

Speech of Selvi J Jayalalithaa, Hon'ble Chief Minister of Tamil Nadu at the Chief Ministers' Conference on Internal Security at New Delhi on 5.6.2013 – read out by Thiru K.P.Munusamy, Minister for Municipal Administration, Rural Development, Law Courts and Prisons.

“Hon'ble Prime Minister,
Hon'ble Home Minister,
Hon'ble Chief Ministers of other States,
and other dignitaries,

We are all gathered here today for the Annual Chief Ministers' Conference on Internal Security. The first and most vital function of the State is the maintenance of public order and peace in Society and ensuring the protection of its citizens. The trajectory of development and growth is inextricably intertwined with the internal security situation in the Country. Unless there is peace and tranquillity, we cannot have social and economic growth. This is a universal truth of which we are all aware. However, it is a matter of great disappointment and regret that in spite of the vital importance of the subject, the Conference on Internal Security is treated by the Government of India as a mere ritual. It is routinely convened each year to discuss an almost unchanging Agenda that fails to keep up with the emerging situation and makes no attempt at achieving a real breakthrough on pressing issues of concern.

All the Hon'ble Chief Ministers of the States are keenly aware of the need for modernization of the Police Force, strengthening Coastal and Border Security, strengthening the Intelligence machinery and developing Police training infrastructure. Year after year, Chief Minister after Chief Minister vociferously exhorts the Government of India to significantly step up the allocation of funds for the modernization of the State Police Forces. However, funding from the Government of India remains extremely low and inadequate and even shrinks from year to year. Growing crimes and criminality, terrorism and other threats to the integrity of the Nation, are most effectively met by utilizing modern technology which in turn requires massive increases in funding. While States like Tamil Nadu are investing in this area, the Government of India can no longer shy away from its responsibility and must significantly enhance funding.

The maintenance of Internal Security in the country is an exercise that requires functional co-operation and understanding between the Central Government and the State Governments and presupposes a relationship based on equality - the States are equal partners with the Centre in protecting the Nation from internal strife. However, the Government of India is increasingly taking unilateral steps and creating top down structures and parallel authorities that encroach upon the constitutional domain of the State Governments. This is an ill-informed and counter-productive approach best illustrated by the ham-handed manner in which the National Counter Terrorism Centre has been sought to be established, an issue to which I shall return later in my speech.

Let me now dwell upon the major issues concerning Internal Security as detailed in the Agenda. So far as the maintenance of law and order is concerned,

I am proud to inform this august gathering that Tamil Nadu has largely been free of communal, left wing extremist, and religious fundamentalist violence. This is largely because I have provided a free hand and uncompromising support to the Police Force in maintaining law and order. Public order is well maintained in the State, making it a haven of peace and tranquillity.

My Government has made it clear that it will not spare anyone who tries to whip up communal passions and create caste tensions and the Police have been given a clear mandate to curb such activities with an iron hand. The ability of the Government to understand and effectively articulate the just and fair sentiments of the people of the State on critical issues has been one of the important reasons for the proper maintenance of public order in the State.

Although persistent attempts have been made by Maoists to strike roots in the State, they have not been allowed to gain a foothold thanks to ceaseless vigilance particularly in the tri-junction area between Tamil Nadu, Karnataka and Kerala where some intelligence inputs indicated that Naxalites were likely to try to establish their presence. Similarly, firm action has been taken to quell the activities of some front organizations espousing left wing extremist ideology and attempting to build up a mass base. Tamil Nadu has also been free of religious fundamentalist violence.

While the Sri Lankan Tamil militancy problem is no longer a serious concern in our State, there are still about 67,000 Sri Lankan Tamil refugees in 110 camps and about 35,000 other Sri Lankan Tamils living outside the camps. The human problem of Sri Lankan Tamils being treated as second class citizens in their own land in post ethnic conflict Sri Lanka, is a major emotive issue in the State. The Government of India's insensitive handling of the issue as well as its inability to protect Indian fishermen, pursuing their livelihood in the Indian Ocean, from being regularly subjected to murderous attacks by the Sri Lankan Navy is a serious problem. I have repeatedly written to the Prime Minister protesting against the unprovoked, dastardly, murderous attacks upon and arrests of innocent Tamil Nadu fishermen in pursuit of their traditional livelihood on the high seas. These continuing attacks by the Sri Lankan Navy, and the lack of a suitable and effective response by the Government of India, have agitated the entire fisherfolk community in Tamil Nadu, and this impinges upon the internal security environment in the State.

I have repeatedly addressed the Government of India to try to seek a permanent solution to the problem by getting back Indian sovereignty over the island of Katchatheevu, and its surrounding area which was permanently ceded to Sri Lanka in 1974 without the requisite mandate of Parliament.

I, therefore, use this forum to again urge the Government of India to take effective steps to:

1. Prevent unprovoked, murderous attacks on Indian fishermen by the Sri Lankan Navy.
2. Retrieve Katchatheevu and its surrounding area as a permanent solution to this vexatious issue.
3. Press for the redrawing of the International Boundary Line.

There is a reference in the Agenda to the setting up of a separate cadre of investigation within the Police Force as a measure of professionalization. The proposal to set up a separate crime investigation agency under a Board of investigation with a separate cadre of Officers and men is an ill-conceived remedy which is worse than the malady.

In Tamil Nadu, in accordance with the orders of the Supreme Court, separate Crime Investigation and Law and Order wings have been created in every Police Station. However, integration between the two wings at the District level and at the State level is achieved through the institutions of the Superintendent of Police and the State Police Headquarters, respectively. Separating investigation and Police functions into water tight compartments by creating a separate cadre is neither practical nor expedient. This is why I also opposed the proposal in the report of the Second Administrative Reforms Commission to create a Board of Investigation as an entity separate from the Police.

Tamil Nadu also has several specialized investigation units to investigate crimes including the Economic Offences Wing, the Idol Wing, the Commercial Crimes Investigation Wing, the Anti Land Grab Cells, Cyber Crime Cells and Video Piracy Cell. The expertise of Police Personnel can be developed only by proper training and not by strait jacketing them into artificially created compartments. Police Officers who have the aptitude for investigation and who have been trained to specialize in any of the above specialized wings, can be assigned investigative work, irrespective of normal tenure and depending on need. Hence, we see no merit in the suggestion to create a separate cadre for investigation.

A strong, efficient, well equipped and disciplined Police Force is the only answer to meeting the challenges posed by anti social elements who try to disrupt law and order. All the Hon'ble Chief Ministers who are present here today would agree that, mainly, it is financial constraints that stand in the way of the efforts of State Governments to modernize and upgrade the Police Force. I request the Union Government to substantially increase the levels of financial assistance for the modernization of the Police Force. **I wish to point out that the release of funds by the Government of India under the Police Modernisation Scheme to Tamil Nadu has come down drastically in 2012-13. I am also disappointed to note that the Central share in the scheme of modernization, which was 75%, has been brought down to 60%, and the State Government's share increased to 40%, placing a much higher burden on the finances of the State Government.** In contrast, realizing the imperative need to improve the infrastructure, mobility and weaponry of the Police Force, my Government has sanctioned Rs.619 crores in the last financial year. I, therefore, urge the Government of India to come out with a refurbished National plan for the modernization of the State Police Forces and substantially step up the allocation of funds to the States.

Mega cities have unique problems. They are often business capitals or financial hubs or IT capitals with a large presence of foreigners, foreign companies and diplomatic missions and people from several States of India. This makes them naturally attractive targets for terrorist attacks, requiring policing in these cities to be qualitatively different from other cities with emphasis on prompt response from the Police, which requires high mobility,

high tech communication, surveillance cameras etc. Needless to say, Special Central Assistance is required to meet these costs. It has been indicated that the Central allocation of Rs.88.47 crores for Chennai, will have to be matched by the State on a 60:40 ratio, involving an expenditure of Rs.58.98 crores over a two year period, placing a heavy burden on the State's resources. **Considering the importance of mega cities from the national point of view, we are of the view that the Centre must bear the entire cost of modernization.**

Development of forensic capabilities is very important for scientific investigation and to ensure effective prosecution of crimes. Tamil Nadu has a strong Forensic Science capability with laboratories at the State, Regional and District levels. In this connection, I suggest that one of the areas that the Government of India should focus on is the creation of a national level database of fingerprints which can be accessed by investigating officers. It is a sad reflection on the state of affairs that hardly 1000 cases are detected all over India on the basis of fingerprint technology. I may mention here with some pride that over 50% of these detections are contributed by Tamil Nadu. I am convinced that by the setting up of a National online database of fingerprints which is shared by the Police Forces of all States, there will be a quantum jump in the detection of crimes. A National project to be implemented in mission mode in computerized finger print applications is the need of the hour. I also suggest that bringing in the necessary legislation to enable the building up of DNA data bases should be given top priority by the Government of India.

The Tamil Nadu Police Technical Services Wing looks after the communication / electronics and IT network of the Police Force in the State. I am proud to state that the Tamil Nadu Technical Services Wing has established TETRA based modern control rooms in Salem and Tirunelveli. Upgradation of 2 Mbps to 34 Mbps leased line to the Central Server at State Headquarters has been established so as to enable more Police stations to log in concurrently to the Central Server. Provision of 500 more broadband connections to Police Units throughout the State has been undertaken at a cost of Rs.40 lakhs. All Police Stations and important Police Units have been provided with broadband internet connectivity. A Network connectivity survey has been conducted throughout the State, covering all Police Stations and Special Units for the establishment of the CCTNS project. Web based application software like CCTNS Tracker and SB CID DSR software have been developed.

The CCTNS has been successfully implemented in four pilot Districts in the State and is under implementation in the remaining Districts. I am glad to state that implementation in the State is well ahead of time. I strongly suggest that there should be more flexibility in the implementation of the CCTNS and States should be encouraged to develop their own applications and decide their priorities, instead of trying to standardize Police Station records and practices by a centrally driven initiative. Basic protocols can be laid down for sharing of information, but it should be left to the States to design and implement computer projects.

Tamil Nadu has a well oiled Intelligence gathering apparatus with a number of specialised wings to look after various threats to public order. The Tamil Nadu State Intelligence wing is an effective and highly professional body which participates in the Subsidiary Multi Agency Centre by promptly acting on

the information received by it and by sharing relevant information with the central agencies through this mechanism. The professional capabilities and strengths of the anti-terrorism and anti-militancy network of the State intelligence wing have been recognized nationally.

As in the case of criminal investigation, the Government of India has mooted the idea of a separate cadre for intelligence. I am of the view that such a move would be divisive and counterproductive. The gathering of intelligence is a highly sensitive operation and the need for surveillance even within the intelligence unit to monitor integrity is continuous. The existing system of deputation from the main force into the intelligence unit has the advantage of choice and the opportunity to monitor internal efficiency and integrity. Such flexibility will be unavailable in an independent cadre. Our efforts to improve the functioning of the Intelligence Wing will be further strengthened if the Central Government comes forward to provide funds liberally for technological upgradation through the wide spread use of computers, CCTV coverage etc., for provision of infrastructure such as vehicles and for providing special allowances to motivate the personnel. **We have incentivized service in the Intelligence Wing by providing a special pay of 10% of basic pay to personnel in the Intelligence Wing up to the rank of Additional Superintendent of Police in order to attract the best talent. My request to the Government of India made last year at this same Conference has still not been acceded to.** I wish to reiterate that the Government of India should reimburse the special incentive paid to the Intelligence Wing by the State Government.

I now come to the contentious issue of the constitution of the proposed National Counter Terrorism Centre (NCTC). At the Conference held on the subject on 5th May, 2012, I had exhaustively conveyed the opposition of my Government to the formation of the NCTC based on a number of very valid, tenable and legal arguments, the least of which was that none of the State Governments were consulted before the unilateral notification of NCTC, which in itself was a totally undemocratic act on the part of the Government of India. Serious doubts exist about the operational effectiveness of a Central Agency totally manned by officials of the Intelligence Bureau, armed with powers of arrest and seizure. The Ministry of Home Affairs proposal revealed a total lack of understanding of ground realities and a big brotherly attitude that sought to make a mockery of all democratic norms and attempted to reduce democratically elected State Governments to the status of pawns on a chessboard. The exercise of intelligence gathering is greatly dependent on State Police networks and any exclusive Central agency, shorn of any understanding of the local languages, and locally established crime syndicates partnering with terror networks, could be a sure recipe for disaster at the operational level. The turf war between the Intelligence Bureau and the Centre's own agencies like R&AW, the Directorate General of Military Intelligence are only too well known. Creating a further layer of contradictions through a dysfunctional structure would be counter-productive. Any National Counter Terrorism Institution can ill afford to work in isolation from the State Police. I had also raised the question of accountability to the innocent local people whose lives could stand compromised by a centrally operated action of which none, including the State Police, had a clue. These unanswered questions challenged not only the wisdom of a unilaterally constituted, centrally administered and manned structure, but also the very effectiveness of such an

elitist isolated force, with unfettered powers over the lives and liberties of the people. Based on my cogent and vehement arguments which were endorsed by the overwhelming sense of outrage and protest by a majority of the Chief Ministers who attended the Conference, it was indicated that the constitution of the NCTC would be kept in abeyance until the matter was re-examined so as to devise an effective counter terrorist strategy.

In my letter dated 28.12.2012, I had conveyed to the Prime Minister that no proactive step should be taken to set up the NCTC without consultation with the States and to communicate to the States the draft of any proposal that may be prepared for the setting up of such an Institution at the National level to combat terrorism. The finalization of any such initiative should be done only after completion of the democratic process of consultation with all the States. The full contours of such a National Institution to counter terrorism have still not been shared with the State Governments. There are unconfirmed reports that the NCTC will now be constituted outside the Intelligence Bureau. I fail to understand why the Centre persists in dealing with such a sensitive matter in such an insidious fashion, treating the State Governments as though they are adversaries to be suspected rather than partners, and continues trying to establish the Counter Terrorism Centre by stealth rather than in a spirit of co-operation and transparency and in partnership with the State Governments. Surely, in a federal democracy like ours, democratically elected State Governments are as interested in the territorial integrity and unity of the Country as the Union Government? The Government of India should shed the mantle of suspicion and distrust and seek the active co-operation of all the State Governments as its equal partners in our fight against the common enemy --- Terrorism.

I would like to reiterate what I already stated in the Conference to discuss NCTC on May 5, 2012. If terrorism is to be fought effectively, a nodal mechanism in the States should co-ordinate with the nodal central agency on matters of counter terrorism. A Rapid Action Counter Terrorist Force needs to be created in every State, which will function under the nodal State Agency. On receipt of information, the nodal State Agency should activate the force to organize appropriate operations. State Governments should be given liberal financial assistance by the Centre to raise such a force fully equipped with modern weapons and training. This would be, in my opinion, the appropriate strategy for counter terrorist operations. I am confident that all the Chief Ministers here will unhesitatingly endorse such a well designed, effective and democratically conceived measure to establish a structure that will effectively guard and protect India and all Indians from terror.

Tamil Nadu has a long coast line of 1076 km. The Coastal Security Group was established in Tamil Nadu in 1994, well before the Government of India's scheme of coastal security, which came into effect only in 2005. Patrolling along the coast and filtering at check posts has been done by the CSG in Tamil Nadu to prevent possible infiltration from the sea route and also to prevent smuggling of contraband, especially explosives. Coastal Village Vigilance Committees have also been an important component of Coastal Policing in Tamil Nadu. So far, we have set up 12 Marine Police Stations, 12 Out Posts and 40 check posts and procured twelve 12-tonne boats and twelve 5-tonne boats. 30 more Marine Police Stations and 12 jetties and twenty 12-tonne boats have

been proposed. Out of a sum of Rs.107.36 crores allotted by the Centre, only Rs.23.79 crores has been released so far. We had also proposed that All Terrain Vehicles may be supplied to the Marine Police Stations. However, since the Government of India did not agree, we went ahead and sanctioned 24 All Terrain Vehicles at a cost of Rs.1.56 crores. We consider that, in view of the sensitive nature of the Tamil Nadu Coast, the Government of India should come forward to sanction the purchase of All Terrain Vehicles for the Tamil Nadu Coastal Security Group in larger numbers.

I have always been passionate about securing the goal of true gender equity in Tamil Nadu. As a result of my efforts, Tamil Nadu is undoubtedly today, the leading State in attaining the goal of equality before law for women and has emerged as a State where women feel safe and secure. I wish to record here that my Government pioneered the setting up of All Women Police Stations in India more than 20 years ago in 1992. Today, there are All Women Police Stations in every Police sub-division in Tamil Nadu totaling 200. The proportion of women in the Police Force at 16.5 per cent is the highest in the country. The punishment in cases of sexual harassment was made more severe and the burden of proof to prove innocence was transferred to the accused in cases of death or suicide resulting from sexual harassment under the amendments to the Tamil Nadu Prohibition of Harassment of Women Act passed in the Tamil Nadu Legislature by my Government in 2002.

Impelled by the need to have an even stronger legislative basis to protect women from sexual violence, I have recently announced a fresh set of strong measures for the protection of women, a bold and innovative '**Thirteen Point Plan**'. Accordingly,

1. Cases relating to sexual violence against women would be treated as grave crimes and investigation would be carried out as far as possible by Women Police Personnel and be directly supervised by Deputy Superintendents of Police.
2. The review of investigation of these crimes will be regularly done by SPs and DIGs from the date of registration till the case is concluded.
3. Zonal IGs of Police will take up review of all such cases relating to sexual violence which are under investigation and pending before the courts and submit reports to the Additional Director General of Police.
4. The Goondas Act will be amended to take strong action against perpetrators of such crimes.
5. Fast Track Mahila Courts will be set up in all Districts to quickly conclude cases relating to sexual violence and crimes against women.
6. Women Advocates will be appointed as Government Prosecutors in these courts.
7. Steps would be taken to ensure that cases relating to violence against women are heard on a daily basis and concluded expeditiously.
8. The Union Government will be requested to make necessary amendments in the legal provisions to accord stringent punishment to sexual offenders.
9. Special Training Sessions on the provisions of legislations for the protection of women and proper methods of investigating sexual crimes will be imparted in the Police Training Institutions.

10. The Tamil Nadu Government will bear the entire medical expenses of women subjected to sexual violence and extend necessary assistance for their rehabilitation.
11. A unified helpline for women would be set up.
12. The Government has made it mandatory to install CCTV cameras in public buildings. This would also aid in identifying persons indulging in crimes against women.
13. Police Personnel in plain clothes will be deployed to monitor public places frequented by women and tough action would be taken against persons found harassing women.

Tamil Nadu is probably the only State in the country which has ordered the constitution of 42 Mahila Courts to be located in all the 32 Districts of the State. These measures, I am confident, will guarantee a safe and secure environment for all women in the State, including women in the workplace.

The quality of Policing can be improved only through a transparent recruitment system, by imparting proper training to Police Personnel, permitting unhindered functioning of the Police Department and by creating support systems which will enable the Police to focus intensely on the core Police functions of maintenance of law and order and control and detection of crime. Tamil Nadu as a progressive State has been making steady and rapid progress on the path of innovation and Police reform. The Tamil Nadu Government has also put in place a fair, transparent and fool proof method of Police Recruitment through the Uniformed Services Recruitment Board. Training initiatives to transform attitudes like gender sensitisation workshops for all ranks- from Constable to DGP- have helped to create and sustain enduring change and impact. The training infrastructure in the State includes a modern Police Academy at the State level and a number of Recruit Schools across the State.

I have taken up several welfare measures to ensure better working conditions and better housing for Police Personnel in Tamil Nadu contributing to a higher morale and esprit de corps essential for better delivery of service on the frontline. The Police Force has been provided with health cover, insurance cover, housing facilities, canteens and improved working conditions such as adequate rest, allowances for extra days of work and proper barracks and dormitories to house the constabulary, deployed in distant places in times of law and order disturbances.

After the Police, Prosecuting Machinery and the Courts, Prisons are the fourth major institution involved in the administration of justice as they lodge the offenders during the period of trial and conviction. I ordered the construction of a large, high security prison complex to house 3000 prisoners at Puzhal in 2003. We have modernized and upgraded security in prisons by putting in place X-Ray baggage scanners, conducting anti-sabotage checks by utilizing a dedicated dog squad and maintaining a high level of vigil. Video conferencing facilities to connect courts with prisons were first set up by me in 2004. These facilities have now been extended to cover 45 locations connecting all Central Prisons and Special Prisons in the State with 306 courts. It is my Government's intention to cover all courts and all jails in the State with video-conferencing to reduce the need for travel of prisoners improving security and reducing costs. Many novel measures have also been undertaken for the welfare of the prisoners and to protect their human rights.

To conclude, there is, in modern Indian Society, a perceptible telescoping tension and intolerance, which threatens to make it more confrontationalist, belligerent and prone to overt acts of violence. These have thrown up major challenges to the Police Force in maintaining law and order and compromising the internal security environment of the State. Such a situation warrants not only a major increase in the number of Policemen per 1000 persons in the population, it also requires a huge increase in the investment on modernization of the Police Force in terms of equipment, mobility, weaponry as well as more sophisticated technological aids in crime detection as well as surveillance. It also demands that the Government of India recognize that the maintenance of law and order and Police are State subjects in the Constitutional scheme and that the States should be treated as equal partners in a system where co-operation between State and Centre should prevail over narrow political considerations. The territorial integrity of our Country and the unity of our Nation are too valuable to be sacrificed at the altar of short term political gamesmanship. The effort must be to share intelligence, information, and resources between the States and by the Centre with the States, so that the war against the common enemy, Terror, Fundamentalism and Extremism **can** and **will** be won by us, **together.**"

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