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SAFEGUARDING SOVEREIGNTY: INDIA'S INTERNAL SECURITY

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Abstract

This research paper begins a thorough examination of the intricate relationship between sovereignty and internal security, a fundamental aspect of a nation's existence within the international order. It dissects the multifaceted landscape, covering topics ranging from the fundamental question of "What Determines Sovereignty?" to the evolving dynamics of emerging threats to internal security. The paper navigates the perplexing complexities of national security, highlighting its critical role as the primary pillar of a state's sovereignty.

The relationship of national security and internal security is central to this analysis, recognizing that a state's security is inherently dependent on the stability and resilience of its internal fabric. The paper meticulously dissects the numerous factors that precariously rely on internal security, shedding light on the broad and subjective nature of this critical domain.

The paper appears around to the contentious conflict of detention provisions and fundamental rights, critically examining the potential disagreements among them. It goes on to discuss the various issues that could lead to internal security threats, as well as the legislative measures put in place to combat them.

Keywords - Counter-Terrorism, Insurgency, Extremism, Cyber Security, Border Management, Fundamental Rights and Internal Security

Introduction

The concept of a political state is essential for comprehending the dynamics of governance and internal security within any nation. A political state is a sovereign entity with a defined geographical territory, a permanent population, a system of government, and the ability to engage in relations with other states. It is the embodiment of authority and power,

responsible for the welfare, security, and governance of its citizens. In the context of India, a country known for its rich diversity and complex societal fabric, the concept of a political state takes on new meaning.

India, the world's largest democracy and a rising global power, epitomizes the complex interplay of governance, law, and internal security. With a history steeped in colonial rule, India's journey to independence was not only a struggle for political sovereignty, but also a quest to shape a society that values justice, equality, and individual rights. This complication extends to internal security, where the state's duty to protect its citizens and maintain order must be balanced against the imperative to protect civil liberties and democratic principles.

"State" and "Internal Security" are inextricably linked. If internal security is not maintained, a state's governance cannot be carried out, and the country's unity and integrity are put at risk. Internal security cannot be protected in a similar way if governance is provided by an incompetent and corrupt administration.¹

Literature Review

In order to understand the complexities of India's internal security laws and their implications for sovereignty, it is necessary to look into the existing literature, which provides insights, perspectives, and analytical frameworks.

"Constitutional Law of India" by Dr. J.N. Pandey: This comprehensive book is a significant contribution on Indian constitutional law. It covers the Indian Constitution and its various facets in depth, including the legal framework governing internal security. Dr. Pandey is well-known for his insights into constitutional provisions and their implications for sovereignty of the nation.

H.M. Seervai's "Constitutional Law of India: A Critical Commentary": The monumental work of H.M. Seervai provides a critical analysis of the Indian Constitution. It delves into key constitutional provisions that affect internal security and the maintenance of sovereignty. The book has received widespread acclaim for its scholarly depth and legal acumen.

¹ https://www.idsa.in/jds/2_1_2008_NationalGovernanceandInternalSecurity_NNVohra (last visited June 4, 2025).

"Constitutional Law of India: A Critical Study" by B.R. Ambedkar: This landmark work was written by Dr. B.R. Ambedkar, the chief architect of the Indian Constitution. It offers invaluable insight into the drafting and framing of the Indian Constitution, including provisions concerning sovereignty and internal security.

Notable legal scholars, such as Granville Austin, have investigated the Constituent Assembly debates on preventive detention laws and their compatibility with fundamental rights. Austin's work sheds light on the framers' intent to strike a balance between security concerns and individual liberties, emphasizing that preventive detention should be the exception rather than the rule.

Case Law and Judicial Interpretations:

India's apex court, the Supreme Court, has played a pivotal role in defining the contours of detention provisions and fundamental rights. Landmark judgments such as *A.K. Gopalan v. State of Madras* (1950) and *Maneka Gandhi v. Union of India* (1978) have been instrumental in delineating the parameters of preventive detention. The *Gopalan* case, for instance, raised questions about the scope of Article 21 (Right to Life and Personal Liberty) in relation to preventive detention. Subsequent judgments, including those in *R. Rajagopal v. State of Tamil Nadu* (1994) and *D.K. Basu v. State of West Bengal* (1997), have reinforced the need for procedural safeguards and accountability in detention cases.

Research Question

Q. "How can India's legal framework for internal security effectively safeguard national sovereignty while preserving civil liberties in the face of contemporary threats, including terrorism, cybercrimes, and border security challenges?"

Q. "What are the primary drivers and characteristics of internal security threats in India, and how does the Constitutional and Special laws framework respond to these evolving challenges?"

Constituents of State² :

The state can be seen as both a concrete object and an abstract concept. A concrete thing is a particular human group or association, while an abstract concept is a corporation with legal

² ROBERT H. JACKSON & GEORG SØRENSEN, INTRODUCTION TO INTERNATIONAL RELATIONS: THEORIES AND APPROACHES 56 (3. ed ed. 2007).

personality. Thus, the state is made up of both material and metaphysical or spiritual components.

These components are:

A **population**, or a group of people-A state is made up of people who live within its borders and are subject to its laws and authority. The population size and variety might vary greatly.

A **territory** on which they are permanently based-A state must have distinct geographic borders that set it apart from its neighbors. Both land and water areas are included in the territory's purview.

A political organization or agency that expresses the collective will of the population, i.e. **government** (Government)- The government is the central authority with the authority to make and enforce laws, keep the peace, and manage public affairs. It includes decision-making institutions and processes, as well as policy formulation and implementation.

Internal sovereignty and freedom from outside interference (Sovereignty)- Sovereignty is an important feature of state power. It means that within its borders, the state has the final say, and its choices are not subject to external interference without agreement. Sovereignty is a fundamental notion in international relations that acknowledges the state as the paramount power inside its borders.

How Sovereignty is Supreme Constituent of a State³

Sovereignty is a state's supreme and exclusive control over its territory and people. It denotes the state's autonomy and independence from foreign involvement in its internal affairs. Sovereignty is a fundamental notion that enables states to exert control, enact laws, and engage in international affairs.

Sovereignty is important because it provides the foundation for a state's independence and self-government. It ensures that a state's internal affairs are not unduly influenced by outside forces. While globalization and international collaboration have weakened absolute sovereignty, it remains a fundamental premise in the international system.

³ THE GLOBALIZATION OF WORLD POLITICS: AN INTRODUCTION TO INTERNATIONAL RELATIONS, (John Baylis, Steve Smith, & Patricia Owens eds., International 6th edition ed. 2014).

The concept of sovereignty is similarly linked to the concepts of legitimacy and acknowledgment. Diplomatic relations and treaties are used by states to recognize each other's sovereignty. Conflicts can arise when opposing views on sovereignty collide, as in separatist movements or territorial disputes.

For example, the Berubari Union (reference) case⁴ revolved around the key aspect of sovereignty that the judgment focused on was the concept of territorial integrity and control over a specific area. While the Berubari Union case didn't provide a comprehensive definition of political sovereignty, it underscored the significance of sovereignty in the context of territorial integrity and control over land. It affirmed that changes in borders and territorial sovereignty required the approval of the legislative body, in this case, the Indian Parliament, in accordance with constitutional principles.

Purpose of Sovereignty

The state exists as a means for the welfare of its citizens, which can be carried out in a stress-free environment. The first and most important function of the state (government) in securing sovereignty is to protect the people from **internal** and **external** disturbances.⁵

National Security as a primary base of sovereignty of a State-

National security is the foundational pillar upon which a state's sovereignty is built. It is the foundation for a country's autonomy, independence, and ability to make decisions in its best interests. A state's sovereignty is defined by its ability to protect its borders from external threats, maintain internal stability, and protect the rights and welfare of its citizens. A state's existence and authority are vulnerable to external aggression, internal strife, and instability in the absence of national security. As a result, the state's primary responsibility is to ensure the security of its people and territory. It not only preserves its own sovereignty, but it also creates the conditions for economic growth, social development, and the pursuit of its national interests on a global scale.⁶

⁴ In Re: The Berubari Union And ... vs Unknown on 14 March, 1960, <https://indiankanoon.org/doc/1120103/> (last visited June 5, 2025).

⁵ SI Goel, *Police And Internal Security* (1st Edn, Regal 2014) 68

⁶ P Paleri, *National Security : Imperatives and Challenges* (Tata McGraw-Hill Pub)

National Security and Internal Security

In India, the interdependence between national and internal security is a complicated and nuanced relationship that cannot be overstated. First and foremost, internal security serves as the cornerstone for national security. It is impossible to protect the nation from external dangers without a stable and secure internal environment. India's large and diversified population, as well as its numerous ethnic, religious, and cultural variations, makes it especially vulnerable to internal upheavals and conflicts. Internal threats like as terrorism, insurgency, communal violence, and economic inequality not only jeopardize the safety and well-being of its population, but also erode the country's ability to defend itself against exterior opponents.⁷

The Purpose of Internal Security

Internal security protects a country's stability and the well-being of its population. It refers to a wide range of tactics and actions targeted at fighting dangers and problems that originate within a country's boundaries. Its primary mission is to protect civilians from different sorts of peril, including terrorism, organized crime, civil unrest, and natural calamities. At the same time, it supports the principles of national sovereignty, ensuring that a nation has the liberty to chart its own course without external intervention or threats to its territorial integrity. Internal security is centered on maintaining law and order, which includes attempts to deter illegal actions that could disrupt public tranquility and damage society's well-being. Internal security's counterterrorism component works tirelessly to uncover and neutralize terrorist networks, preventing potential terrorist acts and protecting the nation's security and people's lives. It tries to maintain political stability and avoid the dissolution of a nation by preventing insurgency and separatist. Finally, it helps considerably to economic development by attracting investments, maintaining stability, and allowing a nation to progress and flourish by nurturing a secure internal environment.⁸

⁷ Satish Kumar, *India's National Security* (1st Edn, Taylor&Francis 2016)

⁸ A. KUMAR, CHALLENGES TO INTERNAL SECURITY OF INDIA, <https://books.google.co.in/books?id=MmVIBQAAQBAJ>.

Major Challenges to Internal Security⁹

Category	Threat to Internal Security in India
Terrorism	Cross-border terrorism from Pakistan and Bangladesh.
	Naxalite or Maoist insurgency in certain states.
	Insurgent groups in the north-eastern states.
Communalism	Communal violence and religious tensions.
Insurgency	Ethnic and separatist insurgencies in states like Jammu and Kashmir, Assam, and Manipur.
Cybersecurity	Cyberattacks and cybercrimes targeting critical infrastructure and government systems.
Economic Disparities	Socio-economic disparities leading to discontent and unrest.
Border Disputes	Border disputes with neighbouring countries, like China and Pakistan.
Political Instability	Political instability and unrest in some regions. i.e. Manipur
Environmental Issues	Environmental challenges, such as water disputes and deforestation.
Cyber Espionage	Espionage and cyber-espionage activities by foreign agencies.

How the ambit of Internal Security is very broad and Subjective

Internal security encompasses a large and sensitive landscape that is critical to a nation's stability, sovereignty, and well-being. At its heart, it is about protecting civil society and ensuring that residents may live their lives free of crime, violence, and disorder. The

⁹ https://www.indiacode.nic.in/bitstream/123456789/11097/1/maintenance_of_internal.pdf (last visited June 14, 2025).

preservation of national sovereignty and territorial integrity is critical, mandating border defense and control over the nation's territory. This includes not just the maintenance of law and order, but also the complicated difficulties of combating terrorism, insurgencies, and organized crime, both at home and abroad.¹⁰

Internal security also includes the safeguarding of key infrastructure, such as power grids and communication networks, as well as cyber security in an increasingly digital environment. Addressing communal and ethnic tensions is critical for societal stability, as it involves conflict resolution and the fostering of understanding among varied groups. Internal security agencies frequently serve as first responders during crises, whether they be natural catastrophes or public health emergencies, protecting public safety and supporting relief efforts.¹¹

Internal security necessitates a careful balance between the need for security and the preservation of civil rights and civil liberties. This balance guarantees that security measures uphold democratic norms, adhere to due process, and safeguard individual liberties. Furthermore, in the global context, internal security includes the defense of national interests, the formation of foreign alliances, and the management of diplomatic relations to handle transnational challenges.¹²

Machinery provided by The Constitution to deal with the Internal Security Challenges

A clear and concise overview of the machinery provided by the Indian Constitution to deal with internal security challenges:

¹⁰ KUMAR, *supra* note 8.

¹¹ M. LAXMIKANTH, INDIAN POLITY, <https://books.google.co.in/books?id=PKEIDwAAQBAJ>.

¹² INDIA'S NATIONAL SECURITY: A READER, (Kanti P. Bajpai & Harsh V. Pant eds., First edition ed. 2013).

MACHINERY/PROVISION	DESCRIPTION
● Law and Order Maintenance	● Article 355: Mandates the central government's duty to ensure that the government of every state is carried out in accordance with the Constitution.
● Executive Authorities	● President's Rule (Article 356): Allows the President to impose central rule in a state in cases of constitutional breakdown or failure of law and order.
● Security Forces	● Article 53: Designates the President as the Supreme Commander of the armed forces. Article 355: Permits the deployment of armed forces in states.
● Role of Parliament	● Article 352 (National Emergency): Empowers the central government to declare a national emergency in specific situations.
● Police and Law Enforcement	● Policing and law and order are primarily state subjects, managed by state governments. Article 312: Establishes All India Services for law enforcement.
● Courts and Legal Framework	● Judiciary (Article 124-147): Ensures the enforcement of laws, protection of civil rights, and constitutional provisions related to internal security.
● Fundamental Rights (Part III)	● Guarantees fundamental rights, including right to life (Article 21) and freedom of speech (Article 19), essential for protecting civil rights.
● Advisory Bodies	● National Security Council (NSC): An advisory body responsible for advising the Prime Minister on national security, including internal security challenges.
● Emergency Provisions	● Article 360: Allows the central government to control state finances during financial emergencies to address economic security issues.

<ul style="list-style-type: none">● Legislative Powers	<ul style="list-style-type: none">● Entry 1 of List I (Union List): Grants the Union government exclusive legislative powers over defence, armed forces, and external affairs.
<ul style="list-style-type: none">● State of Jammu and Kashmir (before abrogation)	<ul style="list-style-type: none">● Article 370: Granted special autonomous status to Jammu and Kashmir, which has been abrogated, bringing it under the same constitutional provisions as other Indian states.

Special Legislations that deal with Internal Security Issues

INTERNAL SECURITY LAWS IN VARIOUS PERSPECTIVES

The Indian Penal Code (IPC)¹³ for now the BNS (2023) criminalizes numerous criminal acts and property offenses. Those who murder or injure another person, as well as those who damage public or private property, commit long-standing crimes., and they can be investigated, punished, and prosecuted for their actions. Furthermore, the BNS includes security and public order offences such as sedition, the offence of "creating hatred between various groups" based on identification, and "acting in a manner harmful to the maintenance of peace." Intentionally performing any of these prohibited activities is a crime. Under Indian law, it is also a crime to assist another person in committing them¹⁴, urge another person to commit them¹⁵, attempt unsuccessfully to commit them, or plot to commit them.¹⁶

THE PREVENTIVE DETENTION ACT (PDA)

The Preventive Detention Act (PDA)¹⁷ was established in 1950, shortly after India's Constitution went into effect. This statute allowed the government to hold people without prosecution for up to a year. Initially, the PDA was enacted as a twelve-month solution to address the issues of governing in the aftermath of India's division. When submitting this initial, twelve-month version of the PDA, Minister of Home Affairs advised Parliament that permanent preventive detention powers "needed closer study" before more permanent

¹³ A1860-45.pdf, <https://l1ddashboard.legislative.gov.in/sites/default/files/A1860-45.pdf> (last visited June 14, 2025).

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Preventive Detention Act, 1950, <http://www.bareactslive.com/JK/jk437.htm> (last visited June 14, 2025).

legislation was implemented¹⁸. However, the Act was regularly extended for over two decades until being allowed to expire in 1969.

ARMED FORCES (SPECIAL POWERS) ACT, 1958

Along with preventative detention laws, legislation allowing the administration broader ability to employ force than the CrPC was also approved quite quickly after independence. The Armed Forces (Special Power) Act (AFSPA)¹⁹ was established by the Indian Parliament in September 1958, granting the armed services more domestic civil authority. In certain "disturbed regions," the AFSPA allowed the military to cooperate with the police while simultaneously giving troops greater authority to use force against civilians than the police. The AFSPA was first implemented by the national government in response to separatist efforts in Nagaland²⁰, a state in northeast India. It has been expanded to all seven states in India's northeast by 1972. From 1983 until 1997, the national government implemented a version of the legislation in the state of Punjab²¹, and in 1990, a similar version was implemented in the northern state of Jammu & Kashmir²², where it is still in effect.

ANTI – TERRORISM LAWS

TADA

The Terrorist Affected Areas (Special Courts) Act was approved by the Indian parliament in 1984, allowing the national government to designate regions of the country as "terrorist affected" and to set up special courts in certain areas to punish persons accused of being terrorists. This law was included into the Terrorist and Disruptive Activities (Prevention) Act (TADA)²³. TADA also included new terrorist-related criminal charges, expanded police procedural authorities, and drastically weakened procedural protections for defendants.

¹⁸ Preventive Detention in India, 26 (1991), <https://www.epw.in/journal/1991/46/civil-liberties-columns/preventive-detention-india.html> (last visited June 15, 2025).

¹⁹ <https://www.drishtiiias.com/daily-updates/daily-news-analysis/armed-forces-special-powers-act-afspa> (last visited Jul 14, 2025).

²⁰ <https://www.hrw.org/legacy/backgrounder/2008/india0808/> (last visited Jul 14, 2025).

²¹ <https://lawyerslaw.org/the-armed-forces-punjab-and-chandigarh-special-powers-act-1983/> (last visited Jul 3, 2025).

²² Insurgency in Jammu and Kashmir, WIKIPEDIA (2025), https://en.wikipedia.org/w/index.php?title=Insurgency_in_Jammu_and_Kashmir&oldid=1172780501 (last visited Jul 3, 2025).

²³ Most famous cases of Terrorist and Disruptive Activities (Prevention) Act - iPleaders, <https://blog.ipleaders.in/famous-cases-terrorist-disruptive-activities-prevention-act/> (last visited Jul 3, 2025).

POTA

The Indian government introduced the Prevention of Terrorism Act (POTA)²⁴, in 2001, a new anti-terrorist law was passed, with the reasons of global obligations and transnational terrorism. POTA embraced TADA's broader police powers, limitations on the right to a lawyer, and special courts; numerous POTA clauses exactly duplicated their TADA counterparts. POTA also increased the government's ability to imprison people and seize money earned from terrorism.

UAPA, 1967

After the horrific terrorist assaults in Mumbai on November 26, 2008, the UPA administration eventually changed its mind about rejecting a specific anti-terrorism law. After these assaults, a national government led by the UPA proposed and Parliament approved an amendment to the Unlawful Activities (Prevention) Act of 1967 (UAPA)²⁵. With various additions, modifications, and dilution, this amendment included numerous provisions from POTA and TADA into the UAPA. The National Investigation Body Act, which was also enacted by Parliament, establishes a federal agency with the authority to look into and punish crimes connected to terrorism nationwide without the consent of the governments of individual states.

The Indian Police Act, 1861

The Indian Police Act²⁶, first passed in 1861 and later updated, is critical to India's internal security situation. This law specifies the organizational structure, powers, and responsibilities of the police forces in the country. Its duties include keeping the peace, preserving the rule of law, controlling police behavior, and safeguarding public safety and welfare. The Act also promotes law enforcement collaboration, cooperation, and accountability, allowing for a coordinated response to growing security problems. It has developed to handle contemporary dangers through modifications, making it a cornerstone of India's internal security.

²⁴ Diganth Raj Sehgal, *The Prevention of Terrorism (Repeal) Act, 2004*, IPLEADERS (Jan. 30, 2021), <https://blog.ipleaders.in/prevention-terrorism-repeal-act-2004/> (last visited Jul 4, 2025).

²⁵ About UAPA (Unlawful Activities Prevention act, 1967) - BareLaw, (2022), <https://www.barelaw.in/about-uapa-unlawful-activities-prevention-act-1967/> (last visited Jul 5, 2025).

²⁶ Analysis of The Police Act, <https://www.legalserviceindia.com/article/1253-Analysis-Of-The-Police-Act.html> (last visited Jul 5, 2025).

A brief discussion on conflict between Detention provisions and Fundamental Rights

Detention provisions in special laws and fundamental rights have been a source of contention in India's legal system, several significant provisions of various laws and how they may conflict with fundamental rights are discussed as follows:

- 1. The Unlawful Activities (Prevention) Act (UAPA) of 1967:**Section 43D(5): This clause authorizes the government to hold an individual for up to 180 days without submitting a charge sheet. This violates the fundamental right to personal liberty (Article 21) by allowing for extended incarceration without trial.
Section 38: Labeling groups as "unlawful" may infringe on freedom of association and expression (Article 19(1)(c) and (a)).²⁷
- 2. The National Security Act 1980 (NSA):**Section 3(2) enables the government to detain a person if it believes they pose a threat to public order or national security. This can result in arbitrary detention and a violation of Article 22, which protects against preventive detention.²⁸
- 3. Armed Forces (Special Powers) Act of 1958²⁹:** Section 4(a): This section grants the military forces considerable capabilities, including the ability to detain people without a warrant. Personal liberty and the right to life might be jeopardized by such detentions (Articles 21 and 19).
clause 6: This clause grants the military forces legal protection, making it difficult to hold them accountable for any violations, potentially in conflict with the right to remedy (Article 32).
- 4. Public Safety Acts in different states³⁰:** Many Indian states have their own public safety acts that permit preventative detention, frequently on speculative grounds. Personal liberty and due process may be violated by these activities (Articles 21 and 22).
- 5. Sedition Law (Indian Penal Code Section 124A)³¹:** While not a detention measure in and of itself, the broad interpretation and misuse of the sedition statute has resulted in

²⁷ About UAPA (Unlawful Activities Prevention act, 1967) - BareLaw, *supra* note 28.

²⁸ What is National Security Act? Here's all you need to know - India Today, *supra* note 20.

²⁹ Armed Forces (Special Powers) Act (AFSPA), *supra* note 21.

³⁰ MCOCA, <https://legalserviceindia.com/legal/article-6182-mcoca.html> (last visited Jul 3, 2025).

³¹ Diganth Raj Sehgal, *Sedition under Section 124A of the Indian Penal Code and Its Constitutional Validity*, iPLEADERS (Oct. 19, 2021), <https://blog.ipleaders.in/sedition-under-section-124a-of-the-indian-penal-code-and-its-constitutional-validity/> (last visited Jul 6, 2025).

individuals being arrested and detained for expressing opposition. This raise concerns concerning freedom of opinion and speech (Article 19(1)(a)).

NATIONAL SECURITY ACT

Of the total preventative detentions, 483 were detentions made in accordance with the National Security Act; as of the end of 2021, about half (241) of these detentions were either in custody or still being held. While the number of individuals subject to preventative detention has increased in 2021, the NCRB statistics revealed that the number of individuals detained in this way under the National Security Act had decreased dramatically from the previous year. NSA preventive detentions reached a peak of 741 in 2020. In 2021, this number fell to 483.

AMBIGUOUS SCOPE OF INTERNAL SECURITY LAWS –

Indian security laws work to protect a variety of interests, including public peace, order, and religious harmony. Laws from the past and present often fail to define the boundaries or scope of their claimed core aims because they tend to assume that these goals' meanings are self-evident.

For instance, the NSA permits the federal and state governments to place someone in custody when they deem it essential to stop them from "engaging in any manner harmful to the security of the State or from behaving in any manner injurious to the preservation of public order." The Act does not specify what constitutes "public order," "state security," or conduct that could jeopardise either.

The scope of charges under anti-terrorism laws is quite broad in addition to being ambiguous. When the UAPA was revised in 2004 and 2008, broad and murky meanings were added. According to the amended UAPA, it is illegal to "commit a terrorist act," which includes using force against a public official, using force against anyone to exert pressure on the government, killing someone, causing property damage, or "disrupting" "any supplies or services essential to the life of the community in India or in any foreign country." Experts propose restricting the concept of terrorism to the deliberate killing or harm of people with the purpose to intimidate the public or persuade a government or international organization to take certain actions.

The UAPA, in contrast, decides to include not just death and injury but also property harm and supply disruption, not just inside India but even in neighboring nations. Although the actus reus of this offence is broad, it is the mens rea that makes it difficult to understand what the offense's boundaries are. A "terrorist act" requires the perpetrator to have the intent to "threaten the unity, integrity, security, or sovereignty of India" or "strike dread in the hearts and minds of people" in India or "in any other nation."

Emerging Threats to Internal Security-

India, like many other countries, is dealing with a slew of new risks to its internal security. These threats are varied and changing, posing substantial challenges to the stability and safety of the country. Here are a few noteworthy emerging threats with examples :

- 1. Cybersecurity risks:** As society has rapidly digitized, cyber risks have become a serious worry. Cyberattacks can destroy essential infrastructure, compromise sensitive data, and jeopardize national security in India.

When a malware named "ShadowPad" was identified in the networks of multiple power companies in 2020, the Indian power sector suffered a serious cybersecurity compromise. This sparked concerns about vital infrastructure's vulnerability to hackers.

- 2. Terrorism and Extremism:** While India has historically struggled with terrorism, there are growing concerns about new types of extremism and radicalization, which are frequently enabled by online platforms. These dangers have the potential to spark violence and societal instability.

The 2008 Mumbai attacks by Lashkar-e-Taiba, as well as the rise of domestic extremist organizations such as the Indian Mujahideen, illustrate the ongoing threat of terrorism and radicalization.

- 3. Border Disputes and Tensions:** India has borders with several nations, and ongoing border disputes, such as those with China and Pakistan, can lead to security issues. Skirmishes and military standoffs can result from border tensions.

The 2020 border clash in the Galwan Valley between Indian and Chinese troops resulted in losses on both sides and heightened tensions, providing a huge security concern.

- 4. Naxalism and Left-Wing Extremism:** In some parts of India, Naxalite or Maoist insurgencies persist, particularly in states such as Chhattisgarh, Jharkhand, and Odisha. These organizations continue to constitute a security risk, and their activities have repercussions for internal security.

The ongoing Naxalite insurgency has resulted in occasional bloodshed and security concerns in areas such as Chhattisgarh and Jharkhand.

5. **Religious and ethnic tensions:** India is a diversified country with many religious and ethnic communities. As shown in episodes of religious or caste-based violence, communal and ethnic tensions can boil up, leading to violence and unrest.
6. Incidents such as the Gujarat riots in 2002 and caste-based violence in states such as Haryana and Rajasthan highlight the potential for communal and ethnic tensions to erupt into violence.

Addressing these rising threats necessitates a multifaceted approach that includes enhanced cybersecurity, information gathering, counter-terrorism techniques, conflict resolution processes, and attempts to reduce socioeconomic gaps. Furthermore, improving international cooperation and information exchange is critical to effectively minimizing these difficulties.

Conclusion-

In conclusion, the complexities of India's internal security and legislative structure provide a multidimensional and ever-changing scene. The historical trajectory from colonial control to independence, as we have seen, has left an indelible effect on the formation of laws aimed to maintain order within a complex and diverse nation. However, India's current challenges, such as terrorism, insurgency, cyber threats, and cross-border issues, necessitate a critical examination of the present legal structure. While certain legislation, such as the Unlawful Activities (Prevention) Act and the National Security Act, have provided critical instruments for law enforcement authorities, there are still worries about potential abuse and the impact on civil liberties. Moreover, the digital age has ushered in a new era of security challenges, necessitating updates to address cybercrimes and safeguard critical digital infrastructure.

The delicate balance between security imperatives and civil liberties remains at the heart of India's internal security discourse. Our exploration of potential reforms underscores the pressing need for legislative reviews, accountability mechanisms, and safeguards to ensure that security measures do not infringe upon individual rights. Additionally, embracing technological advancements and enacting legislation that keeps pace with the ever-evolving digital landscape is equally crucial.

In essence, this study, not only identifies the strengths and weaknesses of India's internal security laws, but it also emphasizes the crucial need of ongoing legal reform and the implementation of progressive policies. This study's implications extend to India's larger internal security landscape, where responsive and rights-respecting legal measures can promote a secure, democratic, and inclusive society.

