

Refugees, Illegal Migrants and Local Perceptions in India's Far East

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**Anup Saikia
Department of Geography
Gauhati University
Guwahati 781014
India**

anmsaikia@yahoo.com

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Abstract:

This paper examines migration the impact of refugees and more significantly illegal immigrants on India's north eastern region. Migration to India's Far East from its demographically larger neighbour, Bangladesh on account environmentally-induced displacement and involuntary economic migration has been the source of several million immigrants. Migration has often been viewed as being a threat to local demographic equations. The paper examines the demographic changes that have resulted and as to how significantly have growth rates, religious, age and sex compositions been affected in three states of North East India, namely Tripura, Assam and Arunachal Pradesh. How are these changes spatially exhibited at district level and are local fears realistic, exaggerated or unfounded is discussed in the second part of the paper. Census data pertaining to district level growth rates, distance and district level religious composition are entered into a GIS database and running queries and creating buffer zones in the border areas indicates that the districts of Assam bordering Bangladesh have recorded changes in their religious composition. In Assam, early signs of a change in the religious profile are evident. The case of Tripura is perhaps unparalleled elsewhere in the world, where the indigenous tribals have been reduced to a minority over half a century. The last section analyses what has been India's (separate) policy towards these two streams of migrants.

Refugees, Illegal Migrants and Local Perceptions in India's Far East

Anup Saikia

Introduction:

India's Far East comprises an area of 255,000 square kilometers. Its demographically larger neighbour, Bangladesh on account environmentally-induced displacement and involuntary economic migration has been the source of several million immigrants. Two streams of migrants resulted: the Chakmas of the Chittagong Hills Tract, a tribal minority displaced by the Katpai dam and second, economic migrants stemming from a dense impoverished population from the plains of Bangladesh. Designated in India as refugees and illegal migrants respectively these migrants have often been viewed as a threat to local demographic equations. The analysis focuses mainly on 3 states of India's Far East, namely Assam and to a lesser extent on Tripura and Arunachal Pradesh. The problem of immigration from Bangladesh is a little over a century old. Only with India's independence and the changed political boundaries did the migration become 'illegal'.

The first wave of Muslims that came to Assam were those which came from north India during 13th century, they were followed by other Muslims from north India and Bengal who came in the wake of several 17th century Mughal invasions of Assam. In course of time these migrants assimilated themselves with the local culture and developed close societal relations with Assamese Hindus (Singh,1987) . These early streams of Muslims are identified as the Assamese Muslims and can be easily distinguished from the later Muslim migrants from the erstwhile East Bengal (Singh,1987) that started in the last decades of the 19th century. This latter stream of migration continues till today and has been problematic for north east India. The migration problem began with large migrations from the predominantly Muslim districts of undivided Bengal into Assam for work opportunities in the rice fields and tea estates there (Rajeshwar,2003); gradually their movement grew so large that it become a type of undeclared invasion of the state. (Das, 1980).Immigration from East Bengal continued till 1947, the year of Independence of India and Pakistan. As long as East Bengal was a part of Pakistan the border was guarded by military and paramilitary organizations and it restricted considerably the rate of illegal immigration, once Bangladesh was formed the border was virtually thrown open and massive Bangladeshi infiltration took place to Assam and other north eastern states (Das, 1980).

The initial benefits that immigrants from Bangladesh brought with them soon began to get overweighed by the disadvantage of their sheer numbers as is apparent from Chief Election Commissioner, S.L. Shakhder's observations in 1978:

"I would like to refer to the alarming situation in some states, especially in the North-Eastern region wherefrom disturbing reports are coming regarding large scale inclusion of foreign nationals in the electoral rolls. In one case, the population in the 1971 census recorded an increase as high as 34.98 percent over the 1961 figures and this increase was attributed to the flux of a very large number of persons from the neighboring countries. The influx has become a regular feature... the increase that is likely to be recorded in the 1991 census would be more than 100 percent over the 1961 census. In other words, a stage would be reached when the state may

have to reckon with the foreign nationals who may, in all probability constitute a sizable percentage, if not the majority of the population in the state.”(cited in Verghese,et.al.,1980) .

A document called “Influx” produced by the public relations section of India’s Ministry of External Affairs pointed out that “constant and successful pressure on the Hindu minority in East Pakistan to migrate to India” and “infiltration by the Muslim population of East Pakistan into the border Indian states of Assam, West Bengal and Tripura” accounted for the difference, the pamphlet stated (cited in Baruah, 1999).

Objectives and Methods

What demographic changes have resulted? How significantly have growth rates, religious, and sex compositions been affected and how are these changes spatially exhibited at district level are the focus of the paper. Finally what has been India’s (separate) policy towards these two streams of migrants and what are possible solutions round off the paper.

Census data is used to calculate the magnitude of migration, coupled with indirect measures and drawing inferences from related tables since undocumented migration by its very nature is difficult to measure accurately. The census data pertaining to district level growth rates, religious composition and sex ratios is entered into a geographical information system (GIS) database for further analysis and to explore patterns and relationships that would not have been otherwise apparent.

The Magnitude of Illegal Bangladeshis:

A former Governor of West Bengal and Arunachal Pradesh points out:

“The number of Bangladeshis estimated to be in India was put at 10 million about 10 years back. The Intelligence Bureau has reportedly estimated, after an extensive survey, that the present number is about 16 million. This figure may be correct since the migration has continued unabated all these years.

This led to vote-bank politics both in Assam and West Bengal and judicial procedures only made it worse. In Assam, the ministry’s survival, when the Congress was in power and also when the AGP replaced it, depended upon the support of a group of MLAs who were against any serious action against the migrants. The Illegal Migrants (Determination by Tribunals) Act effectively prevented even half-hearted attempts in this direction”. (Rajeshwar,2003)

Another source points out:“The August 2000 report of the Task Force on Border Management placed the figure at 15 million, with 300,000 Bangladeshis entering India illegally every month.....India's defense minister told a seminar on "Integrated Management of Security" in Chandigarh that about 100,000 illegal Bangladeshi migrants are entering India every month”. (Maitra,2005).

In recent years several studies have analysed immigration and its impact on the states of north east India. The literature holds immigration being problematic for Assam and the North East (Das,1980;Verghese,et.al.,1980; Saikia 1998; Rajeshwar,2003; Maitra, 2005;) though certain studies (Dasgupta, 1999) hold that the illegal immigration issue has been exaggerated. During the early 1980s it was mostly scholars hailing from the North East

that held of illegal migration being problematic to the region, during such years such attempts were seen as being parochial and chauvinistic. In recent years, scholars from outside the North East have echoed such sentiments (Maitra, 2005; Nayar,1996; Ray,2002; Rajeshwar,1996; Rajeshwar,2003; Singh,2002; Sinha,1998).

An estimate by a former Governor holds that about 5 million illegal migrants from Bangladesh are settled in Assam (Rajeshwar, 1996). Central Home Ministry/Intelligence Bureau sources place Assam's alien population from Bangladesh at about 4 million.

Myron Weiner pointed out that had Assam's population increased at the same rate as the rest of India from 1901 to 1971, at a rate of 130%, the net population would be 7.6 million rather than 15 million in 1971 and consequently the share of migrants and their descendants amounted to 7.4 million.(Weiner,1988).Going by such analysis, had Assam's population increased at the same rate as India from 1901-91 at 254.99 % her population would be 8.33 million rather than 22.4 million in 1991 , the share of migrants and then descendants amounting to 14.03 million.Asaam's growth rates have been much higher than those of India (Table1).

Table 1
Population Variation in India and Assam (in %)

	Assam	India
1901-11	16.99	5.75
1911-21	20.48	-0.31
1921-31	19.91	11.00
1931-41	20.41	14.22
1941-51	19.93	13.31
1951-61	34.98	21.51
1961-71	34.95	24.80
1971-81	23.36	24.69
1981-91	24.24	23.82
1991-01	18.85	21.34

Source: Census of India, various years

Such analysis is, however, not useful in estimating the illegal immigration from Bangladesh. For this the rate of growth of Muslim population in Assam proves more useful, though this does not enable us to estimate the Hindu illegal immigrants from Bangladesh. Growth rates of Muslim population have been far higher than the all-India aggregates (Table 2).

Table 2
Proportion of Muslim Population in India and Assam

	India	Assam
1911	22.39	16.23
1931	23.49	22.78
1951	9.91	24.68
1961	10.71	25.30
1971	11.21	24.56
1991	12.12	28.43
2001	13.42	30.91

Source: Census of India , various years

Such growth rates can be attributed only to illegal immigration from Bangladesh. Fertility rates of the indigenous Assamese Muslims, who are educated, have high economic and income levels are in no way higher than Muslims across other parts of India. Given their high literacy rates , it is very likely that fertility rates of the indigenous Assamese Muslims are lower than those of Muslims residing in other states of India. Finally, since Muslims from other states of India are not unduly attracted to migrate to Assam, it establishes beyond reasonable doubt that behind the abnormal growth rate of Muslim population in Assam lies the Bangladeshi factor.

Tribal Tribulations in Tripura:

In Tripura, another north eastern state of India, the local population have been turned into a minority community over time by the sheer numbers of cross border migrants from Bangladesh. In 1947, 56 per cent of Tripura's population consisted of tribal (or indigenous) population. Today this stands at a quarter of the total (Narayan, 1997). Bengali Hindus had become 71 % by 1971 and by then political and administrative power had passed from the indigenous tribal population to migrant Bengalis; transfer of land to the Bengali migrants proved to be the critical factor in deteriorating social relations and in the June 1980 riots hundreds lost their lives (Singh,1987). The tribals of Tripura, have today been reduced to numerical non entities and are engaged in armed conflict against the migrants whom they see as the usurpers of their homelands. With political and administrative power in the hands of the latter, the tribals are engaged in a losing battle for survival.

The problem that Tripura faces, is the same that confronts the entire North East today, points out a former Indian High Commissioner to the United Kingdom (Nayar, 1996). The perception in the north east, particularly Assam, is that just as the tribals of Tripura were economically, politically and numerically marginalised , the same fate may befall them (Saikia,1996). The fear of becoming minorities in their own homelands has become a key issue for the region.

Table 3: Tripura: Proportion of tribal population.

Year	Tribal Population (in percent)
1901	52.89
1911	48.48
1921	56.37
1931	50.26
1941	50.09
1951	36.85
1961	31.53
1971	28.95
1981	28.44
1991	30.94
2001	31.05

Source: Census of India, various years.

Chakma Refugees in Arunachal Pradesh

In Arunachal Pradesh, geographically the largest state in North East India the settlement of Chakmas refugees in the early 1960s, by a union Government decision, has been a bone of contention. The Chakmas are tribal people of erstwhile East Bengal. The British government recognizing their distinctness from the rest of the population created the Chittagong Hill Tract (CHT) as an autonomous area exclusively for the Chakmas, covering an area of 5,093 square miles. The Chittagong Hill Tract Resolution of 1900 restricted the settlement of non-tribals permanently in the CHT and prevented purchase of land from tribal people. The resolution also sought to protect the politico-economic, social and religious rights of the Chakmas. After independence the CHT went to Pakistan and the Pakistan government sought to redistribute the Buddhist Chakmas by populating the area with Muslims and resetting the Chakmas in 'protected areas' effectively to convert the Chakmas into a minority in the CHT. The militant Shanti Bahini resisted this policy and the religious persecution that followed, and guerrilla warfare was waged with the Pakistani troops. Ethnic riots in 1961 along with the intolerant government policy saw some 60,000 Chakmas flee to India and Burma. From this stream of migrants about 20,000 refugees were settled in NEFA by the Indian government in 1964. The influx continued even after 1964 into Tripura, Mizoram and Arunachal Pradesh.

The refugees settled in Arunachal were located mainly in Bordumsa, Vijoynagar, Diyun and Miao circles of Changlang district. Through natural growth and sporadic infiltration the Chakma population has grown from 20,000 in 1964 to an estimated 60,000. The demographic consequences of these refugees on a state having a total population of some 1 million was enough to make an issue of things. It would amount to a ratio of roughly 1:8 if non-Arunachalee Indians are left out from this figure. The Arunachalees have a small economic cake in a highly stratified society and the AAPSU sees a diminishing economic slice for the indigenous population. The Chakmas, like refugees elsewhere, tend to be hardworking and occupy a dominant position in important towns like Miao in Changlang. Initially in 1964 the Chakma refugees were allotted a fixed area for their homesteads and cultivation. Gradually, their numbers spilled over into adjacent lands belonging to indigenous tribal. In Miao subdivision as committee constituted by the state government found an area of some 872 hectares encroached upon by 788 families. The report further noted that the encroachers were indulging in criminal and illegal activities. The Chakmas are covertly engaged in illegal timber business in Changlang and its neighbouring Lohit district. The migrants from CHT are also skilled in the art of making country-made guns and pistols and have carved out enclaves in Lohit and Changlang districts where such is their clout that local Arunachalees fear to enter. While the fear of loss of identity in their own homelands as a result of the demographic change is unfounded and it seems that the whole issue has been exaggerated, since the proportion of tribal population in Arunachal Pradesh at district level shows little cause for alarm, although the figures in 2 districts are much lower than in the rest of the state.

It was eventually decided that the issue of citizenship to the Chakma refugees should be considered by the Government of India, in spite of petitions and protests against this by stakeholders in Arunachal Pradesh. Besides citizenship, the other issues raised relate to restoration of basic facilities, reopening of schools, anganwadi centers and issue of birth certificate to the Chakma children (Anon,2002); all of which had been withdrawn

by the Arunachal authorities. It is alleged that there occurred several cases of human rights violations in the Chakma settled areas of Arunachal Pradesh during the early 1990s through till about 2002, around when the State Government was asked to ensure the availability of all basic facilities to these people and ensure their safety and security.

In May 2004, for the first time in the history of their settlement in Arunachal, the Chakmas were given voting rights as Indian citizens. About 50% voter turnout was recorded in spite of a 48 hour bandh call by the AAPSU. This was following a Supreme Court directive in 1996, that asked the Election Commission to initiate the process of granting citizenship to the Chakmas and Hajongs residing in Arunachal Pradesh. The Election Commission, after scrutinizing 15,000 applications, enrolled the names of 1,497 people from the two communities in the voters' list. (Telegraph, 2004)

Findings:

Illegal migration has been problematic in Tripura and Assam while the third state, Arunachal Pradesh faces an issue of far lesser proportions, that of Chakma refugees. In two states, Tripura and Assam, immigrants have by their sheer magnitude have altered with varying degrees the locus standi of local tribal populations. The case of Tripura is perhaps unparalleled elsewhere in the world. The local tribals have been reduced to a minority over half a century. This has been the root cause of insurgency in Tripura. Severe demographic alterations based on ethnic lines have resulted in Tripura and today tribals engage in conflict and guerilla warfare to fight off the 'outsiders' that usurped tribal homelands.

The ULFA movement in Assam began on the basis of an anti-foreigner stance directed against immigrants from Bangladesh. Over the years, ULFA abandoned its ideology, bartering it away for support from Bangladesh and the ISI of Pakistan (Sinha, 2003). Thus, in two states, insurgency movements were triggered by illegal immigration. In both states, militant activities continue, with alleged support from Bangladesh. However, blaming Bangladesh, is only half the story. A senior official of the Indian Intelligence Bureau (IB) asserts the then Chief Minister's hand clearly discernible behind the formation of the ULFA in 1979, an in inciting other groups such as the Muslims, North Cachar tribals and the Bodos against the All Assam Students Union (AASU) and the Asom Gana Parishad (Dhar, 2005). The AASU, a student organization and the AGP a political body, were during 1979-85 leading a non-cooperational agitational movement against the state/central government policies seeking detection and deportation of illegal immigrants from Bangladesh that eventually toppled the then state government; the two bodies enjoyed extensive grass-root support from various sections of society.

During the early 80s, the then Chief Minister's decision (along with the Intelligence Bureau had influenced the then Prime Minister of India Indira Gandhi) to give electoral nomination to over 30 Muslim candidates had caused serious concern to the AASU and the Hindu Ahomias in general; the upper Assam Muttok Hindus disliked the pattern of ticket distribution (Dhar, 2005).

Spatial Patterns:

In Assam, early signs of a change in the religious profile are evident. However, these are not catastrophic as a previous study (Joshi, Srinivas and Bajaj, 2003) makes out to be. While growth rates are low indicating that illegal migration is not occurring, changes in religious composition indicate the reverse. When district level growth rates

1991-2001 were disaggregated by religion, it was found that growth of Muslim population were well above the rates of non-Muslim groups (the other religions were clubbed together) in all but one of the 23 districts; the rates were almost consistently double and can only indicate that illegal immigrations has persisted during the period. Using such rates to project the indigenous Muslim share it is estimated that at least 1.4 and 1.1 million are illegals during 1971-91 and 1991-2001 respectively; or about 2.56 million during the past 3 decades. This estimate discounts illegal Hindu immigrants which we have no way of estimating. However, it can be safely asserted that the combined figure of illegal Hindu as well as illegal Muslim immigrants would be something in excess of 2.56 million (Fig.11); here again the effect on distance from the international border is apparent.

While, we have used proportions and growth rates of Muslim populations, it needs to be pointed out that recent changes are overwhelmingly due to the population behaviour of illegal immigrants that entered in recent years and not due to the demographic behaviour of Assam's indigenous Muslims. As a noted journalist points out:

“There is need, however, to make a clear distinction between the indigenous Assamese-speaking Muslims and Bangladeshi migrants before analyzing the demographic, security or political implications of such population growth. ...when one talks of Muslim vote bank and so on in Assam, one is actually talking about the role of the settlers and not necessarily that of the indigenous Assamese-speaking Muslims .” (Hussain,2005).

When district level data is examined and changes in the religious profile are entered into a GIS and queries are performed and buffer zones created it is indicated that the districts of Assam bordering Bangladesh have recorded changes in their religious composition. Such an occurrence has been reported in other states of India, such as West Bengal as well (Ray,2002) indicating a trend of illegal migration streams being influenced by the distance factor occurring, as outlined by Ravenstein's Laws of Migration that most migrants travel short distances. Thus while districts close to the Bangladesh border exhibit higher population growth rates over recent decades as well as higher proportions of Muslim population, such trends reduce in intensity as one moves away from the border.

While running queries on population growth rates of the Muslim population in Assam are useful, it needs to be stressed that we have no way of estimating the quantum of Hindu illegal migrants.

Running a query by attributes on the data field with 71-91 growth rates of Muslim population in Assam to select districts with a GR equal or about 71 per cent the resultant selection showed that 16 out of 23 districts fell in this category. The exceptions were the districts of Dibrugarh, Jorhat, Sibsagar in Upper Assam, Barpeta and Marigaon in lower Assam and the Barak Valey districts of Cachar, Karimganj and Hailakandi. The first group of 3 districts in Upper Assam are among the farthest from the international border with Bangladesh while the latter group of three in the Barak Valley, namely Cachar, Karimganj and Hailakandi are within shifting distance of the border; this group incidentally also has traditionally been one of the larger immigrant receiving areas.

Changes relating to age and sex structure are less easily attributable solely to immigration. Mapping sex ratios at district level in Assam (Fig.7 and Fig.8) do not reveal

any apparent links with illegal immigration. One would expect a slight males bias in migrants, but this does not seem to be linked with distance from the border. The position of females (the sex ratio in India is calculated as the number of females per thousand males) is slightly better off in border districts like Dhubri and Goalpara, although the same is not true in other border districts like Karimganj, Hailakandi and Cachar. Various factors could be at play, such as male dominated migration of workers in the industrial belt of upper Assam or the state capital possessing district of Kamrup, but the links of sex ratios with illegal immigration remain fuzzy. Much the same holds true for sex ratios in 2001, though the border districts seem to be better placed than upper Assam sans Lakhimpur.

Local Perceptions:

Local perceptions of illegal migration vary widely. Illegal immigrants from Bangladesh are viewed as a demographic, economic and political threat. The small ethnic groups of North East India perceive the Bangladeshis as a threat to their demographic status and the 19 tribes of Tripura bear testimony to such fears. These tribes have been demographically, economically and politically marginalized. Although numerical strength does not always translate to economic and political supremacy, in many ways this does happen. The tribals of Tripura with low literacy levels and fragile economic means ended on the short end of the stick. It was easy for them to be politically outmaneuvered. For many other small ethnic groups in India's Far East, land is as a premium and when dispossessed of land their very existence can be threatened. The Nellie massacre was a result of such underlying forces. In February 1983, about 2,000 Bengali-Muslims were massacred in Nellie (Assam) in one night (Roy,2005); other estimates put this figure slightly lower at between 1200 (Hussain, 2000) to 1753 (Hazarika 2000) though the lessons to be drawn are the same: ethnic population groups were dispossessed of their land by illegal immigrants and pressures over scarce resources led to a vicious reaction. While it would be difficult for the illegal immigrants from Bangladesh to dispossess the upper echelons of the Assamese middle class, for the lower classes, the first signs of such economic dispossession are evident. Early this year, when 5000 posts of constables were advertised in Assam, such illegals were sought to be given employment, as the cost of local unemployed youth. Fortunately, the judiciary stepped in and prevented the process. However, when political power is gained by illegal migrants- and numerical strength does count- gaining a larger share of the economic cake is a question of time.

Another aspect of illegal migration from Bangladesh is that of the security aspect. Although this has been pointed out, on occasion at the highest levels (Sinha,1998) due attention has not been given to this dimension. A Canadian Security Intelligence Service (CSIS) report had alleged that the Bangladesh Government was "not doing enough" to prevent the country from becoming a "haven for Islamic terrorists" in South Asia ((Habib,2003).When the international media also reported along these lines (Time, 2002), it stoked much attention for a while, but later this aspect was ignored. Although it has been pointed out that, the activities of militant outfits in Bangladesh probably have a regional and global dimension, although there has been no serious investigation or probe into this aspect. (Habib,2003), India has generally turned a Nelson's eye to such developments. Barring a few attempts, (Saikia,2003; Narahari,2003;Saikia,2005) that

assert that 'the problem is illegal migration has an immense potential for the deterioration of the security situation in the East and Northeast of India' (Rajeshwar,2003) very little in terms of policy decisions has resulted . Unfortunately contentious issues are at stake and in the guise of looking after the interests of minority population groups, local politicians in Assam 'farm' immigrant votes to further personal ends. Unfortunately neither policy or even the debate that precedes it seems to be on the cards and until then "an indigent migrant population harbouring little or no loyalty to the host country" (Pioneer,2001) continues to strengthen its numbers and networks.

It would be incorrect to treat the illegal immigrants issue and the security issue without a reference to insurgent groups that abound in the North East. " The growing bond between the native militants of the Northeast, and the ISI and other foreign-based Islamist organizations encourages not only terrorist activities, but also the fundamentalist attitude. In a recent report to the Ministry of Home Affairs (MHA), the central intelligence agency (of India) had cautioned about the ISI's nexus with underground groups in this region. At regular intervals, the security forces in the Northeastern states remind the Union Government about the growing influence of the ISI and Islamic terrorists who fund religious organizations, institutions and madrassas in the region". (Rajamohan, 2003). From time to time newspaper reports indicate ISI agents operating from Assam (The Statesman, 9 August 1999;The Asian Age,11 August,1999); such persons find it easy to melt into the local population given linguistic and facial similarities. The apex judiciary court in India, the Supreme Court, has hauled up the union government for not taking the issue of illegal immigrants seriously. The editorial of a national daily observed:

The Supreme Court has done well to ask the Union Government to file a comprehensive affidavit on illegal migration from Bangladesh into West Bengal and the north-eastern States. As the court pointed out, the matter is serious as it threatens to change the demography of the States. The available information is alarming. According to a study by the Indian Statistical Institute, of the 1.6 million migrants settling in West Bengal between 1981 and 1991, 700,000 were from other States of India. Nine hundred thousand were from Bangladesh. Many more seem to have come since then as the rate of influx appears to have accelerated. According to official estimates, about 300,000 people cross over from Bangladesh into the north-eastern States annually. The migration has been so heavy in Tripura that the local tribal population, who earlier constituted a majority, have been virtually swamped. Besides posing economic burdens and causing social and ethnic tensions, illegal migration, as has lately become apparent, seriously threatens India's unity and integrity. Agents of Pakistan's Inter-Services Intelligence (ISI) operating from Bangladesh find crossing the porous border with India easy.... Their activities, which have already seriously disturbed the whole of north-eastern India, assume a diabolical significance in the light of the ISI's plan to create an independent Islamic state in north-eastern India.

The Pioneer.1999.Migrant Menace (Editorial) 22 July.

Recent incidents have renewed attention to the issue of illegal immigrants in the North East, when a local NGO based in Dibrugarh started a campaign calling for a social and economic boycott of suspected illegal Bangladeshis. An estimated 15000 illegals left the district and settled elsewhere in Assam. Minority political parties raised a hue and cry and several politicians made hurried trips to the area. The remaining states of the regions, promptly alerted security along the inter-state borders to prevent possible infiltration into

their states. Press releases by the government in Assam abounded, stating that bonafide Indian citizens had been hounded out and that there were no illegal immigrants in Assam. The incident focused the contrasting sentiments of the Assamese: that illegal immigrants were unwelcome; and that of the state government: that it would handle precious vote banks with kid gloves, the observations of intelligence agencies and the federal Home Ministry notwithstanding.

State Policy

There are political compulsions in framing state policy towards the issues of illegal immigrants and its security considerations. Despite the growing influence of immigrant Muslims in constituencies of border states like West Bengal and Assam, almost nothing is done largely because local as well as central politicians stand to lose more than gain anything. Again local politicians and party politics influence decisions made in New Delhi. Since immigrants are wooed by various parties, the long term interests of a state, be it Assam or West Bengal, are lost sight of for personal gains.

Matters are complicated by immigrants tending to be close knit by commonalities like religion, fear of detection, insecurity and thereby tending to vote en bloc; they are thus in a position to play a determining factor in state legislative bodies. In Assam's 126 Assembly constituencies, illegal immigrants constitute a majority in 36, according to Home Ministry sources (Sentinel, 2nd March, 2000 *as cited in* Narahari,2002); in West Bengal a sudden spurt of Muslim legislators, reaching 47, is ascribed to immigration of Muslims from Bangladesh, legislators that could influence decisions regarding illegal immigration (Narahari,2002).

As such there exist, a dual set of laws, one in Assam and another for the rest of the country. While the Foreigner's Act, 1946 (Act 31 of 1946) operates in the whole of India, in Assam it is the Illegal Migration (Determination by Tribunals) Act 1983 (IMDT) that is in force for detection of illegal migrants. Under the Act an illegal migrant is one who:

- “(i) has entered into India on or after the 25th day of March,1971,
- (ii) is a foreigner
- (iii) has entered into India without being in possession of a valid passport or other travel document or any other lawful authority in that behalf.” (IMDT,1983).

Under the Act, detection and deportation of illegals would take place under the supervision of tribunals set up by the Central Government. Under the provisions of this Act, the onus of proving the citizenship credentials of a person in question lies with the complainant and the police, not on the accused. Under the Foreigners Act, prevailing in the rest of the country, the onus is understandably on the accused. The motive of passing such an Act, that contravenes the spirit of the Indian Evidence Act in which the burden of proof lies with the accused (Reddy,1996), is indeed questionable. There are a few contented conditionalities in this Act. For instance, the complainant must reside within the jurisdiction of the same police station as the accused and the former must pay a fee to get his application processed; the applicant must get two persons to provide

affidavits supporting the application. To cap it all “if the application is found frivolous or vexatious” the Central Government may not accept it.

The track record of the Act is hardly anything to write home about. Between 1983-1994, out of 288,000 suspected aliens in Assam only 1219 illegal migrants could be identified (Reddy,1996) an accomplishment that must be seen in the light of 4 million illegal migrants residing in Assam according to Home Ministry / Intelligence Bureau sources. This piece of legislation has merely had the effect of delaying and obstructing the process of action against illegal migrants in Assam (Reddy,1996) and has primarily served the interests of the illegal migrants (Sinha,1998), yet due to lack of political will and the growing clout of Bangladeshi migrant votes in Assam as well as in New Delhi, the Act continues to remain in force.

Currently India is constructing barbed wire fencing along the India – Bangladesh border. The fencing is being constructed 150 metres inside the Indian border. the fencing is slated for completion by 2007-08. Other measures include marring the riverine border using speedboats and other smaller crafts on the rivers and setting up floating border outposts (BOPs) to improve border management. Such efforts are not without glitches, and Bangladesh, in at least 1 instance has kept pending the granting of permission to transport a BOP via West Bengal through Bangladesh territory (AT, May 9th, 2005) onward to the Dhubri district of Assam, as a result of which the BOP has been ‘stuck’ at Hasarabad in West Bengal for nearly two years. The fencing along the Mizoram border with Bangladesh was started in May 2005 and the 320 km stretch is to be completed by the end of 2008 (AT, 12th May, 2005). The fencing along Bangladesh is of the “double concertina coil” fencing with coils placed vertically and horizontally between the barbed wires, which stretch to a height of more than eight feet (AT, 12th May, 2005).

The issue of illegal Bangladeshis continues, unsolved and Myron Weiner's analysis that the issue 'continues to fester' remains more true than ever before (Weiner,1993). Issue of identity cards to populations in border areas or perhaps issue of national identity cards are issues that must be taken up. Unfortunately, though such ideas have been mooted from time to time at the highest levels of governance, they are yet to be translated into action.

While a dual set of laws exists for the illegal immigrants, for refugees in Arunachal Pradesh, their status is clear : as refugees, the Government of India recognizes and accepts their presence, local sentiments notwithstanding. As such they have continued to habit localities in 3 districts of Arunachal Pradesh, namely Changlang , Lohit and Papumpare. Recently this group of refugee population have been also given voting rights, further legitimizing their position in the state. The graduation of 1497 Chakmas to being granted citizenship has been thorny and long drawn out, but it remains to be seen whether the remaining Chakmas in Arunachal are similarly fortunate.

Solutions

District level growth rates disaggregated by religion indicates that illegal immigration to Assam has continued in recent years. Given the past record of political parties, judicial procedures and prevailing legislation in Assam since 1985 it does not seem likely that illegal migrants can be deported from Assam. Even were it possible, the humanitarian dimension to the egress of anything in the range of 2.56 to 4 million illegal immigrants would remain. The only solution on humanitarian considerations is to legalize illegal migrants present in the country, as on date. This has been suggested previously

(Saikia,2002) though the process needs to be carefully worked out so as to not further aggravate matters. The fencing of the border will reduce future flows, but at the same time, issues like ID cards to citizens, mooted from time to time, but never implemented till date, will need to be undertaken. While this could be the case in Assam, in Tripura a completely different set of measures is necessary so that the indigenous tribals are not further marginalized: politically, economically and demographically.

References:

- Anon.2002.Citizenship for Chakmas. Lok Sabha Unstarred Question No. 2283. 03.12.2002. Government of India.Ministry of Home Affairs.
- Das,H.P.1980.The Problem of Immigration in Assam: A Geographical Review and Interpretation. Presidential Address to the National Association of Geographers India (NAGI). Chandigarh.
- Dhar, M.K.2005. Open Secrets: India's Intelligence Unveiled. Manas Publications.New Delhi
- Habib,Haroon.2003. Islamic Militancy: The Shadow Lengthens South Asian Intelligence Review. Volume 2, No. 24, December 29.
- Hazarika, S. 2000. Rites of Passage : border crossings, imagined homelands, India's east and Bangladesh. Penguin Books India (P) Ltd., New Delhi.
- Hussain, M. 2000. State, identity movements and internal displacement in the North East. Economic and Political Weekly, December 16, pp.4519-4523.
- Hussain,W. 2005. The Muslim Factor in Assam Politics. Article no.1695.13 April.
http://www.ipcs.org/North_east_articles2.jsp?action=showView&kValue=1708&country=1016&status=article&mod=a&portal=Pakistan. Accessed 29th May 2003.
- Joshi,A.P. Srinivas,M.D. and Bajaj,J.K. 2003. Religious Demography of India. Centre for Policy Studies.Chennai.
- Maitra,R.2005. India's ticking immigrant time bomb. Asia Times Online Ltd. Jan 14.
http://www.atimes.com/atimes/South_Asia/GA14Df05.html [accessed 5th May,2005]
- Narahari, N.S. 2002. Security threats to North East India: the socio-ethnic tensions.Manas Publications.New Delhi.
- Narayan, H. 1997. Tribal tribulation in Tripura, The Statesman, 20 March, New Delhi.
- Nayar, Kuldeep. 1996. The north east's dilemma, The Eastern Clarion, 20 March, Jorhat.
- Rajeshwar, T.V. 1996. Migration or invasion? The Hindustan Times. 7th February, New Delhi.
- Rajeswar, T. V. 2003. Problem of Bangladeshi migrants: Politico-economic study in historical context. The Tribune. February 17.Chandigarh.
- Rajamohan, PG.2003. Fundamentalism and the ISI in Northeast Insurgency. IPCS Article no.1090.11thAugust.<http://www.ipcs.org/whatsNewArticle2.jsp?action=showView&kValue=1090&status=publications&mod=b>. Accessed 29 May 2005.
- Ray, J.K.2002. Migration from Bangladesh to India. Dialogue.3,3:33-44.
- Reddy, P.S. (1996) Revision of electoral rolls in Assam : a case of continuing controversy, Gauhati University Journal of Arts XXXVIII : 49-60.
- Roy,S.K. 2005. Conflicting Nations in North-East India. Economic and Political Weekly.21 May.
- Saikia,A.1996. Tripurisation of Assam. Assam Tribune. Guwahati.15 May.
- Saikia,A. 2002. Global Processes and Local Concerns:Bangladeshi Migrants in Assam. Dialogue.3,3:99-125.
- Saikia, A.2003. Needle in the Haystack: Security Risks and Illegal Migrants in India. Paper presented at the 8th Conference of International Association for the Study of Forced Migration . 5-9 January, Chiang Mai, Thailand.
- Saikia, J. 2004. Terror Sans Frontiers: Islamic Militancy in North East India. Vision Books. New Delhi.
- Singh, B.P. (1987) North east India: demography, culture and identity crisis. Modern Asian Studies 21 (2): 257-282.

Democracy.Vol. II, No. 1, April.

Singh,P.2002. Management of India's North Eastern Borders.Dialogue.3,3:57-70.

Sinha, S.K. 1998. Report on illegal migration into Assam . Submitted to the President of India by the Governor of Assam, Guwahati : Raj Bhawan.

Sinha,S.K.2003. Foreword. in J.Saikia. Terror sans Frontiers: Islamic Militancy in North East India. Program in Arms Control, Disarmament, and International Security University of Illinois at Urbana-Champaign.

The Asian Age.1999.Army's wake-up call behind arrest of ISI operatives. 11 August.Kolkata.

The Pioneer.1999.Migrant Menace (Editorial) 22 July. New Delhi.

The Statesman.1999. ISI officers arrested in Assam. 9 August . Kolkata.

Verghese, B.G., Ahmed, B., Deshpande, G., Desai, N., Upadhyaya, R. 1980. Situation in Assam, Gandhi Peace Foundation, New Delhi (mimeo).

The Telegraph.2004. Refugees' tryst with history. 06 May.Kolkata.

The Tribune.1997. Alarming Influx. Editorial.8th May:Chandigarh.

Time.2002. Deadly Cargo. Vol.160, No.15, 22-25, 21st October.

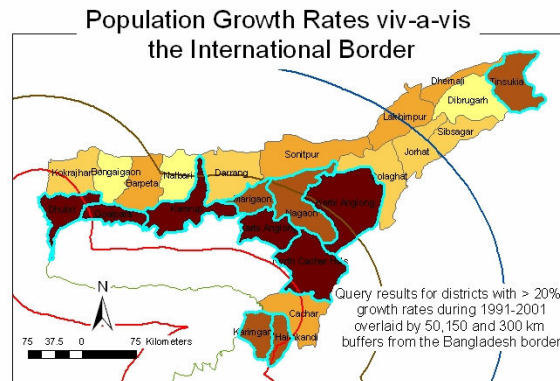
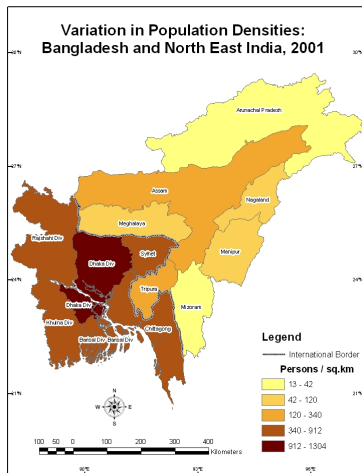


Fig.1 North East & Bangladesh Fig.2 Assam: population Growth

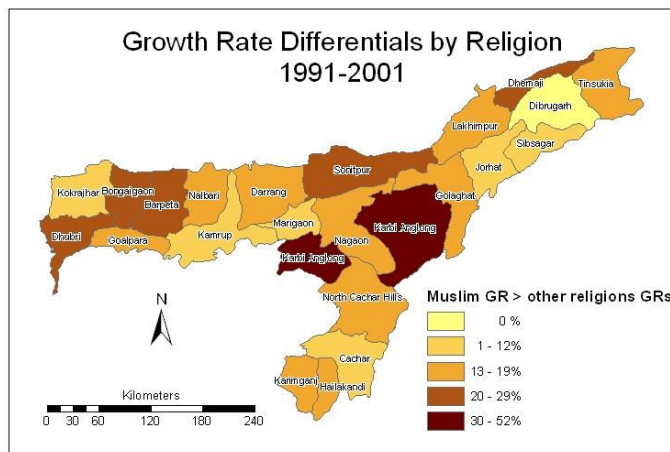


Fig.3 Growth Differentials by Religion, Assam

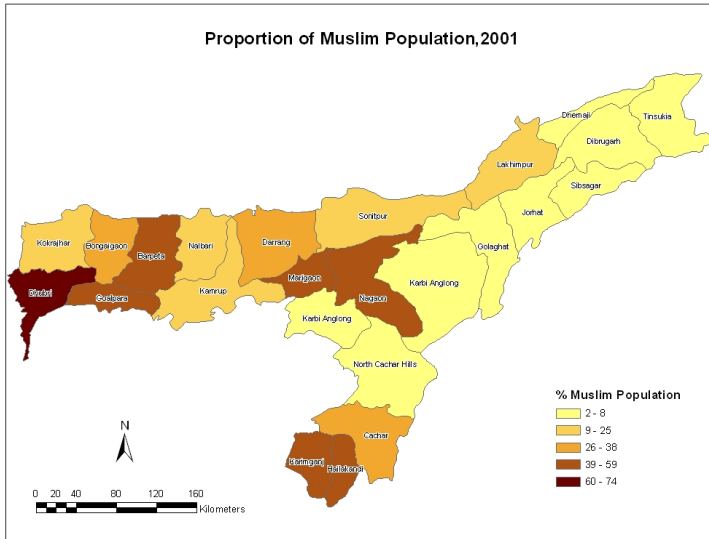


Fig.4 District wise Muslim Population in Assam

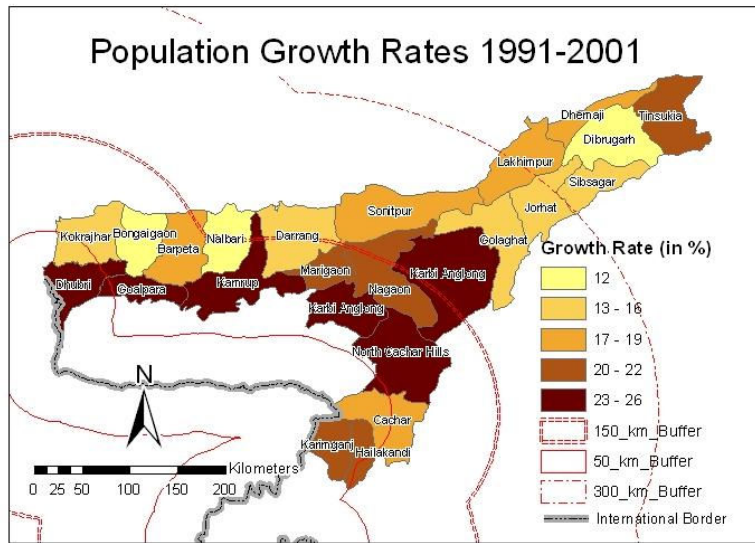


Fig.5 Assam's Population Growth Rates vis-à-vis the International Border

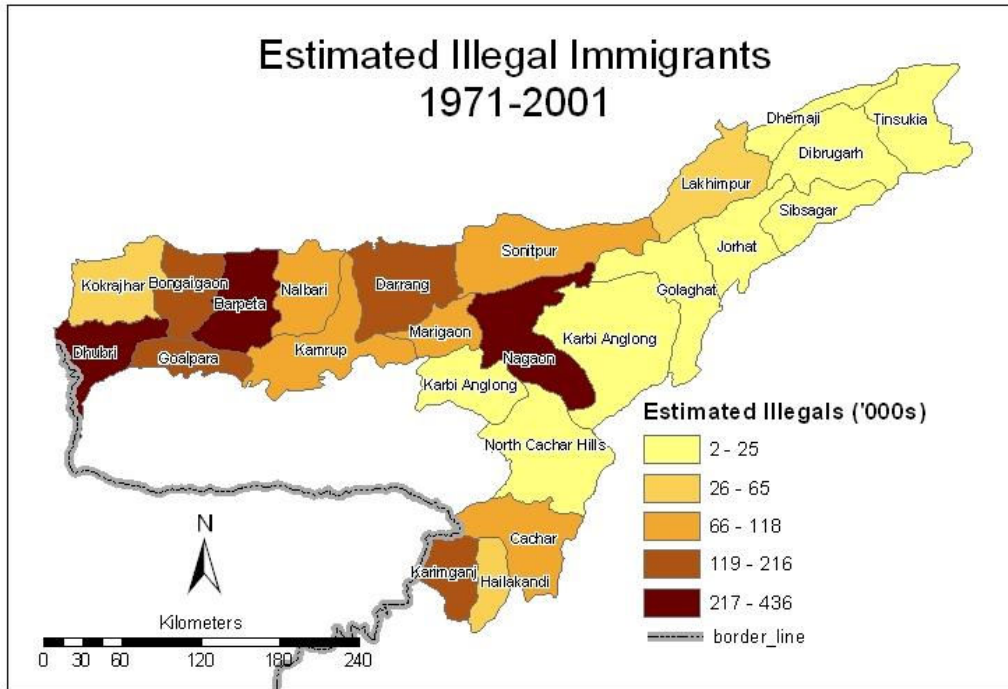


Fig.6. Estimated Illegal Bangladeshi Migrants in Assam