Chapter VI

PERCEPTIONS OF THE REGIONAL OR SMALLER POLITICAL PARTIES TOWARDS THE REFUGEES.

Nature of Political Perceptions and the Refugees

On both occasions during the partition and the liberation war of Bangladesh, several millions of people migrated to India. They were both Hindus and Muslims. A few of them returned to Pakistan and present Bangladesh, but most of them settled in Eastern states especially West Bengal and Assam. Another group of people like Buddhist Chakmas came to India from CHT also because of the majority Muslim persecution as well as acute poverty in Bangladesh. Although the first wave of Buddhist Chakmas had come to India and got settled by Government of India in NEFA/present Arunachal Pradesh in 1964, a second wave of Chakmas of course many more and settled in different Parts of North-Eastern states, particularly in Assam/NEFA, Tripura and Mizoram. Till today these Bangladeshi migrants have not been stopped coming to India so far, because of common ethnic and cultural affinities with the border states and a long porous Indo-Bangladesh borders of 4580 km. Due to the limited resources as well as protected ethnic tribal status, insurgency and poverty stricken North-Eastern states opted fighting against the above mentioned outsider settlers. Of course, these North-East states have their own local compulsions such as jobs/employment, space for settlement, forest resources with which indigenous people have to fight with the outsiders and most important is, fear of losing the
indigenously protected ethnic tribal status etc. For example, in Arunachal Pradesh/NEFA, tribal populations in 1951 census was 91% but in 1991 census, it was come down to just 64%.1 Moreover, students’ organizations and indigenous tribal organizations are very active and they have been acting like political parties. They raised issues concerning the foreingners/outsiders. For example, students organizations like AASU in Assam, AAPSU in Arunachal Pradesh, Naga Students Federation (NSF) in Nagaland, Khasi Students Union (KSU) in Meghalaya, North East Students Organization (NESO) and Mizo Zirlai Pawl (MZP) in Mizoram.

**Foreigners or Refugees' Issue in Assam:**

The magnitude of the flow came into sharp focus when the Indian Election Commission released the electoral lists for the state of Assam in 1979 on the eve of the 1980 Parliamentary Elections. AASU (All-Asom Students’ Union) which had launched an agitation in 1978 against unauthorized Bangladeshi settlers, now intensified its stir. Eventually, in August 1985 the Assam Accord was signed between the agitators (AASU) and the Government of India, and a formula worked out to evict unauthorized foreigners. Considering the impracticality of the AASU demand that all be deemed foreigners who had arrived in India after 1951, it was eventually conceded that March 25, 1971 would be the cut-off date2. Although the AASU and present AGP did

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1 Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000), p. 90.
2 Ibid, p. 90.
not subscribe to the BJP's communal politics of treating Hindu foreigners as refugees who should be given shelter and their Muslim counter-parts as foreigners/illegal migrants who should be deported, their opposition to granting voting rights to 6,70,000 foreigners was indication enough that the pot was still boiling. The present of the AGP (Assam Gana Parisad) government of Assam has been that Illegal Migrants (Determination by Tribunal) or IMDT Act of 1985, a part of the Assam Accord be replaced by the Foreigners Act of 1946. But the Congress, CPI, CPM, IUML and others excluding BJP were opposed to any change in the Accord situation. The 1979 anti-refugees/foreigners agitation by the All Asom Students’ Union (AASU) demanding the detection and deportation of foreigners inhabiting in Assam though primarily aimed at containing the increasing influx of Muslim immigrants from Sylhet district of Bangladesh, presently called Asom Gana Parishad Government is ruling in Assam since 1996. State Govt. led by AGP which as a political party had struck a hard-line of the anti-foreigners issue since 1979 under AASU, is now more flexible and accommodating, partly because of the political realities of the minorities' support and partly because of a realization that militancy does not pay in the long run. The Government is for the same reason, cool to the proposal for repeal of the illegal migrants (Determination by Tribunals) Act or IMDT 1985 which has protected

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3 Ibid, p. 90.
members of the minority community against arbitrary administrative actions, harassment and deportations⁵.

**Foreigners or Refugee Issue Arunachal Pradesh: Background**

The All Arunachal Pradesh Student Union (AAPSU) demanded in 1980 the withdrawal of trade licenses issued to these refugees⁶. The long litany of Arunachali grievances - some genuine, some exaggerated- received an early boost with a private member's (Congress) resolution adopted by the Arunachal Assembly on 23 Sept 1980, urging the Government of India to take steps to remove Chakma refugees from Arunachal Pradesh⁷. Also despite the sympathetic and humanitarian initiative of Government of India of repatriation of Chakma refugees to Bangladesh in 1980, and particularly in 1987, the local parties including ruling Congress raised the Chakma refugee as a vote bank issue during the 1989 elections to the Arunachal Pradesh state Assembly by burning 300 Chakma refugee houses by Naga and Tengsa tribals at Milonpur, Ratanpur and Golakpur in the Changlang district of Arunachal Pradesh⁸.

**Perceptions of Chakmas and Hajongs:**

On the other hand, as no solution was found to their mounting hardships, the National Convention of Buddhists (New Delhi) and the All India Arunachal Chakma Youth Federation deplored “the

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⁵ Deccan Heral, 12th October, 1996.
⁶ Sarnindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000), p. 91.
⁷ Ibid, p. 91.
"shattering of the dream that the Chakmas had experienced in democratic socialist and secular India" in an "universal appeal" issued in April 1990. It charged the Arunachal Government of following a policy of "denial and deprivation of Chakma human rights, and systematic burning of Chakma and Hajong settlements". A delegation of All Arunachal Pradesh Chakma Students Association (AAPCSA) led by its President also met the then Prime Minister V. P. Singh to put up their grievances. Following the Arunachal Pradesh State Assembly resolution to "deport all the refugees from Arunachal Pradesh" on Dec 3, 1992, a Refugee Deportation Committee (RDC) was formed in July 1993 by the people of Changlang and Lohit districts and a strike organised on July 5, 1993 to protest against the Government of India's decision to grant full citizenship to the refugees. Ironically, any move on part of Government of India resulted in a brutal persecution of Chakmas and other refugees. For example a letter by Mr. M.M. Jacob in September 1992 as Union Minister of State for Home Affairs to Mr. Laeta Umbrey, Lok Sabha M.P. from Arunachal Pradesh disclosing the intention of the Centre to grant citizenship to the refugees, sparked off a massive backlash against the refugees. The all Arunachal Pradesh Students Union (AAPSU) swiftly seized the opportunity to launch a political career of its president Tharam Sanjoy who ordered a "Quit Arunachal Notice" to

On the other hand, on September 2, 1994 an appeal to Prof. B.B. Dutta, MP (RS), General Secretary, NECCC(I) to intervene into “Quit Arunachal” notice was issued by AAPSU on 1st August 1994 in a memorandum signed by 50 senior Chakma leaders of Arunachal Pradesh. The Memorandum read: “We, on behalf of the hapless Chakma people of Arunachal Pradesh, most fervently appeal your goodself to personally intervene into the ’Quit Arunachal’ notice issued by the All Arunachal Pradesh Students Union (AAPSU) and kindly exercise your good office to provide adequate measures for safety and security of lives and properties of the Chakmas living in Arunachal Pradesh. The Chakmas, who were settled in three different districts of Arunachal Pradesh viz. Changlang, Lohit and Papum Pare by the kind initiative of late Pandit Jawaharlal Nehru, the first Prime Minister of India in the year 1964-65 in concurrence with the then Administration of N.E.F.A., are still treated as stateless citizens in Arunachal Pradesh even after their legalized stay for more than three decades and are denied all sorts of rights by the Government of Arunachal Pradesh. The Chakmas who have always been discriminated by the state Government are now living in an atmosphere of great turmoil and insecurity in the wake of Quit

14 Ibid
15 Saradindu Mukherji, Subjects, Citizens, and Refugees (Delhi, 2000), p. 94.
Arunachal notice issued by the All Arunachal Pradesh Students' Union (AAPSU) on 1st August 1994 and subsequent events of disturbances such as inhuman torture, harassment, killing, raping of teenagers, threatening, unlawful grabbing of land, arson, etc. With grave concern, we want to mention that the AAPSU had set 30th September, 1994 as the deadline for the Chakmas to leave Arunachal Pradesh failing which it warned that AAPSU was determined to outset the Chakmas forcibly from the state and that there are reports in the newspaper of having the local police and civil authorities being instructed to involve in the expulsion exercise. With the move to evict the Chakmas from Arunachal Pradesh, the leaders of AAPSU have already organised a rally at Kokila area on 21st August 1994 and very categorically warned the Chakmas of Kokila Chakma settlement area in Balijan Circle of Papum Pare District in Arunachal Pradesh to leave the state immediately. During the rally the AAPSU leaders even attempted to kidnap some prominent Chakma village leaders and created pressure on the chakmas to give an undertaking stating that the Chakmas were willing to leave Arunachal Pradesh on their own. We are heartily shocked to learn from a report published in the Telegraph dated 31st August 1994 stating the sorry plight of more than 2000 Chakmas who had to flee away from their homesteads of Kokila under Balijan Circle, Arunachal Pradesh and are forced to take refuge in some neighbouring Bodo families in the Gohpur Reserve Forest area of Sonitpur District of Assam. Though the local administration of Assam as well as the neighbouring Bodo people have
been very sympathetic in extending their humane help to these Chakmas uprooted from their hearths and homes, yet they could not be provided with any relief materials so far. We are seriously injured and awfully horrified by the reported statement of Shri Gegong Apang, the Hon'ble Chief Minister of Arunachal Pradesh, who, instead of resolving the problem through an amicable settlement, had further complicated the situation by openly supporting AAPSU in their sinister motive to drive out the Chakmas from the State. Shri Gegong Apang – the Hon'ble Chief Minister of Arunachal Pradesh, very frequently makes baseless and provocative statement in the public gathering and media (including B.B.C. World Service television on dated 26th August 1994) alleging the Chakma youth of possessing arms and undergoing insurgency training underground. But Shri Apang could never show any specific instance or evidence to prove his allegation of having a single Chakma youth gone such insurgency underground who are by nature peaceful. Rather Shri Gegong Apang reportedly made statement in the press having deployed batch of AAPSU volunteers in the foreign terrorists for insurgency training obviously to fizzle out the policy of the Government of India towards implementation of the decision of granting citizenship right to the Chakmas and Hajongs in Arunachal Pradesh. It is an anti-state statement and veiled threat to the Sovereignty of India. It is a matter of great pity that Shri Apang being the Chief Minister of the state could make such an irresponsible statement which may grievously wound the national integrity and communal harmony. In these
circumstances cited above, we would earnestly appeal and request you to kindly look into the matter personally and made appropriate measure of protection for the safety and security of lives and properties of the Chakmas living in Arunachal Pradesh and help creation of a congenial living condition with a view to sort out permanent solution of the problems facing by the Chakmas so that the Chakmas could live with human dignity in an atmosphere of communal harmony, peace and social justice\textsuperscript{16}.

\textit{Perceptions of AAPSU:}

On 25 August 1994, AAPSU leaders exhorted the foreigners to “Pack up and leave the state without any confrontation” by Sept end 1994\textsuperscript{17}. AAPSU General Secretary Mr. Domin Loya said “We do not want to witness a mother carrying her son’s dead body”\textsuperscript{18}. The repatriation of Chakmas in Tripura to Bangladesh spurred the students (AAPSU) in Arunachal to seek a similar treatment for the Chakmas there. A July 7, 1994 letter from the Union Minister of State for Home Affairs, Mr. P. M. Sayeed to an MP from Arunachal Pradesh, Mr. Nyodek Yongam, saying the Centre was considering granting citizenship to the Chakma, Hajong, Tibetan and Yobin refugees only served to aggravate the students move\textsuperscript{19}. However, the Supreme Court gave a verdict in 1993 declaring the Chakmas as “refugees”\textsuperscript{20}.

\textsuperscript{16} Memorandum of Appeal by 50 Senior Chakma Leader of Arunachal Pradesh, North-East Affairs, File No 15, 1994, Prof. B.B.Dutta, MR(RS), General Secretary, NE CCC (I)).
\textsuperscript{17} The Telegraph, 26 August, 1994.
\textsuperscript{18} Ibid.
\textsuperscript{19} Ibid.
\textsuperscript{20} Ibid.
According to AAPSU, there were 2.35 Lakh foreigners residing in Arunachal Pradesh. Chief Minister, Mr. Apang said “It is not only the AAPSU’s demand, but it is the demand of the people of Arunachal Pradesh. It is a burning issue and there is justification as this is a natural problem”21. Mr. Apang also said: “If the foreigners don’t go, then the people of Arunachal may cooperate with the AAPSU”22. AAPSU President Mr. Takam Sanjoy said: “If the refugees fail to leave the state by Sept 30, 1994, We have enough strength to drive them out by force.....”23. On the other hand in a memorandum sent to Prime Minister Narasimha Rao, Committee for citizens Rights of Chakmas of Arunachal Pradesh said “despite the Centre’s assurance, the Chakmas in Arunachal are stateless even three decades after their migration to this country”24. A central team, which visited Arunachal Pradesh, recommended citizenship for the Chakmas and Hajongs, but the Government failed to act.

Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh (CCRCAP) in a letter to Prime Minister P.V. Narasimha Rao welcomed the formation of a high-level committee to resolve the Chakma and Hajong crisis in the state headed by Prime Minister himself. The Committee appealed to the Prime Minister to implement the declaration made in Parliament on April 29, 1993 and counter-

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21 Ibid.
22 Ibid.
23 Ibid.
24 Ibid.
affidavit filed before the Supreme Court for hearing on Dec 4, 1995 to grant Indian Citizenship to the Arunachalese Chakmas. They said that it would enable the Chakmas to live with full dignity as human beings and contribute in the development of state\textsuperscript{25}.

The Assam Tribune accepted the allegation of the AAPSU against the Central Government being uninterested in solving the problems posed by the Chakmas as well as other illegal infiltrators. This allegation deserves to be critically looked into as these refugees (2.5 lakhs) constitute little more than one-fourth of the State’s local population of eight lakhs. According to AAPSU, there were 45,000 Tibetans, 35,000 Bangladeshi Muslims, 8000 Yobins and 55,000 Nepalis were currently living in Arunachal Pradesh. Their (AAPSU) Charge of “stepmotherly” treatment by the Central Government is further evident from the refusal of the Prime Minister Mr. Rao to talk to their 400 strong delegation and unfavourable reaction of the Home Minister, S.B.Chavan\textsuperscript{26}. The Assam Tribune cautioned that the callous treatment of the disillusioned youth makes them easy targets in the hands of the “foreign powers inimical to India and foments armed insurgency\textsuperscript{27}. On the other hand Chakmas leaders like Mahendra Chakma held that the systematic ‘de-Indianization’ of the Chakmas began with the withdrawal of employment rights in 1980, ration cards in 1991 and the provision for grain through the Public Distribution

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\item \textsuperscript{25} Hindustan Times, 31 December 1995.
\item \textsuperscript{26} Assam Tribune, 7 June, 1994.
\item \textsuperscript{27} Ibid.
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System (PDS) in 1994. He felt that: "There was no apparent reason for such a situation other than the fact the ideology of getting rid of ‘outsiders’ spill-over from the Assam agitation". He attributed also this anti-Chakma agitation to Mr. Apang’s failure to create employment opportunities for the youth and other development activities.

As the Centre dithered, AAPSU threatened a boycott of the forthcoming Assembly elections scheduled for February 1995, and returned all their academic certificates and degrees. Earlier about 2000 refugees had fled to Assam in Sept-Oct 1994 following “Quit Arunachal Pradesh Notice”. Several families also took shelter in the forests. On the other hand, the All Assam Minorities Students Union (ASMSU) threatened to organize a road blockade to stop the supplies to Arunachal Pradesh.

*Perceptions of Arunachal Congress:*

Supporting AAPSU’s anti-Chakma Campaign, in a memorandum at a rally held in September 1995, Chief Minister Apang along with all Assembly members vowed to oust them. On December 21, 1995, the Arunachal Pradesh Assembly decided not to

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29 Ibid.
30 Ibid.
32 Ibid.
34 Hindustan Times, 7 October, 1995.
discuss a private member’s resolution on the deporting of Chakma refugees thus averting a kind of political and Constitutional crisis. The 60-member House heeded the well-reasoned arguments of Chief Minister Gegong Apang who said that discussion of any matter under adjudication by the Supreme Court was violative of the Rule 132 of the Rules of Business of the House and as such should be dropped. The House, the Chief Minister said could again have a session and the matter discussed after the apex court had disposed of the matter. “Our every move has to be legal, systematic and procedurally correct so that nobody can raise any finger against us”35. He squarely blamed the National Human Rights Commission (NHRC) and the Centre for having complicated the Chakma deportation issue. The resolution which was in the name of 12 legislators belonging to different parties and independents, and it was moved by the Janata Dal member, Mr. T. C. Teli. It urged the Government to implement the six-point resolution adopted at a meeting of all legislators and heads of political parties at a rally at Naharlagun on September 20. The resolution had asked the Centre to take steps for removal of the refugees by January 1, 1996 failing which all Arunachal leaders at national and state levels would resign from the primary membership of their parties and form a common organisation of the “indigenous people” to carry on with the struggle on the Chakma issue36. Even as Mr. Teli and other MLAs including Mr. Tome Riba, a former Chief Minister and an Independent


36 Ibid.
and Mr. Takem Sanjoy of the Janata Dal forcefully pleaded for a discussion on the resolution saying that it would not amount to contempt of court, the Speaker, Mr. Take Dabi ruled that the motion could not be discussed under Rule 123, proviso – 2 of the Rules of Business. But what really carried was Mr. Apang's forceful representation of his point. He said he was totally in favour of the sentiments expressed by the members, but “we have to follow certain systems and rules in the conduct of business. We have to be very cautious so that we are not trapped in any legal proceedings”. The Chief Minister said that the Supreme Court which had earlier ruled that the Chakmas and Hajongs are foreigners was actually staving off pressure from the NHRC and the Centre and the Arunachal people must wait for the Apex Court verdict which would be delivered soon. He came down heavily on the Centre for having filed on affidavit through the Attorney General in connection with the NHRC petition in the Supreme Court. He felt that the Centre should have shown the affidavit to the Arunachal Pradesh Government. Mr. Apang said the NHRC had gone to the Court “without waiting for any supplementary reply from us or hearing our case”. He assured the members that he would carry the message from all of them and the state’s people when he would meet Union Home Minister S. B. Chavan in Delhi soon. “I promise you I will not come back empty-handed”. Earlier, while moving the resolution, Mr. Teli pointed out that the people of

37 Ibid.
38 Ibid.
Arunachal Pradesh had been facing the Chakma problem for the last 30 years. Now the students, NGOs and other popular organizations had taken up the issue. He wondered how Chakmas could be settled in Arunachal Pradesh when entry and settlement was restricted even for Indians from other states. Mr. Neelam Taran, Home Minister, who was the first to plead for the dropping of the resolution, said that the state Government was preparing to file a civil suit under Article 131 in the Supreme Court on the Chakma issue. Mr. T. Sanjoy, was of the opinion that the House should discuss the resolution since it has been moved. He felt that any discussion would not amount to a contempt of Court because "We are working within the limits of the Constitution and the provision of Article 21 guaranteed Civil liberties to foreigners had not been violated". He said some vested interests including those in Delhi had been working against the people of the State.

In early 1996, two organizations of Indigenous people, Arunachal Pradesh indigenous Tribal Rights organization (APITRO) and Nefa Indigenous Human Rights Organization (NIHRO) again demanded the removal of Chakmas. From the closure of their schools, stoppage of stipends and book grants to the denial of medicines hospital facilities, and burning of their houses, Chakmas had problems all around. With the anti-refugee ambience building up all round a Public Interest Litigation was filed by the National Human

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39 Ibid.

40 Saradindu Mukherji, Subjects, Citizens and Refugees, (Delhi, 2000), p. 97.

207
Rights Commission in the Supreme Court of India. The latter ordered that the Chakma and Hajong refugees should not be removed from Arunachal. The Apex Court also directed the State Government to repel with the help of additional forces any move to forcibly evict the refugees 'except in accordance with the law, and also prohibited it from denying the refugees domestic life and comfort therein. The state Government was also directed to 'enter applications of Chakmas for registration as citizens under section V of the Citizenship Act, 1955 in register remained for that purpose.

*Interview of Mr. Apang towards the Refugees:*

On 6 January 1996, in an interview with the *Hindustan Times*, Chief Minister of Arunachal Pradesh later Arunachal Congress Party leader, Mr. Gegong Apang put his different views on the issues of foreigners including Chakma refugees from national Chakma policy in Arunachal Pradesh as follows: On the question of whether he thinks that the Union Government has not followed a realistic approach on the refugee question particularly in view of the sentiments of the people of Arunachal Pradesh, Mr. Apang said: "The demand of the indigenous people to remove Chakma and Hajong refugees from Arunachal Pradesh is not a sentimental one. As I said, it is a very big question of the survival of our ethnicity and of de-tribalisation. Often a similarity is drawn between Chakma and Hajong and indigenous people of Arunachal Pradesh on the basis that both are the tribals. But you ask any sociologist or even a common man who has some
knowledge of the culture and tradition followed by both tribal groups, they would confirm that there is hardly any similarity between us and the Chakma–Hajong refugees except that some of our tribes also follow Buddhism. Can you draw a Japanese Buddhist and an Indian Buddhist? If not, where is the question of putting forth the argument that the Chakma–Hajong are Buddhist and, therefore, they are settled in areas of Arunachal Pradesh where indigenous tribes also follow Buddhism. Therefore, the very basis which was followed by the Centre, particularly the Ministry of Rehabilitation for settling the Chakma and Hajong refugees in Arunachal Pradesh was misplaced and totally unrealistic. People have been voicing their sentiments against Chakma and Hajong refugees for the last three decades but the Centre could lend their ears only lately when peace-loving people started taking path of agitation. Laws did not permit settlement of Chakmas and Hajongs then nor does it permit now.

On the question of the outcome of threat that at one point of time the state leaders had issued to resign from the primary membership of their parties if the Centre failed to solve this problem, Mr. Apang Said: "The question of resignation from the primary membership of national parties was an emotional one because most of the national parties had taken a pro-Chakma stand. Even our own–Party, the Congress Government at the Centre had announced its determination to grant citizenship to Chakma and Hajong refugees settled in Arunachal. The feeling of alienation became more intense
and people were disillusioned. Therefore, the people in the historic people's referendum rally on September 20, 1995 demanded that all the political leaders should resign from the primary membership of their respective parties. The deadline fixed was December 31. Since the Government of India has now taken a positive step and shown the inclination to resolve the issue, the deadline has been deferred till the announcement of Parliamentary elections. I trust the Centre would come out with a definite solution to the problem before the dead-line.

Questioned on the international implications of deporting the 60,000-odd Chakmas, Mr. Apang said: "I am aware of the fact that deportation of the Chakmas is not an easy task. I am not particularly asking for their deportation. I am demanding their removal from Arunachal. They can very well be resettled in other parts of the Country where they are not likely to make significant demographic impact on the local population. The population of indigenous tribes in my state is hardly 5 lakhs. If large number of refugees is allowed to settle there, we are bound to lose our identity and culture. It will no more be an ethnic state. The Constitution of India has protected our ethnicity. I am hopeful the Indian Government would try its best to protect our Constitutional rights.

On the question of his demand for deporting the Chkamas will violate the political sanctity of the Indira-Mujib accord of 1972 which had said that the Chakma-Hajong refugees coming to India before March 1971 could be considered for grant of Indian Citizenship. The
Chakmas were settled in Arunachal way back in 1964 after they migrated from erstwhile East Pakistan. Mr. Apang said: “The Indira-Mujib accord was signed in 1972; our Constitution came into being in 1950. The Indira-Mujib accord has not mentioned specifically about Chakma and Hajong refugees of Arunachal Pradesh. Moreover, the Chakma-Hajong settlement in the state has been done violating legal sanctity and constitutional provisions, the question of violating the political sanctity of Indira-Mujib accord does not arise. We are not against grant of citizenship rights to Chakma and Hajong refugees per se. We are only urging the Central Government to take them out of Arunachal as their temporary settlement is illegal and thereafter citizenship rights may be conferred on them.

On the question if there is any economic angle to the present crisis as the Chakmas say that their economic prosperity is resented by others, Mr. Apang said: “We are not against the economic prosperity of Chakma and Hajong refugees in our state. If they say that their economic prosperity is resented by us, they would just prove that we have looked after ‘our guests’ over three decades so well that now they are challenging the very ‘existence of the host’. What we are really worried about is the invasion of our ethnicity by the increasing number of Chakma and Hajong refugees. The refugees came to us as guests. Now the time has come for them to return to their own home or to seek some other host. On question of outcome of high-level committee which met in Itanagar on 6 January, Mr. Apang said: “The
high-level group which met today decided that a sub-Committee should be formed to look into the legal and other aspects of the settlement of Chakma and Hajong refugees in Arunachal Pradesh and submit its report to expedite the recommendation by the high-level group. Time is short, I hope the sub-Committee will be visiting Itanagar shortly to start their work. Moreover, the high level group has to submit fortnightly progress report to the Prime Minister.

On the question of whether he thinks that the decades of bungling by the Centre over the Chakma-Hajong issue has now created very explosive situation in the state and made the deportation question with complicated, Mr. Apang said: "I am of the view that the Chakma and Hajong issue could have been resolved much earlier had the Centre listened to the request of the State Government. All these years I have been trying to convince the Union Government of the impending explosive situation if refugee issues are not settled timely. But my pleading was ignored and now the situation has acquired an explosive proportion. Deportation may be complicated question but I am not asking for deportation. My submission is that the settlement of these refugees was done in violation of the provisions of the Constitution and various statutory provisions and was not in accordance with the policies adopted by the Union Government in regard to the administration of tribal areas. In fact, these refugees were settled in Arunachal by one Chakma officer who was made in charge of the settlement area and his sinister design is supported by
the records which I hope the sub-committee will scrutinize for proper appreciation of the problem. Ours is a small population, and therefore, there is every reason for us to feel threatened by the large number of refugees. Moreover, when our Indian brothers and sisters are respecting our ethnicity and obtaining inner line permits to enter the state, how Government of India is going to settle refugees in our area permanently, I wonder⁴¹.

**Arunachal Congress Vs Centre and Judiciary-NHRC and the Refugees:**

On the other hand, on 27 April 1996, in its public interest petition before the Supreme Court, Arunachal Pradesh Indigenous Tribals Rights (protection) Organisation (APIERO) contended that the directions (1996) given by the Supreme Court were ultra vires of the Constitutional provisions. It said the impugned judgement of the Apex Court disregards Article 371(H) of the Constitution as well as Article 48 apart from the cultural and educational rights of the state minorities who were indigenous people. The petition said, the Union Government should not have negotiated with neighbouring countries by giving the refugees citizenship to purchase peace on the border and in the process sacrificing the human and legal rights of the protected tribals of the state⁴². Earlier to protest against the Supreme Court judgement ordering protection to the Chakma refugees, an eleven hour bandh was called by the Core Committee (anti-refugee groups)

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⁴¹ Hindustan Times, 7 January, 1996.

⁴² The Tribune, 28 April, 1998.
on refugee issues on 22 January 1996. They accused the Centre of not only indifference and apathy to the feelings of the indigenous people, but also taking a pro-Chakma stand. The AAPSU also staged a dharna in Delhi on 26 February 1996 in protest against the Centre's inaction in solving the Chakma issue. While participating the dharna one member of Parliament from Arunachal Pradesh Nyoden Yongam told about his intention to resign his seat in Parliament (Rajya sabha), if a solution was not found to the problem of the Chakma refugees. They reiterated their demand of evicting them.

Mr. Apang even threatened an agitation for self-determination 'if the Centre failed to take a decision on their speedy repatriation. He also talked of forming a regional party, even if one had to come out of the Congress Party. He eventually broke away from the National Congress party to set up Arunachal Congress (1996), the Chakma refugee issue was the main cause of its emergence.

The Local unit of Janata Dal and other student organizations continued protest against the alleged move to accord Chakma and Hajong refugee Citizenship. Sensing the growing hostility, the Committee for citizenship Rights to the Chakmas of Arunachal Pradesh (CCRCAP) appealed to NHRC to initiate steps to end the

43 Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000), p. 97.
44 Hindustan Times, 15 March 1996.
45 Ibid.
46 Ibid.
47 Indian Express, 9 and 10 September, 1997.
communal propaganda and economic blockade against them as that might lead to their massacre\textsuperscript{48}.

A successful 12-hour bandh against the Central Government decision to grant citizenship to Chakma and Hajong refugees was called on 9 September 1997. The Janata Dal unit of the state also gave a call for a dawn-to-dusk state-wide bandh on 20 September 1997 to protest against the recommendations of the Parliamentary committee for granting citizenship to these people\textsuperscript{49}. The CCRAP also protested to the NHRC to stop the forcible eviction of 107 families from Jyotshapur village under Diyun Circle of Changlang district\textsuperscript{50}.

The stalemate in Arunachal continues to persist. The Government of India submitted to the Supreme Court on 27 April 1998 that the Arunachal Government was not complying with its direction to accord protection to the Chakma refugees, and to repel any attempt by organised local groups to forcibly evict or drive them out of the state\textsuperscript{51}.

Subsequently, the local Congress Committee urged the Arunachal Congress to withdraw support to the BJP – led government at the Centre for its “soft attitude to the Chakma and Hajong

\textsuperscript{48} Ibid.
\textsuperscript{49} Ibid.
\textsuperscript{50} The Hindu, 21 November, 1997.
\textsuperscript{51} Times of India, 28 April, 1998.
refugees". The AAPSU decided in Oct 1998 to launch “operation clear to drive them out”.

The refugee problem in Arunachal Pradesh has reached a climax now. An agreement between India and Bangladesh initially allowed them to stay in Arunachal Pradesh/NEFA for 20 years. But now 30 years later, their number has swelled to more than one lakh. The Tibetan refugees came here in the wake of the flight of the Dalai Lama from Tibet in 1959. Their number is now estimated at 45,000. The Policy of Government of India is that those Tibetans who came to this country after March 1959 following Chinese occupation of Tibet and the Dalai Lama’s flight, should be allowed to continue to settle here as refugees but treated clearly as foreigners. But, ironically, the Tibetan refugees are enjoying the same benefits as the natives and some of them are even holding government jobs. While China has not reacted on the issue of Tibetan refugees here, Bangladesh authorities in Delhi have said there was no question of taking back the Chakma refugees settled in Arunachal Pradesh as they have been staying in India for decades.

Foreigners or the Refugee Issue in Mizoram:

What concerns the Mizoram Chakmas is not the declaration “Mizoram is for Mizos” by Mizo Zirlai Pawl (MZP) but the support extended to these communal forces by state congress leaders and the

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52 Indian Express, 12 August, 1998.
state Governments. As a result, Mizo and non-Christian ethnic-groups Chakmas have become the target of the MZP, said a Chakma Jatiya Parishad (CJP) memorandum submitted to Prime Minister P.V. Narsimha Rao on November 23, 1995. Issue of identification of foreigners including Chakmas taken up during an all-party meeting organised at the behest of Chief Minister Lalthanhawla in early 1994. On September 26, 1994 State Electoral office had declared January 26, 1950 as the cut-off year for identifying the foreigners. This was later changed to 1956. The activists of the MZP and MNF (both anti-Chakma organizations), had been deputed to identity the alleged foreigners. MNF and MZP activists even burnt the Aizwal District Election office in Dec 1994 to delete the names of Chakmas from the electoral rolls and portray the Chakmas of Aizwal as foreigners. Earlier on August 29, 1992 Mizos attacked the Chakmas at marpara, Nava and Avapui villages under Aizwal district in presence of the Mizoram Police and Border Security Force Personnel. When in 1972, Union Government awarded Chakma Autonomous District Council (CADC), the Mizos call the Chakmas ‘Takkamas’ – objects for slaughter. For more than six years now Chakmas of Mizoram have been demanding a Union Territory for them. Persuant to a memorandum submitted to the then Prime Minister V. P. Singh on Sept 17, 1990, Mizoram Government under– secretary R. K.
Singhal asked the CJP to submit boundary lines of Union Territory that they wanted to be formed\textsuperscript{59}.

Spearhead of political movement seeking Chakmas' ouster is Mizo students union fanned out into Chakma villages to help prevent Chakmas from registering themselves on electoral rolls. To most Mizos, 'foreigners' and Chakma migrants are synonymous. The question of a separate council for the Chakmas has angered Mizo opinion since 1972 when Mizo Hills District of Assam was elevated to the status of an Union Territory\textsuperscript{60}. What complicates the matter is that the Chakmas who constitute a majority in five Assembly Constituencies are regarded as a vote bank for the Congress\textsuperscript{61}. Shades of Assam and the illegal migrants issue are also there. There was a talk in Aizawl that opposition was likely to move a resolution in the state Assembly to de-recognize the Chakma District Council\textsuperscript{62}.

In Mizoram, the foreigners issue was raised by the state administration itself at an all-Party meeting held on 15 April 1993\textsuperscript{63}. The BJP had taken up the cause of the Chakma and Reang refugees\textsuperscript{64}. Some leading Chakma organisations have also demanded a Union Territory status, which would include the present Chakma Autonomous District Council area. CPI leader and subsequently Home Minister in the GOI (1996-8), Mr. Indrajit Gupta, in a letter dated 12

\textsuperscript{59} Ibid.
\textsuperscript{60} Hindustan Times, 1 January, 1996.
\textsuperscript{61} Ibid.
\textsuperscript{62} Ibid.
\textsuperscript{63} Hindustan Times, 11 December, 1995.
\textsuperscript{64} Ibid.
February 1992 to Prime Minister P.V. Narasimha Rao, supported the demands of the Chakma Jatiya Parisha of Mizoram for grant of Union Territory status for the Chakmas inhabited areas of the state\textsuperscript{65}. That angered the locals like the Mizo National Defenders who distributed leaflets in January 1995 asking the Chakmas to quit\textsuperscript{66}. Several bandhs were organised by the Mizo Zirlai Pawl, a students' organization to demand the deportation of the Chakmas.

All India Chakma National Movement (AICNM) alleged in early 1996 that the deletion of 70\% of genuine Chakma voters' names, forcible removal of the images of Lord Buddha from the temple at Zawlpuri (16/1/96), and the severe beating of a Buddhist monk by Mizoram Policemen\textsuperscript{67}. It also listed several incidents of gang-rape of Chakma women allegedly by police and miscreants\textsuperscript{68}. In March 1997, Political Parties and other NGOs vehemently opposed the suggestion of a Rajya Sabha (Parliament) Committee on Petition for granting citizenship to the Chakmas who entered Mizo Hills before 25 March 1971\textsuperscript{69}. But the Chakmas present a tragic picture. Hunted by Mizos because they are not Christians and persecuted by Bangladesh because they are not Muslims, they are in danger of losing their claim to a homeland of their own. Intriguingly, they have no moral support from any Buddhist Country for their cause.

\textsuperscript{65} The Statesman, 14 January, 1996.
\textsuperscript{66} Ibid.
\textsuperscript{67} The Statesman, 24 January, 1996.
\textsuperscript{68} Ibid.
\textsuperscript{69} The Statesman, 1 October, 1997.