

## Refugee Review Tribunal

### AUSTRALIA

#### RRT RESEARCH RESPONSE

**Research Response Number:** IND17537  
**Country:** India  
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This response was prepared by the Country Research Section of the Refugee Review Tribunal (RRT) after researching publicly accessible information currently available to the RRT within time constraints. This response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

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#### Question

**Is there evidence of Bangladeshi immigrants being at risk in Kolkata?**

#### RESPONSE

**Is there evidence of Bangladeshi immigrants being at risk in Kolkata?**

None of the sources consulted mentioned any incidents of violence towards Bangladeshi immigrants in Kolkata, although such incidents have occurred in neighbouring states. The sources do indicate that in recent decades there has been a huge influx of illegal Bangladeshi immigrants to the Indian states bordering Bangladesh, including West Bengal, of which Kolkata is the capital. Attitudes to the immigrants vary. There is concern that an influx of Bangladeshi Muslims has changed the demographic balance of the border states: some even fear that Bangladesh will expand and push the border back into India. There is fear that along with the increased Muslim population there will be an increase in terrorist activities. There has been vigilante violence directed towards the Bangladeshis, in border states such as Assam, although West Bengal has not been mentioned in this respect. The West Bengal government has been accused of using the immigrants as “vote banks”: providing them with residence and ration cards which they are not entitled to, thus ensuring their votes at state elections. However they are under community pressure to deport them.

A July 2005 RRT research response contains information on Indian attitudes to illegal Bangladeshi immigrants. Questions 1 and 2 examine the difficulty of distinguishing between Bangladeshi nationals and Bangla-speaking Indian nationals from Bengal, Bihar and Assam, leading to the danger that they might experience difficulties in getting work through being mistaken as immigrants. These questions also contain information on violence towards Bangladeshis in Assam and Orissa, though not in West Bengal. Question 4 looks at actions

by the Communist government of West Bengal which, under pressure to respond to the influx of illegal migrants, deported some hundreds during 2003, but apparently then reverted to supporting them by issuing them with ration cards, as a way of building up their “vote banks” (RRT Country Research 2005, *Research Response IND17412*, 12 July – Attachment 1).

One of the sources quoted in that response is a paper from around 2003-2004 by Dr Priyankar Upadhyaya. It contains useful remarks on changing attitudes to the migrants in India generally:

The response of Indian state to such migration has varied depending on its political and security objectives. For instance, in the post-partition era, the flux of Bengali population was taken in its stride by the Indian government but soon after the India-Pakistan war over Kashmir in 1965, it began to resist the population flow from the east. But the freedom struggle for Bangladesh led to the opening of Indian borders for the coethnic Bengali refugees whose number swelled to a staggering 10 million mark. Indian policy again took a *volte face* soon after the killing of pro-Indian Mujibur Rehman in 1974. With Bangladesh drifting towards the path of Islamization, the Indian state increasingly became hostile to the presence of unauthorized Bangladeshi migrants on Indian soil. Moreover in the recent past has seen South Asian states a witness to an increasing international resistance to migration. The spectre of terrorism has further undermined the democratic norms of dealing with the immigrants, more so after the tragic episode of 9/11. The illegal migrants are seen as a natural threat to national security and singled out for transnational crimes and illegal trafficking of arms, drugs etc. More and more countries are closing their borders to migrants. The spectre of illegal migration has thus raised strident political debates and has become a favourite ploy of politicians and statesmen to evoke apparition of an enemy alien.

The present phase of Indian resistance to Bangladeshi migrants relates back to the anti foreigner drive which led to the Assam movement in late seventies. The revision of the electoral rolls in Assam in 1979 and the detection of thousands of Bangladesh nationals sent a shock wave to the entire northeast of India. It provided a ready avenue for the political groups and parties to raise the spectre of illegal migrants to win over public constituencies for electoral purposes. The newly formed All Assam Students Union (AASU) effectively capitalized on the widely shared fear of the ethnic Assamese, of being reduced to a minority as a result of the incessant flux of foreigners from across the international borders. While the depleting resources and the growing crunch of population added to the insecurities of the people, the uncertainties of globalisation creates a vision of Indian nation as a “conglomeration of minorities”. The unending mob fury under the banner of All Assam Students Union (AASU) left the state in flames, villages destroyed and hundreds killed. The anti-foreigner drive saw a protracted agitation lasting for six years (1979-85) and ended with the AASU capturing power in the 1985 election. These developments had a demonstration effect on almost all the neighbouring states. The political elite blamed Bangladesh migrants for unsettling the demographic balance, swiping off scarce resources and endangering the social and economic security. The authorities in the eastern Indian state of Nagaland also feared violent attacks on illegal Bangladeshi migrants by local tribal. The resentment over the influx of Bangladeshis into the state and their creeping control over land have raised a violent protest which could lead to the Assam kind of massacre. The insurgency in the adjoining state of Tripura also directed against the Bangladeshi migrants. In fact, Tripura’s tribal population now comprise only 33 per cent of the population due to demographic change. The spread of Bangladeshis has not been confined only to Border States but has extended to various parts of northern India including New Delhi and to the far distant Mumbai (Upadhyaya, Dr Priyankar (undated), *Securitization Matrix in South Asia: Bangladeshi Migrants as Enemy Alien*, Project on Non-Traditional Security Issues website, pp.8-9 – Attachment 2).

Upadhyaya does not mention such violence as occurring in West Bengal, but does discuss the ambivalent attitude of the West Bengal government towards the migrants:

Despite initial resistance which saw West Bengal providing shelters to fleeing Bangladesh immigrants during the height of Assam agitation, the communist regime fell into line with other border states in the drive against foreigners. Here the political will to accommodate Bengali co-ethnics was superseded by the economic pressures. According to a projection in West Bengal's 292 assembly constituencies, Bangladeshi migrants could ensure a result in 52 of them and influence the vote in 100 others. While the ruling Communist Party of India (Marxist) had long reaped the political mileage by protecting these migrants, the increasing pressure from the local population and economic strains led to a policy reversal. For decades, it was ignored by the major political parties like Congress (I) and the CPI(M) in West Bengal and the Northeast. It is alleged that these political parties treated the illegal migrants as a vote bank. According to one account, as many as 55 lakh [5.5 million] ration-cards have been issued to Bangladeshis in West Bengal. Eventually the West Bengal government sought the help of central government to fence its 2,217 km border with Bangladesh (Upadhyaya, Dr Priyanka (undated), *Securitization Matrix in South Asia: Bangladeshi Migrants as Enemy Alien*, Project on Non-Traditional Security Issues website, pp.12-13 – Attachment 2).

Recent news reports indicate that the attitude towards the migrants in West Bengal continues to be ambivalent.

A July 2005 report from the *Hindustan Times* states that Supreme Court of India has told concerned states to set up tribunals to “deal with cases of foreigners who have illegally entered India from Bangladesh”. This has created a “serious dilemma” for the West Bengal CPI(M), which must either jeopardise its “vote-bank” or turn a blind eye to “the socio-economic problems posed by the illegal migrants”:

A major hindrance to the detection of illegal migrants is that most of them have already procured ration cards and got their names registered on the electoral rolls with the help of local political leaders, particularly those belonging to the CPI(M). A drive against the ration card-holders in the border districts will reveal the true identity of these illegal migrants. The CPI(M), however, lacks the political will to back this kind of administrative step for obvious reasons. Despite the CPI(M)'s hesitation to adopt a hard stand vis-à-vis the Bangladeshi infiltrators, both the Congress-led Centre and the Left Front government are worried about the rise of Islamic fundamentalists in Bangladesh. Pro-Taliban elements have become active in Bangladesh with the direct support of Jamait-e-Islami and other outfits like “Jagrata Muslim Janata of Bangladesh (‘West Bengal’s Marxists worried about SC ruling on illegal migrants’ 2005, *Hindustan Times*, 14 July - Attachment 3)

A September 2005 report states that “of the estimated 15 to 20 million illegal migrants, approximately eight to 10 million have settled in West Bengal...” It continues:

Concentration of Bangladeshi migrants has completely changed the demographic profile of the border districts of West Bengal and Assam. That has effectively shifted the frontier of Bangladesh, as it were, 10 to 15 km inside India. While striking down the Illegal Migrants Determination by Tribunal Act recently, the Supreme Court likened the enormity of the demographic changes in Assam with external aggression.

West Bengal's CPI-M leadership, Jyoti Basu downwards, had for long dismissed all reports of influx of Bangladeshis as cock and bull stories. Lately, however, when the socio-economic and security problems born of unrestrained illegal migration have become dangerously unmanageable, the present chief minister Buddhadeb Bhattacharjee has been stressing that Bangladeshis far outnumber the indigenous Indian population in the border districts and that, for this and other reasons, Bangladesh is a threat to India. West Bengal governor Gopal Krishna Gandhi said illegal immigration is a time bomb.

Unfortunately, while the chief minister articulated it in no uncertain terms the concerns over illegal immigration, his government has proposed delimitation of the Assembly and parliamentary constituencies in a manner that will give significantly larger representation to illegal Bangladeshi migrants than at present. Virtually all migrants have been enlisted as voters in West Bengal. As a result, foreigners greatly influence election of MPs and MLAs in the state. The proposed delimitation, by transferring constituencies from Kolkata and the interior states to the foreigner-dominated border districts, will sharply increase the political clout of the alien population and their country of origin at the expense of India and its indigenes. Leaving aside the question of how that would work to the advantage of the ruling Front in the state and to the detriment of the Opposition parties, its grave implications for India's sovereignty and national security are blindingly obvious and must not be ignored.

The national priority today is identification, detection, disenfranchisement and, to the extent possible, deportation of the foreigners within the shortest possible time-frame. ('Delimitation can wait' 2005, *The Statesman (India)*, 8 September - Attachment 4).

Another recent report discusses the difficulties in identifying illegal immigrants when many poor Indians do not carry identity papers, and "a highly compromised system of obtaining official documentation effectively puts on fast-track the process of an illegal immigrant becoming a citizen with voting rights. This has few parallels in the world" (Baruah, S. 2005, 'Unfriendly neighbourhood', *The Telegraph*, 8 June, [http://www.telegraphindia.com/1050608/asp/opinion/story\\_4838418.asp](http://www.telegraphindia.com/1050608/asp/opinion/story_4838418.asp) - Accessed 20 September 2005 - Attachment 5)

Question 3 of an August 2004 research response is of interest as it looks at the reasons why some Hindus leave Bangladesh for India. These include: the search for better economic prospects; increased communal violence; and Hindus in some areas being forced off their land by extremist Muslim groups (RRT Country Research 2004, *Research Response IND16909*, 17 August – Attachment 6).

## List of Sources Consulted

### Internet Sources:

Google search engine

UNHCR      *REFWORLD*      UNHCR Refugee Information Online

### Databases:

Public	<i>FACTIVA</i>	Reuters Business Briefing
DIMIA	<i>BACIS</i>	Country Information
	<i>REFINFO</i>	IRBDC Research Responses (Canada)
RRT	<i>ISYS</i>	RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State <i>Country Reports on Human Rights Practices</i> .
RRT Library	<i>FIRST</i>	RRT Library Catalogue

## List of Attachments

1. RRT Country Research 2005, *Research Response IND17412*, 12 July.
2. Upadhyaya, Dr Priyankar (undated), *Securitization Matrix in South Asia: Bangladeshi Migrants as Enemy Alien*, Project on Non-Traditional Security Issues website.

3. 'West Bengal's Marxists worried about SC ruling on illegal migrants' 2005, *Hindustan Times*, 14 July. (FACTIVA)
4. 'Delimitation can wait' 2005, *The Statesman (India)*, 8 September. (FACTIVA)
5. Baruah, S. 2005, 'Unfriendly neighbourhood', *The Telegraph*, 8 June, [http://www.telegraphindia.com/1050608/asp/opinion/story\\_4838418.asp](http://www.telegraphindia.com/1050608/asp/opinion/story_4838418.asp) - Accessed 20 September 2005.
6. RRT Country Research 2004, *Research Response IND16909*, 17 August.