

# Border Management: Dilemma of Guarding the India-Bangladesh Border

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## Abstract

*India shares 4096 km (Assam-262 km, Tripura-856 km, Mizoram-318 km, Meghalaya-443 km, West Bengal-2,217 km) long land boundary with Bangladesh (earlier East Pakistan). The Indo-Bangladesh border, which came into existence after India's partition in 1947 gave rise to many questions as to the interpretation and implementation of the boundary so drawn. An effort was made to solve the outstanding border disputes with erstwhile East Pakistan and the Nehru-Noon Accord was signed in 1958. While some of the disputes were solved, many continued to haunt even after Bangladesh came into existence.*

*The paper looks at various dimensions of management of the Indo-Bangladesh border including, challenges to its management and, the internal political and security environment of Bangladesh and recommends measures to improve the border management.*

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## Bangladesh Border: Historical Perspective

Ancient Bengal comprised many human settlements, each carrying the name of a particular clan, like Banga or Vanga, Gauda, Pundra and Rarha. The contours of a separate 'Bengal' started taking shape when Lord Curzon partitioned the erstwhile Bengal Presidency in 1905. However, due to tremendous popular resentment, the British annulled the partition of Bengal in 1911.<sup>1</sup> The concept of a separate state of Pakistan with some parts from eastern India really began to take shape after the Muslim League adopted the Resolution at its Lahore Session on March 23, 1940.<sup>2</sup>

The partition plan was actually translated on the ground by a duly constituted Bengal Boundary Commission<sup>5</sup> chaired by Sir Cyril Radcliffe and assisted by Mr. Justice Bijan Kumar Mukherjea, Mr. Justice C.C. Biswas, Mr. Justice Abu Saleh Mohamed Akram, and Mr. Justice S. A. Rahman (two

Hindus and two Muslims). The Commission was constituted on June 30, 1947 under Section 3 of the Indian Independence Act, 1947. The Commission was required to prepare a report and submit it to the Governor-General of India before August 15, 1947 .

### **Initial Hiccups in Demarcation of Boundary**

Cyril Radcliffe wrote in his report:

The province (Bengal) offers few, if any, satisfactory natural boundaries, and its development has been on lines that do not well accord with a division by contiguous majority areas of Muslim and non-Muslim majorities.

While submitting his report to the Governor General of India, Radcliffe desired to find answers to certain basic questions<sup>5</sup> over Calcutta (now Kolkata) and its claim on the waters of Nadia, Ganges-Padma-Madhumati rivers, Khulna and Jessore, Malda and Dinajpur, Darjeeling and Jalpaiguri, and Chittagong Hill Tracts (CHT). CHT at that time comprised only 3 per cent of the Muslim population and people of the CHT who were non-Muslims did not wish to be included in East Bengal.

The Commission submitted its report on August 12, 1947 to the Governor-General. It drew a boundary of 4,056 km between India and East Pakistan.

### **Efforts to Solve Border Disputes**

#### *Bagge Awards*

Certain disputes arose during the interpretation and implementation of the Radcliffe Awards. Accordingly, by a special agreement *The Indo-Pakistan Boundary Disputes Tribunal* was set up in December 1949 under the Chairmanship of Hon'ble Algot Bagge, former member of the Supreme Court of Sweden with a member each from India and East Pakistan for the adjudication and final settlement of the arising out of the interpretation of the Radcliffe Award and for demarcating the boundary. The tribunal looked into disputes related to the boundary between the districts of Murshidabad and Rajshahi, portion of a common boundary between the two Dominions which lay between the point on the River Ganges where the channel of the River Mathabhanga takes off and the northernmost point where the channel meets the boundary of Daulatpur and Karimpur, East Bengal-Assam disputes

concerning the Patharia Hill Reserve Forest, and the course of the Kusiya River.<sup>3</sup>

#### *Nehru-Noon Accord*

In 1958, the Prime Minister of Pakistan visited New Delhi at the invitation of Pandit Jawaharlal Nehru. Both the Prime Ministers discussed Indo-Pakistan (including East Pakistan) border problems to reduce tension and establish peaceful conditions along the Indo-Pakistan border. The *Nehru-Noon Agreement on India-East Pakistan Border* was signed in New Delhi on September 10, 1958, which addressed border disputes related to West Bengal, Assam, and Tripura.<sup>3</sup> The agreements covered the Bagge Awards, Hilli, Berubari Union No 12, 24-Parganas-Khulna and 24-Parganas-Jessore boundary, Bholaganj, Piyain and Surma rivers, Feni river and Cooch-Bihar enclaves.<sup>3</sup>

Pandit Jawaharlal Nehru, while making a statement on the enclaves in the Lok Sabha after the signing of the Agreement, stated that, “In regard to exchange of small territories we don’t want migration from them, as far as possible, and we advise the people to continue living there and accept the country to which they will now belong.”<sup>3</sup>

#### *Indo-Bangladesh Border Agreement 1974*

The emergence of Bangladesh created a new situation altogether and a need was felt to take a fresh look at border disputes. Mrs Indira Gandhi entered into an Agreement with Sheikh Mujibur Rehman and signed the Indo-Bangladesh Agreement of 1974. The Agreement listed in detail the modalities to deal with each of the outstanding border concerns including enclaves and undemarcated boundaries. Under this Agreement, India was allowed to retain Southern Berubari along with the adjacent Muslim enclaves. Bangladesh was left in control of 80 per cent of the Muslim enclaves of Dahagram and Angarpota in exchange. Since the two enclaves were not contiguous to the Bangladesh mainland, India offered to lease in perpetuity to Bangladesh an area of 178 mt. x 185 mt. (Tin Bigha) to connect them with Panbari *Mouza* of Bangladesh.

The Indo-Bangladesh Agreement was subject to ratification by the two governments. Bangladesh ratified it in November 1974. However, India has still not ratified it. The Government of India argued that ratification needed

parliamentary approval, which could not be obtained until the entire border had been demarcated, and the areas to be exchanged are identified on the ground.

However, Avtar Singh Bhasin argues in *India-Bangladesh Relations 1971-1994 Documents Volume One* that under the Constitution of India ratification of an agreement or treaty is an executive prerogative and no legislative approval is required.<sup>3</sup>

### **Internal and External Dimensions Affecting Border Management**

#### *Profile of the Border*

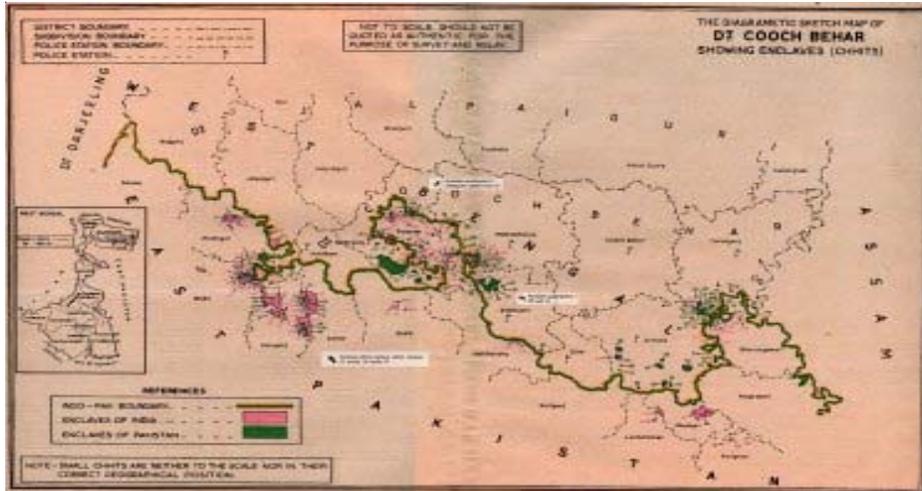
Topography: The Indian side of the Indo-Bangladesh border passes through West Bengal, Assam, Meghalaya, Tripura and Mizoram. The entire stretch of the border can be broadly categorised as — *flat/plain* (in West Bengal, Assam-Barak Valley, Tripura), *riverine* (about 200 km of southern extremity of West Bengal border and 50 km. of Assam), *hilly/jungle* (in Meghalaya) with practically no natural obstacles, heavily populated, and cultivation carried out till the last inch of the border. The boundary line separating the two countries is visible in the form of border pillars. People of similar ethnic, religious, linguistic and cultural character on both sides inhabit the entire stretch of border. They have the same physical characteristics. The riverine border, mostly in Dhubri district of Assam and southern West Bengal, presents peculiar problems, as it is difficult to locate permanent Border Outposts (BOPs) in the area due to swelling of the Brahmaputra and other rivers that increases the depth of the river by about 30 feet.<sup>4</sup> The ‘char’ areas thrown up during the dry season and which people inhabit, are almost completely submerged. Patrolling in such areas is problematic. The nature of the border configuration affords an easy opportunity to the infiltrators and smugglers to cross over to India. The crossing is further facilitated because the border is thickly populated.<sup>4</sup> The southern frontier of the West Bengal border is much more vulnerable, and so the number crossing is larger. Several areas of Kolkata have already been saturated with Bangladeshi nationals. West Bengal and Assam are being increasingly used by Bangladeshi nationals to spread to other parts of India.

Border Guarding: The Border Security Force (BSF) of India and Bangladesh Rifles (BDR) of Bangladesh guard the respective sides of the border which

is carried out from BOPs. There are approximately 45 battalions of the BSF (about 725 BOPs) and 30 battalions of BDR (about 650 BOPs) deployed to guard the border. BOPs (normally comprising 20-25 persons) are constructed all along the border to promote a sense of security amongst the border population and prevent trans-border crimes.<sup>4</sup> As against 25-30 kms (inter-BOP gap of 3-5 kms with fencing) of area covered by a BSF battalion on the Punjab border, about 90-100 kms (inter-BOP gap of 5-6 kms with no border or even a partially fenced border) of area is covered on the Bangladesh border. Compared to India's western border, conditions have become more difficult on this border due to increase in the density of population, firstly, because of the overall increase in the population of the country and secondly, due to the influx of illegal migrants from Bangladesh who have settled in the border area.<sup>5</sup>

Habitation: A major problem with the Indo-Bangladesh border is the habitation of the border belt. The density of population on the Indo-Bangladesh border varies from state to state. In West Bengal it is 766, in Assam and Meghalaya it is 181 and in Tripura and Mizoram it is 268.<sup>6</sup> People of both the countries work in close proximity and the boundary passes through the middle of the villages/houses. The houses are scattered almost along the entire stretch of the boundary. Imagine a BSF BOP with a required strength of 25-30 persons to physically man 6-8 kms of boundary including guarding their own BOP and normal administration duties. It virtually leaves them with an effective strength of 15-20 persons only to man that length of the boundary during day and night without any barbed wire fencing or other obstacles.<sup>7</sup>

Enclaves and Adverse Possession: The problem of enclaves, adverse possession and disputed land is prevalent on the Indo-Bangladesh border. Enclaves become convenient points for smuggling, avoiding customs and excise duties, importing of contraband, and are a point of entry for illegal aliens. There are 111 Indian enclaves (17,158 acres) in Bangladesh and 51 Bangladesh enclaves (7,110.02 acres) in India. Historically, enclaves date back to the period of the expansion of the Mughal Empire into northern Bengal in the late seventeenth century and continued till the British established control of the state.<sup>8</sup>



**Fig-1: Enclaves on Indo-Bangladesh Border**

Adverse possession mostly takes place due to the riverine nature of the border at certain places that leaves *chars* after the floods. There are 2,853.50 acres of Indian land under adverse possession of Bangladesh and 2,154.50 acres of Bangladeshi land is under adverse possession of India<sup>9</sup> (Tables-1 and 2).

**Table-1: Indian Land Under Adverse Possession of Bangladesh**

State	Area (Acres)
West Bengal	2,062.23
Assam & Meghalaya	791.10
Tripura	0.17
Total	2,853.50

**Table-2: Bangladesh Land Under Adverse Possession of India**

State	Area (Acres)
West Bengal	1,437.60
Assam	7.00
Meghalaya	548.00
Tripura	161.90
Total	2,154.50

Source: Ministry of Home Affairs, Government of India

The Border Agreement of 1974 provides for the exchange of enclaves and settlement of the issue of adverse possession. A Joint Working Group has been constituted to solve the border-related issues. India has been insisting on a joint census of the enclaves before these are exchanged, but Bangladesh has not agreed to the suggestion yet. As regards the issue of adverse possession, Article 2 of the Agreement states that:

Territories in adverse possession in areas already demarcated in respect of which boundary strip maps are already prepared, shall be exchanged within six months of the signing of the boundary strip maps by the plenipotentiaries. They may sign the relevant maps as early as possible and in any case not later than 31<sup>st</sup> December 1974.

Internal Security Environment of Bangladesh: Political power in Bangladesh has changed among Awami League, the military and BNP. While India signed some of its major treaties and agreements that had implications on border management, during the rule of Awami League, like the Trade Agreement between India and Bangladesh 1972 and 1973, the Indo-Bangladesh Border Agreement 1974, and the Indo-Bangladesh Water Sharing Treaty 1996<sup>10</sup>, during military rule and the BNP era, only minor protocols or agreements could be signed despite India providing the Tin Bigha corridor to Bangladesh. BNP, the party now in power, is a conglomeration of anti-India and fundamentalist outfits like Jamait-e-Islami. Begum Khaleda Zia while being in opposition described the insurgents in the North-East as freedom fighters and said that Bangladesh should help them, instead of curbing their activities.<sup>11</sup>

G. Parthasarthy lists out a barrage of hostile propaganda (against India during Begum Zia's previous term as Prime Minister), the strong nexus between her government's intelligence agencies and the ISI who are training insurgent groups operating in India's north-eastern states, as some of the legitimate concerns for India.<sup>12</sup>

It has not been smooth sailing for Bangladesh since it attained independence in 1971. After a brief period of democracy under Mujibur Rahman's Awami League, Bangladesh's polity was plunged in coups and assassinations resulting in the decline in national productivity, lack of economic development, frequent nationwide strikes and unstable governments. This deterred the foreign investors. Poverty became widespread and forced the people to move for food and work towards the obvious destination — India. Later on, when the political structure was established in

the 1990s, the division between the two main parties BNP and AL was very prominent. This gave rise to lack of consensus on some nationally important issues like secularism, following Islam as a state religion or not, and observance of national day (15 August or 7 November), and so on. These glaring differences hindered the process of settlement of border issues/ disputes with India, as the two parties (BNP and AL) could not agree on such important issues like settlement of water sharing disputes (till 1996) and the insurgency problem in the CHT (5,093 square miles) region.<sup>13</sup>

Bangladesh's efforts to integrate the tribal-dominated CHT to its mainland through a process of settlement of Bengalis from the rest of Bangladesh, resulted in the decline of ethnic communities from 98 per cent in 1947 to and 50 per cent in 1991. This led to the rise of the resistance movement spearheaded by Manobendra Narayan Larma who formed the Shanti Vahini in 1973, a military wing of Parbattya Chattagram Jana Samhati Samiti (PCJSS). Bangladesh alleged that the trans-border security dimension of CHT arises out of the Indian involvement. It alleges that there are insurgent training camps in the states of Tripura and Mizoram.<sup>14</sup> Despite Bangladesh signing the Chittagong Hill Tracts (CHT) Agreement in 1997 with PCJSS and conceding their longstanding demand for autonomy, the situation has not improved for India

Another problem is atrocities on the Hindu minority in Bangladesh. These atrocities forced Hindu families to migrate to India in waves since the creation of East Pakistan. A news report by Ershadul Huq, states that the Bangladesh High Court has asked the government to explain why it should not be ordered to take action to protect the country's religious minorities from terrorist attacks and harassment. The petition submitted by Ain-o-Shalish Kendra (ASK) states the atrocities committed against nearly 30 million minorities including about 20 million Hindus.<sup>15</sup> The atrocities have resulted in the decline of the Hindu population from 24 per cent in 1947 to 10 per cent as of now. An analysis of population growth of Hindus in Bangladesh reveals that the decadal growth rate has been 3.1 per cent for 1974, 9.3 per cent for 1981 and 5.8 per cent in 1991, which is far below the average 24 per cent growth rate of Hindus in the subcontinent. If this (24 percent) decadal growth rate is to be applied in case of Bangladeshis, the Hindu population should have been approximately 14.7 million while it is 10.5 million as per the census. Obviously, these have illegally crossed through the porous borders and settled in India.<sup>16</sup>

Bangladeshis also got frustrated as the slogan of ‘Golden Bangla’ of Mujib could not be realised. This is echoed in the words of Shaukat Hassan: “We have no cause, no genuine leaders, and no heroes. We have forgotten our past. We are indifferent to the present, and we have no idea about the future though we shall never publicly admit that.”<sup>17</sup> The socio-economic structure in Bangladesh is highly exploitative.

**Informal/Illegal Trade:** One of the oldest challenges to border management pertains to illegal trade/smuggling. The main informal trading centres on the Indo-Bangladesh border are Assam (Fakiragram, Mankachar, and Karimgunj), Meghalaya (Lichubari and Dawki), Mizoram (Tlangbungj), Tripura (Kailashahar, Agartala, Sonamora, Bilonia and Sabroom) and West Bengal (Petrapole, Bagdha, Mejdia, Lalgola, Mohedpur, Radhikapur, Kaliagang and Hilli). Availability of a large market and railways near the border make it easier and attractive for the smugglers to indulge in informal trade. The illegal trade is carried out mostly on headloads, bicycles, rickshaw vans and boats. An estimate of illegal trade as carried out by various agencies is given in Table-3.<sup>18</sup>

**Table-3: Estimate of Illegal Trade on Indo-Bangladesh Border**

S.No.	Agency	Year	Amount (million takas)
1	MARC	1998-99	73,339.58
2	Rahman	1998	7,951.00
3	BIDS	1994	25,282.00
4	NCAER	1994	13,976.00

D.N. Bezboruah gives another estimate of informal trade between India (North-East) and Bangladesh to be Rs 2,768 million. The actual amount will be much more.

Seizures made by BSF (both incoming and outgoing) since 1990 also give an indication of the extent of smuggling/illegal trade on the Indo-Bangladesh border. Since all the smuggling transactions cannot be monitored or stopped, the actual amount may be much more. The figures are given in Table-4.

The factors that encourage informal trade range from evasion of tariff and non-tariff barriers; differences in the rates and high demand; nature of the border terrain; porosity of the border; habitation of the population; and

connivance of officials. Informal trade also takes place due to domestic policy distortions. A large number of commodities that fall under administered pricing are siphoned off from the public distribution system (PDS) in India into Bangladesh. An inadequate transit and transport system often results in high transport costs, which in turn creates a strong incentive for trade to take place through informal channels. If there is an absence or a shortage of warehousing facilities then the informal channel would be preferred.<sup>19</sup>

**Table-4: Seizures Made by BSF on the Border**

Year	Seizure (in Indian Rs)	Year	Seizure (in Indian Rs)
1990	1,01,94,18,280	1997	40,76,60,558
1991	18,89,45,156	1998	34,31,99,127
1992	27,54,33,533	1999	38,33,57,013
1993	31,20,95,210	2000	45,98,66,776
1994	44,22,66,721	2001	55,02,32,426
1995	78,67,31,696	2002	67,88,30,184
1996	44,96,54,193	2003 (till Sept. 30)	58,35,86,631
		<b>Total</b>	<b>6,88,12,77,504 (688 crores)</b>

Source: Border Security Force, Government of India.

The biggest item on the agenda of smugglers is cattle. There are about 100 cattle corridors all along the border and the cattle are transported undetected from Punjab, Rajasthan, UP, MP, and Bihar. As many as 1.7 million pieces of cattle are illegally imported into Bangladesh every year.<sup>20</sup> These cattle are brought up to the border districts in the cattle *mandis* and from there unloaded about 15 km from the border on the Indian side (out of the jurisdiction of BSF) and then gradually moved towards the international boundary in small groups as part of the local cattle herds. Since the local cattle are allowed to graze up to the boundary, these cattle also form a part of the group and eventually are made to cross over to Bangladesh through the unfenced border.

Illegal Migration from Bangladesh: One of the most serious and longstanding problems is illegal migration of Bangladeshi nationals to India. Even prior to partition, a substantial number of immigrant cultivators, primarily Muslims, came into Assam from Mymensingh district in the 1930s and 1940s. Their arrival was encouraged by the Sadullah regime in Assam under the 'grow more food campaign', drawing the wry comment from the then Viceroy Lord

Wavell that Sadullah was interested in “grow more Muslims rather than grow more food.”<sup>21</sup> The availability of large cultivable, fertile land in Assam was no doubt an important factor in this migration.

Security Implications: Unabated illegal immigration has caused serious long-term economic, political, and social and security implications for India. These immigrants have settled in and around the border areas including all the north-eastern states of India and also as far away as Delhi, Mumbai and other parts. The influx has its security implications like the strategic Siliguri corridor falling into the hands of such people whose loyalty is untested. The change in demographic pattern is already responsible for the ongoing insurgency in Assam and Tripura. Increase in the population of the north-eastern states is reflected in the census figures of 1991 and 2001 (Arunachal Pradesh 26.20 per cent, Manipur 30 per cent, Meghalaya 29.20 per cent, Mizoram 29.18 per cent, Nagaland 64.41 per cent, Sikkim 32 per cent and Tripura 15.73 per cent).<sup>22</sup> This is against the national average of 23 per cent in the previous decade. A time will come when these elements will have a greater say in the political decision-making. These developments on the Indian side are being echoed on the Bangladeshi side by elements that propagate the view that the borders defined at the time of partition are no longer relevant and need to be altered taking into account the recent demographic changes. It has also been projected that even if extreme measures are adopted to control the population of Bangladesh by the year 2020, it will not be possible for Bangladesh to accommodate the projected population and there is no alternative but to look for living space-lebensraum. This fast population growth, in the Indian border states not only affects the political and social fabric of these states but also puts a heavy burden on their economy and development.

Magnitude of the Problem: The rule of the thumb for such illegal immigrants is that for every illegal person caught, four get through.<sup>23</sup> Some of the indications of illegal immigrants available from the Indian Census of 1981 are that nearly 40 lakh people originally from Bangladesh, including 20 lakh in Assam, are in India. And from a Bangladesh study, indications are that the Hindu population in Bangladesh has been continuously declining and has gone down from 22.5 per cent in 1951 to 18.5 per cent in 1961, to 13.5 per cent in 1974 and to 12 per cent in 1981.<sup>24</sup>

There was considerable decline in the illegal migration since work on the barbed wire fencing started, but it is on the rise again for the last three years since the BNP government came to power in Bangladesh.

Another indication of migration is given by a study carried out by Sharifa Begum of the Bangladesh Institute of Development Studies in Dhaka, which states that nearly 3.5 million people disappeared from East Pakistan between 1961 and 1974.<sup>25</sup> These have obviously crossed over to India.

Madhav Godbole, who headed the Task Force on Border Management, has provided the latest estimates. In his report submitted to the Government in August 2000, he has placed the figure at 1.5 crore with about 3 lakh Bangladeshi nationals entering India illegally every year.<sup>26</sup>

Lt Gen (retd) S. K. Sinha, when he was Governor of Assam in a report to the President of India submitted in November 1998, cautioned about the impending dangers on culture, polity, natural resources, geography and social fabric of the north-eastern states due to unchecked migration from Bangladesh.<sup>27</sup>

It is estimated that there are about 6 lakh Bangladeshis in Delhi. They are in possession of ration cards and are located in South and West Delhi. In Delhi they have an influence over 20 Assembly seats and constitute about 10,000 to 25,000 votes in each constituency. They are found to indulge in crimes, and affect about 25 Lok Sabha and 120 Assembly seats in the country.<sup>26</sup>

Terror Networks and ISI activities: Since the change of regime in 2001, Bangladesh has emerged as the new hub of terrorist activities. Various terrorist training centres have emerged after the BNP government came to power with the support of fundamentalist parties like Jamait-e-Islami (JeI) and Islamic Oikya Jote which have an anti-India agenda. According to one report/estimate there are about 127 training camps sponsored by ISI functioning in Bangladesh under patronage of JeI, Harkat-ul-Jamait-e-Islami (HUJI), and Islamic Morcha. Maulana Abdul Raut is the main kingpin who coordinates with Lashkar-e-Toiba (LeT), Jaish-e-Mohammad (JeM) and Al Qaida.<sup>28</sup> Encounters along the Indo-Bangladesh border between BSF and armed insurgents and interrogation reports of apprehended insurgents confirm the presence of a large number of these groups in the camps in Bangladesh mostly along Bangladesh's eastern border. These insurgents target trunk routes, railway tracks, bridges, telephone exchanges, power stations, etc. Safe havens

have been offered to insurgents in lieu of an assurance that no harm is to be caused to Bangladeshis in India.

Bangladesh has been used by the insurgent groups in the North-East like United Liberation Front of Assam (ULFA), and Nationalist Socialist Council of Nagaland (NSCN-IM), who crossed the border and started getting training in Bangladesh from 1992 onwards.<sup>27</sup>

In the recent past, ISI has increased its activities from Bangladesh after Pakistan came under pressure after September 11, 2001. The fact that ISI was using Bangladesh soil also came to light when West Bengal police arrested many ISI agents from Kolkata who had crossed over from Bangladesh in 2002.<sup>28</sup> India's external affairs minister, Yashwant Sinha stated in Parliament, "The Pakistani High Commission in Dhaka has become the 'nerve centre' of ISI activities in promoting terrorism in India." He further said that major insurgent groups have established training camps in different parts of Bangladesh and a large number of madrassas have sprung up along the Indo-Bangladesh border.<sup>29</sup>

According to Indian intelligence agencies, terrorist training camps in Bangladesh train North-East insurgents, get patronage and protection from both the Bangladesh Army and the BDR. Most of the important camps are in Dhaka, Chittagong, Sylet, Habiganj, Mymensingh, Rangamati, Khagrachari, Bandarban, Sherpur, Moulvi Bazaar, Netrakona and Sunamganj districts. Cox Bazaar in Chittagong district is used for the trans-shipment of weapons and explosives. Intelligence sources put the figure of terrorist training camps in Bangladesh as 130 (43 of them are for the National Liberation Front of Tripura-NLFT). There are several 'joint camps' that involve the NSCN (IM), NSCN (Khaplang), ULFA, National Democratic Front of Bodoland (NDFB), NLFT, All-Tripura Tiger Force (ATTF), People's Liberation Army (PLA) and United National Liberation Front (UNLF). For example, ATTF and ULFA cadres operate from camps in Khagrachari and Satchari in Habiganj districts. An NDFB-NSCN (IM) training centre exists at Alikadam in Bandarban district. While ULFA has 24 camps, mostly in Dhaka, Sylhet, Khagrachari, Maulvi Bazar and the Chittagong Hill Tracts (CHT), the NLFT's camps are located mostly in CHT and Khagrachari. The ATTF is active in Moulvi Bazaar, Habiganj and Comilla. The evidence is based on electronic and technical intelligence.<sup>30</sup>

Taking a grim view of functioning of these camps in Bangladesh, European Parliament also passed a resolution expressing 'serious concern' at the 'fundamentalist resurgence' in Bangladesh, wanton abuses of human rights and political persecution during the army crackdown and minority repressions.<sup>31</sup>

It is reported that ISI operates in collusion with Dhaka's Directorate General of Forces Intelligence (DGFI). The report further states that ISI-DGFI collaboration runs seventeen safe havens in Dhaka.<sup>32</sup>

Shri Ajay Raj Sharma, Director-General, BSF, also handed over a list of 99 terrorist training camps operating in Bangladesh to his BDR counterpart in October 2002.<sup>33</sup> This was further confirmed by Shri A. K. Mitra, Additional Director-General of BSF who said that guerrilla outfits from the North-East are using Bangladesh as a safe haven. He said that Jamait-Ulema as part of the Khaleda Zia government only adds to New Delhi's concern.<sup>34</sup>

It is reported that Al Qaida, Rohingyas and fundamentalist elements in Bangladesh have formed a close nexus. The nexus grew stronger after US action in Afghanistan when about 150 Al Qaida's fleeing terrorists took shelter in Bangladesh. What is more alarming is the patronage given to them by Bangladesh authorities including the Army. To monitor the spread of the Al Qaida network in Bangladesh, the CIA set up a new five-man base in Dhaka. Movement of Al Qaida members in the Cox Bazaar area of Bangladesh which is already fertile with Rohingyas is a serious matter for India.<sup>35</sup> It is estimated that there are about 22,000 Rohingya refugees in Bangladesh who stay in camps and an equal number are estimated to be staying outside. It is reported that Bangladesh may push these Rohingyas into Indian territory.<sup>36</sup>

Cox Bazaar is fast becoming a major transit haven for terrorists due to its location near the sea, CHTs and Myanmar. It gives terrorists a wider option to move in multiple directions. It is reported that Harkat maintains six terrorist training camps in Cox Bazaar.<sup>37</sup>

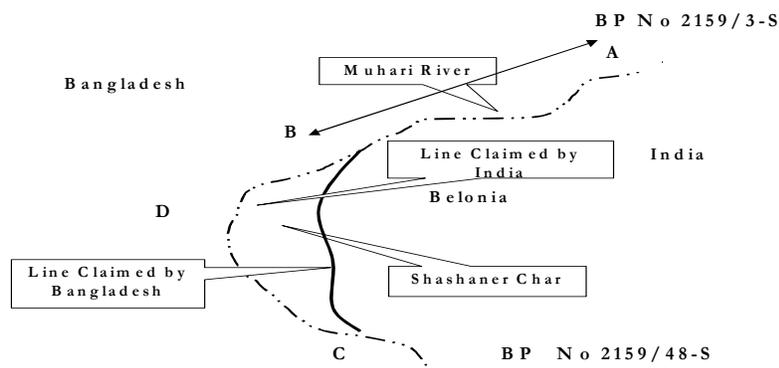
#### *Undemarcated Boundary*

Daikhata in Berubari area of West Bengal:<sup>38</sup> The international boundary in Berubari sector of West Bengal at Mouza Daikhata-56 Khudipara- Singhpara, about 1.5 km (56 acres), has not been yet demarcated due to differences of opinion between the governments of India and Bangladesh. As per the

Government of West Bengal, by and large the Sui River divided the area along the actual possession held by India and Bangladesh. The West Bengal government is of the view that the boundary in this area should be aligned along the actual possessions with a view to regularising adverse possessions. The state government had integrated positions for the entire Berubari sector, and Daikhata-56 was only a part of it. For the purpose of demarcation in Daikhata-56 the Government of India considers that it was a viable option to accept the Sui River as the boundary. The difference over the alignment between the two sides still exists and the issue has been referred by the Survey authorities of both sides to their respective governments.

Muhari River Belonia (Tripura) <sup>40</sup> – Muhari River (Belonia sector) is a part of Tripura Nokhali/Comila Sector of the India-Bangladesh boundary. The dispute in this area could not be solved due to the change in the course of Muhari River and formation of a *char* (approximately 46 acres). The dispute involves demarcation of the boundary over a stretch of 2.5 km. However, the issue was resolved vide para-5 and 6 of Article-I of the 1974 Agreement. According to the Agreement:

The boundary in this area should be demarcated along the midstream of the course of Muhari river at the time of demarcation. This boundary will be a fixed boundary. The two governments should raise embankments on their respective sides with a view to stabilise the river in its present course.



**Fig-2: Muhari River Belonia Dispute**

As per the present contention, India wants the boundary to be demarcated along the line A→B→D→C (new course of Muhari River) whereas Bangladesh wants it to be demarcated along A→B→C (old course of

Muhari River) and claim Shashaner Char. Except for the area of Shashaner Char (BDC), the mid-stream of the present river is being followed as the boundary as the present course of the Muhari River has been criss-crossing the earlier course of the river (as shown on Chakla-Roshanbad map of 1894) and the gain and loss to either side has more or less been compensated. The main point of difference has come up due to the formation of the char portion with an area of approximately 46 acres due to the shifting nature of the river. Incidentally, the char is also used as a cremation ground by people of Belonia.

Lathitilla/Dumabari area of Assam:<sup>39</sup> The dispute on this area involves a stretch of about 2.5 km length (approximately 135 acres of land) in the Lathitilla sector of Assam. The difference could not be settled because the Survey authorities of India insist on accepting the original Cadastral map of village Dumabari of 1915-16 as the basis for demarcation whereas the Director-General Land and Surveyor of Bangladesh has not been accepting the said map and insisting for the Theodilite Traverse Data of village Dumabari as the basis for demarcation of the area. The matter was therefore referred to the respective governments and the decision is awaited. During February 1996 a military working boundary was decided for this area. Since then the status quo is being maintained. The land in this area is under the administrative control of Bangladesh, however, the land revenue is being paid to the Government of Assam.

### **Indian Government Initiatives**

Towards integrating the border areas to the mainland, the Government of India has initiated many programmes. These programmes mainly focus on social, economic, and political development of the border areas. Further, after the recommendations of the Group of Ministers Report, it has been appreciated that border management must be interpreted in its widest sense and should imply coordination and concerted action by the political leadership and administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country to secure our frontiers and subserve the best interests of the country. Looked at from this perspective, border management poses many challenges. To meet these challenges and for effective coordination of border management, a separate cell has been constituted in the Ministry of Home Affairs. In this context, some relevant aspects which merit attention in Indo-Bangladesh border management are discussed here.

### *Border Area Development Programmes (BADP)*

As mentioned above, many programmes have been undertaken for development of border areas. Before partition, people depended on common markets located in the area. After partition, these markets were abruptly closed and the economy of the border was badly affected. With a view to ameliorating the sufferings of border people, the Government of India initiated an integrated scheme under BADP.<sup>41</sup>

The BADP was started in the Seventh Plan with the twin objectives of balanced development of border areas through adequate provision of infrastructure facilities and promotion of a sense of security amongst the local population. This programme is 100 per cent centrally funded and assistance is allocated to the states on the basis of length of international border, population and area of the border blocks. Executing agencies include the state governments, central government, central para-military organisations located in the states, and voluntary agencies as considered appropriate.

This programme has helped in filling up critical gaps in the social and physical infrastructure in the border areas. It has also helped in inculcating a sense of security amongst the border population and development of better relations between the border population and the security forces. The concerned states have been advised to make an assessment of the special needs of the people of the villages situated along the border, so that schemes taken up under the programme have direct relevance for the quality of life in the border areas.

The Group of Ministers Report has made many recommendations for implementations of this programme including increase in the budget, a perspective plan with a 10-year time span for integrated infrastructure development of border blocks, integration of assistance and developmental activities under BADP and various other schemes of rural development under the Ministry of Rural Development, and involvement of border guarding forces in BADP.<sup>40</sup>

### *Action to Prevent Cross-Border Movement*

Border Fencing: Appreciating the problem of illegal cross-border movement from Bangladesh, India has taken a decision to fence the Indo-Bangladesh border. Besides fencing, steps have been taken to secure better intelligence

coordination, strengthen border patrolling, use night vision devices and other equipment for improved border surveillance, etc. The Government of India has sanctioned construction of border roads, bridges and fencing in two phases to facilitate border patrolling by BSF and to check infiltration and cross-border smuggling. The first phase of the project, referred to as 'ongoing scheme' started in 1989 and is in an advanced stage of completion in different states. Table-5 gives the details of fencing on the border.

**Table-5: Border Fencing (km)**

State	Length of Border	Fencing Sanctioned	Fencing Completed
Assam	262.00	186.33	176.07
Meghalaya	443.00	211.29	211.29
Mizoram	318.00	153.40	152.77
West Bengal	2,216.70	1,770.00	1,565.00
Tripura	856.00	543.37	467.40

Source: Annual Report 2002-2003, Ministry of Home Affairs, Government of India.

The second phase of the project, referred to as 'additional works', was approved by the Government in June 2000 and comprises a far greater component of fencing (2,429 kms), roads (797 kms) and bridges (4,062 mtrs) in different states. The total estimated cost of roads and fencing is Rs 2,378.32 crores. In the annual budget of 2003-2004, the Government of India has expressed concern over illegal immigration from across the border and has also increased the allocation in the budget for construction of barbed wire fencing and roads on the border from Rs 75 crores in the earlier budget to Rs 206.68 crores. Of this, Rs 80 crores is for fencing and the remaining Rs 120.68 crores for road construction.<sup>41</sup>

Construction of Roads: In addition to the fencing, the Government has also approved construction of 3,414.38 kms of roads on this border in the first phase. So far, roads in a total stretch of approximately 2,866 kms have been completed as per the details given in Table-6 below.

**Table-6: Development of Roads**

State	Length of Border	Road Length Sanctioned	Road Length Completed
Assam	262.00	152.31	149.29
Meghalaya	443.00	198.06	198.06
Mizoram	318.00	15.00	-
West Bengal	2,216.70	507.00	507.00
Tripura	856.00	61.17	61.17

Source: Annual Report 2002-2003, Ministry of Home Affairs, Government of India

Modernisation of BSF: The Government of India has also sanctioned Rs 2,300 crores for the modernisation of the BSF which amongst other things would include deployment of surveillance equipment (most significantly thermal imagers), better weaponry, hovercraft and floating platforms for riverine borders. This will enhance the interception and deterrence capability of the BSF.

Lead Intelligence Agency (LIA): Realising the importance of intelligence gathering and coordinating with various agencies operating on the border, the Group of Ministers, in its Report on Reforming the National Security System, has recommended that the intelligence wing of the principal border guarding force deployed in the border should be the LIA for that border. The LIAs have been made responsible for coordinating the activities of other agencies operating in their border segment and sharing actionable intelligence with the concerned agencies.

### **Problems of Border Management**

One of the problems of border management is the myopic view about the BSF being synonymous with border management. Other issues that are of concern in border management include the following: -<sup>42</sup>

- *Porous nature of Border* — Wide inter-BOP gap in the face of dense population residing near the boundary, allows free movement of nationals including criminals, of both the countries. This problem gets severely compounded in the riverine and jungle areas where patrolling is difficult. Withdrawal of the forces for other duties

(counter-insurgency operations, election work for prolonged period), further worsens the problem.

- *Difficulty in Identifying Bangladeshi Nationals* — Indians of the bordering states and Bangladeshis look alike, speak the same language (Bengali and/or Assamese), wear the same dress and have similar set of cultures and traditions, thus making it difficult to identify a Bangladeshi national in the absence of identity cards in the border areas. Connivance of the locals with infiltrating Bangladeshis — for a payment — makes the task of detection more difficult.
- *Passive/Indifferent Attitude of Border Population* — All border crimes take place in an organised manner. The population residing in the border areas is either dependent on the kingpins or are scared to speak against such criminals. This sometimes happens due to indifferent attitudes of the administration where some of them are also part of the nexus.
- *Over-population in the border areas* — Density of population in the border areas at some places is approximately 700-800 persons per square km on the Indian side and about 1,000 persons on the Bangladesh side. Such an over-populated area with a porous border poses problems in detection and apprehension of criminals who have the option of crossing over to the other side to evade arrest. Since many villages are located so near the border — there are approximately 187 villages in South Bengal where houses are located within 150 yards of the international border — the density of population is far more than the rest of the country. It has also been observed that some children of such villages study in Bangladesh.
- *Deportation of Bangladeshi nationals* — Bangladeshi nationals caught on the border or in the interior areas are to be deported back to Bangladesh. Certain problems arise in their deportation, such as non-receipt of lists from state police organisations in advance of the persons to be deported, state police forces bringing in the Bangladeshi nationals without waiting for confirmation, no response from BDR after handing over of the list, lack of awareness of rules and procedures on the part of state police officials at junior levels, and so on, resulting in mishandling of the issue. The problem of feeding the apprehended Bangladeshi nationals and accommodating them till they are deported is an issue that causes serious administrative problems.

- *Fencing* — The primary aim of fencing along the Indo-Bangladesh border was to check the ingress of criminals, prevent smuggling and provide a sense of security to the border population. There are wide gaps as fencing is not complete. This is due to slow progress in acquisition of land, resistance by the locals, flaws in conceiving the project and lack of sincerity. The fencing however, has not resulted in curbing the menace to significant degree. By itself, the fencing is not a barrier. It can be effective only when it is vigorously patrolled and kept under surveillance round the clock. The terrain, climatic conditions, dense vegetation, improper design and alignment without taking into consideration the traditions and culture of the border population, has further led to its repeated breaching. The BSF, deployed to guard the border, is stretched too thin along the border, resulting in large unmanned/unguarded gaps, which are exploited by the criminals.

Extensive rainfall results in large stretches being waterlogged, dense vegetation and undergrowth immediately after the monsoon. This has severely affected the fencing which got rusted and damaged within a few years of its commissioning. Moreover, there are many villages between the fencing and the international boundary, where people are in collusion with the criminals, making detection of illegal migrants and criminals difficult. Fence has also resulted in virtually giving away the land lying between the fencing and the International Border to Bangladeshi criminals.

- *Cutting of barbed wire by smugglers* — Smugglers have invented a very ingenious way of dealing with the security forces who try to obstruct their activity — by cutting the barbed wire. Barbed wire spreads over a longer distance and passes through no man's land which may not be under direct observation of security forces. Since a breached wire invites disciplinary action against the respective commanders and troops, smugglers resort to such acts to force commanders either to connive with them or face the consequence of an inquiry for dereliction of duty.
- *Criminal-Administration-Police Nexus* — The trans-border crimes in the border regions flourish due to the connivance and close nexus of the criminal-police-administration triumvirate. It has been found in certain cases that before the illegal migrants enter India, certain important documents like ration cards, gas connection papers, etc.,

showing them as Indian citizens are all prepared and handed over to them to allow them escape detection on the border. These illegal migrants are then helped to reach any part of this country, including crossing over to Pakistan if required. A glaring instance of connivance can be seen from the fact that the cattle smuggled from India to Bangladesh reach the Bangladesh border from places as far as MP, UP, Bihar, Orissa, etc., on the basis of fictitious documents and bribing the officials at respective checkpoints.

- *Change of Profile of Border Areas* — Continuous influx of illegal migrants has resulted in a change of profile of the border areas. Mosques and madrassas have come up in border areas, Bangladeshi dress and culture is visible in the border belt and one can see a perceptible difference in the demographic profile compared to as it was 10 years ago.
- *Criminals in Enclaves* — Enclaves pose a problem of a peculiar nature. Since police cannot enter the enclaves, the local heads act as per their whims without attracting any retribution from either country. People from Indian enclaves in Bangladesh have already migrated to India — either due to sale of their land or to escape persecution. Bangladeshi criminals are taking shelter in these enclaves.
- *Cheap Labour* — It is a win-win situation for the labour as well as the contractor in India. Bangladeshi labour can be hired at cheaper rates and also it is profitable for them to work in India due to the wages they earn in Indian rupees (the value of Indian rupee being more than Bangladesh *taka*). There are many places where Bangladeshi labour comes to India, e.g., Karimganj in Assam, Agartala in Tripura.
- *Circuitous International Boundary* — The international boundary follows a non-linear pattern. It passes through villages, fields, houses, rivers, and jungles in an uneven manner and at places forms big loops. If one is to follow the proper route along such loops, it is time-consuming. The pattern of demarcation is so tedious that people in the border areas find it tempting to trespass and violate the international border as shortcuts.
- *Public Distribution System (PDS)* — Border areas on the Indian side are covered under the public distribution system whereby items like sugar, wheat, rice, etc., are made available to villagers at subsidised rates. The PDS shops are normally located in the rear and the items

are sold to the villagers either in the godowns or the local salesmen carry the items to the villages near the boundary according to the population of the villages. While carrying such items the courier normally shows a chit to the BSF officials, mentioning the quantity being carried in a particular trip, if questioned. Invariably, such couriers make a number of trips in a day, distributing rations exceeding the quantity required for the village population. The excess quantity so carried is smuggled across the boundary at night or when the opportunity arises. The PDS chits in possession of the courier specifies the amount of the item but it does not mention the number of trips a courier has to make, resulting in a person making many trips and selling rations to Bangladesh.

- *Relations Across the Boundary* — Radcliff's scalpel at the time of partition left many people with relations stranded on other side. It did not matter initially to the people as the borders were virtually porous and they could visit each other freely. Due to laxity they continued to enter into marriage alliances subsequently and nurtured the relations to the extent of settling down, particularly in Assam. With the tightening of control on the border it became more and more difficult, yet the efforts continue till date to go and meet the relatives across the border.
- *Limitation to Applicability of Law of the Land* — Indulgence in trans-border crimes like cattle lifting, dacoities, kidnapping, crossing over of undertrials/criminals, trafficking of women and children have become a phenomenon and a way of living because the law of the land ceases to apply after a person crosses over to the other side. Criminals have entered into an understanding to provide shelter to each other in their respective countries to avoid legal proceedings.
- *Poaching of Natural Resources* — Citizens of both countries indulge in poaching of natural resources that are found near the boundary like wood, bamboo, limestone, etc. Bangladesh does not have stones to carry out construction work; the stones are found in India and smuggled to Bangladesh.
- *Cultivation in Adverse Possession Land* — Cultivation in adverse possession areas invites aggressive reactions from the other side and creates tension in the relations of the border guarding forces. An incident of April 2001, where about 16 BSF persons were killed by Bangladeshis, had its origin from one of the adverse possession areas.

- *Char Lands* — Char lands are the areas that emerge in riverine border areas as the rivers change their course due to floods. People (who come first) occupy and settle in these char lands leading to claims and counter-claims. The problem is alive in Dhubri district of Assam where the Brahmaputra crosses to Bangladesh forming char lands.
- *Missing Border Pillars* — Border pillars show the alignment of the boundary on the ground. There are various types of border pillars like main, minor, and subsidiary. These pillars sometimes get stolen or removed by criminal elements with a view to create tension on the border or nibble ground.
- *Firing Across the Border* — Though not as intense as on Indo-Pakistan border (J&K), both Indian and Bangladeshi troops resort to firing across the International Border at the slightest provocation, causing tension and problem of management.
- *Lack of Development* — The produce in the border areas does not find any market on the Indian side for want of communication facilities, and the items produced are of a perishable nature. So, the Indians have to perforce resort to selling it in Bangladesh. But, in case of the Meghalaya border, the boundary lies on the foothills towards Bangladesh while the plains are in India where the vegetables, etc., produced, are consumed by Indians.
- *Legal Constraints* — Some of the legal constraints involved in the management of the India-Bangladesh border are:

Ambiguity of Jurisdiction on the Border — The jurisdiction of border guarding forces differs from border to border. There is no clear-cut demarcation regarding the jurisdiction. In some cases the jurisdiction extends to 5 km and in other cases, it is 15 km and in some states like Meghalaya in the entire state, this results in confusion among the forces.

Lack of Judicial and Law Enforcement Infrastructure — It has been observed in border areas especially in the North-East that the local administration is virtually non-existent. The presence of local police is also grossly inadequate. Often, only a constable may be available at the outpost. This causes complete breakdown of the law enforcement mechanism as in the case of any crime, it takes very long to activate the law enforcement machinery. Lack of this facility with no budgetary provision to feed the arrested Bangladeshis results

in their being jostled between BSF and police customs. Absence of other infrastructure like telecommunication network, absence of vehicles with the police, inadequate staff, ambiguous laws, and poor road network, are also severe constraints for the border guarding forces.

In the North-East criminals make use of women and children as carriers in smuggling, as lookouts, etc. There is no woman police available on the border as a result of which no woman or child can be detained. This is fully exploited by the criminals. The women also take advantage of the fact that strict action is taken against the security forces in case of any report against them for ill-treating women. The women also exploit this by leveling false allegations against the security forces who are reluctant to get involved in apprehending any woman or child for fear of being reported against by them. The long inquiries, which follow after such allegations, are a source of immense stress to the security forces.

Non-availability of Witnesses — It is very difficult to get any local to testify in court against any criminal, as a strong bond exists amongst the people in the border areas. Most of the people are involved in some way or the other in one illegal activity or another. This affinity forces them to side with the criminals and extend no help to the security forces.

Easy Exit Across the Border — The criminals make full use of the porosity of the border. They are known to cross over after committing a crime and find refuge in sympathisers and relatives till the pressure of the law eases on them.

Loopholes in the Legal System — The legal system has several loopholes, which are fully exploited by the criminals. For example, in case of a claimed seizure the BSF is required to produce the person from whom the contraband has been recovered, before the Customs in case the seizure is to be termed as claimed. When this is done the Customs officials confiscate the goods and release the criminal, as the offence does not warrant his detention under the Customs Act. In case the man is handed over to the police, the seizure becomes unclaimed. Similarly, in case of illegal border crossing, the intruder is apprehended by the BSF and handed over to the police. The

individual is released at times, the same or the next day by the police and pushed back.

Illegal Migrants (Determination by Tribunal) Act — In Assam where the IMDT Act exclusively applies, major political parties have different views over the efficacy of this Act. While one wants it to continue, another wants it abrogated. Asom Gana Parishad (AGP), who have all along sought the abrogation of the Act to check the infiltration from Bangladesh also want to remove IMDT from the statute book. As opposed to the Foreigners Act, under which law enforcement agencies can declare a person as a foreigner ( the Act gives judicial powers to police in the matters of detection and deportation of alleged foreigners), the IMDT Act affords such a person an opportunity to defend himself, thereby placing on the police the onus to prove him wrong and to allow the cases of infiltration to pass through judicial scrutiny.<sup>43</sup> It may be recalled that in November 1998 Lt. General (ret'd) S.K. Sinha, the then Governor of Assam, recommended repeal of the Act, in a letter written to President of India and asked for replacement of the Act with a new legislation which can detect illegal migrants in a “just, fair and expeditious manner.”<sup>44</sup>

Border Guidelines — Consequent to the Indo-Bangladesh Border Agreement of 1974, the Joint Indo-Bangladesh Guidelines 1975 for border authorities were framed for the border guarding forces of both the countries. The aim of these border guidelines was to ensure cooperation between both the border guarding forces over trans-border crimes and exchange of information and intelligence at appropriate levels. These guidelines, among other issues, also provide that *neither side to have any permanent or temporary border security forces within 150 yards on either side of the International Border, and no defensive works of any nature including trenches in the stretch of 150 yards on each side of the boundary*. Under this provision, Bangladesh objects to the construction of fences within 150 yards from the International Border on the pretext that fencing violates the guidelines. It even objects to construction of roads within this distance on the same pretext.

## Conclusion

Without peaceful borders with its neighbours, India can hardly play its legitimate role in global affairs at this time of seminal global change. Since borders are with neighbours and neighbours are people, we have to take into consideration the people and the state when we talk about borders and its management.

The Indo-Bangladesh border is a long one and heavily inhabited and the inhabitants have a common history of growth, culture, language and rich heritage. Today, most of the problems are the manifestation of this fact. The problem of border management on this border is not just one of securing the borders but of doing so without causing harm to the economic interest of the people, long dependent on mutual trade and various other forms of interdependence. Being on the extreme corner of the country, the border areas have remained underdeveloped and were economically and politically ignored for a long time. The negligence by the mainland forced the people of the border area to indulge in and depend on the traditional systems for their survival and this gave rise to cross-border movements.

To integrate the border with the mainland, economic and infrastructure development of the border areas must be done. It is also equally important to ensure political satisfaction of the border people, provision of adequate security, closing the cultural and communication gaps between the border people and the national mainstream and developing friendly relations with their border people.<sup>45</sup> Though, a lot has been done, much more remains to be done.

It would be in the interest of both the nations to *streamline and institutionalise the movement of people by issuing work permits and identity cards to migrants*. Such people should go back after the expiry of the term. Contractors employing such labour should also remain accountable for movement of labour so employed. Detection of illegal migrants by the BSF should also be upgraded through computerisation and fingerprinting. To check inflow of illegal migrants, armed intruders and illegal trade, particularly cattle smuggling, trafficking of women and children, the completion of fencing should be expedited.

*Joint Indo-Bangladesh Guidelines — 1975 for the border guarding forces* be revised as some of its provisions have become irrelevant. Bangladesh needs to be told that fencing and roads along the border do not pose any

security threat to them. Rather, it is an economic loss to India as a minimum of 150 yards of our fertile land and people between fencing and the International Border are virtually at the mercy of Bangladeshi criminals.

That these guidelines were framed at a time when trans-border crimes, illegal migration and movement of armed insurgents across this border were virtually non-existent. Over the years many changes have taken place along the border including the demographic profile and movement of armed insurgents (despite these border guidelines). Many villages (built up areas) already existed and many came later within 150 yards of the International Border. Bangladesh's objection of not allowing the fencing and construction of roads along the International Border under the cover of these border guidelines, is illogical and lacks merit, as fencing poses no security threat to Bangladesh.<sup>46</sup> Actually, fencing should accordingly be extended up to the boundary line.

Similarly, illegal trade due to differences in tariffs and trade restrictions has given rise to vested interest groups who benefit by indulging in smuggling. The earlier a mechanism is set to open and liberalise the border trade the better it would be for the economy of the border areas and both the countries. Domestic reforms are required to address policy distortions in the public distribution systems to check informal trade.

Over the years, in order to cater to the growing demand for security forces to meet the threat to internal security, particularly in the North-East, Jammu & Kashmir and earlier Punjab, the BSF has been taken away from the Bangladesh border and deployed elsewhere, leaving this border porous and prone to cross-border infiltration. Increase in population along the border areas has further complicated the problem and has also increased the requirement of additional BSF personnel. Thus, even after restoring the BSF personnel who were withdrawn for operations elsewhere, considerable augmentation of the forces is required. Each BSF battalion should guard an area not more than 40 km. A total of approximately 100 units would be required for guarding the entire border effectively.

In border management, some other agencies are also involved in addition to the BSF. These agencies should play an active role in strengthening the basic infrastructure on the borders like police outposts, communications, roads, legalising border trade as per local traditions, issue of identity cards to the border population, providing employment to local youth, simplification

of legal procedures, strengthening the local legal bodies, and so on. These measures would augment the efficiency of the BSF and also make law enforcement more effective. The BSF by virtue of being present along the boundary through-out the year, also feels the pulse of the population. It can not only develop cordial relations and inculcate the sense of security among the population but also bridge the gap between the public and government machinery, if civil authorities responsible for development of the border areas are put under the supervision of the BSF as part of the BADP.

The IMDT Act has not served the purpose of detecting and deporting illegal migrants from Assam. The futility of the provisions of this Act stands substantiated by the fact that after more than 15 years of this Act coming into force, only a handful of Bangladeshis against whom action could be taken, are in Assam, a state worst affected by illegal immigration that saw agitations due to this problem. It needs no emphasis that this Act only helps Bangladesh in denying that there are any Bangladeshis in India. The IMDT Act should be repealed and all illegal immigrants should be dealt with under the Foreigners Act as applicable throughout the country.

Insurgent camps in Bangladesh are a cause of worry for India. Insurgents supported by the ISI and the fundamentalist parties are a deadly combination for activities against India. Western countries and international agencies are to be prevailed upon to link the foreign aid and donations to Bangladesh with the dismantling of terrorist training camps in a fixed time-frame. There is every possibility of some of the aid being utilised for promoting terrorism by the fundamentalist parties who are part of the government, not only against India but other nations as well.

One of the tasks for the BSF is to inculcate a sense of security amongst the border population. This means putting an end to trans-border crimes and defending the border population in case of a threat from across the border. As long as there is no mutual trust between the border population and the BSF, it cannot be achieved. BSF needs the people's assistance for identifying and apprehending the trans-border criminals and illegal migrants. BSF personnel, by virtue of their operational requirements, are rotated after two/three years. These troops come from different parts of the country and hardly understand the language and culture of the border areas. As such, there always remains a gap between the force and local people. By the time the BSF gets into the grid of intelligence gathering and understands the local conditions, they are due for rotation and a vacuum is created. The population has to be

used as a force multiplier. A continuous liaison with the population is inescapable. It is recommended that locals of the border areas be recruited in the BSF who maintain continuity particularly for intelligence gathering and better integration. These people should remain in the area even when the units move out and they stand posted in the new unit.

Last, but not the least, the morale and motivation of those guarding the borders has to be ensured in terms of welfare, incentives and promotions. These men work under the most trying conditions, in inhospitable terrain, remain away from their families throughout the year and are under constant mental stress. If these men are not motivated, no amount of instructions and measures towards border management will yield the desired results.

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