

PRESS RELEASE

Speech of Selvi J Jayalalithaa, Hon'ble Chief Minister of Tamil Nadu at the Sixteenth Meeting of the National Integration Council at New Delhi on 23.9.2013 – read out by Thiru K.P.Munusamy, Minister for Municipal Administration, Rural Development, Law, Courts and Prisons.

Hon'ble Prime Minister,
Hon'ble Union Ministers,
Hon'ble Chief Ministers of other States and
Union Territories and other dignitaries

We have all gathered here today for the 16th Meeting of the National Integration Council, after a gap of nearly two years. For a country that is just 67 years young, which attained independence from the British Raj against the background of the gut wrenching violence of Partition that the departing British bequeathed to us, we have struggled to make our democracy work. Despite the challenges of pluralism, multi-ethnic divides and the schisms of caste, compounded by post Independence dangers namely, extremism, separatism and terrorism, we have largely been successful in holding on to our political freedom and the democratic values enshrined in our Constitution, standing out and being globally recognized as the most successful secular democracy in the non Western world.

Despite this impressive record, a multitude of divisive forces are creating fault lines in the very fabric that binds our Nation and are threatening to abort her bid to reach the status of a superpower. Inimical external forces and misguided anti-social elements within the Country have always tried to add to our internal troubles. Some of the unrest is also fuelled by socio-economic factors. Unequal distribution of the benefits of economic growth with the perception that many sections of Society have been left behind, marginalized and even unfairly exploited by those who have prospered have sharpened social divisions. The sharp deceleration of economic growth in the recent past and the persistent high inflation caused in substantial measure by the gross macro-economic mismanagement of the UPA Government at the Centre have also no doubt contributed to social tensions.

The need of the hour is to develop an Indian identity that is founded on a scientific temper, social and economic equality, and a melding of our diverse faiths and cultural practices, which will truly integrate our diversity into unity. It seems to me that we must reinforce such Pan Indian values by using a forum like the National Integration Council to effectively scotch the fissiparous forces that seek to create fissures in our democratic edifice.

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. It is precisely for this reason that I have adopted a growth model for Tamil Nadu that seeks to achieve development through inclusive growth and thereby rid Society of inner tensions that may surface in the form of communal tensions or extremism or some other form of disaffection. The Vision for Tamil Nadu for 2023 is to become India's most prosperous and progressive State with no poverty, where its people enjoy all the basic services of a modern Society and live in harmonious engagement with the environment and with the rest of the world. Not only are we targeting high growth, but we also seek to exhibit a highly inclusive growth pattern.

The ability of my 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 Tamil Nadu. This requires the State Government at the highest level to be in tune with the concerns and aspirations of its people. It also requires the administration at the local level to be sensitive and with an ear to the ground. District Administration in Tamil Nadu is run in this manner, thanks to close supervision and monitoring from above and the positive response to public expectation from below.

My Government in Tamil Nadu has taken several proactive steps to promote communal harmony. Special attention is given to the welfare of Minorities through the Directorate of Minorities Welfare, the Tamil Nadu Minorities Economic Development Corporation and the Tamil Nadu Minorities Commission. A number of initiatives on communal harmony are taken amongst the youth by organizing competitions and youth festivals. Community leaders and NGOs are encouraged to participate in the celebration of festivals of other religions and communities. The Government of Tamil Nadu gives assistance for pilgrimages to Mecca, Jerusalem, Manasarovar and Mukthinath. I may state with pride that our record in maintaining communal harmony has been impeccable.

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. Tamil Nadu now has a near perfect record of maintenance of law and order and is spoken of nationally as 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. Activities of communal organizations of both communities are kept under close watch by a Special Wing in the State Intelligence. Inflammatory and provocative speeches, pamphlets, audio and video CDs and other reproductions are acted against promptly. Fundamentalist organizations like Al Umma and All India Jihad Committee have been banned in the State. Activities of erstwhile SIMI elements are being carefully monitored. Preventive measures including the setting up of permanent peace committees in sensitive places, adequate precautionary measures during important festivals and for important places of worship and effective use of the security proceedings provisions of the Criminal Procedure Code and Preventive Detention laws have helped the State avoid any serious incidents of violence. In this context, I wish to state that the use of Preventive Detention laws by the State Government is done, keeping foremost in mind the interest of preserving Public Order. The State has been very judicious in the use of these laws since they deal with the personal liberty of citizens. Of late, there is a noticeable and unwelcome development wherein the Government of India, for ostensibly political considerations, is setting aside orders issued by the State Government. We consider that this is an unnecessary encroachment upon the State's powers and will seriously compromise the maintenance of Public Order.

The maintenance of Law and Order in the Country is the fundamental responsibility of the State Governments, but it 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, namely, that the States are equal partners with the Centre in protecting the Nation from internal strife. However, I note that of late, the Government of India has been increasingly taking unilateral steps and creating top down structures and parallel authorities that encroach upon the constitutional domain of the

State Government. This is an ill-advised and counter-productive approach, best illustrated by the ham-handed manner in which the National Counter Terrorism Centre was sought to be established or by the shoddy manner in which the Communal Violence Bill has been drafted, details regarding which I have already communicated to the Government of India at the relevant time.

In the aftermath of the recent unfortunate incidents of communal violence in some parts of India, there has been a call in some quarters to enact the Prevention of Communal and Targeted Violence (Access to Justice and Reparations) Bill, 2011. I have already spelt out my strong opposition to the proposed Bill, both on behalf of the Government of Tamil Nadu and the All India Anna Dravida Munnetra Kazhagam Party. In my view, the proposed Bill will not meet the desired objective of curbing vociferous religiosity or preventing communal and targeted violence. Many provisions of the Bill are vaguely worded and leave themselves open to wide subjective interpretations and hence are liable to be misused. Above all, the Bill is against the constitutional scheme of distribution of powers between the Centre and the States. Clause 20 of the Bill, which gives extensive powers to the Central Government and the proposed National Authority for Communal Harmony, Justice and Reparation, is a direct assault on State autonomy. Hence, it would be extremely unwise to pose the Bill and the National Authority proposed by it as a solution to a complex problem that requires sensitive co-operation between the Centre and the States. In fact, the remedy proposed would end up being worse than the disease itself.

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. Realizing the imperative need to improve the staffing, infrastructure, mobility and weaponry of the Police Force, my Government has sanctioned substantially enhanced allocations.

The Hon'ble Chief Ministers of the States are keenly aware of the need for modernization of the Police Force, strengthening the Intelligence machinery and developing Police training infrastructure. All the Hon'ble Chief Ministers would also agree, 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%.** I, therefore, urge that the Government of India should 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.

Growing crimes and criminality, communalism, the growth of hate propaganda through the use of modern communication and information technology and other threats to the integrity of the Nation, are most effectively met by utilizing modern technology. Facilities which track, in real time, the misuse of information and communication means for intensive hate propaganda and cyber crimes require substantial investments in equipment and training of personnel. 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 for such purposes.

The proactive use of the social media as an effective means of mass communication and source of correct information also needs to be focused upon. But the risks of using social media including hacking, cyber bullying and capture by anti social elements have to be mitigated through appropriate safeguards and

effective monitoring and administration of such sites by trained and empowered personnel.

Gathering timely and relevant intelligence and acting on it is crucial to prevent communal disturbances and to tackle communal situations. Tamil Nadu has a well oiled Intelligence gathering apparatus with a number of specialised wings to look after various types of 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 and with other State agencies through this mechanism. The professional capabilities and strengths of the State intelligence Wing have been recognized nationally.

I think the agenda of this meeting rightly focuses on the issue of safety and security of women. I have always been passionate about securing the goal of true gender equity in Tamil Nadu. To help women overcome domestic drudgery and to become more effective participants in the labour force, my Government has taken the pioneering step of providing mixies, fans, grinders and induction stoves free of cost to women. Tamil Nadu also implements a number of schemes such as marriage assistance schemes which promote important social objectives like women's education, widow re-marriage and inter-caste marriage; hostels for working women, service homes for destitute women, the Girl Child Protection Scheme, the scheme for distribution of free milch animals and goats; and issue of land rights in the name of women that will improve their economic security and empower women.

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. The proportion of women in the Tamil Nadu Police Force at 17.2 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 legal 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**'. This includes formation of Fast Track Mahila Courts, appointment of women Government Lawyers, amendments to the Goondas Act, 24 hour toll free Helpline for Women - 1091, fixing responsibility on senior Police Officers to monitor such crimes and their investigations, daily hearings in the trial courts, specialized training to aid investigations, medical treatment, rehabilitation at Government cost and surveillance of public places through a strong CCTV network. I believe that these will go a long way in curbing such heinous offences that are a blot on our collective conscience.

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.

Tamil Nadu is in the forefront of nurturing inclusive growth and affirmative action. The Tamil Nadu Act 45 of 1994 is a historic legislation providing 69% reservation in education and employment for the disadvantaged sections i.e., Backward Classes, Most Backward Classes, Denotified Communities, Scheduled

Castes and Scheduled Tribes. On my initiative, it has been placed under the Ninth Schedule of the Constitution of India so as to secure immunity from judicial scrutiny under Article 31B of the Constitution. This has gone a long way in fostering development among the disadvantaged sections.

The Government of Tamil Nadu under my leadership is determined to take all necessary steps to prevent atrocities against Adi Dravidars and Scheduled Tribes and to eliminate the abominable practice of untouchability. A Scheduled Castes and Scheduled Tribes Protection Cell headed by an Additional Director General of Police has been formed. Mobile Police squads headed by Inspectors of Police are functioning in each Police District and Commissionerate. The cases registered under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, are monitored by 11 Deputy Superintendents of Police. Careful monitoring of cases filed and a monthly review by the District Superintendents of Police and Police Commissioners and by the Additional DGP ensure effective implementation of the provisions of the Act. Periodic reviews of the implementation of the Act at the State and District level are conducted and **I personally reviewed the implementation of the SCs/STs (Prevention of Atrocities) Act, 1989, in a meeting held on 25.6.2013.**

There are four Special Courts functioning exclusively for the trial of the cases under this Act and two more Special Courts will be started during the current year. 32 exclusive Special Prosecutors have also been appointed for prosecution of cases. Extensive training and sensitization programmes on the provisions of the Act have been organized for Police Officers with the involvement of NGOs, Public Prosecutors and Senior Officers. Immediate monetary relief and rehabilitation is also being provided to all the victims under the relevant provisions of the Act and the Rules.

To conclude, there is perceptible in modern Indian Society, a telescoping tension and intolerance, which threatens to make it more confrontationist, belligerent and prone to overt acts of violence based on various sectarian and caste identities. These have thrown up major challenges to the State and even to Society at large. We must act resolutely and robustly to put down these malevolent antisocial forces. The Government of India must 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 the States and the Centre should prevail over narrow political considerations. We must effectively share intelligence, information, and resources between the States and by the Centre with the States, so that the forces of terrorism, fundamentalism, extremism and communalism are put down effectively.

We are a young Nation. By pursuing active, inclusive policies in the areas of health, education, employment and women's empowerment, we can ensure that we inculcate the spirit of communal amity and harmony and pride in our Nation amongst all stakeholders, particularly our youth. Our people, diverse though they may be in colour, language, caste, creed and culture, have been melded into Nationhood, united in terms of a modern, Pan Indian identity that reinforces our national pride and shows to the world the essential idea of One India.

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