

## Illegal Bangladeshi Migration into Assam: Security Concerns and Development Challenges

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**Article History**

*Received: 03.10.2017*

*Accepted: 13.10.2017*

*Published: 30.10.2017*

**DOI:**

10.36347/sjahss.2017.v05i10.002



**Abstract:** The illegal Bangladeshi migration has remained a burning issue in Assam which has tremendously affected the demographic composition of the state over the years. The massive number of illegal migration from Bangladesh has not only disrupted the state's economy, society, culture and politics but also made the entire part of North-Eastern region of India vulnerable due to the continuous influx of illegal movement, trade, trafficking and many other terrorist activities. Such a grave situation makes the issue of India's national security a major concern for India. Moreover, displacing and depriving the state's indigenous people from their own land, resources and rights by continuously grabbing land and resources by the illegal Bangladeshi migrants have posed such a dangerous threat to the people of Assam that there is rising fear among them that very soon the Bangladeshi dominated districts of Assam will be demanding for their merger with greater Bangladesh. Keeping in view of all such issues and concerns, this paper tries to analyse the current situation of Assam in the face of massive illegal Bangladeshi infiltration.

**Keywords:** Illegal, Migration, Bangladesh, Assam, Security, Development, Challenges.

### INTRODUCTION

The latest interim report of the 'Committee for Protection of Land Rights of Indigenous People of Assam' under the chairmanship of the ex-Chief Election Commissioner of India, Mr. Harishankar Brahma has revealed some of the most dangerous facts and situations about the mass level infiltration from Bangladesh to Assam through its shared border areas. The committee report says that out of the total thirty three numbers of districts in Assam, fifteen districts have already become minority dominated districts due to unrestricted illegal immigration influx from Bangladesh [1]. Consequently, this several millions of infiltration have posed a very serious threat and complex situation in front of the indigenous people of Assam whose lands and resources are now at the risk of going in the hands of the Bangladeshi infiltrators. The report says, 'if this massive infiltration is not checked immediately by sealing off the unplugged borders and by detecting and deporting them through a Repatriation Treaty signed between India and Bangladesh, the situation would farther aggravate' [1].

Assam, being at the centre of the entire North-East borderland region shares international borders with two countries, namely Bhutan and Bangladesh. Out of

the total 4096.7 kilometres of Indo-Bangladesh international border, Assam shares a distance of 262 kilometres in the southern and western part of the state. In the western part it is Dhuburi district and in the southern part Cachar and Karimganj districts are the ones that share international border with Bangladesh. A total of 92 kilometres of this borderline is riverine which makes the issue of border security much more complex. The Brahmaputra river borders pose a very complex problem because the frequent shifting of river routes, soil erosion and frequent floods make it difficult to demarcate borders, especially when they form 'chars' and islands. These kinds of geographical features leave borderlines extremely porous for illegal migration, smuggling and other terrorist activities in the region.

Over the decades, the issue of Illegal Bangladeshi infiltration has remained a burning issue in Assam and has tremendously affected the demographic composition of the state to a great extent. Further, this issue has not only sustained as a disruptive force to the state's economy, society, culture and politics but also made the entire part of North-East India vulnerable with the continuous influx of illegal movement, trade, trafficking and other activities like terrorism. The Brahma Committee report also revealed that, the illegal

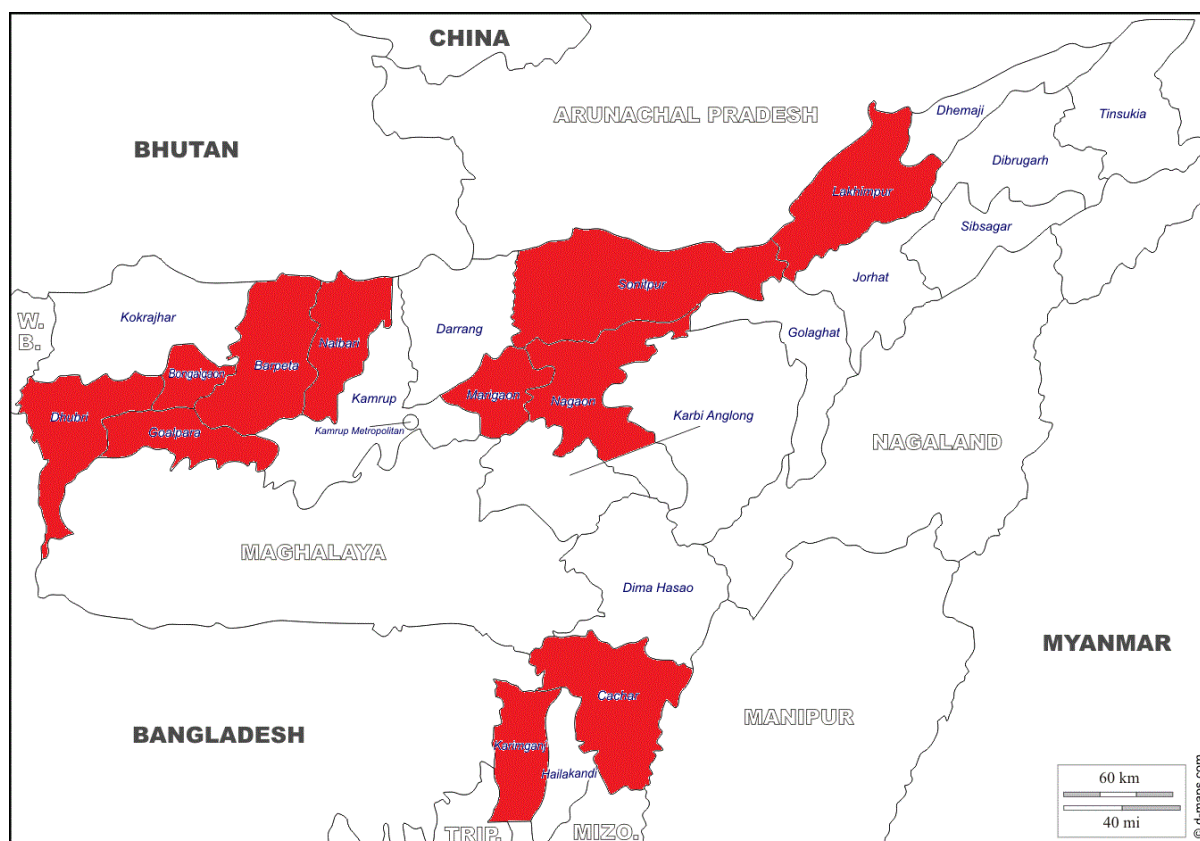
Bangladeshis have encroached all classes of land- hills, beels, reserved forests, roadside reserved lands, Satra, tribal belt, block lands and they descend on the land like an army of prowling invaders armed with dangerous weapons, set up illegal villages, mostly on the char lands overnight, in the full view of the corrupt government officers as also with abetment of the communal political leaders. This type of silent aggression has posed a serious threat to the rights of the indigenous people of Assam over their lands. There are many incidents of illegal Bangladeshi migrants attacking indigenous Assamese people with lethal weapons in villages like Silapathar, Mayong, Mukalmua, Hajo areas with the intention of grabbing land and displacing indigenous people. Similarly other organized encroachments on vast areas of lands of most of Satras, particularly those of the districts of Lakhimpur, Sonitpur, Nagaon, Morigaon, Barpeta, Nalbari, Dhubri, Bongaigaon, Goalpara have been made by illegal Bangladeshi immigrants. The committee headed by former Chief Election Commissioner of India Hari Shankar Brahma recommended the government should take immediate and appropriate measures to ensure that no further cross border illegal migration are allowed which is detrimental to peace and security of the state.

#### **A Brief Historical background**

The large scale migration of ethnic Bengali Muslims from Bangladesh started during the British colonial rule in India. In 1905, when the partition of Bengal took place, Assam was administratively clubbed with East Bengal. This development further facilitated the migration process of Bengali Muslims into Assam. Moreover, the Bengali Muslim dominated district of Sylhet and the Bengali Hindu dominated district of Cachar were added to the Assam Province [2]. Consequently, a minority Muslim league government led by Sir Mohammed Sadullah came to power in Assam in 1937. By emphasizing the majority of Muslim population in Assam, The Sadulla government followed a policy of encouraging Bengali Muslims from East

Bengal to settle in Assam with the motive of establishing the foundation for a demand for the inclusion of Assam with Pakistan in the future. The large scale migration of Bengali Muslims into Assam continued even after India's independence and proliferated with the creation of Bangladesh in 1971. Since 1971, mass scale Muslim migrants from Bangladesh have illegally crossed the porous Assam-Bangladesh border mainly for economic reasons.

In the 1979 a popular movement known as the 'Assam Agitation' took place against the illegal immigrants in Assam. This movement was primarily led by the All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) and soon became a mass movement with the massive participation of Assamese people. This movement was ended in 1985 with the signing of the memorandum 'Assam Accord' between the AASU-AAGSP leaders and the Government of India on the day of 15<sup>th</sup> August, 1985 in New Delhi. According to this historic accord, anybody who came to Assam from Bangladesh on or after March 25, 1971 is not a citizen of India, but an illegal migrant. This Accord also provided that those who came to Assam between January 1, 1966 and March 24, 1971 could apply for Indian citizenship only after expiry of a period of ten years. Thus, those who crossed the international border and entered Assam after March 25, 1971 were declared illegal. The central government also promised to provide legislative and administrative safeguards to protect cultural, social and linguistic identity and heritage of Assamese people. However, even after thirty two years of signing the memorandum the issue of illegal Bangladeshi infiltration still existing in a more dangerous way and many key clauses of the Assam Accord are yet to be implemented by the governments. There are no concrete data on the number of Bangladeshi migrants in Assam specifically, although in 2005, the former Assam Governor, Lt. Gen. S.K. Sinha, in a report mentioned that close to 6,000 Bangladeshis enter Assam every day [3].



**Fig-1: Map of Assam. In red, the worst affected and Bangladeshi immigrants dominated districts according to the Brahma Committee Report.**

### Impact of massive illegal infiltration from Bangladesh

This issue of illegal Bangladeshi immigration has now become a big threat to the internal security of Assam. Due to such destructive infiltration a large number of clashes about land, resources, language and cultural interests have taken place between the Bangladeshis and indigenous communities in Assam. Large scale immigration has impacted the overall socio-economic, political and demographic aspects of the state. The districts like Goalpara, Dhubri, Bongaigaon, Barpeta, Nalbari, Nagaon, Morigaon, Darrang, Karimganj, Cachar are largely suffering from the unabated influx of illegal Bangladeshis.

### Political issues

In December, 1983 the parliament of India enacted the Illegal Migration (Determination by Tribunals, IMDT) Act to tackle the problem of illegal migration of Bangladeshis into Assam. Applicable only to Assam, this Act stated that any person who has migrated and settled in Assam before March 25, 1971 was a legal citizen of India. Whereas, for the rest of India, any person who had migrated into India before July, 1948 was registered as an Indian citizen. The IMDT Act also put the burden on the appellant rather than on the accused to prove the latter's citizenship

status unlike the Foreigner's Act, 1946 which directs the accused to prove his/her citizenship status and not the complainant. This was a dangerous clause as the accused person had no responsibility to prove his/her citizenship while the complainant had to prove that someone was illegal. Consequently, the IMDT Act failed to solve the issue of detecting and expelling the illegal Bangladeshi migrants from Assam. Subsequently, in 2005, in the Sarbananda Sonowal Vs Union of India case, a three judge Bench of the Supreme Court of India, comprising Chief Justice R. C. Lahoti, Justice G. P. Mathur and Justice P. K. Balasubramanyan ruled that instead of tracing and expelling the Bangladeshi immigrants, the IMDT Act acted as an impediment and created the biggest hurdle in identification and deportation of illegal migrants. Under the IMDT Act more than three lakhs cases of inquiry were registered out of which only 10,015 persons were proved to be illegal migrants and only 1,481 were physically expelled till April, 2000. The Supreme Court held the IMDT Act as unconstitutional and stated that it has violated Article 355 of the Indian constitution which entrusts upon the Union of India the duty to protect every state against 'external aggression and internal disturbances'. The Supreme Court also directed the setting up of fresh tribunals under the Foreigners Act, 1946 and Foreigners (Tribunal Order) 1964. On

July 21 2016, the Supreme Court invoked Article 144 of the constitution, which states, 'All authorities, civil and judicial, in the territory of India shall act in aid of the supreme court.' Currently, the updation of National Registration of Citizenship (NRC) data is going on in Assam under the office of the Registrar General of India using the resources of the Assam government. However, ability and effectiveness of law enforcement agencies to perform the tasks of detecting and deporting these Bangladeshi citizens is however doubtful in the sense that in Assam, most of the political parties play the game of vote bank politics relying on the votes of these illegal migrants for their hold on power. This terrible political irony of the state creates strong inducement to the Government and Political agencies not to do anything about the grave issue of illegal migration from Bangladesh that has been tremendously and continuously affecting the state and the society over the decades.

Since the last state assembly election where the Bharatiya Janta Party came into power in the state for the very first time, the issue of illegal Bangladeshi migration has taken a new dimension. Being led by the Right winged Hindutwabadi principles and forces, the BJP government is now trying to accommodate the illegal Hindu Bangladeshi immigrants in Assam giving the issue a communal colour. As a result, there is a mounting sense of vulnerability and scepticism amongst the local Assamese population on the credibility of the state government and central government regarding their honesty and dedication to tackle the issue of illegal migration from Bangladesh.

### **Social issues**

In terms of the social impact of Bangladeshi migrants on Assamese society, the main concerns are based on culture religion, language and lifestyles. The unabated mass influx of Bangladeshi infiltrators seriously threatens the Assamese culture, language and its way of life in the state, which is the homeland of many diverse ethnic groups and tribal communities, and the intermingling of which has given birth to the distinct Assamese culture and lifestyle over the historical periods. Therefore, the common fear of the indigenous Assamese people is that because of the massive illegal infiltration of the Bangladeshi peoples their rich and diverse cultural identity will get subverted once the Bangladeshi immigrants dominate the state. Moreover, the fear of losing their own religious and linguistic rights is also envisioned by the Assamese people. Assam, being a Hindu majority state, fears that it will become Muslim-dominated due to the influx of illegal migrants.

In the year 1998 the then Governor of Assam, Lt. Gen. (Retd.) S.K. Sinha submitted a report to the then President of India, K. R. Narayanan regarding the

issue of illegal Bangladeshi migration into Assam and the sense of insecurity that it had created among the indigenous people of Assam. The 42 pages long report described that the influx of illegal Bangladeshi migrants in many districts of the lower Assam is turning the region into a Muslim majority region and it will only be a matter of time when the Bangladeshi population will demand for their merger with Bangladesh. In such a scenario, Assam will lose entire lower Assam land mass and not only Assam but also the entire North-Easter region and India will lose its rich natural resources. The violent ethnic-communal clashes between the Bodos and Bangladeshi migrants in Udalguri and Goalpara districts in 2008 and in Kokrajhar, Chirang and Dhuburi districts in 2012 have proved that the envisioned fears of the Assamese people were true and not superficial. Even though there are many small scale movements and activities that go around in the state, carried out by the civil society groups and student unions, yet lack of any concrete policy and action on the part of the state government has further aggravated the issue of illegal Bangladeshi immigration in Assam.

### **Economic Challenges**

The silent and perilous demographic invasion of Assam by the Bangladeshi infiltration has immensely affected the economy of state in terms of resources and livelihood. They have not only occupied fertile lands and rich natural resources but also taken away the manual work sector in Assam. Here it is important to note that these migrants are willing to work very hard at cheap rate payment and in the most strenuous activities which local Assamese labour are not willing to engage with. As a result, there is enough space in the workforce for the Bangladeshi immigrants to acquire livelihood in Assam then in their own country, and this plays as a motivating factor for them to leave Bangladesh and enter into the fertile land of Assam and make a better living. This causes alienation of the tribal peoples from their ancestral land and often leads to conflicts. Starting from vegetable vendors, field workers, gardeners, rickshaw pullers, road construction workers, house construction workers, house painters and all the other such occupations are now dominated by the Bangladeshi immigrants. Women immigrants mostly work as house maids and road or house construction workers. Such a situation deprives the native Assamese workers not only from their livelihood but also from the benefits of many governmental schemes like the National Rural Employment Guarantee Scheme (NREGS) and the National Rural Health Mission (NRHM) to mention few examples. Because of corruption at government offices and lack of political safeguard to the indigenous people's interests the illegal migrants manage to procure Indian citizenship by producing documents bought through fraud and deception. In most occasions, the migrant families being amongst the poorest section of society takes away all

the benefits provided by the government. Hence, the citizens of Assam lose out their rightful opportunities against the illegal migrants and subsequently remains deprived of the much needed all round development.

### Security Concerns

Many of the terrorist outfits of the North-east region have their base in Bangladesh. As a result, apart from socio-economic and political implications, the issue of illegal migration from Bangladesh has a serious implication for India's national security as well. Insurgent groups in Assam like the United Liberation Front of Asom (ULFA), the Kamtapur Liberation Organization (KLO), and the National Democratic Front of Bodolond (NDFB) had established camps in Bangladesh and also gets supply of their weapons from the Cox Bazaar area near the Bangladesh-Myanmar border [4]. The ULFA chief, Paresh Barua is still known to be living in Bangladesh with various support agencies in that country. He has been running camps in Bangladesh and had amassed a huge fortune through the real estate and other businesses. Although, there is no official evidence that the Bangladesh government has any supportive role in the establishment of these terrorist outfit bases and their activities, yet it is not hard to realise that the Bangladesh government is not helping either to restrict such activities and looks into these matters with somewhat benign eyes. Such a grave situation often compromises the security of Assam. There are also reports of many Islamic fundamentalist groups like the Muslim United Tigers of Assam (MULTA), Muslim United Liberation Front of Assam, People's Liberation Front (PLF), Islamic Liberation Tigers' Force (ILTF), Muslim Liberation Militia of Assam (MLMA), Minority Volunteer Force, Mujahid Vahini and Jubo Command etc are being active in the North-Eastern region due to the unrestricted influx of Bangladeshi population in Assam [4].

### CONCLUSION

To tackle the issue of Bangladeshi immigration in Assam, there are two main factors that the government needs to focus upon. The first is to prevent any future illegal migration from Bangladesh to Assam and secondly to deal with the adverse situation at home due to the massive infiltration in every field of the state and society that has already taken place. The Government must formulate a comprehensive policy to deal with the problem of illegal migration and initiate a massive exercise to identify and deport the illegal migrants under strict laws and rules. Effective measures needed to be enforced to secure the porous riverine borders between Assam and Bangladesh and greater professionalism needs to be inculcated among the BSF personnel as well as offer better monetary incentives to prevent bribe taking in border posts.

The Indian government must pursue and pressurise the Bangladesh government not to look at the migration issue with benign eyes but deal with it positively to maintain good bilateral relations with India. The 'vote bank' politics and corruption at the government offices needs to be stopped and the political parties should learn to look beyond their short time selfish motives. Moreover, the Assamese civil society in particular and the Indian civil society in general need to wake up from their slumber. It is important to understand that if the government and the people do not wake up at the earnest, it will be too late to address this momentous issue. Systematic documentation of illegal migrants needs to be done so that they can be monitored and turned into a viable workforce in India duly paying its taxes to the state. These kinds of developments will not only inculcate a sense of security in Assam but at the same time also save the state from losing out of its rich economic resources and social identity and diverse heritages.

### REFERENCES

1. Brahma HS. Interim Report of the 'Committee for Protection of Land Rights of Indigenous People of Assam'. 2017.
2. Goswami N. Bangladeshi Illegal Migration into Assam: Issues and Concerns from the Field. IDSA Issue Brief. 2010 Jan 14;14.
3. Sinha SK. *Illegal Migration into Assam*, Report presented to the President of India by the Governor of Assam, November 8, 1998, South Asian Terrorism Portal (SATP). 1998.
4. Sharma R, Bhushan A. Illegal immigration of Bangladeshis into India:(National Security Challenges). In23rd WORLD Congress of IPSA (July) 2014.