ABSTRACT
Terrorism is a complex and controversial phenomenon. It has as many views as there are scholars of the subject. The emotive nature of terrorism is one of the major contributing factors to its complexity. Any person defining the phenomenon of terrorism inadvertently injects his value judgements into the definition. Moreover, its indiscriminate use as a synonym for rebellion, civil strife, insurrection, kidnapping, assassination, highjacking, bombing etc. makes it more complex. Some governments label all the violent acts committed against them as terrorism. On the other hand anti-government extremists claim to be the victim of state-terrorism. This makes it a debatable subject. Though there exists no universality of views on the subject. There are scholars who see it as a means to an end. Not an end itself. It is indiscriminate use of violence to achieve the desired objectives. It achieves its goals, not through the acts of violence but through the response to acts. It is a cautiously chosen way of fighting adopted by the weak who cannot face the militarily strong adversary in open combat. It is a kind of protracted war generally waged against the state for achieving the desired objectives. Being protracted in nature, any isolated terrorist act can not qualify to be called as terrorism. To make it so, there must be threats of future occurrence of terrorist violence.

The phenomenon of state terrorism like terrorism committed by non-state parties is also very complex. It is
susceptible to different meanings. It is also a subjective matter where values play a defining role. State terrorism is seen as related to the suppression of personal liberties of individuals or groups by the state. It is considered as the systematic use of intimidation by the state to achieve some objectives. It has two perspectives. One is that it is born out of the response of the state to the acts of terrorist violence. States as a response to violence either institute changes and reforms sought by the terrorists or suppress them (terrorists). The other is that it is also committed by states to consolidate their control over the populace. This generally happens in dictatorial states. State-terrorism appears in the form of torture, custodial deaths, extra-judicial killings, unlawful detention and harassment of people in number of ways.

Though there is difference between state and non-state terrorism but for some, both are the two sides of the same coin. Terrorists commit acts of public terror while hiding their real identity. States commit acts of secret terror against their own peoples whose security is the primary responsibility of the states. Infact, state terrorism is an abuse of legitimate power. Terrorism committed by states is seen as law enforcement activity, while terrorism by non-state parties implies open defiance of law. While terrorists make no pretence at legality, states do so. In the absence of legislations, state-terrorism is made to appear justified by issuing decrees and enacting laws to enforce the authority of the government.
Terrorism whether committed by state or non-state parties is against the very spirit of human rights. Human rights are those rights which make a man, human. They belong to him simply because he is a man. In fact they are what make his life enjoyable and worth living. This reflects the fundamental moral commitment of the human civilization to equality, liberty and freedom of man, inviolability of his life and his protection against the arbitrary use of authority, exploitation and discrimination. They are recognised by international community. They are as well incorporated in the constitutions of every civilised state.

Though these rights are meant for all people and nations but in reality they vary from society to society, from culture to culture, from ideology to ideology and from one existential condition to another. They are somewhat differently understood in different societies despite the fact that they are universally recognised. At national level, the response to the issues of human rights vary according to the kind of society, its stage of development and the cultural environment. In India too the issue of human rights is inextricably linked with the problems of national integration, economic development and cultural environment. At international level they aim at promoting and encouraging the respect for human rights without distinction and discrimination.
The Indian Constitution is a document which assures every member of Indian society a fair deal. It not only recognises the basic rights of man but ensures their protection and promotion. It also lays down the provisions to ensure that they are not violated except by due process of law.

What, infact we see today is the widespread violation of human rights. There may be many causes of it. But one of the main causes is terrorism: state and non-state. Terrorism in all its form has became a serious threat to human rights. It is increasingly seen by states as severe threat to their security. The essence of security is that every state is under obligation to safeguard the lives of its citizens from any threat or situation which threatens their way of life in any way. It is the responsibility of the state to ensure that people in the society enjoy their rights freely and without discrimination. The three goals of human beings, the survival, sustenance and security are under serious challenge and threat from terrorism.

Terrorism is the negation of human rights. It contravenes the accepted norms of human behaviour. Normal and democratic existence of people is under the direct threat of it. Wherever it erupts attacks the very links which bind together the political, economic and military organism of the state. It attacks the very mechanism through which state exercise their normal control over their citizens. It renders the state administration ineffective
demonstrating to the populace that state is incapable of protecting its people from the threats of terrorist violence. It creates the atmosphere of bitterness and hatred poisoning the relations between different ethnic groups. It creates a creeping sense of insecurity among the population. It hampers the social and economic advancement of the society. In a relatively brief span of time, it degrades the over of quality of life of people who face the onslaught it. It creates such a mess that it becomes really uphill tasks to defend the governments and the rights of people, while preserving popular support, willing compliance, obedience and rule of law.

Terrorism is not a universal phenomenon. It is a historical one. It emerges at particular times due to particular developments. The fact is that it does not take place in vacuum. So the prevailing circumstances, situations and environment at particular time of history serve as a cause for terrorism. Terrorism in the state of Punjab which began in 1970's to end in the 1990's has no universal cause. It began due to various politico-religious and other related factors, often one cause overlapping another or several causes. It survived there for about fourteen years resulting into the violation of basic rights of people of Punjab.

The state of Punjab which was one of the most prosperous states of India was in shambles as a consequences of terrorism
which prevailed there for more than a decade. During the period not a single day passed without innocent lives becoming the victim of terrorist violence. Authority of the government was jeopardised. It was the writ of the terrorist that prevailed all over the state. Infact there were some periods when they were in complete command. Their prescriptions were mandatory. They roomed around the state and sometimes even outside it, killing people at random completely disrupting the peaceful and normal life in Punjab.

As a consequence of terrorism in Punjab thousands of people lost their lives, thousands were subjected to torture, harassment and extortion. Atmosphere of fear prevailed all around. Life was not secure. A situation of anarchy loomed large. It created discontentment, frustration and a creeping of sense of insecurity among the masses completely disregarding the human rights.

The state of India in order to defeat terrorism itself indulged into such acts which violated the rights of thousands of innocent people in Punjab,. Repressive measure were undertaken by Indian state in justification of suppressing terrorist violence, disregarding humanitarian law and constitutional guarantees. Preventive detention, torture, extra-judicial, killings of so-called suspected peoples, majority of whom were innocent, were
rampant. Tens of thousands were subjected to harassment in different ways, violating their democratic rights. Various draconian laws and ordinances like Punjab Disturb Areas Ordinance, Chandigarh Disturb Areas Ordinance, Armed Forces (Punjab and Chandigarh) Special Powers Act, Terrorist-Affected Areas (Special Courts) and Terrorist and Disruptive Activities (Prevention) Act were enacted by the administration from time to time to deal with the situation of terrorist violence. These Ordinances and Acts provided to the law enforcement agencies of the government with much higher power than their peace time charter of duties resulting into the curtailment of the rights of citizens of Punjab.

The state of India undertook the repressive measures for maintaining the law and order in Punjab. The indiscriminate resort to ordinance making power shows the scant regard for democratic norms and a tendency to go by the letter than the spirit of the Constitution. This highlights the growing authoritarianism of Indian state. Not only this that these laws are against the spirit of human rights. The enforcement agencies exploit these laws.

The state of India in the name suppressing terrorism and bringing peace in Punjab indulged into large number of violation of human rights of people there majority of whom were innocent. This gives an impression that security of state can not be ensured without restricting the human rights of people. Indian state being the protector and guarantor of these rights to their people indulged
into their violation in Punjab. The ruthless suppression of terrorists is needed and necessary but the counter-offensive by the security agencies of the state in an indiscriminate, obliterating the distinction between terrorists and an innocent civilian population is not only against the spirit of rule of law but also against the spirit of human values and human rights.

Terrorism perpetrated by whosoever violates the human rights. It has no respect for human life, human dignity and freedom. Thousands of people suffered the violation of their rights in the state of Punjab both at the hands of terrorists and the Indian state. Terrorists committed acts of violence to seek an independent homeland for Sikhs resulting into the violation of a large number of people there. The state of India committed deliberating or otherwise such acts in the name of suppression of terrorism in Punjab. The fact is that a large number of innocent people suffered a lot due to terrorist violence.