics losses has been occurred from the Naxalites. Under Jantana government peoples has been killed on mere doubt of police informer without knowing the facts. Due to the Naxalites there were lack of fundamental needs of the people. Government can't achieved to the people from the Naxalites activity.

QN 16 Whether Naxals are anti-law or victim of draconian laws as well as maladministration?

Constitution of India is very good and rule of law is true. But under system many people has wrong attitudes. So find out them not go against the entire system and don't blame that to the constitution of India. Under the constitution of India every people has equal rights. Every people have right to speech and expression and right to association. You have right to make party and through the party you can implement constitution of India properly not through the violence or from the barrel of gun. Democracy can survive properly through the ballet not the bullet. There is no single mechanism who can maintain law and order. To regulate the society and according to the need of the society laws has been made. It is the well-known principle of criminal justice system in India that

And Panchayati Raj Act for the welfare of the people. And object of the system is the maximum pleasure not corruption. Some people comes within the system who is for personal interest involved in corruption and exploited the people. And corruption is also against the Indian law and constitution of India have introduced the system of CVC and many other investigation authority to check the corruption. If every people involved in corruption then system will crushed.

QN 17 What are the challenges and issues of general people in Naxals affected areas?

21th century is known as communication era. But in Naxal affect ted areas have problem of communication system.

1. Transportation
2. Medical facility
3. Road
4. Electricity
5. Water
6. Education
7. Fundamental needas like iodine salt is not available
8. In Chhattisgarh 46 percent people has been suffering from the malnutrition.
9. Corruption

10. Exploitation

11. Employment

QN18 Whether Naxalism is deep rooted in cultural threat rather than national threat?

Yes. Adivasi has been connected with emotions. If outsider comes in area then they feel very apprehension that defy the culture. Naxalites used to take support of the people fear of cultural threat. Under India naxalite don't believe in the law. And is danger to the security of India.

QN 19 Whether it is true that religion is also responsible factor of Naxalism?

Maoism don't believe in any god. Maoism accept to religion as the instrument of exploitation. Karl Marx said that religion is the opium of the poor. Naxalism neither accept the religion nor protect it. According to Maoism every people are equal. Religion propagate the class differences and maltreatment and humiliated the society. They don't practice religious rituals and deny to practice others also. Schedule caste, schedule tribes, Cristian, and Mohamden are exploited by the religious institutions that's why they supported the Naxalism.

QN20 What are the role of religion behind Naxalism?

Karl Marx said that group of individual formed family and family formed society, hitherto regulate the society force has been used. When society has been expanded then force could not regulated them. Then to regulate the society there has been emergence of ideology to regulate the changing society like caste ideology, male female ideology, poor and rich ideology. With the emergence of these ideologies society begin to regulate automatically. Religion is also ideology to regulate the society. The fear of the religion begin to regulate the society automatically. But now a day's ideology crushing the society and created class differences and exploitation. Religion created class stratification. Under which one class rule over the other class these issues has taken by the Maoist in his favor.

QN21 What are the impact of liberalization, privatization and globalization on Naxalism?

Through the LPG American economic imperialism entered into India. Foreign products started to import by which small industries of India has been destroyed. Markets of India has been captured by the international market as well as Multinational companies. People has been unemployed due to the destroyed of small industries. Agriculture has been destroyed and its begin to produce the raw materials for the international market. These issues has been raised by Naxalites to get support from the people.

QN22 What is your agenda to finish Naxalism?

1. Naxalsm is an ideology which has been in the mind of people. It is necessary to isolate the ideology from the minds of peoples.
2. To implement the development programme at the local level.
3. To provide market for own product at local level, according to their culture, traditional knowledge and livelihood.
4. To prevent the recruitment of the cadre.
5. Through the offensive action of police over the Maoist.
6. To establishing good policing in Naxal Affected Areas.
7. To advertise the government schemes in the Naxal Affected Areas.
8. To expose the Maoist wrong activity before the people.
9. To Easily access of government schemes to local people.
10. To take necessary action to promote and secure their culture and traditional knowledge.
11. To fulfill the fundamental needs of the local people.
12. To check over the corruption.
13. To formed local committees to know their problems and needs.
14. Don't interfere unnecessary in the life of local peoples and their life style and tradition.
15. Through the awareness programme.
16. Through the protection of law, there is no fear of police.
17. To established intelligence collections
18. To abolished Naxalism, it is required that coordination of the people.

19. Police forces are required to make his image as service provider not the crusher.
20. Local eligible youth should be appointed in the police.
21. To established police station in the Naxal Affected Areas.
22. Transportation, electricity, water and communications means should be provide.

QN23 Have you any rehabilitation policy for Naxals besides jail?

Yes. I have provision for compensation

Employment, allowances and land , shelter water etc.

When any Naxal surrender before the police on whom government have inam like amount of one lac to one crore that amount will be provide to the surrender Naxalits. Beside this employment, house , security has been provided. If family has been victim of naxalites then government provides house, employmentanukampa , etc.

Recently Paharsingh has surrendered on whom government imposed fifty lac inam which amount ant employment , house, has been provided.

QN 24 How Naxals are treated under the jail?

Like the general prisoners.

QN 25 Sir, in way forward what you say about Naxalism?

Naxalites show the false dreams to the people. By the false dream they fabricated to general people in his ideology. Now a days peoples has been aware. Support from the local people continuously going away from Naxlites. Police, CRPF carry on the development programme in the Naxal Affected Areas. In coming years we will commit to abolished the Naxalism. New generation do not prepare to accept the Naxalites.

We have three pronged strategy to finished the Naxalism

1. Offensive operations
2. Development works
3. Win the trust of local people.

Annexure 4

INTERVIEW

PROFESSIONAL PROFILE

Name: Vishnu Deshmukh

Designation: Inspector

Place: (S.I.B, PHQ Raipur, Chhattisgarh)

QN1 What is Naxalism?

Naxalism has been started on 3 March 1967 in village Naxalbari of Dargiling District of west Bengal. In 1967 this movement has been started from Naxalbari has been expanded over 60 villages near Naxalbari.

This movement has been on the extreme from its initial two years.

All India Communist Revolutionary Coordination Committee has been established on November 1967. Aim of this committee to organize the revolutionaries who adhere the philosophy of Mao from different states like Andhra Pradesh, Kerala, Tamil Nadu, Uttar Pradesh, Bihar, Karnataka, Orissa and West Bengal.

Some leaders of the All India Coordination Committee of Communist Revolutionary has formed new party Communist Party of India (MarxismLeninism) in 1969.

After two years of Naxalbari this movement has been suppressed by the West Bengal government by the offensive strategy. And this movement has been finished in West Bengal. Due to the ideological differences this movement has been split between the many groups. With the passes of the time this organizational change has been occurred and this organization has changed their working areas as well as policy.

At that time CharuMazumdar, KanuSanyal and KanahaiChatterjee were top leaders of this movement.

Now a days Communist Party of India (Maoist) Central Committee has 17 Members and Dandakaranya Special Zonal Committee has 21 active members.

QN 3 What are the reasons behind the developing of Naxalism in India?

1. Innocent attitude of Adivasi
2. Economic inequalities
3. Social class's differences
4. Illiteracy
5. Lack of development
6. Unemployment

QN 4 What is the ideology of Naxalism?

CPI (Maoist) formed his ideology with the inspiration of farmer's revolutions of Maoist organizations.

These are functions against the parliamentary democracy. To achieve political power used people's protracted war.

They occupied small towns for his activity further developed these towns in the Guirrrilla Zone. After this they consolidated many areas to form the independent state. Town's activities are very important to establish the leadership and cadre for organizations.

QN 5 How the Naxalite fabricated to general people in his ideology along with legitimacy?

Tactics of the CPI (Maoist) to attract the people's in his ideology

They used to organize the exploited peoples from the daily basis problems and talks about to agitate against the government.

Cruelty, torture, exploitations over the schedule caste, schedule tribes and small farmers and laborer's from the feudal and upper caste of the society.

They raised the issues and problems of the farmers like increase in the price of fertilizers, seeds, and pesticides. Lack of means of irrigation, not to get a fair price for the crops. Suicides of the farmers.

Naxalites inflame the tribal people for the problem of displacement due to the Land acquisition for the industries, Mines, Tiger Reserve forest, Big Dams and Railway Lines.

Maoists inflame the tribal people to say that government exploiting you and your resources to the anti Naxal movements.

They used to say and inflame that it is right over the Jal, Jangal and Jamin of Tribal people.

They used the frontal organization Chhetna Natya Manch to attract the people through song drama and dances.

Officers and employees in department of forest and revenue who exploited the tribals Maoist punished him publically to create sympathy towards themselves.

Maoists give education in regional language like Halbi, Gondi, etc consequently peoples feel closed to the Maoists.

Due to the fears of the Maoists, peoples became Maoists and some people became Maoists in helplessness.

Maoists used to trick of Sickening attempt against the government schemes of development to the tribal on the following issues

It is accelerate to the development if big companies like TATA, AISSAR has been established in Bastar Areas but Maoists propagate apprehension of land acquisition, interfere in personal life and exploitation and corporate loot of resources as well as poor people will be poor. And indulge in the movement against the government.

There is possibility of development through the RavGhatPariyozna and expansion of the railway lines but Maoists create apprehension of deforestation as well as to make plain.

Training center running by the army in Maar Areas, Maoist claims it as interfere in the life of the tribal people.

Maoist claims that Innocent people are killing in the name of Naxalites by Operation Green Hunt running by security forces.

Through the fake encounter of the innocent tribal in areas police and security forces are being non-tribal to the respected areas.

Maoist induced the tribals for the agitation against the government for the arrest of the active Naxals and prevention of arrest of the Naxals calling him they are the innocent tribal not a Naxal.

After the construction of Inchampalli Dam Maoist Sickening to the tribal for the displacement of the peoples.

Maoist are opposing the Developmental work like houses, road, school etc in the Naxal Affected Areas from the government. Maoist seeks to allegation on government that these developmental work interfere in the life of the tribal.

Boycott of elections and oppose the democracy and want to established state through the red revolution.

Maoist induced the innocent tribal for to increase the wages and price of Tendu leaves.

Real face of the Naxalism

1 All leaders are outsiders- all active leaders in Communist Party of India (Maoist) top to bottom are not Chhattisgarhi while they belong to Andhra Pradesh, West Bengal, Orissa, Jharkhand and Bihar. Thus Chhattisgarhi tribal are discriminated.

2 Upper Caste- all active leaders in Communist Party of India (Maoist) top to bottom are belong to the upper caste. Maoist active leaders see the tribal as well as backward caste as disreputable. If someone oppose their discriminatory behavior Maoist get out from the party on false charges even they used to kill.

3 Collection of levy- Communist Party of India (Maoist) collects levy from the government officials, contractors, lenders as well as corporates. These levy has been used by the top leaders in their own interest. Benefit of these levy cannot distributed in the lowest level Naxals.

4 Exploitation of the tribal women- women has been keep in the party for the sexual exploitation. Women has been barred by the maternity as well as family.

5 Double standard- Maoist delivered big theories in organization, but for the fight they not to come on front. They used to innocent tribal for front to fight against the government. Consequently innocent tribal of Chhattisgarh has been killed.

6 To oppose industrial development- Maoist oppose the industries and public corporations in Naxal Affected Areas so that these area could not economically development as well as social development and want to make illiterate consequently they can fabricate in his ideology.

7 Beating and killing of innocent tribal- To maintain their influence over the areas the Maoist used to beating as well as killing against the innocent tribal. Thus Maoist propagated terrorism in the areas.

8 To oppose democracy-there are democracy in the world today. And government has been running through the elected representative. But a handful Maoist used to oppose democracy because of parliamentary democracy has been hacked by the capitalist and teaches to naïve Adivasi that powers flows from the barrel of the gun. And showing false dreams that we can capture state through the arm revolutions.

9 vasectomy to Naxalites - vasectomy has been done before marriage. And due to the vasectomy women are deprived from the maternity. Consequently birth rate of Adivasi has been decreased continuously. Top Maoist leader implemented a programme for vasectomy to Naxalites so that Naxalites keeps away from family and consequently local Naxalites could not leave the organization.

10 deprived from education to the children - Maoist deprived from education to the children and become Maoist to provide weapons. Child rights has been infringed

by the Maoist. Children have been isolated from main stream of the society from the early childhood.

QN 6 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

QN 7 Whether Naxalite believe in democracy, good governance and nationalism?

QN 8 What is your perception towards Naxal ideologue whether Naxal are revolutionary or terrorist?

QN9 whether Naxals have links to other country?

Yes.

QN 10 whether the Naxalism in its horrifying manifestation of violence poses the greatest threat to the stability of society and state.

Yes, Naxalism is greatest threat to the nation. But state government has running Anti Naxal Operations with the help of the central government. under Anti Naxal Operations legal action has been taken against the Naxalites as well as development being provide in the internal and Naxal Affected Areas.

QN 11 whether it is so considering fact that the violence is a one sided affairs by the Naxalites or the government too. How the naxal get weapons? Who are the providers of weapons to Naxals?

Dandakaranya Special Zonal Committee of the Maoist have arms looted by security forces, and Production Unit of the Technical Committee in Abujhmar areas has manufactured weapons. And police seized weapons after fighting with Naxalitr in which some weapons are manufactured by China. It can be say that China supply the arms and weapons to the Maoist.

QN 12 why Naxals attacks on police and CRPF?

Police and CRPF maintain peace and providing development as well as works like service provider. Naxalite don't want development in their internal areas. So Maoist attacks on these forces.

QN 13 whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

QN 14 what are the perceptions of Naxals towards the constitution of India?

Maoist are against the democracy. And they don't believe in the constitution of India.

QN 15 whether Naxalism is for social justice?

Absolutely not. Because of Naxalites opposed to the development programme running by the government in Naxal Affected Areas. Maoist oppose the developmental works like bridge, road, pulis and construction of building etc.

QN 16 whether Naxals are anti-law or victim of draconian laws as well as maladministration?

QN 17 what are the challenges and issues of general people in Naxals affected areas?

QN18 whether Naxalism is deep rooted in cultural threat rather than national threat?

QN 19 Whether it is true that religion is also responsible factor of Naxalism?

No.

QN20 what are the role of religion behind Naxalism?

Maoist don't believe in religion.

QN21 what are the impact of liberalization, privatization and globalization on Naxalism?

QN22 What is your agenda to finish Naxalism?

To defy the Naxalism Anti Naxal Operations are running effectively by the police and CRPF as well as running developmental work, under which there are making road for traffic, to establishing mobile towers for communication and to modernization of police and security forces automatic weapons and instruments are purchasing.

In Naxal Affected Areas to win the trust of the local people state police establishing community policing under which police organizing competition, games, cultural activities as well as medical camps are being organized time to time by local administration. And various creative activity are being organize under the Civic Action Programme by the CRPF in his camps respectively. Consequently gaps has been decreased between local people and security forces. Connectivity with local peoples by the security forces will play an important role to receive information in Naxal Affected Areas. It is appears to organize these activities in the Bastar Areas so that villages influenced with Naxalites ideology can be connected with the main stream of the society.

Achievements of Anti Naxal Operations

1 Establishment of Special Intelligence Bureau– Chhattisgarh government has established Special Intelligence Bureau in 2004 to effective control over the Maoist activities, to collect reliable information about the Naxalite activities and operations against the Naxalites accordingly. To fulfill these object this Special Intelligence Bureau striving progressively.

2 Rehabilitation and Surrender Policy–Chhattisgarh government enforce the Rehabilitation and Surrender Policy on 20/10/2004 for the object of to rehabilitate the victim of Naxalites and their families and surrender of Maoist to connect in main stream of the society. Rehabilitation and Surrender Policy on 20/10/2004 has amended on 16/11/2015 for compensate the victims of the Naxalites for their injury and inspire to surrender the Naxalites respectively. Under which main provisions are to family member of Naxal victims will be appointed in government job, provide means of employments, education of minor children and to increase in funds with the consideration of physical injury and injury in means of employments,

arrangement of land distribution according to security, MukhyamantriKhadhynYozna ,RastriyaSwathyaBimaYozna and fifty percent discount in passengers fares has been added.

For the surrender of Naxalites and join the main stream the declared amount of inam over naxalites would be provided to the surrender Naxals, if Naxal surrender with arms then according to the arms declared amount would be provide, land distribution according to the security,MukhyamantriKhadhynYozna ,RastriyaSwathyaBimaYozna and fifty percent discount in passengers fares has been added.

3 Joint Command Control Centre (JCCC)-Establishment of JCCC, State Multi Agency Centre (SMEC) every Monday exchange of information and on the information successful anti Naxal Operation are being conducted and curbing over Maoist activity. Information collected by Special Intelligence Bureau has been appreciated by central information bureau several times.

4 Encouragement on the success of the encounter- In Naxal Affected Areas of Chhattisgarh fight between Naxals and Police, police officers and their staff has been shows indomitable courage due to the Naxalites take backs. For indomitable courage of police awards gallantry medal (VirtaPadak).

5 Chhattisgarh Special Public Security Act, 2005- under section 3 (1) Maoist organization and their frontal organization has been declared unlawful organization. Through which Maoist activities has been curbed.

6 Ideological war against Maoist- under the banner of SAI App, poster, pamphlets, especially in language of Chhattisgarhi, Halbi, Gondi, has been prepared and distributed weekly market, public places, bus stands and square intersections. GINGLE has been prepared in Hindi,Chhattisgarhi, Halbi, Gondi, and its propagation by Akashvani is continuing. Suraj Ki Kahani, Sukku Ki Sikil, and BallukiJubani names videos has been created and distributed on Main Places. By the What's up, Facebook and Social Media peoples has been connected in Naxal abolition Movements. Another side Maoist's has been inspired to surrender. Due to lose his member of Maoist Organizations Consequently Maoist activities has been decreased.

7 creation of new vacancies in DRG and STF- Fight against Naxalites it was necessary to increase in the vacancies in DRG and STF.

8 to increase in inam amount over Naxalites by Chhattisgarh- state of Chhattisgarh increased the amount of inam over active Maoist member. In present time these amounts are between the one lac to one crore.

QN23 have you any rehabilitation policy for Naxals besides jail?

Chhattisgarh government enforce the new Rehabilitation and Surrender Policy for the surrender Naxalites on 16/11/15.

QN 24 how Naxals are treated under the jail?

QN 25 sir, in way forward what you say about Naxalism?

Annexure 5

INTERVIEW

Professional Profile:

Name: Anand Shukla

Post: Sub Inspector Rajnandgaon

Mobile no: 7898088880

Email: shuklaanand654@gmail.com

Interview conducted on dated 22/09/2018

QN.1 What is Naxalism?

Naxalism is an organization, who caught into the clutches of crime to the poor people, by provoking against the policies of the government, keeping the people away from the education and facilities, the Naxal organization is the one to raise illegal money and increase terrorism.

There is a lot of difference between statement and action. Many things are being written but they were not followed by Naxalites.

QN.2 Who are Naxalites and how they become Naxals and what are their object?

Naxalites are select areas where there is lack of education and basic facilities. And select those educated people who are awaited for employment and exploited by system.

QN.3 What are the reasons behind the developing of Naxalism in India?

1. Lack of education in Naxal Affected Areas. Teachers fill up the present register without taking any class for ten day or more days.
2. Administration cannot access easily.
3. No upliftment of people by the administration and policies.
4. The administration did not reach the end as the Naxalites digested first. Naxalites take advantage of their first presence.

QN.4 What is the ideology of Naxalism?

QN. 5 How the Naxalite fabricated to general people in his ideology along with Legitimacy?

By showing false dreams, selling dreams, everyone loves the dreams.

QN.6 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

QN. 7 Whether Naxalite believe in democracy, good governance and nationalism?

No.

QN.8 What is your perception towards Naxal ideologue whether Naxals are revolutionary or terrorist?

Terrorist. Without any discussion on the mere doubt of informer killed civilians as well as their cadre.

QN.9 Whether Naxals have links to other country?

Yes. Weapons has been captured has been made in foreign.

QN.10 Whether the Naxalism in its horrifying manifestation of violence poses the threat to the stability of society and state?

Yes. Its poison for society.

“जंगल भी है हमारी, बस्ती भी है ये हमारा.

करके दंगा क्यों तूने बस्तियां उजाड़ी.

बच्चो के शीर्ष छिना उनके पिता का साया.

लहू से होली खेली तुझको तरस न आया”

QN.11 Whether it is so considering fact that the violence is a one sided affairs by the Naxalites, or the government too. How the Naxals get weapons? Who are the providers of weapons to Naxals?

QN. 12 Why Naxals attack on the police and CRPF?

To loot the weapons. In the war between administration and Naxalites police has been killed. Intellectuals and leaders are not going to fight with Naxalite in the field. Adequate medical staff and facilities are not available during operations.

QN. 13 Whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

Yes, it's associated with socio-economic. Intellectuals associated with these organization take advantage of economic activities. Lower strata people fighting for socio economics upliftments.

QN.14 What are the perceptions of Naxals towards the constitution of India?

Don't believe in the constitution. In my view the constitution of India is very good. Maoist did not any work which is better than the constitution of india.

QN 15 Whether Naxalism is for social justice?

No. there is not mention social justice intheir banner, poster etc.

QN. 16 Whether Naxals are anti law or victim of draconian laws as well as maladministration?

Naxalites are anti law. There is a chance of misuse of the laws.

QN. 17 What are the challenges and issues of general peoples in Naxal Affected areas?

Contractors do not want to work.

QN. 18 Whether Naxalism is deep rooted in cultural treat rather than national threat?

Naxalism will destroy the tribal culture, through placing a gun on the tribals shoulder.

QN. 19 Whether it is true that religion is also responsible factor of Naxalism?

No. Naxalites talks religious exploitation and destroyed the Brahman and Kshatriya. But in present nothing like this.

QN.20 What is role of religion behind Naxalism?

QN.21 What are the impact of Liberalization, globalization and Privatization on Naxalism?

QN. 22 What are your agenda to finish Naxalism?

All the policies should be reached to the ends of the society, so that wrong right can be understand by the people. Education should be spread till the last person. All the department of the government work in coordination.

QN.23 Have you any rehabilitation policy for Naxals beside jail?

Yes. To hug the Naxalite.

QN.24 How Naxals are treated under the jail?

Like other prisoners.

QN.25 In way forward what you say about Naxalism?

Message should be delivered to the Naxalites, if you came with us then government have good life for you.

Annexure 6

INTERVIEW OF SURRENDERED NAXALITES

Profile

Name: Kumar Saikatlam alias Pahar Singh.

A top Naxal leader wanted by police of three states, with a bounty of Rs 47 lakh surrendered before IG of Durg in Chhattisgarh. Maoist Pahad Singh a former teacher, was a leading member of Maharashtra-Madhya Pradesh-Chhattisgarh Zone apart from being secretary of GRB Divisional Committee and member of state zonal committee of Maoists. He was responsible for new recruitment in the Maoist cadre through his immense persuasion skills. Pahad Singh had joined Naxal movement in late 1990 when he could not get a regular government job. A resident of village Fafamar of Rajnandgaon sharing borders with Maharashtra and Madhya Pradesh, Pahad Singh was initially given responsibility to persuade people to join the Guerrilla army. He was promoted to Deori Dalam commander in 2003 and was later made area committee member. He worked at a senior position in Malajkhand Dalam. In 2014 he was entrusted with the task of forming a new zone on the tri-junction of three states Madhya Pradesh, Chhattisgarh and Maharashtra known as MMC zone. The new zone was formed on the lines of Dankaranya Special Zonal Committee in Bastar in order to create a new battle zone and ease out pressure from Bastar area. Surrendered Maoist Pahad Singh used to lure young men through is poems and speeches. He was extremely popular in the districts of Balaghat, Gondia, Garhchiroli, Rajnandgaon, Durg, Mandla and Kabirdham. While Chhattisgarh government had announced a reward of Rs 25 lakh on his head, Madhya Pradesh announced a prize of Rs 12 lakh and Maharashtra, Rs 10 lakh. Police sources said that Pahad Singh had got disenchanted from the Maoists to whom he used to collect and give over Rs 1.2 crore every month, of which Rs 12 lakh was given to him to run his movement. He was planning to quit the organization for a long time. Police wanted to arrest him by cracking in on his hideouts but he chose to surrender giving a ditch to security forces. By doing so he will get benefits of surrender policy by state government. Chhattisgarh police is very happy with this surrender as this will help to break an important link of the cadre in the tri-junction area of state. After his

surrender Pahad Singh said that Maoists are not following any ideological war but running an extortion racket.

QN.1 What is your Name?

Kumar Saikatlam alias Pahar Singh. Pahar Singh that is party name.

QN.2 Where do you live?

Village Fafmar Thana Gainda Tola, District Rajnand Gaon, Chhattishgrah.

QN.3 What is your qualifications?

12th passed. I could not completed my B.SC. , due to poverty.

QN.4 What is Naxalism?

Its peasant's revolution. Naxalism is agrarian armed struggle which has been started for land. Which had been led by Charu Mazumdar in 1967 in village of Naxabari, Darjeeling district west Bengal.

QN.5 Who are Naxalites and how they become Naxals and what are their object?

Naxalism is a foreigner path which is not suited in India. Naxalite stand for to established new social order which will be go through the various different phases, ultimately stablished classless society. It is noted that these objectives has been written in Indian constitution so there is no require of Naxalism.

QN.6 What is the ideology of Naxalism?

QN.7 What are the reasons behind the developing of Naxalism in India?

Due to the multi political democracy of our country development works have been delayed.

1. Land rights
2. Stilted intellectual
3. Recognizing the local people over the tribal problem

4. Selfishness
5. Displacement of Mulnivasi tribals by government

QN. 8 How the Naxalite fabricated to general people in his ideology along with Legitimacy?

Naxalites fabricated to general people collectively local cadre to cities through their party programme.

QN.9 How did you come in the link of Naxalites?

For livelihood I came in the link of Naxalites. In 1990-1991 I used to collect Tendu Leaves. Naxalites used to say that they are fighting for tribals rights. Government indulged in looting of tribal forest, land minding and destroying the tribal culture. We shall not let the scarify die of the Bhagaht Singh, Rajguru, Sukhdev. On these issues I Came in the organization in 2000. I have trained in mobile warfare. I have appointed in Basic Military Force I have learned training to fire a gun.

In 2003-2004 I take charge of Area Committee Member. To organize the local people in organization. I had worked extensively in Chhuriya area of Rajnandgaon. Organized different movement on different issues. In Chhuriya i successfully run movement of peasants.

In 2006 I had appointed in Molazkhand Area Committee as secretary. Where I gave slogan “ jote boye kate dhan khet ka malik wahi kisan.”It was very successful.

In 2008 I appointed in D.V.C. M.

I had appointed as Incharge of Korchi, Khitkera and Khobrameda where I made Dalit – Adivasi OBC Ekta Mach. Where I programmed for the communion dinner where Member of Legislative Assembly also come. Where I raised a movement against the iron project of the flag on huge tribal people approximately 15000. It was very successful movement.

QN.10 Why did you leave Naxal Movement?

Due to the policy of war, upper leadership behaved in differences like dominance of upper caste Brahmin, belong to out of Chhattisgarh. Upper leaderships used to tribal as write, feco pan. Doubts on local cadre, Adivasi killing, false allegations, and its defy the tribals.

QN.11 Now what is your perception about Naxalism?

Initially it seem to wonderful but now its threat to tribal identity. Now government has celebrated international tribal's day on 9th August every year then no need of Naxalism.

QN.12 Whether government have rehabilitation policy for Naxals beside jail?

Yes. I have surrender under rehabilitation policy.

QN.13 Are you rehabilitated by government?

Yes.

QN.14 What are the challenges before rehabilitation and after rehabilitation.

Tribal society is not well due to the Naxalism.

QN.15 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

Russian path was insurgency as well as revolutionary, While Chines path is people's protracted war.

QN. 16 Whether Naxalite believe in democracy, good governance and nationalism?

No, Naxalites are opportunist, Naxatites used to pseudo-inciting against government, they talks about nationality but they donot accept that Kashmir and north -east is part of the india. Naxalite spread rad terror in Bastar and want to spread red terror in Gondwana Land likr Uttar Pradesh, Bihar, Jharkhand, Odisha, Maharashtra, Tamil Nadu and Kerala.

QN.17 What is your perception towards Naxal ideologue whether Naxals are revolutionary or terrorist?

Naxals are terrorist. Outsider Stilted intellectual are associated with Maoist ideology, who used to write many books and induced the tribal for people's protracted war. Provides weapons to the cadres.

QN.18 Whether Naxals have links to other country?

Yes. Philippines, Peru, Turki,

QN.19 Whether the Naxalism in its horrifying manifestation of violence poses the threat to the stability of society and state?

Yes. Destroy the social order and production being made according to the need of people's protracted war.

QN.20 Whether it is so considering fact that the violence is a one sided affairs by the Naxalites, or the government too. How the Naxals get weapons? Who are the providers of weapons to Naxals?

Naxals used to violence to oppose the government. Don't believe in religion. Naxalites are against the Brahminvad. Most weapons are snatched from police. Naxalites had their own factories to produce the weapons but now these factories has been captured by the police.

QN. 21 Why Naxals attack on the police and CRPF?

It's a strategy of people's protracted war that state have four organs

- 1- Administration
- 2- Judiciary
- 3- Jail
- 4- Police and army

If police and army has been crushed then it will be easy to destroy these other three organs and capture the state in own hand.

QN. 22 Whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

Self-respect is only show off. Mainly it is finishing of tribals. It is policy of Divide and rule. There is no new system. The believers in cities cannot bring revolution.

QN.23 What are the perceptions if Naxals towards the constitution of India?

Naxalites don't believe in the constitution of India. Now in my view constitution of India is true. With the constitutional commitment development is possible.

QN 24 Whether Naxalism is for social justice?

Not. Naxalites blood is blood clot and opportunistic. They called Indian independence is false that's why agrarian revolution is required for complete independence. Through the joint font of peasants and labour,we will established socialism and communism in our motherland India.

QN. 24 Whether Naxals are anti law or victim of draconian laws as well as maladministration?

Local tribal peoples are victim of these laws. But outsider higher strata peoples take advantage of Naxalism.

QN. 26 What are the challenges and issues of general peoples in Naxal Affected areas?

Local people have living very hardship life. Two time meals are not available. There is no means of livelihood beside the forest produce. For the water, peoples go for long march on daily basis. Fear of police. Peoples are not able to roam freely in the forest. Peoplescannot collect the forest produce for their livelihood. Naxalite collects levy over forest produce and state officers also take favor. Due to the war peoples brutally killed by the both side. Due to the fear of police as well as Naxalites peoples escaped from the areas. Education is not properly running.

QN. 27 Whether Naxalism is deep rooted in cultural treat rather than national threat?

Both have different culture. Adivasi culture is to protect the nature and live according nature. Naxals and state both exploited the natural resources. Naxals earned crore from the bamboo tree. Collective dance of tribal is endanger. Both state and Naxaliteas are looted the natural resources of tribals.

QN. 28 Whether it is true that religion is also responsible factor of Naxalism?

Religion is an emotion. It is the opium of the poors. On these issue Naxalites takes advantage.

QN.29 What is role of religion behind Naxalism?

It's a supportive factors to lead the Naxalism.

QN. 30 Whether NGOs support to Naxalism?

No.

QN.31 What are the impact of Liberalization, globalization and Privatization on Naxalism?

The government of India open the door to loot the resources for the foreigner capitalist. It serve the economic imperialism of America and European countries.

“ग्लोबलाइज़ेशन है महामारी, दुनिया भर में फैली सारी न बचे जंगल न बचे झाड़ी, न बचे ये पहाड़ी, ग्लोबलाइज़ेशन है महामारी”

QN. 32 What are your suggestions to finish Naxalism?

1. It will be finished through the constitution of India.
2. Education system
3. Prevention of displacement
4. Freely movement should be open for tribal in the forest for their livelihood.

QN.33 How Naxals are treated under the jail?

QN.34 Whether women are in the Naxal Organization?

Yes. More than fifty percent are women in the organization. Equal training has been provided by the trainer irrespective of gender. Women have hold the post of commander and even women are in central committee of the Maoist.

QN.35 Whether women sexually exploited in organization?

Not exploited. Marriage is allowed in organization. But have no right to born a baby.

QN.36 What's are your experiences Naxal to police?

If we see the Development of cities then I told you that Chhattisgarh has been gone very forward. People are happy with government. But Naxals oppose the development. Now Naxals are anti people and against the development .Naxals do not let the culvert be in the affected areas. There is hospitals are not available for the medicine peoples are depend over the Naxalites.

QN.37 In way forward what you say about Naxalism?

1. To finish Naxalism.
2. The constitution of India should be respected.
3. Consolidation of the ideological differences.
4. Tribal can be safe from Naxalites.

Annexure 7

INTERVIEW

Professional Profile

Past Association: Surrender Naxalites

Name: Sanjay Potam Alias Badaru

Place: Dantewara, Chhattisgarh

Post – Sub Inspector

Mobile No. 7587057644

QN.1 What is your Name?

Sanjay Potam Alias Badaru .

QN.2 Where do you live?

Village – Pusanaar, Thana Gangalor, District Bijapur

QN.3 What is your qualifications?

Sunita – 8th Class Pass

QN.4 What is Naxalism?

QN.5 Who are Naxalites and how they become Naxals and what are their object?

They want to eliminate the government and bring communism.

QN.6 What is the ideology of Naxalism?

QN.7 What are the reasons behind the developing of Naxalism in India?

Where the government does not have access, they make a strong area, where there is a wild area, there is no development by the government.

QN. 8 How the Naxalite fabricated to general people in his ideology along with Legitimacy?

Naxalites are intimidating people, making Naxalites, and those who do not know about government voluntarily become Naxalites

QN.9 How did you come in the link of Naxalites?

I was doing farming, Naxalites used to come to the village, due to fear of policemen, there were problems. The Naxalites first appoint as Local Organizer of Scout members, then as Deputy Commander followed by Commander. Then made Secretary of Block Level Area, then Member of Division Committee at District level.

QN.10 Why did you leave Naxal Movement?

I am first surrendered Naxalite in Dantewara district. I worked for Naxalites for 10 years, there was no benefit in staying in the organization. Nothing gets for the family. Naxalism is nothing but dying. I read the surrender policy, the government placed a reward of 10 lakhs on my head to catch me.

QN.11 Now what is your perception about Naxalism?

Under the surrender policy, only 2 lakhs were able to meet me by the government, while 10 lakhs were borne by the government. After surrendering, the government first made me a secret soldier, then made constable, I made several encounters of Naxalites and then the government made me Assistant Sub Inspector, now I am on the post of sub inspector.

QN.12 Whether government have rehabilitation policy for Naxals beside jail?

Yes. Who were arrested in the forest or anywhere kept in jail.

QN.13 Are you rehabilitated by government?

Yes.

QN.14 What are the challenges before rehabilitation and after rehabilitation.

The big leaders who spoke used to do the same thing, what we did was wrong. What you are doing right now is right. Naxalites keep searching for me, threatening the family. Naxalite organization has to be afraid. Big leaders keep their calculations. Naxalites suspect, torture and punish people.

QN.15 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

They talk about Karl Marx, Lenin, Stalin, Mao. Explains the tactic of fighting war in the air for war. Naxalites teach a book called Viukka in the organization. I believe that Naxalites will not be able to succeed on those principles. Explains the tactic of fighting war in the air for war. Naxalites teach a book called Viukka in the organization. I believe that Naxalites will not be able to succeed on those principles.

QN. 16 Whether Naxalite believe in democracy, good governance and nationalism?

Some in the organization want to contest elections but some want to fight armed struggle, there is a discussion in the cadre, some were not in favor to fight and bring revolution through elections but some people do not agree. I believe communism cannot be brought about through armed struggle.

QN.17 What is your perception towards Naxal ideology whether Naxals are revolutionary or terrorist?

They are not terrorist. Naxalism and terrorism have difference on the point of their ideology.

QN.18 Whether Naxals have links to other country?

Yes. Top leaders have links. It is of two type urban network and other fight in the forest.

QN.19 Whether the Naxalism in its horrifying manifestation of violence poses the threat to the stability of society and state?

Yes

QN.20 Whether it is so considering fact that the violence is a one sided affairs by the Naxalites, or the government too. How the Naxals get weapons? Who are the providers of weapons to Naxals?

Police do not commit violence if Naxalites are not there. The police raid all the time to arrest the wanted people.

1. They are robbing to the police for weapons.
2. Import
3. They also make to weapons

QN. 21 Why Naxals attack on the police and CRPF?

Because Naxalites are afraid from the police.

QN. 22 Whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

It is required that govern make development in the forest areas. Due to the poverty naxates claim that armed struggle is solution.

QN.23 What are the perceptions if Naxals towards the constitution of India?

They raised slogan that constitution of India and independence is false. We will make our own constitution.

QN 24 Whether Naxalism is for social justice?

Not at all.

QN. 24 Whether Naxals are anti law or victim of draconian laws as well as maladministration?

They are anti law.

QN. 26 What are the challenges and issues of general peoples in Naxal Affected areas?

Where Naxalites are in dominant positions where people are suffering a lot facing lack of road, hospital and their survival.

QN. 27 Whether Naxalism is deep rooted in cultural treat rather than national threat?

Fighting for save your culture.

QN. 28 Whether it is true that religion is also responsible factor of Naxalism?

Naxalite oppose worship. They believe in nature.

QN.29 What is role of religion behind Naxalism?

It's a supportive factors to lead the Naxalism.

QN. 30 Whether NGOs support to Naxalism?

Yes but internally .

QN.31 What are the impact of Liberalization, globalization and Privatization on Naxalism?

They are opposing.

QN. 32 What are your suggestions to finish Naxalism?

Instead of police it is first and foremost requirement of development. Naxalism will not end by killing some Naxalites. One will die and another will be born. The development is on the road, more than 50% of the under-developed areas are inaccessible.

QN.33 How Naxals are treated under the jail?

QN.34 Whether women are in the Naxal Organization?

Yes.

QN.35 Whether women sexually exploited in organization?

Yes

QN.36 What's are your experiences Naxal to police?

QN.37 In way forward what you say about Naxalism?

If Naxalism ends, peace will come. Bastar people are dying from both sides.

Annexure 8

JOINT INTERVIEW

Women Surrendered Naxalites

Name: Sunita & Manju

Place: Dantewara, Chhattisgarh

QN.1 What is your Name?

1. Sunita
2. Manju

QN.2 Where do you live?

1. Sunita – Village Vansi Bajari, District Dantewara
2. Manju - Dantewara

QN.3 What is your qualifications?

1. Sunita – 5th Class
2. Manju - No

QN.4 What is Naxalism?

We shall do Development of the people.

QN.5 who are Naxalites and how they become Naxals and what are their object?

QN.6 What is the ideology of Naxalism?

QN.7 What are the reasons behind the developing of Naxalism in India?

There is no difference between rich and poor.

QN. 8 How the Naxalite fabricated to general people in his ideology along with Legitimacy?

QN.9 How did you come in the link of Naxalites?

Naxalite use to visit my village regularly.

I attracted to see the gun.

If you join to the movement thereafter your villages will develop.

If you join to movement your land can not take away by any other.

Threatening to people to join their movement.

1. Sunita – I joined in 2005
2. Manju- I joined in 2014

QN.10 Why did you leave Naxal Movement?

Sunita -There is no development after all long time of service.

Manju - They deny to meet with family members.

They deny if you want go to your own village

QN.11 Now what is your perception about Naxalism?

Commitment is not realize.

There is marriage by willingly or forcefully, but they use to vasectomy to the male.

QN.12 Whether government have rehabilitation policy for Naxals beside jail?

Yes. I have surrender under rehabilitation policy.

QN.13 Are you rehabilitated by government?

Yes.

QN.14 What are the challenges before rehabilitation and after rehabilitation.

It is difficult to climbing over the mountain.

Life is under the shadow of fear.

Naxalites use to follow to the surrendered Naxalites.

I have worked in village for three years then after in militia, there is hard training in the militia.

QN.15 Whether Indian Naxal movement is similar to Russian revolution as well as Mao Zedong's movement in China?

QN. 16 Whether Naxalite believe in democracy, good governance and nationalism?

Deny to vote

QN.17 What is your perception towards Naxal ideologue whether Naxals are revolutionary or terrorist?

QN.18 Whether Naxals have links to other country?

Yes. Top leaders have links.

QN.19 Whether the Naxalism in its horrifying manifestation of violence poses the threat to the stability of society and state?

QN.20 Whether it is so considering fact that the violence is a one sided affairs by the Naxalites, or the government too. How the Naxals get weapons? Who are the providers of weapons to Naxals?

1. They are robbing to the police for weapons.
2. Import
3. They also make to weapons

QN. 21 Why Naxals attack on the police and CRPF?

1. Police will not come again after attack.
2. Police use to harassing and killing to the villager.

QN. 22 Whether the Naxalism is a law and order problem alone or it is associated with socio economic movement, life of dignity and self-respect?

QN.23 What are the perceptions if Naxals towards the constitution of India?

Not heard

QN 24 Whether Naxalism is for social justice?

QN. 24 Whether Naxals are anti law or victim of draconian laws as well as maladministration?

QN. 26 What are the challenges and issues of general peoples in Naxal Affected areas?

There is no development.

It is difficult to get water, it takes 2 to 3 hours to get water.

A crop grow in a year.

The moneylender has to take a loan, which makes the moneylender exploit.

Extortion and serial killing.

QN. 27 Whether Naxalism is deep rooted in cultural treat rather than national threat?

Fighting for save your culture.

QN. 28 Whether it is true that religion is also responsible factor of Naxalism?

Naxalite oppose worship. They believe in nature.

QN.29 What is role of religion behind Naxalism?

It's a supportive factors to lead the Naxalism.

QN. 30 Whether NGOs support to Naxalism?

Yes

QN.31 What are the impact of Liberalization, globalization and Privatization on Naxalism?

QN. 32 What are your suggestions to finish Naxalism?

There should be arrangement of House, Ration, Road, School, Education, Water and Lightning.

QN.33 How Naxals are treated under the jail?

QN.34 Whether women are in the Naxal Organization?

Yes. More than fifty percent are women in the organization. Equal training has been provided by the trainer irrespective of gender. Women have hold the post of commander and even women are in central committee of the Maoist.

QN.35 Whether women sexually exploited in organization?

Yes

QN.36 What's are your experiences Naxal to police?

There is expectation from police officials.

QN.37 In way forward what you say about Naxalism?

No