

Continuum of Violence: The Case of Indo-Bangladesh Border

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(Draft Only)

The present state system in South Asia, and the state system of the sub-continent in particular, is a result largely of the division of the eastern and western parts of the erstwhile united India, which gave birth to three states: India, Pakistan, and Bangladesh. The borders dividing these countries are markers of bitter history, current separate, distinct, and independent existence, but also the sign of the territorial integrity of these states. The bitterness of the past has been exacerbated by the lack of mutual confidence in the present. Added to that are security concerns because two of the three states have “the bomb”. This makes the state borders in this region extremely contentious. Globalisation brought about thousand-and-one linkages across these borders that make these borders and migration across them a unique phenomenon. The fact that South Asian borders are lines of hatred, disunity, communal discord, humanitarian crisis, human rights abuses, informal connections and voluminous informal trade, are securitised and militarised with heavy paramilitary presence, and are viewed with enormous suspicion makes migration a violent affair. Yet migration across these borders never stops.

While the Indo-Pakistan border (including the Line of Control) is in the eye of world attention, therefore closely monitored, the border in the East – Indo-Bangladesh border – remains neglected in terms of attention. Security concerns overwhelm all other equally legitimate concerns and values in this region and anybody subverting the border even by crossing it is perceived of as a threat to national security. National security is often equated and interchangeably used with military security and that is the trope of security that tends to dominate over human security in the border region. As a result of this, states often forget that borders are not only lines to be guarded, they are also lines of humanitarian management, because borders are not lines but borderlands – that is to say these are areas where people live, pursue economic activities, and lead civilian lives attuned to the realities of the borders. Human security in the borderlands would mean first security of the civilian population along the borderlines. This means the security of the people who live in this area and the ones who traverse it. Yet these are the people whose security is most notoriously undermined by those who are meant to protect the borders.

This paper written in the context of Indo-Bangladesh border discuss how this region becomes the epicentre of insecurity and how any efforts to securitise the region actually leads to growing violence and insecurity of people who finds themselves there. They are there sometimes from their own compulsions and at other times historically they found themselves in that space. Their presence in the border areas is by no means to challenge the nation form. Yet border people are often seen as aberration and instruments for subversion of national sovereignty. The significant way to control state borders is still considered to be violent

administrative interventions even by otherwise well intentioned people. State violence leads to other forms of violence and suspicions of violence. So much so that in border areas no one is above suspicion be they people living in the border, crossing it or guarding it.

Discursive Border:

“According to Odhikar, between 2000 and September 2010, over 930 Bangladeshi nationals were killed in the border area by the Indian BSF, including at the international frontier in the state of West Bengal...”¹

There is a burgeoning literature on the Bengal-Bangladesh border. There are two books *The Marginal Nation* by Ranabir Samaddar and *The Bengal Borderland* by Willem Van Schendel. Jaya Chatterjee’s two volumes entitled *Bengal Divided* and *The Spoils of Partition* is of significance. There are other edited volumes where the Bengal Bordeland has been discussed such as P. Banerjee and A. Basu Roychowdhury eds, *Women in Indian Borderland*, Puspita Das’ collection of select documents, entitled *India’s Border Management*. There are a number of dissertation on the subject but for our purposes perhaps the most controversial and yet of significance is a report by Human Rights Watch called *Trigger Happy* that was published in 2010.

The report *Trigger Happy* was jointly prepared by Human Rights Watch, MASUM and Odhikar, a pro-human rights organisation from Bangladesh. The report chronicles the excessive use of force by BSF in manning the Indo-Bangladesh border. The report contends that survivors and eyewitnesses of attacks allege that the BSF engages in indiscriminate shooting in the Bangladesh border. BSF is also known to start shooting without any warning. A very poignant account is that of a seventeen year old boy called Shyamol Karmakar. He was from Bangladesh. He had sneaked into India to visit his relatives. On 26 January 2010 he decided to return home. Feeling insecure about crossing the border he decided to join cattle rustlers who were taking to cows across the border. On seeing Shyamol with some cattle the BSF opened fire. The rustlers who were experienced in crossing the border escaped but Shyamol died. His dead body was returned to his hapless father. The report also discuss how BSF unleash torture on the border people. They do not spare even children report border villagers. On 5 September 2009 Halima Bibi found BSF jawans slapping her 12 year old daughter. When she protested they started hurling abuse on her. “Members of the BSF are described by local residents as unsympathetic, aggressive, and violent. This may be explained by the fact that many are deployed to the region after difficult and tense tours of duty on the India-Pakistan border in Kashmir.”² But many BSF personnel in their conversation with us said that they preferred their duty in Kashmir.³ The report ended with a dramatic expose. In the annexure there were names of the people killed from both sides from

¹“Trigger Happy: Excessive Use of Force by Indian Troops at the Bangladesh Border,” A Report by MASUM and Odhikar in *Human Rights Watch* (New York, Human Rights Watch, 2010) p. 22, web site: <http://www.hrw.org>, accessed on 15 November 2014.

² Idid, p. 6.

³ SM from Bn 26 in conversation with the author on 29 November 2015 reported that “Kashmir border is a better place.” Interview taken in Jalangi, Murshidabad.

2007 to 2010. Among Bangladeshi nationals 119 people were listed who were killed in 2007. The 2008 list contained names of 61 people, the 2009 list had 98 names and the 210 list was only upto June and yet it contained 37 names. Among Indian nationals in 2007, 23 were killed by BSF, in 2008, there were 16 names, in 2009 there were 20 names and until June 2010 there were 2 names.

Once the report got published it immediately attracted the attention of a vast community of human rights activists and media from all over the world. In one response "Major General Rafiqul Islam, chief of the Bangladesh Border Guards, called on the BSF to respect the right to life and said that individuals "must be treated as innocent unless and until he or she is proved to be a criminal or an offender."

BSF Director-General Raman Srivastava, in turn, promised "to maintain utmost restraint on the border" and also provide troops 'with non-lethal weaponry'."⁴

Many national media reacted to this report. A Hindu correspondent Annanya Dutta asked the Additional Director General B.D.Sharma for his reaction to the term "trigger happy." Sharma, refuting claims that the BSF was a "trigger-happy force," he said: "We do our work in a professional manner and will continue to do so."⁵ Meenakshi Ganguly, the Director of South Division HRW, countered in another newspaper that even if people smuggle cattle, "or any other goods, the offence does not amount to killing. There should be punishment commensurate to the crime and the people should be brought to the magistrate. The standing procedure of BSF - shoot-to-kill - should be changed."⁶

In another report entitled *The Rugged Road to Justice: A Social Audit of State Human Rights Commission in India*, Vol. II, by HRLN, the violence in the border got extensively reported.⁷ The testimony of a torture victim reminded one of the HRW report. The testimony goes like this:

In some cases BSF officers just arbitrarily torture villagers living in this area. For instance Mr. Ajbar Ali Seikh testifies: "I went to visit my agricultural land alone. Suddenly three constables of 90 Battalion BSF and DIB of 10 point camp approached me. They assumed that I was a smuggler and tied me up using rope and tortured me severely. I was kicked mercilessly and beaten with bamboo sticks for a long time. Under this relentless attack I lost consciousness and also began to urinate blood. I was then scalded with boiling water." Mr. Ajbar Ali Seikh then discusses how he was threatened that he should not disclose that he was tortured even though there were marks of torture all over his body. He was produced before a magistrate after six days, which itself is illegal.⁸ All these discussions created quite a stir and

⁴ Rediff.com, 14 June 2012,

<http://www.rediff.com/news/special/no-end-to-brutality-by-bsf-at-indo-bangla-border/20120614.htm>, accessed on 16 November 2014,

⁵ Ananya Dutta, "BSF to Adopt Schools in Border Areas," *The Hindu*, 1 February, 2013, <http://www.thehindu.com/todays-paper/tp-national/bsf-to-adopt-schools-in-border-areas/article4367380.ece>, accessed on 18 November 2014.

⁶ "Trigger Happy BSF Shot 1000 People at Indo-Bangla Border: Repor," *The Indian Express*, Kolkata, 11 December, 2010.

⁷ Harsh Dholal, Mathew Jacob, Anupam Kishore eds., *The Rugged Road to Justice: A Social Audit of State Human Rights Commission in India*, Vol. II (New Delhi, HRLN, 2013).

⁸ Ibid, Section, West Bengal, p. 61.

as result of all these discussion in national daily newspapers the BSF was asked to use non-lethal weapons while guarding the Indo-Bangla border.

Human rights reports talk about the victimhood of people caught in the borders. There the discourse is often about numbers dead or injured and little about border people as agents. The discourse in the leading national newspapers on borders take two prominent lines as we have seen previously. It either harps on the quantum of people coming into India or on the role of BSF and border criminals. The border people are discussed only incidentally. Even well intentioned report are premised on this question of illegality. One such example is a story that appeared in *India Today* on 14 January 2011. In this essay the author describes the situation thus:

“Its a common experience in several West Bengal districts. Over the years, lakhs of Bangladeshis have crossed over into Indian territory. While some have made their way into Assam, Meghalaya, Tripura, Delhi and Mumbai and even Pakistan and Middle East, a crux of the immigrants have stayed on in West Bengal, a land that is ethnically closest to the one they have left behind.”

The author then goes on to discuss how Bangladeshis have managed to stay on in India:

“Several immigrants...have, over time, become naturalised citizens of India. They have ration cards, educational certificates, voter identity cards and even passports. Touts on both sides of the border have been helping immigrants for decades now. ‘Earlier, immigrants had to pay Rs. 1000 to Rs. 2000 per person for each document. We now charge anywhere between Rs. 5000 to Rs. 10000 per document per person,’ says one tout.”⁹

Such reportage are largely indictments of Bangladeshi society that makes people leave. It is also a story about how good and easy it is to be in India. Most stories in the national newspapers concentrate on this aspect of migration. The last two controversies regarding the Indo-Bangladesh, not surprisingly, is related to infiltration from Bangladesh. When Mamata Banerjee spoke about criminals subverting the border it became a huge news as she had challenged Narendra Modi to touch anyone living in West Bengal as an infiltrator. Her volte face came allegedly following the murder of some TMC leaders. One newspaper commented:

West Bengal Chief Minister and Trinamool Congress(TMC) chief Mamata Banerjee has finally acknowledged the presence of illegal Bangladeshi migrants in the state.

During an official meeting with senior police officials in border district of North 24 Parganas, following a series of murders of TMC leaders due to factional feud, a visibly upset Chief Minister said, “A murder took place inside the party office at Sodepur. The Barrackpore Bar Association president was shot. Is this a joke? What’s happening? What is the police doing? Murders are being committed by hiring assailants from Bangladesh for as little as `200.”¹⁰ The next series of discussions came on the wake of the Burdwan bomb blast in October. News such as “bomb blast in Burdwan reportedly revealed foreign links. Intelligence wings

⁹ Shutapa Paul, “Illegal Immigrants: East Bengal in West Bengal,” *India Today*, 14 January, 2011, <http://indiatoday.intoday.in/story/east+bengal+in+west+bengal/1/126587.html> accessed on 14 October 2014

¹⁰ Arup Chanda, “Illegal Migrants in West Bengal: Mamata Banerjee,” *The New Indian Express*. 22 June 2014, <http://www.newindianexpress.com/nation/Illegal-Migrants-in-West-Bengal-Mamata-Banerjee/2014/06/22/article2293223.ece>, accessed on 8 August 2014.

of the BSF have also been keeping an eye on international tourists coming in from Bangladesh.”¹¹

If one looks at newspapers that come out from the border areas the coverage is of a different kind. These papers can hardly be called dailies. Typically they begin abruptly, run for a certain time and stop abruptly. The editors may or may not support a political party but usually news is about the every day lives of the people in the area. Even when they carry news of national/international importance there is usually a local twist. One news item from a local newspaper runs thus: “Last 8th July evening the the district magistrates of the two districts of Nadia (India) and Chuadanga (Bangladesh) with senior officials of BGB and BSF met in Krishnanagar Circuit House. Discussions revolved around the repair of the T Pillars, ways of stopping smuggling and handing over of the some documents on Chuadanga that is still available in Krishnanagar collectorate reported, the district magistrate, Sanjay Bansal. When the news paper reporters questioned the magistrates about the pollution in the river due to waste from waste water released from sugar and liquor factories Chuadanga’s magistrate Bholanath Dey said even though this is national matter but still he would like to assure the people that a bio-fertiliser plant has been installed in a mill in Darshana to rectify excessive pollution.”¹² In another pamphlet on the Fencing the author wrote: “Even though the barbed wires have managed to divide the two countries they have not been able to divide the hearts of the people of the two countries. The love that people have for each other cannot be stopped by the fence. The two people not only share a language but also their hearts so why this fence? This question was raised by Afsar Sheikh, from Rasikpur village in Nadia, when he came to visit his grand daughter Marufa. Marufa broke down into tears when she first saw her grandfather. She wanted so much to touch him but the fence did not let that happen.”¹³

Even when these newsletters/pamphlets/papers addressed common problems their take on the subject was often different from the national newspapers. In a news on cattle smuggling it was written, “For decades the borders of West Bengal have been the site of cattle smuggling, other kinds of smuggling of goods, illicit trade but both the central and that state governments have been unusually disinterested over this matter, which is surprising. If this illicit trade is stopped and the same products can be sold legally then it will help the country’s economy. Then there is also the question of insurgency. However, neither the State nor the Central government is actively seeking to solve the problem.

In West Bengal, Malda, Murshidabad, North Bengal, Nadia, North 24 Parganas or rather the border districts politics, economics and society is largely in the control of infiltrators. The local leaders of the different political parties are sheltering the infiltrators for illicit money and their votes.”¹⁴ In another similar expose the author writes about how cattle smuggling divisive for the interest of the local people. Cattle smugglers are often paid by political leaders, during harvest time they trample on grain and destroy agricultural products at will. With so much of illicit money the criminals are running these villages and the state is losing

¹¹ Keeping Vigil on Bangla border in Malda,” The Statesman

¹² “Churni Nadir Dushon Prosonge Bangladesh Sarkarer Boktobbo,” (Bangladesh Government’s opinion on the pollution of river Churni) in *Krishi Sahitya*, Majdia, Nadia, 16 July 2011. P. 4 (The item news is translated by the author).

¹³ Zulfikar Ali Kanan, “The Barbed Divided Countries But Not The Hearts of the People,” *Meherpur.com*, 24 October 2012, p. 1.

¹⁴ “Unrestricted Illicit Trade and Cattle Smuggling in the Border Districts of the State,” *Socchar* from Burdwan, 15 September 2014, pp.1-2.

thousands of rupees. Local people are not benefitting from this free flowing cash and a few goons are becoming richer.”¹⁵

Often these local papers carry unusual news that can be on BSF’s compensation for the death of a young boy, change of companies in local out posts, seizure of five hundred grams of gold or any other local issues. In one news pamphlet it was reported how good schools in the border areas harbouring Bangladeshi students to the detriment of local Bengalees. These students are then becoming educated, holding good jobs and then working for Bangladeshi intelligence. The money that is being extracted from these students are find their way into the pockets of the leaders of the political parties.¹⁶

These newspapers, or pamphlets, whatever their political position is often cover stories that are popular or relevant in local discourse. The problems that they deal with are part of the every day problems of the people in the border villages. But one thing they rarely do is to be critical of the BSF. They are often critical of the position taken by the state administration but about BSF they remain usually quiet.

Whether it is local pamphlets, national newspapers, scholarly works or dissertation the first question that everyone has to grapple with is this story of incursion/infiltration and demographic change.

Story of Population Movement in Bengal:

“A novel phenomenon of demographic pressure started looming larger and larger on the border region centering around Bangladesh. During the last three decades illegal migration from Bangladesh to India are going on unabated. In Bangladesh era, Hindus are coming as usual like in the days of Pakistan due to religious persecution and political pressure but a new feature also started emerging as people from majority segment (Muslim) for different reasons and purposes started coming to West Bengal. Both the Centre and West Bengal governments were generally aware of this development yet no notable concern was visible...”¹⁷

Demography is one of the biggest cause of suspicion and violence. Writings such as the one by Bimal Pramanik are progressively getting more popular in the context of Indo-Bangladesh border. In 2014 India expects to finish its 3288 kilometre long fence bordering Bangladesh in the east. The fence is meant to be one of the longest geopolitical barrier in the world and a symbol of Indian success in its quest for national security. It is also an expression of Indian nationalistic pride and growing military strength. In this context what needs to be remembered is that this is a region over which there runs an international border with its own peculiar history. Within the known history there has never been an international border in this region before 1947. In 1947 within six weeks a slap-dash border was drawn in this area that divided four millennia of shared history, culture and economic networks. Soon this

¹⁵ “Cattle Smuggling Through Man Made Holes in the Fence. The BSF and Administration Powerless,” *Krishi Sahitya*, 2 September 2013, p. 1.

¹⁶ “Schools in the Border Areas of Nadia Populated By Bangladeshi Students: Administration Silent,” *Shera Khobor*, 22 October 2014, p. 1.

¹⁷ Bimal Pramanik, “Illegal Migration From Bangladesh: A Case Study of West Bengal” *Dialogue*, January-March 2005, Vol. 6, No. 3, http://www.asthabharati.org/Dia_Jan%2005/bim.htm accessed on 23 September 2014.

border began to be treated as immutable. The people however, kept on subverting the border leading to a bloody history of migration that is no different from that of a number of borders in Africa, America and Europe. That for years this region was an area of free exchange of people and goods become clear when one looks at some demographic profiles of the region. Yet today it is an area of bloody conflict.

Migration and Numbers:

Let us begin with demography then. There is little data on the decadal growth rate of the population of West Bengal in 1901. However, from 1911 we have the complete data. In 1921 the decadal growth rate was in the negative but from 1931 it is continuously increasing. The decadal growth rate had reduced in 1921 because of the infamous influenza epidemic. It is clear that for the whole of West Bengal the decadal rate is higher after 1947 than before it. However, the pattern was there for everyone to see even before 1947.

From the beginning of the twentieth century at least migration in large numbers was happening from the east to the west in the context of Bengal. If one compares the percentage of population growth and density of population of West Bengal to that of India as a whole one notices that on an average migration into West Bengal is greater in terms of percentage than to that of the whole of India. It is true that growth of population is not dependent on migration alone but even today when there is a noticeable dip in birth rate in Bengal the percentage of population growth remains increasing. Therefore, there is no denying the fact that migration is happening and in fairly large numbers. What however, needs to be contradicted from the table below is that this has been happening from the 1940s and so it is not a recent phenomena at all.

Table 1: Percentage of Population Growth

Place	1911	1921	1931	1941	1951	1961	1971	1981	1991	2001	2011
INDIA	5.75	-0.31	11.00	14.22	13.31	21.51	24.80	24.66	23.51	21.54	17.64
WEST BENGAL	6.85	-2.91	8.14	22.93	13.22	32.8	26.87	23.17	24.74	17.77	13.93

Source: Compiled from the Census of India

The density of Bengal's population was higher than that of India. Therefore, there was pressure of land even before 1947. That pressure of land is steadily rising from the 1920s. Today even with a dip in the population in terms of sheer numbers the density of population for West Bengal is as high as 1029 to that of the average of 382 for India as a whole.¹⁸ According to the census of 1911, the population of the state of Bengal was 17998769 since then, within a period of 100 years, the population of the state has increased by 91347736 and this is an increase of 407.52 percent. Although nationalist scholars like Bimal Pramanik

¹⁸ Census of India, 2011.

would have us believe this is entirely because of migration from Bangladesh, there is however another school of thought. The other school of thought argues that this population growth is largely because of increasing fertility rate with a consequent increase in birth rate and a decrease in death rate. A representative scholar of this school of thought says that: “this unprecedented rate of population growth in West Bengal has been caused due to the drastic decline in mortality without decline in fertility after 1950. The ultimate solution to the growing population therefore, lies in the control of family size.”¹⁹ We can make an attempt at getting closer to the truth by looking at the percentage of population growth in the different districts of West Bengal.

Table 2: Comparative Study of Density of Population

Place	1901	1911	1921	1931	1941	1951	1961	1971	1981	1991	2001
INDIA	77	82	81	90	103	117	192	177	216	274	338
WEST BENGAL	193	205	199	215	264	299	394	504	615	767	903

Source: Compiled from the Census of India

The state of West Bengal has 16 major districts of which 3 are further sub-divided into two. Of these 8 are bordering Bangladesh. These include the 24 Parganas (North and South), Nadia, Murshidabad, Malda, Kolkata, Dinajpur (North and South), Jalpaiguri and Cooch Behar. Let us now study the history of population growth in all the districts of West Bengal.

Table 3: Decennial Population Growth Rate in Districts of West Bengal²⁰

District	1951-61	1961-71	1971-81	1981-91	1991-2001
Bankura	26.17	22.02	16.93	18.12	13.79
Burdwan	40.64	27.06	23.46	25.13	14.36
Birbhum	36.55	22.80	18.01	21.94	17.88
Darjeeling	35.90	25.16	31.02	26.91	23.54
Howrah	26.51	18.58	22.74	25.77	14.60
Hoogly	39.02	28.72	23.86	22.43	15.72
Jalpaiguri	48.27	28.76	26.55	36.44	21.52
Kolkata	8.48	7.57	4.96	3.13	4.11
Malda	30.33	31.98	26.00	29.78	24.77
Medinipur	29.26	26.89	22.39	23.57	15.68
Murshidabad	33.46	28.57	25.49	28.20	23.70
Nadia	49.81	29.91	33.29	29.95	19.51
Puruliya	16.33	17.86	15.65	20.00	13.96
24 Parganas	40.84	34.53	27.10	21.02	21.87

¹⁹ Subrata Ghosh, “Demographic Transition Model: Evidence From West Bengal State,” SIT Journal of Management, Vol. 3, No. 2 (December 2013) p.606

²⁰ Compiled from Statistical Abstracts West Bengal 94-95, Presented in Sutapa Paul, “Illegal Immigration: East Bengal in West Bengal,” India Today, 14 January 2014, <http://indiatoday.intoday.in/story/east+bengal+in+west+bengal/1/126587.html> accessed on 14 October 2014,

Dinajpur	35.51	40.50	29.31	30.05	26.12
Cooch Behar	52.45	38.67	25.28	22.55	14.15

It is true that the border districts have increased their population in a sustained manner from the 1950s. However, some points need to be noted here. The next table (No. 4) portrays that there is a decline in population growth even in these district in the last one decade. Unlike popular perception the largest number of population movement happened before, during and in the immediate aftermath of the Radcliff partition. Even in the 1970s when Bangladesh was born in terms of percentage there was less people coming. Among the border districts the one exception is Kolkata. In real terms Kolkata's total population is so high that it cannot be solely attributed to cross border migration. As for the rest of the border states the decennial population growth in all of them is less that that of 2001 as table no. 4 portrays.

Table 4: Population and Decennial Growth in Border Districts 2001-2011

Border District	Population 2001	Population 2011	DG 91-01	DG 01-11
24 Parganas (N)	8934286	10082852	23.69	12.86
24 Parganas (S)	6906689	8153176	20.85	18.05
Cooch Behar	2479155	2822780	19.19	13.86
Dinajpur (N)	2441794	3000849	28.72	22.90
Dinajpur (D)	1503178	1670931	22.15	11.16
Jalpaiguri	3401173	3869675	21.45	13.77
Malda	3290468	3997970	24.78	21.22
Murshidabad	5866569	7102430	23.76	21.07
Nadia	4604827	5168488	19.54	12.24
West Bengal	80176197	91397736	17.77	13.93

Source: Census of India 2001 and 2011

Let us now consider the religious profile of the population of the border districts as presented in table 5.

Table 5: District wise Population and Percentage of Population of Muslims 2001

Border District	Population (General)	Population (Muslim)	Percentage (Muslim)
24 Parganas (N)	8934286	2164058	24.22
24 Parganas (S)	6906689	2295967	33.34
Cooch Behar	2479155	600911	24.24
Dinajpur (N)	2441794	1156503	48.36
Dinajpur (S)	1503178	361047	24.01
Jalpaiguri	3401173	369195	10.78
Malda	1508539	1637528	52.05
Murshidabad	5866569	3735380	63.67
Nadia	4604827	1170282	25.41

Source: Census of India 2001

In most of the border districts other than Jalpaiguri Muslims form high to moderate percentage of the population. This in no way can be considered as an effect of influx of

undocumented migrants from Bangladesh. The highest concentration of Muslim population is in Murshidabad and Malda. Historically Malda formed the core of the Ilyas Shahi, Husain Shahi kingdoms. Murshidabad was the centre of the Nawabi of Bengal. Therefore a concentration of Muslim population in these districts and the adjacent ones is hardly proof enough of imminent demographic changes. When it was decided to partition the country this is what it was perceived it will be.

Table 5 (A): Area and Communal Composition in 1947

Province	Area (sq. Miles)	Muslims	Non-Muslims	Total	Muslims as percent	Non-Muslims as percent
East Bengal	34,336	24,941,518	8,315,307	33,256,825	75.00	25.00
West Bengal	38,099	8,056,646	18,746,001	26,802,647	30.06	69.96
Total	72,435	32,998,164	27,061,308	60,059,472	54.94	45.06

Source: Kumud Ranjan Biswas, "Districts of Benga," p. 200

When one looks at the percentage of growth of both Muslims and Non-Muslims as presented in Table 6 it is true that in Bengal the growth rate of Muslims is higher than the non-Muslims but that rate is hardly alarming if one looks at the total population and Muslim growth rate over the years.

Table 6: Percentage of Growth of Population in Border Districts of WB between 1991-01

Border Districts	Muslims	Non-Muslims	Total
24 Parganas (S)	34.2	11.5	20.8
24 Parganas (N)	23	22.6	22.7
Nadia	21.9	18.8	19.5
Murshidabad	28.4	16.4	23.8
Malda	30.7	19.4	28.7
Kolkata	19	0.7	03.9
Dinajpur	31.9	22.7	26.1
Jalpaiguri	31.3	20.4	21.5
Cooch Behar	18.5	12.8	14.2
Total	25.9	15.3	17.8

Source: Census of India 2001

There is a charge that is often brought against Bangladesh and that is Hindu's are forced to move out of this country. But Indian records show that Muslims are also entering into India and probably that is one of the reasons for growing consternation of the Hindu right wing leadership. But as we have stated earlier that in the districts where there is a high concentration of Muslim presence there Muslims lived long before partition. Demographically after 1947 there was a shift in West Bengal in that many Muslims left so

when there is an increase in Muslim population the ultra nationalists often scream of “infiltration”. But when one looks at the percentage of growth of Muslim population in the last half a century it is not remotely dramatic as table 7 portrays.

Table 7: Rise in Percentage of Muslim Population in WB between 1951-2001

Year	Percentage of Muslim Population
1951	19.85
1961	20.00
1971	20.46
1981	21.52
1991	23.61
2001	25.25

Source: Census of India 1951 - 2001

It is true that the Muslim population increased over the last fifty years in the bordering state of West Bengal but as yet there is no cause for alarm in that as table 7 shows. For example, in Murshidabad, a district considered as contentious the Muslim population grew by 28.4 per cent in the last decade. But in fact in the same period the Christian population more than doubled in Murshidabad itself. Although the percentage of Hindus declined between 1991 and 2001 in real terms their numbers increased by 287881.²¹ One also has to remember that from the colonial times Murshidabad is a Muslim stronghold.

As for “infiltration” there are many guestimates. As one reporter suggests a “United Nations review says that Bangladesh should have had a population of 118 million in 1991, but the National Census reported only 108 million citizens. "According to Bangladesh's Census Report, the country had a population growth of over 2.4 per cent. It saw a decrease of more than six million voters within four years in the 1995 electoral roll. These missing voters and the increased number of voters during this period plus a disfranchised 20 lakh voters have infiltrated into India," says Dr Buddhadeb Ghosh, programme coordinator, Indian Statistical Institute, Kolkata.”²² At this juncture there is another question that rears its head and that is to what extent can we ascertain the actual number of undocumented migrants into India. One way of looking at this is to look at the number of undocumented migrants in the border jails. This number is extremely difficult to arrive at without any doubt because neither the local police station nor the local jails perhaps have the complete data and are also not able to share their data on this.

In a presentation made by an officer of the Border Security Force the following statistics was given:

Table 6: Yearly Arrests for Illegal Crossings 2010-2013²³

²¹ District Statistical Handbook, Murshidabad, 2007, Govt. of West Bengal, p. 16

²² Sutapa Paul, “Illegal Immigration: East Bengal in West Bengal,” India Today, 14 January 2014, <http://indiatoday.intoday.in/story/east+bengal+in+west+bengal/1/126587.html> accessed on 14 October 2014.

²³ Ajay Kumar, (Second in Command, HQ, SPL DG) Presentation on “Border Villages and Challenges: Indo-Bangladesh Border,” Border Security Force, 3 December 2013.

CRIME FOR ARRESTS	2010	2011	2012	Until Oct 2013
Illegal Crossers	1417	820	1797	3377
Smugglers	1469	1863	1673	1458
Total	2886	2683	3470	4835

A vernacular source from the border area has recently made an effort to produce some numbers as well. What this source has reported is:

The Number of Bangladeshi convicts in the last six months of 2013 in West Bengal:

1. July – 3500.
2. August – 3700
3. September – 3400
4. October – 3800
5. November- 4000
6. December – 3700.

In 2011 and 2012, around this time, Bangladeshi convicts were at least less by 1500-2000 per month.²⁴ This number however seems to be extremely inflated when compared to the number presented by the afore mentioned BSF personnel unless one considers that there might be a spill over of Bangladeshi convicts from one month to the next and this is not a data of fresh arrests made. There are a number of newspapers that have reported on the phenomena of the increasing number of illegal migrants from Bangladesh into India. In January 2014 Hindustan Times reported the following:

The fresh spell of violence in Bangladesh has led to a steep increase in real estate prices in West Bengal, with people from the neighbouring country buying land in the eastern state of India.

A leader of Bengal's ruling party, the Trinamool Congress (TMC), feels this is a “phenomenon the last few generations have never seen”.

“Many are buying land to settle here in future. This is happening in areas such as Duttapukur, Habra, Basirhat and Bongaon (in North 24-Parganas district). Bongaon is a small town. Now, it has very few empty plots left,” said Shankar Adda, a TMC leader.

A house built on less than two cottahs — one cottah is equal to 727 sq ft — in Bongaon, a town about 100km from state capital Kolkata, used to cost around Rs. 11 lakh in the early part of 2013. Now, the same property costs around Rs. 35 lakh.

These days, land prices in semi-urban areas near the border in North 24-Parganas

²⁴ This was reported by Rajyer Mukh, a vernacular newspaper that is produced from the border area itself. Anup Chakrabarty, “Rajyer Jelgulite Anuprobeshkari Rajyer Sankhya Barche,” *Rajyer Mukh*, 15 January 2014.

district vary between Rs. 7 lakh and Rs. 10 lakh per cottah, more than twice the price a year ago.²⁵

There are other voices like that of Concern Universal, an international NGO working in 12 countries including Bangladesh that estimates that 50 Bangladeshis cross into India every day.²⁶ My research portrays however that nothing out of the ordinary is happening here. After garnering evidence from both sides it becomes clear that undocumented migration from Bangladesh to West Bengal is an everyday reality. However it is my contention that this migration between Bangladesh and West Bengal continues on the basis of historical routes established in the colonial period. Also this is not the only form of migration. So there is little reason to treat migrants from Bangladesh as an aberration. Neither are they solely responsible for the increase in density of population of West Bengal. It is true that Bangladesh' endemic poverty and political instability has resulted in out migration. As our research portrays the destination of migrants with resources is not India. Only the very poor or those who have family in India try to cross over. There is atleast one indicator that portrays that among the Muslims present in the border districts of West Bengal a majority are perhaps not undocumented migrants.

Table 8: District Wise Literacy Rate of General and Muslim Population

District	General	Muslims
24 Parganas (N)	78.07	65.05
24 Parganas(S)	69.45	59.83
Cooch Behar	66.30	56.07
Dinajpur (N)	47.89	36.04
Dinajpur (S)	63.59	67.21
Jalpaiguri	62.85	55.34
Malda	50.28	45.30
Murshidabad	54.35	48.63
Nadia	66.14	49.41
West Bengal	68.64	57.47

Source: Nazmul Hussain et al., "Muslims in West Bengal: Trend of Population Growth and Educational Status," In Islam and Muslim Societies, Vol 5., No. 1 (2012) p.47.

From the profile of Bangladeshis serving term in Indian jails it is apparent that these people are extremely poor and often illiterate. There is hardly any new trend in the influx of Bangladeshis in the last 2-3 decades which is considered as most problematic and leading to violence. We found that there is little change in the patterns in migration but what has changed is the level of violence that these migrants face while crossing over to India. The vulnerability of these migrants make it possible for two states to treat this movement as an

²⁵ H.T. Correspondent, "Bengal: Land Prices Rise Due to Bangladesh Violence," Hindustan Times, Kolkata, 8 January 2014,

<http://www.hindustantimes.com/india-news/bengal-land-prices-rise-due-to-bangladesh-violence/article1-1170706.aspx> accessed on 14 June 2014

²⁶ Reported in Sutapa Paul, "Illegal Immigration: East Bengal in West Bengal," *India Today*, 14 January 2014, <http://indiatoday.intoday.in/story/east-bengal-in-west-bengal/1/126587.html> accessed on 14 October 2014.

aberration and cause for spreading violence. This violence is multiplied by the presence of lawless vagrants and gangs that feed on the insecurity of these people and in the garb of giving them protection from state machineries they multiply the violence that is perpetrated on the already vulnerable migrants.

The Border:

As is stated earlier the border traverses through the nine districts of West Bengal if we keep Kolkata aside for now. These include 24 Parganas (South) and 24 Parganas (North), Nadia, Murshidabad, Malda, Dinajpur (North) and Dinajpur (South), Jalpaiguri and Cooch Behar. The two parts of the 24 Parganas are closest to Kolkata and has a high density of population. In real terms the two 24 Parganas are the most populated districts of West Bengal. In 24 Parganas (N) over 67 percent of the land area is used for agricultural purposes. In the 24 Parganas (S) 39.3 percent of the land area is used for agricultural purposes and only 14.4 percent is used for non-agricultural purposes. In it lies the largest mangrove forest in deltaic Bengal, or the Sunderbans. Bangladeshis caught in this region are transported largely to Alipore Correctional facilities. If we travel north from the 24 Parganas we will reach Nadia.

Nadia has an area of 3927 sq kms having a population of 46,04,827 as per Census 2001. has an area of 3927 sq kms having a population of 46,04,827 as per Census 2001. The density of population in this district is 1173 persons per sq km. Nadia is divided into four subdivisions: Tehatta, Krishnanagar, Ranaghat and Kalyani. Until 2006-7 Nadia had 19 police station but in 2014 the number has gone up to 21. 8 of these are in the Indo-Bangladesh border. 1 police station is an all women station. Other than that in most of the other police station women are employed but largely as sentries. Nadia has 265 kms of international border running through it. This is the Indo-Bangladesh border. People caught crossing this border are often taken to Krishnanagar jail and then to the Dum Dum jail.

Travelling in the northerly direction from Nadia following the Indo-Bangladesh border we reach the district of Murshidabad. Before the advent of the British Murshidabad was the seat of power. Murshidabad is divided into 5 sub-divisions: Sadar, Kandi, Jangipur, Lalbagh and Domkai. Among the important areas of Murshidabad are Behrampur, Kandi, Farakka, Raninagar, Jangipur and Murshidabad town. There are 26 police stations in Murshidabad. The two most sensitive border areas in Murshidabad are Lalgola and Jalangi. For our purposes Jalangi is particularly important as this is a stretch where there are no barbed wires. The three small villages in this area are Udaynagar, Udaynagar colony and Charbhadra. This is the area most renowned for “infiltration” by the river route.

After Murshidabad if we follow the border we reach Malda. Malda is known not only for its contentious border region but also for another form of violence. Although much is being written on it in the recent years it is most poignantly put by an eminent journalist. He writes: “In the last fifty years 3 Gram Panchayats and its 64 *Mauzas* have been erased from the Governmental documents of West Bengal. According to Government official record these Gram panchayats are ‘non-existent’. Though from the Panchayat records their evidential

proof has been removed yet they are very much a part of ever present geographical reality. To the north of Farakka Barrage, the existence of the local people has been jeopardized as the government has not acknowledged them. While coping with the problem of not belonging to a particular place, they also have to cope with derecognition, thereby denying access to the election process in West Bengal, because they are ‘non-existent’.²⁷ The chars pose a particular problem because often their country affiliation is indeterminate and people living in these chars are susceptible to a different form of border violence.

The Indo-Bangladesh border on leaving behind Malda meanders through Dinajpur North and South. Dinajpur (S) is divided into 8 blocks: These are Kushmandi, Banshihari, Harirampur, Gangarampur, Kumarganj, Tapan, Balurghat and Hili. Until 2006 Dinajpur (S) had 8 police stations. There were over 800 police personnel in the district.²⁸ Dinajpur (N) is further sub-divided into Islampur and Raiganj. It has 10 police stations and for a district population of 30,00,849 there are over a 1000 police personnel. For our purposes Hili is the most noteworthy place in this region. It is a border check point. There are thousands who try cross over from Bangladesh in this region. If they are caught they are initially taken to the correctional facilities in Balurghat and from there to Behrampur.

Just north of Dinajpur (N) is Jalpaiguri. This part is known as North Bengal. It is in the foothills of the Himalayas with its famous tea estates. In the district of Jalpaiguri we have Phulbari which is a fairly new check point for vehicles crossing the Indo-Bangladesh border. It is in the unicipal area of Rajganj Community Development block. Its corresponding Bangladeshi town is Banglabandha. Apart from Phulbari the district cradles the township of Siliguri. This is a town known for the presence of Bangladeshi migrant workers such as rickshaw pullers.

The last district of West Bengal containing the border with Bangladesh is Cooch Behar. Cooch Behar or Coochbehar has 11 police stations. The 5 important sub-divisions of Coochbehar are Mekhliganj, Mathabhanga, Sadar, Tufanganj and Dinhata. One of the most important townships of Coochbehar is Alipur Duar. For our purposes Dinhata is of particular significance because it is through this region one accesses the chitmahals. Coochbehar is not just known for the chitmahals but it is also known for sericulture, tea and sugarcane production. Beyond Coochbehar is the state of Assam.

The Indo-Bangladesh border is 4096.7 kms long of which West Bengal contains 2216.7 kms. As I have already pointed out there are a number of check points in this long border. More than 80 percent of the border has already been fenced. Fencing and floodlighting along the border is considered as an essential part of vigilance along the border. In MEA and MOD documents Bangladesh is habitually recognized as a friendly nation. Through the Gede

²⁷ Milan Datta, “Non-existent Population in the Chars of Malda,” in *Ecosystems for Life: A Bangladesh-India Initiative: Ecology, Politics and Survival in India’s Northeast and Deltaic Bengal*. Unpublished CRG-IUCN report, 2013, available in CRG Archives, Kolkata.

²⁸ *District Statistical Handbook: Dakshin Dinajpur*, 2007, prepared by the Bureau of Applied Economics and Statistics, Government of West Bengal, tables 13.2 and 13.3, p. 67.

checkpoint in Nadia district runs a train between Bengal and Bangladesh. It is known as the Maitree Express. Apart from Gede the other important transit points are Basirhat in the 24 Parganas, Lalgola in Murshidabad and the by now famous Benepole-Petrapole checkpoints. The border districts are largely agricultural. It is said that the “high degree of occupational dependence on agriculture, especially in terms of agricultural labour and its rapidly declining income share is an indication of a higher incidence of poverty in the countryside.”²⁹ Table 9 portrays the endemic poverty of the border region.

Table 9: Poverty of Border Districts in West Bengal

Border Districts	Human Poverty Index	Rank in Prosperity
24 Parganas (N)	29.3	11
24 Parganas (S)	41.0	14
Cooch Behar	42.3	13
Dinajpur (N)	51.2	18
Dinajpur (S)	39.0	12
Jalpaiguri	36.3	4
Malda	46.1	10
Murshidabad	47.4	15
Nadia	30.7	6

Source: West Bengal Human Development Report, 2004 and West Bengal Development Report 2010.

Among the border districts only Jalpaiguri and Nadia seem to be faring slightly better in terms of economy. However, their HPI is high. It is my contention that this endemic poverty has given rise to economic marginalisation, insecurity in terms of income generation and morbidity. This has perhaps facilitated the spread of cross border networks of illegal trade. The security forces are seen as both impediments to this trade as well as facilitators in some cases. This has created an atmosphere of suspicion, resulting in creasing violence both covert and overt.

The Border and the Violence it Perpetrates: A Perspective From History

In the colonial period in the region under review the major law and order preoccupation was with gangs that were responsible for dacoity, burglary and theft.³⁰ There are extensive listings of gangs who carried on such unlawful activities and the punishment they received. For example in Murshidabad there was the Bhola gang. The members of this gang were spread out over Murshidabad, Burdwan (Burwan as it was known at that time) and Birbhum. Nine cases of dacoity were traced to the gang in the jurisdiction of “police-stations Mayureswar

²⁹ Amiya Kr. Bagchi eds. *West Bengal Development Report*, prepared by Planning Commission, GOI, New Delhi, (New Delhi, Academic Foundation, 2010) p. 28

³⁰ For a more extensive discussion see Paula Banerjee, “Bengal-Bangladesh Border Revisited,” *Journal of Borderland Studies*.

and Labhpur in Birbhum, between 1887 and 1903.”³¹ The gang was not heard of subsequently until the leadership changed in 1918 when it increased its membership to a large extent. At its height the membership was composed of 147 gang members. In a case in 1919 on 22 June 1920 under section 395 of IPC 8 members of the gang were charged of whom 2 were convicted by the session judge of Birbhum and sentenced to four years of rigorous imprisonment on 4 October 1920. In 1921, 29 members of the gang were booked under Criminal Tribes Act. The next year 6 more members were convicted under this Act and in 1926 the leader Rakhal Bholla was given a punishment of 3 weeks of rigorous imprisonment.³²

In another gang related activity the Popara-Jugar gang was implicated in Birbhum and Murshidabad. In 1911 25 of its members were tried under IPC 395 and 16 were convicted. They got sentences of anywhere between 3 and 8 years of rigorous imprisonment. The members of this gang were either Muslims or poor Hindus. In Nadia also such gangs operated. Notable among these was Banke Muchi's gang. The members belonged to the Muslim community and they were from Alamdanga in Nadia. On 7 August 1915 five of its members were sentenced to 5 or 5 and a half years of rigorous imprisonment. Most of these gangs slowed down their activities after the 1930s. This portrays that the region was given to violence even before partition.³³

In post partition days dacoity was no longer an internal problem. It usually meant dacoity by the Pakistani miscreant. A new category of crime appeared on the horizon and that was smuggling. Something that was legitimate even a few years back became illegitimate. The administration responsible for looking after the border constantly strove to control the flow failing which they had to observe it closely. The most problematic seemed those who were neither here nor there or who lived partly in India and partly in Pakistan due to the nature of their employment or lifestyle. These people were considered as either spies or smugglers, as such security threats that needed to be under constant surveillance. Another category of threat related to land and the next letter to the West Bengal police DIG clarifies this. The letter begins by stating that 1859 Hindu evacuees arrived at Bongaon by train and 549 Muslims left for Pakistan by train. The letter then addresses other issues stating:

On receipt of report from Ranaghat BOP on 29.11.50 (evening) to effect that harvest from another part of Ranaghat Mouza borderlands has been removed by Pakistanis. SDPO along with SDO proceeded to Ranaghat to enquire into it on 30.11.50.

On enquiry SDPO and SDO found that about 25 bighas of land of this side of Indo-Pak border which was situated very near Pakistani village of Pokhrail and 2 1/2 miles from BOP has been devastated of the harvest. The surreptitious removal

³¹ *List of Active Decoit Gangs in Bengal 1930*, Bengal Police, Calcutta, Government of West Bengal, p, 299, Procured From Hogolberia Police Station, Shikarpur, Nadia.

³² *List of Active Decoit Gangs in Bengal 1930*, Bengal Police, Calcutta, Government of West Bengal, p, 300.

³³ *List of Active Decoit Gangs in Bengal 1930*, Bengal Police, Calcutta, Government of West Bengal, p, 336.

of harvest took place after night fall on 27.11.50. The special force from 1 – 5 from APB detachment at Bongaon had arrived at BOP in the evening of 27.11.50. The removal had been affected before they reinforced and joined in petrol work.³⁴

Land was considered as extremely crucial to the formation of the nation state. Claim to land was to be rigorously upheld even at the cost of alienating ones own citizens. The police were looked upon as protectors of the nation. But Pakistani police were marked as trouble makers in the official narratives of Indian administrators. In this period the Nadia-Kushtia border continued to be tense. This was blamed on the aggressive attitude of the Pakistani authorities in the Indian official narratives. Intermittently shots were exchanged between the police of East and West Bengal. In the Rajshahi-Murshidabad border the trouble seemed to be centered on some digging activities by the Pakistani authorities. From its inception the border was tense. This tension remained until the first few years of Bangladesh. The next report shows how such tensions continued:

Reports of harassment of our nationals while visiting contiguous Pak villages by the Pak Muslims were also received from Nadia and Cooch Bihar. The tension over forcible occupation of a portion of Fulbari garden road, PS Rajganj Jalpaiguri by the Pak authorities has ceased gradually after our police force took possession of the land claimed by Pak authorities without any assistance. The line of demarcation of the disputed road has been agreed upon by the directors of Land Records and survey of both the states.

The Pak authorities are reported to be not in favour of allowing the Hindus to live in border areas and pressure is therefore being given indirectly through the Ansars to leave the border areas.³⁵

The 1950s set the tone of what it meant to administer the border land. Even today the main concerns remain with population flow. The fencing is meant to harness that flow. The other area of concern as emerged from the IB files of the 1950s is national security. The fact that remains the main area of concern needs hardly any mention. The ills that plagued the border areas then continue even today. Smuggling, dacoity are all common place in the border areas. The security forces are blamed either for their complicity or their brutal attitude towards the border people when failing to stop these activities that were marked as security hazards.

Incidents of crime in the border areas has remained high from the time of partition as is evidenced from the police files of the time. Even with the new millennium this region has continued to remain crime prone as is evidenced from table 10.

³⁴ IB File No. 1238 A/47 (Nadia), Memo No. 7491 (5) / 23:50 (Tehatta) “To the WB Police, DIG Central Range, DIGIB, DM 24 Parganas, WBSAIB.

³⁵ IB File No. 1238 A/47, Memo no. 19082/1238 A – 47 / For, date. 7.5.1951, pp. 809-841, “Fortnightly report on Border incidents in West Bengal during 2nd Half of April 1951.” Pp. 809-841. WBSAIB

Table 10: Comparison of Types of Offences Committed in a Few Border Districts

Districts	2002	2002	2002	2004	2004	2004	2006	2006	2006
	Murder	Dacoity	Riot	Murder	Dacoity	Riot	Murder	Dacoity	Riot
Nadia	99	18	228	98	7	170	101	14	164
Dinajpur (N)	38	10	48	36	6	17	35	12	35
Malda	50	3	25	63	12	42	62	10	47
Dinajpur (S)	17	2	9	15	2	10	19	0	5
Murshidabad	127	14	132	99	14	139	77	6	175
Coochbehar	30	5	40	24	0	15	32	2	45

Source: Numbers taken from District Statistical Handbooks of Coochbehar, Dinajpur (N) and (S), Nadia, Murshidabad and Malda, 2007

In both the districts of Nadia and Murshidabad rioting is a more frequent crime than murder and dacoity. In the case of Malda it is more common than dacoity but slightly less than murder. Concerns over rioting reflect the concern over national security in the region. Let us now explore the latest available data on violent crime in West Bengal and see where the border area figures in terms of violence.

Table 11 (A): Comparison of Border and Non-Border Districts For Violent Crimes

Districts	Murder (IPC 302)	Attempted Murder	Riot	Abduction	Dacoity	Robbery	Burglary	Theft
24 Parganas (N)	140	108	680	497	34	61	06	1453
24 Parganas (S)	224	08	1976	419	34	35	51	1279
Birbhum	113	186	248	76	10	42	26	374
Burdwan	91	167	349	65	06	41	06	470
Coochbehar	48	94	69	179	03	09	12	284
Dinajpur (N)	110	283	15	306	13	29	07	435
Dinajpur (S)	53	238	51	142	01	03	04	252
Hoogly	132	37	531	177	10	26	06	807

Jalpaiguri	117	156	42	334	05	36	25	1461
Malda	118	322	59	290	02	15	21	413
Murshidabad	174	395	190	579	09	42	04	961
Nadia	146	357	128	433	29	34	21	1251
Paschim Medinipur	88	86	416	115	13	37	31	582
Purulia	66	12	100	44	08	26	02	255

Source: NCRB 2012

From this chart it is apparent that border regions of South Bengal is more violent than that of North Bengal. Also generally the border regions are more violent than the districts that do not border Bangladesh. Now a days in the border districts there is more murder than dacoity or rioting. Rioting is no longer a border crime. It has graduated into a crime of the mainlands. This probably reflects our growing concern over national security. Now the threat is no longer in the borders alone. The borders have facilitated the threats to become mobile. Borders are then moving inwards. Let us also look at the situation of violent crimes against women and see whether border districts reflect a different reality from the one presented by the mainland.

Table 11 (B): Crimes Against Women and Total No. Of Violent Crimes

Districts	Rape	Abduction of Women	Assault on Women with Intent	Cruelty by Husband or relative	Total number of Violent Crimes
24 Parganas (N)	118	338	196	1860	11765
24 Parganas (S)	244	419	83	1666	14370
Birbhum	49	76	87	245	3083
Burdwan	58	65	145	224	4674
Coochbehar	92	169	117	539	3491
Dinajpur (N)	92	258	150	623	5212
Dinajpur (S)	66	107	83	342	2725
Hoogly	68	145	86	1195	6434
Jalpaiguri	163	279	179	1625	7861
Malda	158	189	177	660	5634
Murshidabad	257	464	609	2831	12713
Nadia	174	374	56	1860	11919
Paschim Medinipur	64	115	99	823	5000
Purulia	50	34	64	206	1841

Source: NCRB 2012

It is therefore clear from tables 11 (A) and (B) that crime in border district is much more than in districts that do not have an international border. Violent crimes against women is also

higher in these districts. The only crime against women that is universally high is cruelty by husband or relatives. Now that we have one portrayal of the violence let us consider the violence that is leashed to combat this violence.

Border Security and Securitising the Border:

“Cooperative relations between India and Bangladesh continued to be a positive factor in the regional security scenario. Both countries share a convergence of views on security matters and on managing border security concerns. Bilateral efforts are being pursued for the settlement of boundary related issues and to enhance border management.”³⁶

This has been the official line of the GOI for the last several years. Yet the Indo-Bangladesh border has been getting progressively militarized. Population flows itself does not become a security concern unless it is perceived of as affecting law and order. Even before the border was formed mechanisms to guard it were in place. Just after the First World War in 1920 a separate para military unit was created to look after the Eastern Frontier called the Eastern Frontier Rifles that became the East Pakistan Rifles in 1947. After the creation of Bangladesh this border force came to be known as Bangladesh Rifles or the BDR the subsequently changed to Border Guards Bangladesh (BGB) in 2009 with their headquarters in Dhaka and regional headquarters in Jessore, Khagrachari, Rangpur and Sarail.

From the Indian side rethinking about the border began after the Sino-Indian border war in 1962 when militarisation or the spectre of military unpreparedness loomed large on the minds of the Indian leadership battered by the experiences of Chinese challenge to the border.³⁷ followed by India-Pakistan conflict of 1965 and post-Nehruvian configurations new thinking on the border was evolving. The Border Security Force (Hereafter BSF) was formed on 1 December 1965 to securitise the border areas of India. The BSF Act stated that it was created “for the constitution and regulation of an Armed Force of the Union for ensuring the security of the borders of India.”³⁸ When the BSF was introduced it had only 25 battalions. Between 1965 and 2014 the BSF has increased from their strength of 25 battalions to 175 battalions. That itself is a testimony to an administrative vision that considers population flow as an aberration. However as one observer remarks this is a border through which so much passes every day, “people, a shared language, cattle, garlic, saris, spices, cough syrup, metal utensils....For those whose lives unfold around zero line it will take a lot more than barbed wire and a border security force over 240,000 strong,” to keep them from crossing.³⁹

³⁶ “Security Environment,” *Annual Report 2011-2012*, Ministry of Defence Government of India, p. 7, column 1.20.

³⁷ For an extensive discussion on this see Paula Banerjee, *when Ambitions Clash: Indo-US Relations 1947-1974* (Delhi, South Asia Publishers, 2003).

³⁸ The Border Security Force Act, 1968 (BSF Act), No. 47 of 1968, 2 September 1968, Ministry of Law, GOI, New Delhi. p. 2.

³⁹ Passing Through: India's Border Fence With Bangladesh,”

http://www.elizabethrush.net/http___elizabethrush.net/Photography/Pages/Passing_through_Indias_border_fence_with_Bangladesh.html accessed on 15 September 2014.

Until 2012 BSF had 79 Bns (with four bns in counter intelligence activities) in the Indo-Bangladesh border of which 38 were in the West Bengal-Bangladesh sector. This is soon meant to become 41 Bns by the end of 2014. In 1965 Calcutta became the headquarters of the Eastern Frontier of BSF. The Shillong Frontier was carved out of the Eastern Frontier in 1971 when it became the West Bengal FTR. This was further sub-divided into the North Bengal and South Bengal FTRs. The North Bengal FTR consisted of 932.39 kms. with responsibility over 33 kms of Dahagram-Angarpota Enclave and the corridor connecting it called the Teen Bigha corridor. On 1 September 2010 a new frontier was carved out of the two Bengal Frontiers called the Malda Frontier. Originally there were 9 bns in the Malda FTR. Two new battalions are added to that number respectively in Farakka and Panjipara.

The stated role of the BSF is two-fold with wartime and peace time activities. They include:
40

(a) Peace time

1. Promote a sense of security among the border population.
2. Prevent trans-border crimes, unauthorized entry into or exit from the territory of India.
3. Prevent smuggling and other illegal activities.
4. In the last few years the BSF has, in addition to its duties, been deployed for counter insurgency and internal security duties also.

(b) War Time

1. Holding ground in less threatened sectors.
2. Protection of vital installations.
3. Assistance in controlling refugees.
4. Anti-infiltration duties in specified areas.

The specific activities of BSF often involves them in violent altercation with the local population. According to a BSF officer who wishes to remain anonymous the following are the challenges faced by the BSF in the Indo-Bangladesh border:⁴¹

1. Porosity of the border
2. Unfenced riverine areas
3. Presence of Enclaves
4. Habitation upto zero line
5. Armed Miscreants
6. Cattle Smuggling
7. Human Trafficking
8. Drug Trafficking
9. False allegation of HR violation
10. Lack of support from local population
11. Delay in response from BGB for repatriation

To make the border more secure the Department of Border Management was created within the Ministry of Home Affairs in 2004 and the Border Area Program (BADP) was launched. The department is responsible for fencing the border and floodlighting the road. In West Bengal in the first phase 507 km of fence has been constructed. In the second phase another

⁴⁰ BSF website, http://sb.bsf.gov.in/index_files/aboutus.htm, accessed on 28 November 2014.

⁴¹ Informal discussion with BSF personnel in Karimpur on 12 July 2012.

964 km was sanctioned. The total length of the Indo-Bangladesh border that is to be fenced is 3286.87 kms. The rest of the area cannot be fenced because it is riverine or low lying and also because there are people living within 150 kms. In addition 3663 kms of border roads have been sanctioned and the construction work is almost finished.⁴² In 2012 there were 802 border outposts with 383 more sanctioned. Other than that the GOI also sanctioned money for floodlighting 1535.31 km of the West Bengal-Bangladesh border. Integrated checkpoints are also being developed in the border. Much of this is to mitigate violence but somehow the result is diametrically opposite.

As for the quantum of actual work, rather than mere surveillance, that is being carried out by the BSF that is leading to violent exchanges in the border areas we have the evidence from none other than the IG of South Bengal who is on record that between January and March 2014, his people apprehended 912 traffickers, 190 infiltrators, 24,850 cattle that were being smuggled to Bangladesh, Rs. 871,43,982 worth of smuggled goods and Rs. 19,14,62,166 worth of illegal currency notes.⁴³ For the year 2013 the IG of North Bengal writes that they apprehended smugglers carrying 3,09,401 worth of Bangladeshi currency, Rs. 51000 counterfeit Indian money, 60,562 bottles of cough syrup, 9531 smuggled cattle and 119 Indian traffickers and 222 Bangladeshi infiltrators. Further, in an operation on 13 July 2013 the members of BN 66 (B) company caught two smugglers with 2330 gms of heroine and in another operation on 5 December the members of BN 75 (B) caught a smuggler with 700 gms of gold.⁴⁴

Violence seems to have become part of the everyday lives of the border areas as much as due to illegal activities and also due to the way security forces such as BSF and BDR/BGB operate. Often there are exchanges between the BSF and the BDR/BGB. One of the worst of its kind happened in the Boraibari incident of 18 April 2001 when 16 BSF men were not only killed but their bodies were mutilated and some of these bodies were returned to the Indian side tied to a pole like animal carcass. The same month there is evidence of about 32 civilians being killed by largely BSF firings.⁴⁵ This brought the tension between the two groups to popular knowledge. This incident was elaborately reported in the media. As a consequence the media started bringing out reports on the antipathy that existed between BSF and BDR over a stretch of border that was considered peaceful by popular imagination and government rhetoric. The media soon recounted that this incident was not an aberration but the rule. One media reported:

⁴² Chapter III, *Border Management: Annual Report 2007-8*, Ministry of Home Affairs, GOI, New Delhi, pp. 28-36.

⁴³ "IG's Column," *Bagher Garjan*, A magazine of BSF in South Bengal Frontier, January to March 2014, p. 3.

⁴⁴ "IGs Column," *Uttar Banga Prahari*, A magazine of BSF North Bengal Frontier, July to December 2013, p. 2, <http://nb.bsf.gov.in/magazine/FTR%20Mag%20Jul%20to%20Dec%202013.pdf>, accessed on 30 October 2014.

⁴⁵ Harinder Baweje, Shishir Gupta and Wasbir Hussain, "Bordering Truth: Barbaric Killing of BSF Jawans puts India-Bangladesh Relations Under Surveillance," in *India Today*, 7 May 2001, <http://indiatoday.intoday.in/story/barbaric-killing-of-bsf-jawans-puts-india-bangladesh-relations-under-severe-strain/1/233646.html>, accessed on 7 November 2014.

“Border skirmishes are not unusual here. So much so that there had been 53 clashes between members of the Bangladesh Rifles and the Indian Border Security Force in the last 16 months; they have become so routine that the officials have trouble keeping track of the exact count.

The 45 lives lost in those clashes belong mostly to villagers from both sides who got caught in the crossfire and hence were not of much significance for the newspapers to report in a prominent way.”⁴⁶ In another instance Bangladesh came out with the figures that “as many as 415 civilians and 10 BDR personnel had been killed by BSF personnel in the last 25 years within a week of the incident. It also emphasised that ‘in most cases BSF did not return the bodies of the Bangladeshi nationals’.”⁴⁷

In 2005 in another incident between the two forces a BSF officer was killed due to firing by BDR.⁴⁸ In 2007 in one such incident “one person was killed and another seriously injured when a scuffle over cattle smuggling led to a exchange of fire between the BSF and Bangladesh Rifles (BDR) at Jamalpur border in South Dinajpur district.”⁴⁹ At that time this stretch of the border was under the command of BN 115. To reduce the level of animosity BFS and BGB began regular talks. In 2013 they began joint patrolling of the border in the Benapole-Jessore check point. It was reported that “the decision to hold joint border patrol came from several meetings of officials of the Foreign and Home Ministries of the two countries, apparently intended to restore peace along the borders and maintain friendly relations between the two countries.”⁵⁰

Violence in the border remain unabated because of BSF’s contentious relations with the local people. When interviewed the Officer in Charge of Chapra Police Station in Nadia confessed that on an average there is 1 FIR per day against BSF by the local people.⁵¹ Similar situation was also found in the Jalagi Police Station of Murshidabad. According to a NGO working on Human Rights of the migrants the violence faced by the border people are many and should be the focus of any thinking person’s concern. Among the kinds of violence perpetrated on the migrants and the border people they list the following:⁵²

1. Torture by law enforcing agencies
2. Violence perpetrated by political parties
3. Encounters and Custodial deaths

⁴⁶ Arshad Mahmud, “53 Clashes Between BDR and BSF in 16 Months.” In *rediff.com*, 21 April 2001, <http://www.rediff.com/news/2001/apr/21arshad.htm>, accessed on 7 November 2014.

⁴⁷ Bibhu Prasad Routray, “Border Clash Between India and Bangladesh: Analysing the Bangladeshi Reaction,” *Bangladesh*, Articals, Institute of Peace and Conflict Studies, New Delhi, 11 May 2001, <http://www.ipcs.org/article/bangladesh/border-clash-between-india-and-bangladesh-analysing-the-bangladeshi-reaction-494.html>, accessed on 8 November 2014.

⁴⁸ “BSF Officer Killed as BDR Opens Fire,” in *The Hindu*, 18 April, 2005, Front Page, <http://www.thehindu.com/2005/04/18/stories/2005041805211300.htm>, accessed on 7 November 2014.

⁴⁹ “One Dead in BSF-BDR Clash,” *Webindia*, Malda, 16 January 2007, http://news.webindia123.com/news/ar_showdetails.asp?id=701161039&cat=&n_date=20070116, accessed on 8 November 2014.

⁵⁰ “BGB-BSF Begin Jt Patrol Along Benapole Border to Check Killing,” *risingbd.com*, 22 January 2013, <http://www.risingbd.com/mobile/english/detailsnews.php?nssl=869>, accessed on 9 November 2014.

⁵¹ Interview with the OC of Chapra PS, Nadia, 23 November 2014.

⁵² Banglar Manobadhikar Suraksha Mancha (MASUM), “Unhindered Impunity in West Bengal,” Year Book 2013, printed report but not published.

4. Extra Judicial Killings
5. Violence against women
6. Violence against children

Violence and Counter violence makes the lives of the migrating population and people of the borders a living hell. Much of it happens because concerns over security have been morphed into concern over land. No longer security is considered as security of the people but it means not an inch of the territory can be lost. Every person traversing the territory is considered as a potential threat and so violence comes to reign. However, common people's trials and reactions to the securitisation of the border will be dealt with in a later section. In this section we are discussing the security structure and its impact on the border region.

In February 2012 an mms shocked the senses of the people when it was shown how members of the BSF were torturing a Bangladeshi man in the Murshidabad district. 8 BSF personnel were found guilty of this action. They were all sentenced to 89 days in the quarter guards which is the equivalent of jail for the BSF. All the people convicted were constables barring one who was the head constable. He was demoted because otherwise it would have been difficult to give him the same sentence under the BSF Act of 1968. The BSF constables had argued that the person beaten was a cattle smuggler. However, actual pictures of the brutal beatings and torture turned the opinion of the court against them.⁵³ This is not a solitary example of the brutality of the BSF. An interesting example of BSF brutality can be found in another judgement of Delhi High Court of 22 March 2011. A Ram Chander and a Manoj Kumar both employed as constables with the BSF in the Bn 34 in Radhabari in Jalpaiguri District on 17 November 1997. That day the two men were sent to the Dronacharya Stadium of BSF in Kadamtala in Siliguri under the command of the Head Constable Bans Narayan to watch the Inter Frontier Sports Meet. While returning the constables taking advantage of traffic congestion got out of the official vehicle and disappeared. Their disappearance was discovered once the vehicle returned to their camp. It was subsequently revealed that the constables went to the village Nirmaljote under Darjeeling District. There they molested a woman called Unha Rani and manhandled an eight year old girl who was with her. When they raised the alarm the villagers caught them and took them to the local police station. On finding that they were BSF constables they were taken to the BSF camp in Phansideva where they lied about their identity. On repeated interrogation they revealed their true identity. Originally they tried to get a lesser punishment but the commandant of Bn 34 initiated deeper investigation on finding out that they outraged the modesty of a woman under IPC 354. They were subsequently dismissed from service. They made a petition against the dismissal but the Delhi High Court dismissed that petition as baseless and maintained the status quo.⁵⁴

The BSF received a lot of criticism when they shot a fifteen year old girl trying to cross the border into Bangladesh. This girl was called Felani and there is absolutely no evidence that the BSF thought her to be a threat. She was allegedly going into Bangladesh to get married. Yet no efforts were made to stop her by other means. She was gunned down mercilessly by

⁵³ "8 BSF Men who Tortured Bangladeshi Jailed," PTI News, 15 March 2012, http://www.moneycontrol.com/news/wire-news/8-bsf-men-who-tortured-bangladeshi-jailed_680471.html?utm_source=ref_article, accessed on 10 November 2014.

⁵⁴ Ram Chander and Manoj Kr. Vs UOI & Ors. WP (C) No. 4860/1998 and WP (C) 4959/1998 in the High Court of Delhi under Justice Gita Mittal and Justice JR Midha, Date of Decision March 22, 2011.

the BSF.⁵⁵ In another case dated 22 February 2014 a young man called Sohag Sahjee son of Nur Islam Sahjee, aged about 23 years was shot at by the BSF. Sohag Sahjee is a resident of Hakiimpur village, PS Swarupnagar of 24 Parganas (N). Kirty Roy, Secretary of MASUM, an organisation known for their advocacy against human rights abuse of the BSF took the matter to the NHRC like many other cases. Roy complained that the BSF personnel of BOP Hakimpur, having failed to apprehend a cross border smuggler turned against this boy who was in the vicinity. Sohag's village people were stopped from rescuing this boy when the BSF turned their guns at them. NHRC registered the case under No. 666/25/15/2014-PF/OC dated 18 June, 2014. The NHRC sought BSF's explanation within six weeks.⁵⁶

Due to BSF's high handedness the people often react to the security forces with a lot of hatred. In extreme cases sometimes the BSF personnel are lynched.⁵⁷ Often people living behind barbed wires show their dissatisfaction of the BSF by pelting stones at them. The Officer in Charge of PS Chapra informed us that one afternoon in October 2014 he was told that there is disturbance behind barbed wires in Mahakhola. When he arrived on the scene he saw that the sentry on the BOP was having altercations with the people behind barbed wires. When the altercation deteriorated teenagers started hurling stones and running away behind mud walls and trees before they could be apprehended.⁵⁸ Often when cases registered by the BSF are brought before the civil courts the courts usually try not to take any actions that might jeopardize the investigation of the security forces sometimes to the detriment of the civil petitioners. The petitioners are usually denied bail if there are any charges of violence against them.⁵⁹ There are also cases where due to the intervention of the human rights community the BSF has been forced to pay compensation. We had a discussion with a young girl called Shoma in Nasirerpara where she lost an eye due to police firing. Due to persistent protest by the community members such as Ramen Maitra the girl was given a one time compensation by BSF.⁶⁰

In an interview with a BSF constable of Bn 119 we found out that the men from his battalion found their duty in Bengal-Bangladesh border more onerous than even that in Kashmir. They felt that their ration quality was better in Kashmir and there they were treated with more respect. This may have been because in the Bangladesh border they had to operate with non-lethal weapons. This constable was from Andhra Pradesh completely failed to understand the people from the region. He was aware of their hatred for him but he had no idea why the people hated him so much.⁶¹ It is reported in the media that from 2010 injuries to BSF jawans is on the increase in the Bengal border. In 2010 the number of injured jawans

⁵⁵ "15 Year Old Girl Crossing Indo-Bangla Border Shot Dead by BSF," *The Times of India*, 5 December 2013, <http://timesofindia.indiatimes.com/india/15-year-old-girl-crossing-Indo-Bangla-border-shot-dead-by-BSF/articleshow/26872182.cms>, accessed on 5 November 2014.

⁵⁶ We got the information on this case from a letter written by P.S. Dhiman, DIG (Ops) ANO to The Assistant Registrar (Law), NHRC dated 21 July 2014, NO. BSF/SEC/OPS/HRCELL/731/2014/14823.24, GOI, MHA. The letter given to us is courtesy MASUM. The MASUM Annual Reports and archives has hundreds of such cases.

⁵⁷ "BSF Official Lynched, local Killed in Clash Near Bangladesh Border," *Indian Express*, 8 June 2014, <http://indianexpress.com/article/india/india-others/bsf-official-lynched-local-killed-in-clash-near-bangladesh-border/>, accessed on 22 November 2014.

⁵⁸ Interview with OC Chapra on 22 November 2014.

⁵⁹ Anil Ghosh and Ors vs The State of West Bengal on 25 March 2014, *Indian Kanoon* - <http://indiankanoon.org/doc/8534553/>, accessed on 10 October 2014.

⁶⁰ Interview with Shoma in Nasirerpara on 6 June 2010.

⁶¹ Interview with SR of Bn 119 (B) on 22 November 2014 in Hatkhola village.

was 57 but the very next year the numbers shot up to 147.⁶² Every year a number of BSF personnel die in the line of duty. Some die in enemy crossfires, some in miscreants attack and many die in Counter Insurgency work. In 2013 at least 5 BSF members died in CI duty and in 2012 their number was 9.⁶³ Often death due to CI duty means death in the hands of your own citizens which shows the level of antipathy that securitising the border can generate.

The situation of the BSF personnel portrays that no one is secure in the border regions. The insecurity of the BSF personnel translates into even stringent measures undertaken in the name of security. When feelings of insecurity permeates the company of a BSF battalion they in turn become suspicious of everyone under their jurisdiction. As for the BSF they did sign up for a line of work that can be fraught with violence. But the people in the border villages did not do so. Yet their lives revolve around violence. Their livelihood, education, health, ceremonies etc. is often dependent on their relationship with the security forces which is often ambivalent at best. This inordinate power over people under their jurisdiction sometimes make the security forces lose their respect for them. That is but merely a step away from abusive behaviour towards those they are meant to protect. Not every BSF personnel is a perpetrator of violence but the security structure is such that it makes the spread of violence almost inevitable.

Border In the Eyes of the Border People

Mohammad Ali Halshana, son of Nashkar Ali and Luftfa Halshana of Hatkhola village, police Station Chapra in Nadia district, is eighteen years of age. He is studying hard for his Class XII examination. Last year he wanted to give the exams and he had prepared himself well but on the last day of filling up forms his father could not come up with the money. Both he and his mother cried some because after all he would have been the first high school graduate from his family. His brother Abdul Latif, only a few years older than him, placated him by promising that somehow money shall be made available for his examination next year. Abdul Latif knows what a difference it will make if Mohammad is able to escape the penury, drudgery and daily humiliation of life in a border village. One day, if Mohammad gets a good job, perhaps even he can go to the city.

Mohammad often visits the shop in front of his house and watches television. That is his gateway to the world. The man who looks after the shop is really nice. He allows local boys to come and gather in his shop to watch television. After all the village is on the border so there are no local clubs where young boys can congregate. Any congregation in fact is frowned upon by the BSF. The people in the village are particularly afraid of the jawans in this BSF company of Bn 119.

It is the 7th of November and the weather has gotten far better after the oppressive summer and autumn heat. This year his father and brother have come up with the money to pay for his exams. It is just after 10 in the morning. His older brother left for their small plot of land way early. After all a farmer starts at the crack of dawn. When Mohammad's mother came and complained that there is no vegetable at home and what will she give to Abdul Latif and his father once they come home after their back breaking labour in the field. After

⁶² "Injuries to BSF Jawans on Indo-Bangla Border Increasing," Zee News, 30 September 2012, Zee news maintains that they got the number from BSF, http://zeenews.india.com/news/nation/injuries-to-bsf-jawans-on-indo-bangla-border-increasing_802894.html, accessed on 27 September 2013.

⁶³ "BSF Personnel Died in Action From 2012." <http://bsf.nic.in/doc/martyrs/2012.pdf>, accessed on 24 September 2014.

all the vegetable market was not far off. It was right by the BSF camp. Mohammad did not want to get up from his studies but this much he had to do for the family.

Mohammad picked up the bag and started walking towards the market when all hell broke loose. The BSF men were chasing cattle hustlers. Mohammad did not know what to do. If he tried to run away the BSF might label him as another cattle hustler. Everything was happening so quickly and then suddenly he felt an acute pain in his eye. He lost consciousness on the spot. When he woke up he was in a hospital and his right eye was bandaged. He was informed that his local village hospital was inadequate and could not give him the treatment he needed. His father and brother decided to sell a part of the land for his treatment.

By the end of November the family spent some 1 lakh 70 thousand on Mohammad's treatment. They could save one eye but not both. His hopes of giving the exam is dashed. He is now an handicapped person. His family has no money and whatever land they owned is sold off or heavily mortgaged. Abdul is working in someone else field. The entire family is devastated. Mohammad who was never very vociferous has altogether stopped speaking. He only answers in monosyllable when he does. The family was sure that since the BSF was obviously in the wrong they would take care of Mohammad but that did not happen. The family complained to the police with little hope of justice. Hopelessness is all that they have now.⁶⁴ This is not the only case of firing wrongfully. When we visited Hatkhola we found out that there were so many more such cases.

When Sania's wedding to Fikarul was fixed there were a number of controversies. Sania was a high school graduate and Fikarul was not. This is now an emergent truth in most villages of Bengal. Not only was Sania pretty and far more educated than Fikarul she could also manage to speak in English. Further, Fikarul lived in the notorious Hatkhola village. But Sania's parents went ahead with the match because Fikarul came from land and money. Most men in their village owned motorbikes and so did Fikarul. So that need not be given in the dowry.

Sania got married to Fikarul and for all practical purposes this was a happy marriage. They now have a son but fate struck in the month of March in 2014,⁶⁵ On 11.03.2014 at about 9.30 pm special patrolling/ambush party of BOP Mahakhola led by Shri Nagmani Singh , Assistant Commandant, along with 11 other BSF men spotted a group of "smugglers/miscreants were moving forward towards IBB road/fence with cattle heads from India side in alignment of BP No. 93/3-R, distance from International Boundary (IB) appx 700 Mtrs and from BOP Mahakhola appx 1.2 km."⁶⁶ On spotting the miscreants the BSF fired 2 stun grenades. But that did not deter the miscreants. They started attacking the BSF by pelting stone. In self defence and fearful of the threat to the troops the BSF fired two rounds from PAG ostensibly from a safe distance. They later went to the spot to see if anyone was injured with the intention of hospitalising them but found only 14 cattle heads instead. The BSF also lodged an FIR to this effect No. 176/14 dated. 12/3/2014. So the "allegations levelled against BSF are not found to be substantiated."⁶⁷

The story we pieced together from talking to Sania and the villagers of Hatkhola was slightly different. Fikarul was coming from Chapra in his motorbike at night when he saw the BSF and the cattle smugglers fighting in a field near the village Kalibari. Seeing this he decided to

⁶⁴ Authors interview with Abdul Latif, Mohammad, Luftfa and Nashar Ali Halshana on 23 November 2014 in Hatkhola, Nadia.

⁶⁵ Interview with Sania and Fikarul Halshana on 23 November 2014 in Hatkhola, Nadia.

⁶⁶ Letter by PS Dhiman, DIG (OPS) Anand to NHRC., 21 July 2014, UO No. BSF/SEC/OPS/HR Cell/ dated 21 July 2014.

⁶⁷ Ibid.

run. On seeing him fleeing the BSF shot at him repeatedly and left in the field to die from where the villagers rescued him. From that time on he has been in and out of hospitals with Sania nursing him. He had substantial amount of land which is all gone. He paid Rs. 4 lakhs for his treatment but he remains physically challenged. Sania's last words to us was, "we have lost all that we had for my husband's help and now I fear I will lose him." The treatment is not We decided to follow this case in the Chapra police station. We were told that a majority of the people in Hatkhola were in cohort with Bangladeshi cattle smugglers. The police praised Bn 119, which was infamous in Hatkhola, for their robust action against illegal traders. The police called Bn 119 (G) as a proactive company that was not easy to corrupt. When asked about Fikarul the police said the BSF has lodged at least 5 FIR's against him for aiding and abetting cattle rustler. Therefore, the police were unwilling to take Fikarul's complaint seriously. However, the police still went ahead and reconstructed the scene. They are of the opinion that Fikarul could not have been sitting on a bike where he said he was sitting.⁶⁸

Hatkhola it was obvious to us was a much maligned village but what about other border villages in other border districts. Let us take the case of Muklesh Mia (Mukul) of Kaliachak Malda. Mukul was coming back from his sister's house on 2 September 2014. On the way back the BSF caught him as they thought him to be a cattle rustler. They immediately took him to their camp. In the camp he was beaten up mercilessly. On 3/9/14 Mukul was transferred to the local police station. He was presented before a magistrate on 4/9/14 and taken to the jail. Two days later the jail authorities sent him to Malda hospital as he was badly injured and they in turn referred him to Bangur hospital. Ultimately on 7/9/14 he was taken to SSKM hospital where he was immediately operated. He died on 9/9/2014. They performed the post mortem three days later and even then they found evidence of torture.⁶⁹

Most border village people bear the mark of BSF brutality, either direct or indirect. The day we travelled to Jalangi the same day there was an incident with cattle smugglers. Jalangi contains some of the few unfenced borders as there are a number of water bodies present. People who had come from Char Bhadra for their rations to the Jalangi area could not go back because BSF had its encounters with cattle smugglers. We were told how difficult it is for these people to live in the chars where nothing grows. These people cannot even keep cattle as those would be impounded by the BSF. For every single incident they are either stranded in the chars or in the mainland. They are beaten up by the BSF often, who ask them to disclose the names of miscreants from Bangladesh and the Bangladeshi smugglers threaten them that if they divulge their names they would be killed.⁷⁰

In border villages people are often targeted, intimidated and caught in cross fire. Farid Mondal and his wife Mehrun Mondal complained that BSF has taken their two goats that they had bought just before ID. When they protested they were beaten up and called cattle smugglers. At gun point Mehrun was forced to surrender all the IDs and she was instructed to

⁶⁸ Author's interview with the OC of Chapra PS on 23 November 2014.

⁶⁹ Ramen Maitra's interview with Eklash Mia (Mukulesh Mia's first cousin) who had accompanied Mukulesh to Kolkata in police custody, on 21 November 2014.

⁷⁰ Author's discussion with Char people in Jalangi 29 November 2013.

send the men to BSF camp to collect them. She did not let her husband collect them because she knew he would be beaten up mercilessly if he went to meet the BSF.⁷¹ Yet if they do not have ID papers then what will happen during the next cycle of violence. Will they be thrown out of the lands where they have spent their lives?

From our field work we came to know that at least 6-7 boys have been killed in each border villages over the last one decade. Mutual suspicion is on the increase. No one is willing to agree to bury the hatchet. Hatred is so intense that in places we were reprimanded that we went to the other side to talk first. People want to share their experiences as they find it unbearable. People are often confused by this business of legal status. They want to know who is a citizen and who is not. Does a ration card mean citizenship? Is having a BPL card enough? Why are papers unable to save them from arbitrary violence? Does it mean nothing to be a citizen?

Border Women: Issues of Mobility and Violence

Taslina Khatun, a Bangladeshi inmate of Alipur jail was sentenced for twenty five days for crossing the border illegally. She was caught under the Passport Act. Although her sentence was for such a short term she has been languishing in the jail for over one year. This is nothing exceptional and most inmates have said that this is a common procedure. When asked about this delay Taslima philosophically stated that “I will have to eat jail rice as long as the Lord has ordained it for me.”⁷² Taslima does not fit the usual profile of inmates most of whom are younger and have clearly come for work. She is over fifty years of age. She has only one daughter living in India and the rest are all in Bangladesh. When asked about the short span of her sentence she said her son in law, who is a civil engineer, spent a lot of money on her case. This was another perception that the inmates shared and that is without money or someone to champion their case they are doomed. Judicial delay seems to be the least of the abuse that these migrants face or fear. There are many more such abuses and a lot of it is perpetrated by the protection agencies.

There are cases where women who are brought from Bangladesh to the metropolitan towns in India face tremendous brutality. One such case is that of Hamida, a young Bangladeshi girl, who was brought to India at the tender age of ten. She “suffered a series of brutal rapes at the hands of the man who brought her to New Delhi, along with some of his friends who were Delhi policemen... Only one of the accused men has served jail time.”⁷³ That this is a region of extreme insecurity for men and women crossing the border has been dramatically portrayed by the now famous case of one Jayanti Bala Das of Bangladesh.⁷⁴ In January of

⁷¹ FGD with Mondal family Biswas Para, Mahakhola, Nadia 23 November 2014.

⁷² Interview with Taslima Khatun on 14 October 2014, in Women’s Correctional Home in Alipur, Kolkata.

⁷³ Upala D for the BSFevi Banerjee, “Sexual Exploitation and Trafficking of the Girl Child: The Indian Scenario,” *Migrant Labour and Trafficking of Women: Workshop Report* (Nepal, National Network Against Girl Trafficking, 1999) p. 64.

⁷⁴ The case is registered in the Basirhat police station on 13 January 2003, under section 376 (B)/280 of the Indian Penal Code.

2003 five Bangladeshi nationals, of whom two were minor children crossed the Indo-Bangladesh border and entered India. The Border Security Force (BSF) arrested them from a Baro Bridge across the Ichhamati River. The area in which the incident took place is under the jurisdiction of the Basirhat police station in the North 24 Parganas. The Bangladeshi nationals including one Jayanti Bala Das were all taken to the Soladana BSF camp at around 5 pm. On the same night (10 January 2003) one BSF personnel allegedly raped Jayanti Bala. Thereafter these “infiltrators” were put in a small boat with holes and efforts were made to push them back. Allegedly when the boatman refused to go he was threatened on the point of gun. The boat capsized in the middle of the river and only Jayanti Bala and her one-year-old son could save themselves. On 13 January the villagers of Bagundi, who had given her shelter, handed Jayanti over to the police of Basirhat. She was charged under section 14 of the Foreigners Act. On 21 January a dead body was found in the Brick kiln Canal in South Basirhat. The man was identified as Jayanti’s husband Basudev. When a case was lodged against five BSF personnel the BSF men were unwilling to hand over their personnel to the Basirhat police. Although the BSF disagreed that Jayanti was raped but the officer in-charge of this case stated that initial examinations proved that she was molested.⁷⁵ On 27 January the SDJM of Basirhat issued warrants against five BSF men. In July Jayanti was handed over to the Sromojibi Mahila Samity for safe custody and on 15 September 2003 a writ petition was filed on her behalf.⁷⁶

Jayanti’s case reflects the situation of women who are trying to cross the border. Their status of being a foreign born woman increases their vulnerability. No one is willing to shoulder any responsibility for these women. The state that they leave is glad to get rid of them and the state that they enter finds them unwanted. This has been proved when in February of 2003, 213 gypsy snake charmers who have always led a life of seasonal mobility crossing borders at certain times of the year were stopped in zero point in Satgachi in Cooch Behar. They had to remain there for days as both India and Bangladesh was unwilling to take them back until one night they just disappeared. No one knows what happened to them and even less do people care. From the Indian side we were told that they were pushed inside Bangladesh. No one even asked for evidence of what happened because this is a gray area. In such a situation woman can be exploited by anyone and are therefore particularly vulnerable to traffickers.

Yet these women would do anything for saving the skin of those who trafficked them. Is it because of intimidation? Or is it perhaps a sense that these people are their final recourse? They will help them to come back again when they are pushed back into Bangladesh.⁷⁷ When women are able to prove that they have been trafficked the law clearly says they should not be booked under Foreigners Act. Yet from our jail visits we find that is exactly what has been happening.

⁷⁵ *Ananda Bazar Patrika*, 14 January 2003.

⁷⁶ “News From The Indo-Bangladesh Border,” *Refugee Watch 19* (August 2003) p. 2.

⁷⁷ Interview with Lisa in Behrampur Jail on 28 November 2014.

The border itself is a place of endemic poverty, substantial illiteracy among women and children and enormous violence against women. In a survey undertaken in three border villages namely Shikarpur, Charmeghna and Nasirerpara it was found out that most women in this area are illiterate. In Shikarpur out of 515 women only 190 had some forms of literacy, in Charmeghna out of 590 only 100 women are literate and in Nasirerpara out of 470 women only 85 are literate.⁷⁸ These women have very few options to improve their situations. Their problems are compounded by increased militarisation and criminalisation of the area. Here every other day women and children are molested or killed. On visiting one such border near Charmeghna two chroniclers poignantly write:

To assert that the control of the border still belongs to them the border security on both ends sporadically do a well-orchestrated show of national safety through aggression. It is then that one witnesses the elaborate, flexing of muscles and the violent exchange of fire and mortar. On such occasions the border sky is lit up by man made conflagrations and the air swells with the sound of brutal human games. At the end of it all, what are lost on both sides are the expendable lives of common people like Baba-Hasim, and Kanakchampa and the eyesight of 6-year-old Sonia, who paid the price for playing, foolishly enough, in her own front yard.⁷⁹

Women living in these borders live a life of extreme hardship. They are the quickest targets for both the security personnel and the criminals. “The robbers demand women during their raids and when they get none they leave threatening dire consequences: ‘you can hide your livestock in the camp. You can hide your money in the bank. But where will you hide your women?’”⁸⁰ Any study on traditional security pays no attention to such insecurities, which has become part of their everyday living.

Other than molestation statistics show that women in border districts are more susceptible to conventional crimes such as cruelty by husband or close relatives. Does insecurity of the men translate into further abuse of women? A common sense answer is that when faced with a common adversary families unite. But that seem not to be happening in the border areas. Women are facing violence from their families as well as combating other forms of violence like Jharna. She has three young children. Her husband was called by phone, murdered and then his body was found in Bangladesh. Jharna does not know whether to grieve for her departed husband or pray to authorities to get his body back or try to get food for her husband. She finds everyone unwilling to cooperate. Authorities blame her for being an accomplice in sending her husband’s body to Bangladesh. She is illiterate so she is unable to

⁷⁸ Survey undertaken by Subharati Banerjee under my supervision for her unpublished M.Phil thesis *Bharat Bangladesh Simanta Samasya: Charmeghna, Shikarpur o Nasirerparar Porjalochona* (Problems in Bengal Bangladesh Border: A discussion of the three villages of Charmeghna, Shikarpur and Nasirerpara) Department of South and Southeast Asian Studies, University of Calcutta, 2000-2001, p. 73.

⁷⁹ Kishna Banerjee and Purna Banerjee, “Lives Delimited by Barbed Wires,” *Refugee Watch No. 13* (April 2003).

⁸⁰ Ibid.

respond to questions raised by the authorities in writing. Her brother lives behind barbed wires and can barely help her. She told us “I think I am going out of my mind.”⁸¹

Trafficking: A Form of Violence Faced by the Migrating Hoard?

“Illegal trafficking of cows, drugs, arms through the West Bengal - Bangladesh border has become a well-known and regular phenomenon. The traffickers have chosen the coastal routes of Sunderbans as safe haven for their illegal activities. Some places of Basanti, Gosava, Canning and Kultali are being used for these illegal activities even in broad daylight. People of my constituency Jaynagar have, time and again, tried to prevent and stop the menace and sought help of the district police and civil authorities along with border security forces. But all their efforts went in vain.

I would request the Union Home Ministry to take immediate measures to stop illegal trafficking of cows, drugs and arms through those border areas.”⁸²

In all of this discussion there is an elephant in the room that we have ignored till now and that is trafficking. A reality faced by many migrant women is perpetrated by the traffickers. Our old friend from Alipur, Taslima Khatun, came to India with the help of a trafficker. In her version we come to know that the same trafficker informed the police that she was returning back to Bangladesh via the Basirhat border. She is unaware, or so she maintains, as to why he turned against her. She says that her son in law paid the man Rs. 5000 for bringing her. When asked whether she knew him from before she maintains that of course she knew him. He is famous in her region for procuring cattle from India during the festive season. In her story one sees the glimpse of a deal gone wrong somewhere. What emerges is the question of vulnerability of these women who is rejected by their own nation and then jailed by the next door neighbour. Had she the proper citizenship paper she could clearly have visited her daughter through legal means. But such means are often denied to the poor. It is true that trafficking in this region is an important phenomenon. Also it fits in well with the state concern over population flows and women’s victimhood. But sole attention to trafficking is an agenda that often obliterates the root causes of abuse against women.

Table 8: Offences Committed Against Women

District	Offences Reported				Cases Tried				Convicted				Acquitted			
	03	04	05	06	03	04	05	06	03	04	05	06	03	04	05	06
Nadia	65 9	844	103 2	110 5	16 2	27 1	51 1	164 5	2 3	3 1	14 4	1 5	39 3	54 7	126 0	196 4
Murshidabad	67 4	109 0	137 7	139 6	23 6	41 9	7	697	1 2	1 4	-	-	16 7	42	7	-
Malda	14 5	574	521	157	14 5	57 4	52 1	157	-	8	-	-	-	-	-	-

⁸¹ Interview with Jharna on 22 November 2014.

⁸² Tarun Mandal, MP Jaynagar, West Bengal, “Need To Stop Trafficking Along Indo-Bangladesh Border Via West Bengal,” 7 May 2010, Lok Sabha Debates, Indian Kanoon - <http://indiankanoon.org/doc/909370/>, accessed on 15 November.

Source: Compiled by the author from District Statistical Handbooks, Nadia, Malda and Murshidabad, 2007.

There are many other cases of violence against women living in the border areas. If one looks at cases of offenses against women in this region one finds out that although every year many such cases are reported but very few lead to actual convictions of people responsible for such violations. The case of Nadia as portrayed in Table 8 clearly supports my contention that all other offences against women became insignificant when posited against concerns on trafficking. In the year 2006 although 1105 cases of offences against women were reported and 1645 cases tried only 15 people were convicted and 1964 people were acquitted. In Murshidabad the same year of the 1396 cases reported only 697 were tried of whom no one was convicted. In Malda, between 2003 and 2006 hardly anyone was convicted. Trafficking symbolized the two great fears of a national security state, uncontrolled flows of women with uncontrolled sexuality that might undermine the patriarchal control. Hence in this region one is often confronted with the attitude that by stopping trafficking the state can stop all that ails women in this region. Therefore, the situation slides from bad to worse for women living under the border regime.

Further there is little understanding that human trafficking in the border region is but the tip of the iceberg and there are many other forms of trafficking. Trafficking is often considered as an economic crime and therefore non-violent. The picture from the border areas show that whether it is trafficking in drugs such as Phensidyl, or trafficking in cattle or human trafficking most of it is accompanied by enormous violence. The people who pay the price are not the actual heads of crime conglomerates but rather poor people who are paid pittance to make the crossings

Conclusion:

The broader motif that is ever present in the theme of borders is that it foregrounds themes of alien-ness and difference and therefore it involves questions of security frontally. It deals with issues of security of the body, food security, insecurities over resources, and other political and economic security issues including the ones that one gets from institutions, governments, laws machinery of order, family networks, hospitality of host societies etc. These are all traditional security issues. But any study of borders also requires the non-traditional approach because that is necessary for understanding the notion of people's security, differentiating it from the notion of the security of the state. It also entails an understanding that security is not a homogenous concept and within the secure circle there can be insecure spaces. All questions of borders at the end become questions of security and questions of governance as well. Population movements are inevitably related to politics of territoriality and politics of insecurity. For governance one needs fixed populations and therefore a primary strategy of governance is the strategy to stabilize population and make it "secure" by creating what it considers stable bodies. Yet borders are symbols to the contrary. In its effort to create stable bodies the state employs every means of control including military means. Therefore the migrant body encourages the state to employ all means of

control whether they are just or otherwise. If the means are unjust then over a period of time there is increased resistance against such means of control. So if migrant bodies are markers of control these are also markers of resistance to control. Any resistance calls forth greater efforts of control. The medium of control changes over time but control necessitates control of bodies. Bodies might change but violence remains as constant in governance of borders. Border people bears the mark of violence that is perpetrated in the border areas

Control of the alien bodies of migrants as well as of border people has taken many different forms. High voltage fencing, pushback and stopping “hoards” at zero point are all part of these efforts to control alien bodies. All these measures are considered essential for ensuring security. The fear of border people, both migrants and non-migrants in South Asia is exacerbated as non-migrants are also considered as harbingers of different kinds of threat to security of the nation. Sometimes even if Indian they are considered harbingers of aliens and therefore threatening to the security of the nation.⁸³ Those in governance try to ensure security of the nation by making migrants and the places they chose to traverse insecure including threat to public health. Therefore those who govern feel compelled to securitize migration and the space that they find themselves in. By securitizing migration and concomitantly the border areas through which they migrate they create micro insecurities that increase vulnerabilities of the marginal population. Thus migration attracts the attention of governing agents who try to securitize migration to ensure national security. This in turn creates micro insecurities that result in a regime of violence.

It needs to be clarified that this entire paper is not merely to portray the vulgar reality of violence unleashed by the borders or by migration or population flows in South Asia but to understand that this is not exceptional to either South Asia or the developing world. It is a reality that is seen through history and across the world. After all we are all products of migration and can be considered as border people one way or another and since South Asian borders today inevitably find a dyad in violence let us cease this moment to understand that the problem of borders can only be addressed through the political and dialogic process of mutual exchange.

END NOTES

⁸³ Refer to the case of *Mati Mondal and Ors Vs. The State of West Bengal* 31 March 2014 where it was ruled that sheltering Bangladeshi infiltrators is a non bailable crime for Indians. Indian Kanoon - <http://indiankanoon.org/doc/52481464/>, accessed on 17 September 2014.