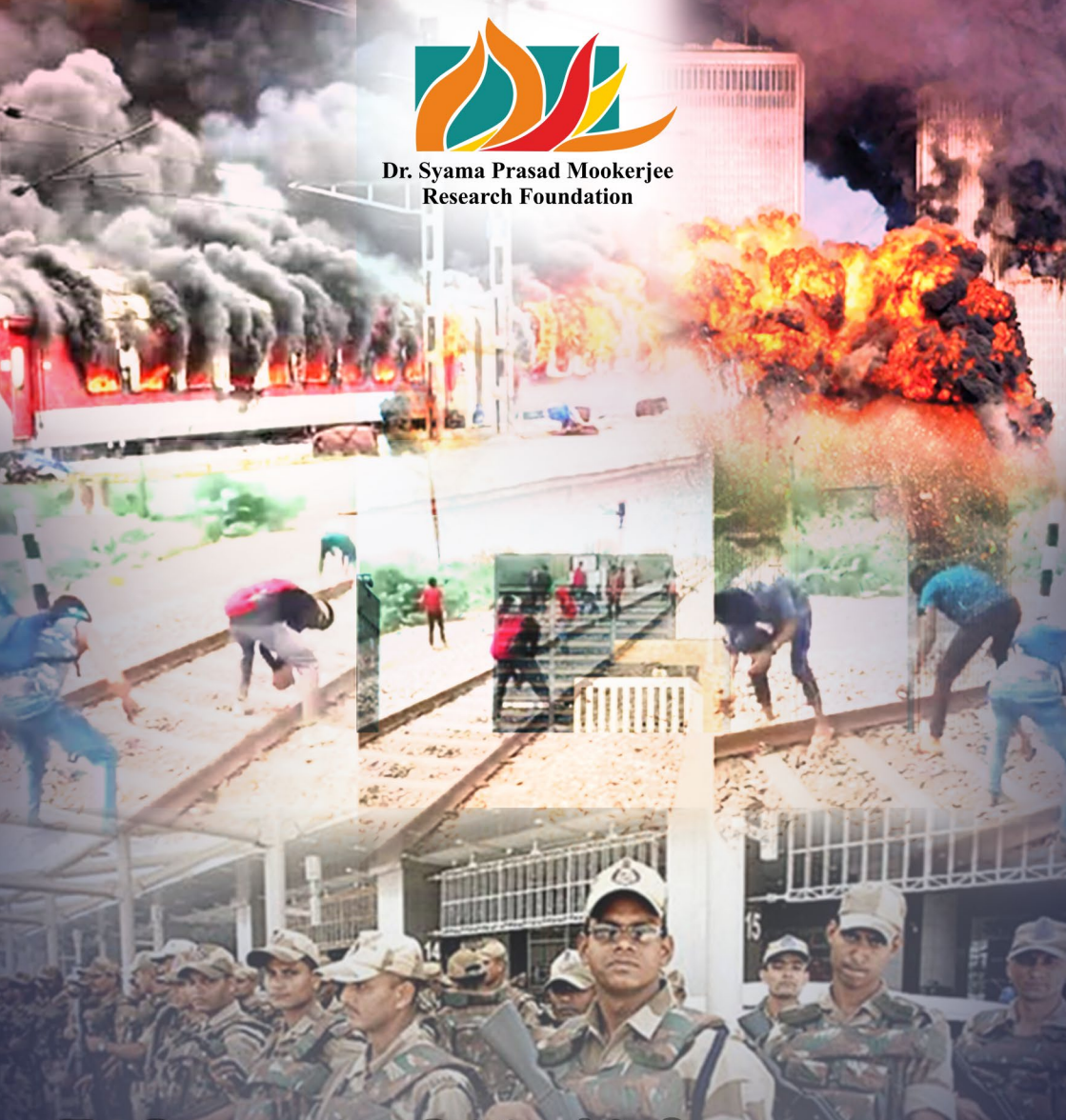




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To Secure its Critical Infrastructures
from Terrorists & Anarchists, India
Urgently Requires to Enact Critical
Infrastructure Protection Act

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To Secure its Critical Infrastructures from Terrorists & Anarchists, India Urgently Requires to Enact Critical Infrastructure Protection Act

To Seamlessly Realize PM Modi's Vision for a \$10 Trillion Economy, India needs a new set of legal architecture and capacity building, to vigorously protect its critical infrastructures from terrorists and anarchists who are increasingly targeting India's economic assets to damage its economic fortunes

Indian Railways is pride of India. Yet sadly, this classic beauty of engineering marvel, which is also one of India's most critical transport infrastructures, and an economic lifeline for hundreds of millions, has for decades been mutilated, humiliated, ransacked and often burnt down in the name of protests. For decades, such has been the degeneration of culture of protest in India that the easiest way to grab the national limelight has been to block rail tracks that often results in inordinate delays for trains and rattles the entire scheduling matrix of train service of Indian Railways.

From Blockade to Violent Arson

However, in the last few years one could witness that this culture has been sadly taken forward to an even uglier form wherein rail stations are getting ransacked, trains are being

pelted with stones, rail tracks are being uprooted and worse, even trains, often filled with passengers, are being set on fire by unruly mob instigated to do the same by vicious instigators with vested interests.

Can India truly become a developed country if Arsonists and Anarchists continue to burn down critical infrastructures such as railway assets, for some or the other pretext, with impunity?

Why Should Attempts to Burn Down Trains by Anarchists Not Be Termed as Acts of Terrorism?

The fundamental question that needs to be answered is this: If a train is bombed or rail stations are attacked



A dangerous trend of vandalizing rail tracks that was seen in Bharatpur during protests against Agnipath Scheme. Image Source- @Narpats62770513

by terrorists, armed with assault rifles that results in death of passengers or commuters, they are termed as acts of terror. The 2006 blast in Mumbai that targeted local trains or the 2008 Mumbai terror attack, where the CST terminus bore the brunt, and in which scores of commuters were gunned down by Pakistan based terrorists, are perfect examples of acts of terrorism. However, when the same train, filled with passengers, is put on fire by an anarchic mob, when a railway platform is burnt down by arsonists, or deliberate sabotage of rail tracks are done that may dangerously derail trains, should those also not be called acts of terror?

Let us Remember: Indian Railways is as Important for India as Aviation Industry is

Would India ever tolerate if such anarchic mob ever try to set airports or planes on fire? The answer is known to all. In case of airports, the standard operating procedures (SOP) are clear cut and any such attempts at airports would always be dealt with an iron fist approach by security forces. This is also because of global implications such acts of arson in airports can create for a country, including ban on international flights coming to the country. Aviation Industry of any country including India, is bound by Security Standards laid down in 'Annex 17 of the Chicago Convention of ICAO for airport operators, airlines operators, and their security agencies responsible for maintaining AVSEC measures'.

Also, lack of absolute and fool-proof security at airports or physical damage to aircrafts by arsonists would invariably result in private investors getting reluctant to investment in the Indian aviation industry.

The simple question therefore is why India should not accord similar level of fortification and have similar approach, as it has in case of its airports, when it comes to protection of Indian Railways? Ideally it should.

Consider this, Indian Railways is not just one of India's most critical economic and transport infrastructures, but is also an extremely critical strategic infrastructure, and which has always played a pivotal role every time India faced major war like situations or any other national level emergencies.

With around 68,000 km of railway tracks, more than 22,000 trains, an estimated 7300 railway stations, a massive optic fibre network, and around \$26 billion of annual revenue, in spite of heavily subsidized rail tickets, Indian Railways is too critical an infrastructure to be allowed to be burnt down like effigies by anarchists, or devastated by acts of terror.

Today, Organised Violence by Mob is as Much a Threat to National Infrastructures as Terrorism is

While India has been reasonably successful in containing incidents of terror attacks at Railway assets, it is the rising threat of organised mobs resorting to arson and violence, to

burn down train rakes and stations, which is increasingly becoming a real cause of concern. To understand the larger implications, one should look at the recent incidents of violent protests in Bihar over the AGNIPATH policy. The protestors deliberately targeted railway assets across major districts of the state. The devastation that was left behind meant loss of hundreds of crores for Indian Railways.

Is Deliberate Attack on Rail Assets Part of the Larger Hybrid War Plan?

In this era of hybrid war, where an organised anarchic mob of a few thousand can be pied-pipered to target critical infrastructures, and which can do more damage than even what a terror attack or bomb blast can do, imagine if suddenly in the middle of massive disruption of railway services due to targeted mob attacks on rail assets, India's eastern and north-eastern borders suddenly face some exigency situation from external adversaries! Would it then be easy for Armed Forces to effectively utilise the services of railways for seamless and fast paced logistical movements? The answer is certainly not in affirmative.

Railways play a critical role in transport of men and material of the armed forces, both routinely as well as during emergency situations. Now, before any major planned invasion of India, if India's adversaries activate their sleeper cells to disrupt India's rail, telecom, as well as power sector assets, through organised mob violence, rioting, blocking of roads

and arson, how would then India effectively counter such external threats? A serious point to ponder!

Threat is Profound for a Multitude of Critical Industrial Infrastructures

Also, going back to the tenets of the dangers of hybrid war looming large over the nation, the threat of vested interests unleashing an instigated irate mob to devastate an establishment, on some or the other pretext, is not just restricted to physical assets of power, telecom, refineries or railway sector alone. This threat is clear and present even for important Industrial production centres, facilities and plants that are critical to maintaining seamless supply of important products for the nation.

As India is Poised to Become a Major Player in Global Industrial Supply Chain, Vested Interests May Try to Disrupt the Same through Organised Arson in Industrial Facilities

Modi Government is striving relentlessly to create a resilient supply chain for both finished and intermediary products, within the country, through Production Linked Incentives (PLI) scheme across several major sectors. It has also been inviting companies from Taiwan, US or South Korea in setting up of contract manufacturing facilities in India. In such a scenario when India is attempting to decouple its supply

chain from such countries that are inimical to Indian interests in the long run, one cannot simply rule out the possibility of vested interests trying to deliberately stoke labour unrest in factories and provoke them to go on rampage to the extent that factories get gutted down. Eventually not just factories or production get impacted but it is the image of the country as a safe destination for investments that gets impacted.

Is Countering Organised Mob Violence Becoming More Challenging than Countering Terrorism?

The manner in which some factories, especially of Taiwanese origin had sudden eruption of labour issues, the manner in which burning of trains and destruction of public properties is increasingly becoming a norm than exception in certain parts of the country, it seems that vested interests, anarchists and India's adversaries, are trying to capitalise on the fact that for security forces it might be far more easier to shoot terrorists but not so easy to take a call on shooting en masse a mob of arsonists, even when they try to burn down a train or a rail station or set on fire a factory, or even resort to mass rioting, pogrom in broad daylight as was evident during Delhi riots of 2020.

Shooting indiscriminately at mob without a second thought might not be a difficult proposition in a communist or a dictatorial regime, but perhaps not so easy a task in a democratic

country where every move of the state is subject to scrutiny by media and judiciary, and where to err on the side of inaction may be pardoned but not overzealous trigger-happy attitude. This though, is perhaps becoming the weakest link in India's security architecture, wherein it is time and again being vindicated that India may be capable enough to deal with threats emanating from Pakistan or China, has successfully beaten terrorism and Maoism, but finds it difficult to deal with a murderous mob on rampage. This weakness needs to be addressed through possible changes in rules of engagement for law enforcement agencies.

Organised Mob Violence: The New Tool to Terrorise the Society?

In other words, one may also conclude that incidents of the last three years vindicate that terrorising the society through organised mob violence is perhaps becoming the new tool of anarchists to terrorise a nation and create a civil war like situation, much on the lines of Arab Spring in Middle East.

Even though terror attacks have not yet become a passe, creating a civil war like situation, destroying critical assets like railways or factories through arsonists and rioters, in the name of 'peaceful' protest is now becoming the preferred option of India's adversaries because unlike acts of terrorism, which generally results in galvanising the nation in unison, acts of mob violence on 'engineered'

issues or disinformation, amplified through social media, is often aimed at making the Government (in this case Central Government being the target) look 'anti-people' even when it is not.

When violence is unleashed by professional arsonists, efforts then are made by certain quarters to even justify such violence by blaming the Government for its 'policies', even when the policies are well-intentioned. And by the time, the Government comes out with clarifications, the damage is already done and properties worth hundreds of crores have already been damaged along with bringing bad reputation to the country and innumerable loss of lives.

By the time, people at large realise that the Government of India was certainly not at fault, and that the violence by mob was based on disinformation, the arsonists and their mentors have moved on to their next agenda to execute the same kind of mayhem. This is how the dangerous cocktail of information warfare and organised mob violence attempting to wreak havoc on India.

The Dangerous Ploy to Settle Political Scores by Going Soft on Arsonists

Also, it is interesting to witness that while many of the opposition political leaders never lose any opportunity to remind that 'law & order' is a state subject and that the Centre should not intervene directly, yet when it comes to maintaining 'law & order' and dealing with rioters and arsonists ruthlessly, most have often shown a

conciliatory approach and have not read out the riot act, on time, to deal with such issues sternly.

Or perhaps, there is a ploy in it, surrounding the dangerous scheme of allowing the rioters to run amuck for a day or two, vandalise or destroy public properties and installations, especially those which are owned by Central Government, and only after the situation has become untenable, and on the borderline of being termed 'total failure of state government' that the authorities start acting. But by that time, enough damage already gets done.

During anti farm law protest in Punjab last year, more than 1500 telecom towers of Reliance JIO were severely damaged by agitators. For a border state, such damage to critical telecom infrastructures can always have dangerous ramifications from national security perspective

Therefore, this dangerous ploy to use rioters to vitiate the name of Central Government, end up destroying critical assets of the country. It does not matter if something happens in eastern, western, northern or southern parts of the country or which party is in power in that state. What matters is the fact that it is ultimately the reputation of India that is often at stake along with its economic fortune.

This is why India needs a specific law for protection of critical infrastructures and which will compel the respective states to secure installations without any scope for politicking.



During Anti-Farm Law Protests thousands of telecom towers were damaged in Punjab

Arsonists & Anarchists are Eventually Targeting India's Economy

Also, it has to be understood that for those who orchestrate terror attacks or organise mob violence to trigger civil war like situation in India, for both, the ultimate objective is to severely damage the economic fortunes of the country through both targeting of critical infrastructures by terrorists and arsonists,

Their actions also attempt to severely erode investors' confidence in viability of investments in the country. This can have long term negative ramifications. If one looks at some of the most impoverished countries of the world, such as Somalia or Afghanistan, which are often devoid of any investments or viable economic activities, one key reason for their destitution is that such states are severely violence-stricken. In other words, deteriorating or grave security situation is often the most critical reason for countries eventually

becoming an arid zone for economic activities. This is exactly what the anarchists and arsonists are attempting to do in India, i.e. vitiate the internal security scenario.

It is from this perspective that time has come for India to enact Critical Infrastructure Protection Act for ensuring that standard operating procedures are clearly laid out and no one has a second thought on how to deal with an emerging crisis in case a critical infrastructure is attacked either by an act of terror or through an organised and violent mob.

Defining Critical Infrastructure

Creating a Critical Infrastructure Protection Act should ideally start with defining what a Critical Infrastructure is. As per Cybersecurity & Infrastructure Security Agency of United States Government,

Critical infrastructure describes the

physical and cyber systems and assets that are so vital to the United States that their incapacity or destruction would have a debilitating impact on our physical or economic security or public health or safety. The Nation's critical infrastructure provides the essential services that underpin American society.

Taking Cue from NCIIPC

India, incidentally already has an organisation namely National Critical Information Infrastructure Protection Centre or NCIIPC, which works under the aegis of National Technical Research Organisation or NTRO. The mandate of NCIIPC is to act as a National nodal agency for all measures to protect nation's critical information infrastructure.

NCIIPC website further states that the mission of NCIIPC is to take

all necessary measures to facilitate protection of Critical Information Infrastructure, from unauthorized access, modification, use, disclosure, disruption, incapacitation or destruction through coherent coordination, synergy and raising information security awareness among all stakeholders.

In fact, what is ideally needed for creation of a Critical Infrastructure Protection Act is to extrapolate the mission of NCIIPC and extend it for protection of both physical assets as well as virtual assets (information infrastructure) of all kinds of critical infrastructures. Securing critical information infrastructure is necessary but not sufficient in the realm of critical infrastructure protection unless it is legally mandated to secure both physical and information infrastructures of all critical assets.

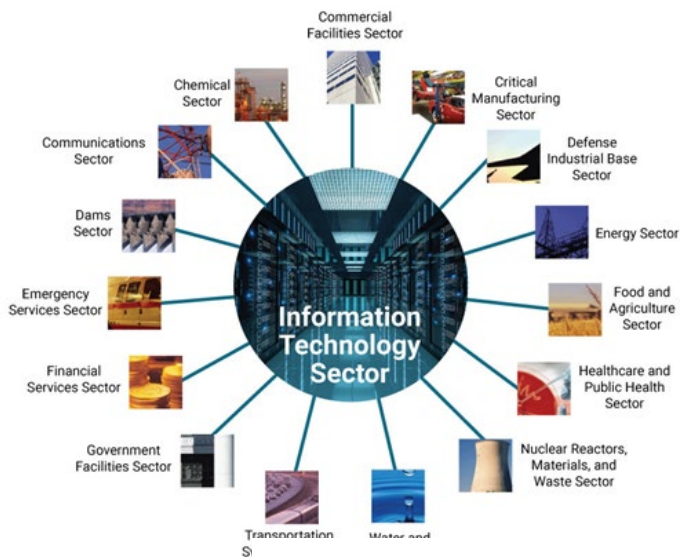
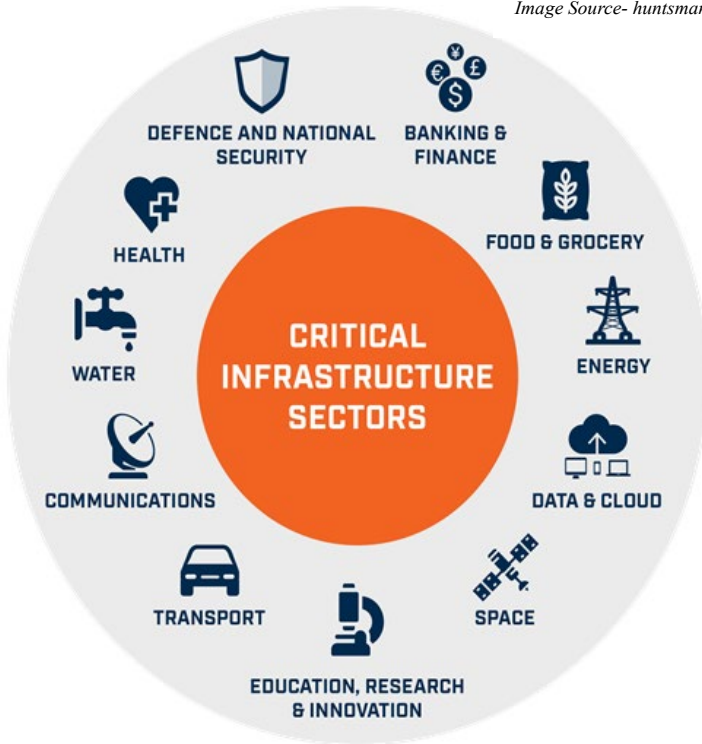


Image Source- synopsis.com





26/11 terror attack was also an attack on India's critical commercial and transport Infrastructures



Image source- Britannica.com

9/11 terror attacks were also attacks on Critical Economic Infrastructures of USA

In the same way, let it be reiterated at the cost of repetition that there are vested interests who would try to damage the prospects of India's \$3.5 trillion economy in every way possible, and the most effective way they would attempt to create long term impediments are by targeting its critical infrastructures either by acts of terrorism or through acts of arson by using organised mob as a new tool to terrorise.

The Urgent Need to Chart SOPs for Emerging Threats to Critical Infrastructures

From time to time, Government of India assesses the security threats to a large array of state-owned facilities and select private sector installations of national importance, and provide them armed security through Central Industrial Security Force. On the lines of CISF, many states have also formed their respective industrial security forces to provide armed security to state secretariats, dams, metro stations etc. In fact, Railway Protection Force (RPF) can also be deemed as a critical infrastructure protection force since its mandate is to secure the assets of Indian Railways.

However, while the basic architecture is definitely at place, it needs some major refinement to also include in it the emerging dimensions

of threats including possibilities of organised arson and drone attacks at critical infrastructures. This means what should be the Standard Operating Procedure (SOPs) and Rules of Engagement for CISF or RPF (Railway Protection Force) or state level industrial security forces if a critical asset is targeted by a violent mob? Are security forces only supposed to protect critical assets when attacked by terrorists but stand back if the same is attacked by organised violent mobs? Will it serve the purpose? This is exactly the reason why redefining the mandate is necessary which can be done through enacting of a Critical Infrastructure Protection Act.

Also, while CISF has strong proficiency in securing critical infrastructures, even with its estimated manpower strength of around 1.63 lakh personnel, it may not be adequate to provide adequate armed security to a large array of critical infrastructures, many of which are now in the domain of the private sector, since CISF's prime objective is to provide security to state owned installations. CISF does give protection to a select list of private installations as well but it is too few when compared to the entire gamut of critical installations in private sector. The same goes for state level industrial security forces.



CISF is India's leading Critical Infrastructure Protection Organisation

The Hybrid Security Model- Redefining the Role of Private Security Agencies

In India, almost 95% of critical infrastructures in the realm of private sector are secured by private security enterprises. It is in this context that the Union Home Minister Shri Amit Shah recently mooted the concept of hybrid security model wherein CISF can potentially take over the task of mentoring, training and certifying private security agencies for effectively securing of 'industrial and manufacturing units' in India.

It is important to mention that as of yet, India does not allow bulk licensing of small arms for private security agencies. Many though however employ select number of ex-servicemen or ex-CAPF personnel who have personal license for side arms. This however is no sufficient for protection of critical infrastructures.

The Importance of Private Security Industry in Protection of Critical Infrastructure

In this context it would be important to note that in many of the western countries, private security agencies have evolved over the time to take over the job of technology driven perimeter security and industrial security and have also been allowed to carry basic small arms such as a pistol or a 12-bore pump action gun to provide first line of armed defence in case of a major terror attack or threat to the installations.

India's private security industry which employs around 90 lakh people and is one of the largest employment generators in the country, has all the potential to emerge as an effective security provider of the critical infrastructures of the country, a task which it is already accomplishing,

and become an effective force multiplier for CISF in the realm of industrial security sector. However, that may require some hand-holding and legislative amendment by the Government in terms of allowing, at least a select list of security agencies of repute, to hold bulk license for basic small arms and defensive weapons, such as a 9 mm pistol or a 12-bore pump action shot gun, to the least.

infrastructures in the private sector.

Further, enacting of Critical Infrastructure Protection Act, and making it mandatory for the private sector to invest in security, albeit with incentives of tax concessions or enhanced provision for depreciation, can create an ecosystem where the private sector can be asked to spend more on security of installations, which in today's context is lacking. Most are content with a mere basic rudimentary

Image Source- SIS India website



India's Private Security Agencies Can Emerge as Force Multipliers for CISF in Industrial Protection but Needs Some Policy Reforms to Become more Effective

How the Critical Infrastructure Protection Act Can Help in Developing the Hybrid Security Model

Enacting a Critical Infrastructure Protection Act, and bringing the private security agencies in its ambit, would possibly give some legal authority to the private security personnel, if and when, they resort to use of firepower for the sake of securing the critical infrastructures. Today, no such legal immunity exists for the private security personnel who guard a large array of critical

expenditure and are reluctant to consider spending on security as a sort of investment. Most presume that no untoward incident would ever happen to their installations, and that the law enforcement agencies would do the needful if ever any eventuality happens.

However, the events of 26/11 terror attack and the devastation, both in terms of loss of properties and human lives, vindicate that had the private security personnel on duty at the two iconic Mumbai hotels were armed with at least 9 mm pistols or pump action shotguns, they could

have challenged the terrorists into a gun fight much before special forces had arrived. and perhaps many lives could have been saved through that.

Thus, this would entail not just policy reforms to entrust select private agencies, who can be shortlisted after intense scrutiny, with basic arms but would also require inclination on the part of private sector to spend more on security, since armed and technology driven security in place of a mere man standing at the gate, would need more expenditure.

Sadly, mob is seldom punished in India. Thus, mob is increasingly being used by vested interests as a tool for destruction of India's national assets and harm India's economic prospects in the name of protests.



*Image of an Armed Private Security Officer of CCAT Inc, which is a California based Private Security Corporation. India needs similar armed private security organisations for protection of Critical Infrastructures.
Image Source- CCAT*

Nevertheless, in the realm of hybrid war, where there is a need for a hybrid architecture for security of critical installations, time perhaps has come to consider allowing a select list of private security agencies to carry small arms for security of critical installations, albeit along with strict standard operating procedures (SOPs) to prevent any kind of misuse or misadventures.

Private Security Agencies are Not Same as Private Military Contractors

There would invariably be sceptics who would frown upon any such move to equip select private security agencies with basic arms, and would try to draw comparisons with private security contractors of US, some of whom became rather infamous for their activities in Iraq.

However, there is are distinct differences between private military contractors and private security agencies, the latter's domain of work revolves only around providing perimeter security of installations, and has nothing to do with any kind of military activity or offensive actions, which falls in the domain of private military contractors.

Securing Critical Infrastructures from Drone Based Threats

Further, given the increasing propensity of non-state actors to use drones for striking critical infrastructures, as has been evident

innumerable times in Middle East, Government of India may also need to consider the necessity of providing anti-drone systems to extremely critical infrastructures especially those in the realm of petrochemicals complexes including oil & gas refineries, major manufacturing and industrial facilities, as well as major commercial complexes. All these must be enacted in the Critical Infrastructure Protection Act.

Securing Critical Infrastructures from Organised Mob Violence

However, the most important and critical issue for which the Critical Infrastructure Protection Act is urgently required is to consider all kinds of options that must be explored for securing India's critical infrastructures from organised mob violence, which may increasingly become the preferred route for subversive activities or acts of sabotage, for the non-state actors and cross border deep state players, including their local cohorts.

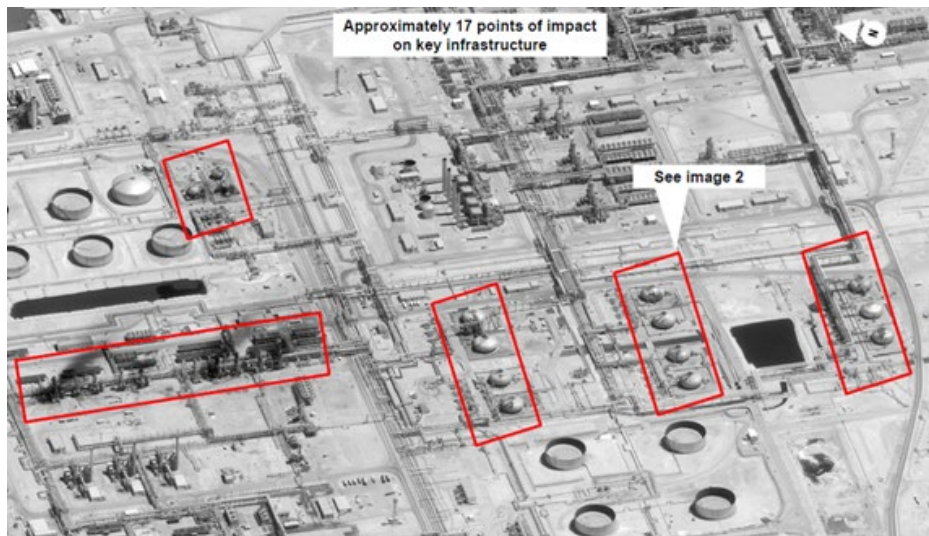
The problem with India, as is the case with many other democracies, is that here mob is seldom punished. It is not too difficult to orchestrate massive violence, cause major loss to public properties and then melt away in the milieu of gathered mass.

Fortunately, though, with time technology has come to aid of law enforcement authorities in the form of software like Facial Recognition Systems or FRS, and presence of a large array of surveillance cameras

across major cities, which definitely can help in identifying perpetrators if there is willpower on the part of state administrations to do so. However, while some states have shown conviction to take strict actions, others have failed more often than not.

It is for this reason that a Critical Infrastructure Protection Act is needed to create a firm distinction between generic, democratic and peaceful protests which the constitution allows, vis-à-vis from organised arson by a violent mob, in the name of protest. The Critical Infrastructure Protection Act must lay down the Standard Operating Procedures (SOPs) for dealing with organised arson and what kind of steps, including use of lethal and non-lethal force that can be permitted to thwart such attacks that may damage critical installations and their functioning.

Critical Infrastructure Protection Act is needed to create a firm distinction between generic, democratic and peaceful protests which the constitution allows, vis-à-vis from organised arson by violent mob, in the name of protest, which target critical infrastructures and national assets.



Thermal image of Damage to Abqaiq Oil Assets of Saudi Arab after Being Hit by Armed Drones of Houthi Rebels of Yemen

To summarise, the following are the key elements that Government of India must focus on while enacting a Critical Infrastructure Protection Act:

- India needs Critical Infrastructure Protection Act (CIPA) to create the legal architecture to secure its critical infrastructures.
- Even though India has specialised organisations like CISF and state level industrial security forces to secure vital installations, it still does not have a legislative act, unlike in countries like United States, to define and legally mandate the security of critical infrastructures across the spectrum of public, private and joint sectors.
- The Critical Infrastructure Protection Act must define in its ambit the Standard Operating Procedures (SOPs) of not just securing vital economic and industrial installations from acts of terror, but also from acts of organised arson and mob violence, which too, like terrorism, has the ulterior motive of destroying such infrastructures that would impede India's economic growth.
- Critical Infrastructure Protection Act must also define the cyber threats that India faces and bring into its ambit the NCIIPC or the National Critical Information Infrastructure Protection Centre, which was created for securing critical information infrastructures, into its ambit.
- Critical Infrastructure Protection

Act must also define scope for public private partnership (PPP) in the realm of critical infrastructure protection for hybrid security architecture development.

- It must also define the scope for provisioning of bulk license of small arms for select private security companies, to be shortlisted after extreme scrutiny, for protection of critical infrastructure.
- Government of India may also consider setting up of a PSU namely Critical Infrastructure Protection Corporation (CIPC) that would complement the work of CISF. CIPC can be run like a private entity and may be manned by ex-servicemen and ex-CAPF personnel, This, would be an effective way for engaging service of retired personnel who may still have many years of working potential left in them. CIPC may be run purely as a commercial corporation and may be covered by necessary laws to allow its personnel carry arms for securing critical infrastructures.
- Government of India must also consider defining private security personnel engaged in protection of critical infrastructures as skilled labour. This would help in attracting better talent in the security industry owing to higher wages that skilled labour would be entitled to.
- CIPA should make it mandatory for states to raise their own industrial security forces, especially for those which have not yet raised their own.
- CIPA should define critical infrastructure protection as a concurrent subject distinct from 'law & order' management issue. This is because damage to critical infrastructures have national ramifications.
- CIPA should make it mandatory for organisations to invest money on industrial infrastructure protection.
- For specific critical infrastructures and installations with higher level of threat, Government of India must also consider creating a new policy for deployment of anti-drone systems to deal with drone based aerial threats.
- CIPA may also consider allowing organisations use drones for area surveillance of their critical installations.
- CIPA must also define the rules so far as procurement and safekeeping of arms by private security agencies are concerned. It must also lay down clear set of rules to allay all apprehensions in what all scenario firearms can be used and to be strictly adhered to. There should be strict guidelines for no misuse of firearms to threaten, terrorise or browbeat employees.
- Also, it must in no way infringe upon the basic rights of employees to conduct peaceful protests.
- CIPA may mandate that

supervisory or command roles in armed units of private security agencies should only be entrusted to ex-servicemen, retired short service commissioned officers or ex-CAPF officers.

- Government may also consider according the status of 'Auxiliary Officer' to the Armed Security Personnel involved in protection of critical infrastructures.
- CIPA should have provisions for stringent non-bailable arrests for anyone who has damaged or attempted to do so on any critical infrastructure with possible punishments, if convicted, with rigorous imprisonments and severe financial penalties.
- CIPA should have provisions for banning any organisation that instigates the destruction and

targeting of critical infrastructure.

- CIPA should have provisions to declare any attempt to target critical infrastructures, be it by armed assailants or violent mob, as acts of terror.
- If India has to march seamlessly towards the vision of Prime Minister Modi to become a \$5 trillion economy in the next few years, and a \$10 trillion economy over the next one decade, it must make sure that the precious built industrial and economic infrastructure are not damaged or sabotaged by vested interests.

(The writer is a policy analyst and commentator who writes extensively on policies, governance, defence and strategic issues. Views expressed are personal)



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