Chapter II

PERCEPTIONS OF THE SUCCESSIVE GOVERNMENTS TOWARDS THE BANGLADESHI REFUGEES

Latest Perceptions of Government of India Towards the Refugees:

Recently answering to a refugee-related question Mr. Vidyasagar Rao, Minister of State for Home Affairs, said in parliament on 16.05.2000, "Continued presence of a large number of refugees from various countries does create additional burden including financial. However, because of the continued disturbed situation in Sri Lanka, no organised repatriation has been possible after 1995. As regards Tibetan refugees, the policy of the Government of India is that those who moved to India after March, 1959 following the Chinese occupation of Tibet and the Dalai Lama's flight into India, should be allowed to continue to stay in India and treated as foreigners, subject to registration and grant of residential permits. Since the circumstances under which asylum was granted have not materially changed, there does not appear any possibility of repatriation of Tibetan refugees. Excepting Tibetan and Sri Lankan refugees, who are getting some assistance from the Government of India during their stay in India, all others foreign refugees have generally come on valid passports and visa and have been getting extension of stay. Their stay is governed under the provisions of different Acts such as Foreigners Act, 1946; Passport (Entry into India) Act, 1920; Registration of Foreigners Act 1939 and the rules and orders framed there under."
However, efforts to repatriate the refugees and to prevent their fresh influx are being made continuously by all concerned. The ex-Law Minister of India, Ram Jethmalani on 13/11/1999 said: “India’s principle of non-interference in the affairs of another was against the basic rights of refugees uprooted from their homes by hostile regimes”. In his introductory address to a judicial symposium on ‘Refugee protection’ organized for the first time in India by UNHCR and SCBA to discuss refugees “problems in South Asia. Stating that there was a need to evolve specific laws to deal with the problems of refugees, he said: “right to asylum should be recognized by India. Refugees, like other citizens, have rights. They have the right to asylum and it must be incorporated in the domestic laws by the country. Besides, wherever natural legislation does not exist, the Supreme Court is guided by international conventions and laws, that the apex court played an exemplary role in protecting the rights of refugees by interpreting various provisions of the Constitution to protect rights of not only citizens but of all”. Inaugurating the symposium, Justice K.T. Thomas of the Supreme Court said, “a comprehensive legislation for refugee protection is a legal necessity, as it is a problem which every civilized country should deal in a humane manner”. Though India is not a signatory to the 1951 UN convention on refugees, one can draw a broad idea from the above mentioned

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1 India, Lok Sabha, Debates, 16 May 2000.
3 Ibid.
4 Ibid.
examples that India does protect and treat refugees sympathetically and uniformly on humanitarian grounds. The genesis of the refugee problem and government's dealing of it, of course, have been, particularly since the Partition, despite the Nehru-Liaquat pact, proved futile and by 1950 an estimated 15,75000 people left East Bengal for India. Nearly 10 million refugees came from East Pakistan, now Bangladesh, in the early 1970s for shelter and sustenance consequent to General Yahya Khan's military crack down on the liberation movement. Most of them were Hindus. Some of them were rehabilitated by the Government in West Bengal and in Malkangiri in Orissa, and the rest were assimilated into the local population. There were as such no administrative or security problems in India because of their settlement because of the ethnic cultural similarities. But those who settled in Assam Valley faced problems of anti-foreigner issue started by AASU in 1979.

Actual dealing of Government at the Centre and in the states of refugees, of course, started directly, first with Chakmas, Tibetans and Sri Lankans. The Dalai Lama and his associates with about 80,000 Tibetans (now 1,80,000 Tibetans) were given asylum by Pt. Nehru in 1959 on humanitarian and political grounds due to China's occupation of Tibet and the perceived threat to Dalai Lama's life. Similarly, due to ethnic conflict in Sri Lanka in 1983 Sri Lankan Tamil refugees fled to India's Tamil Nadu; and were given asylum there because of ethnic and cultural affinities but also on humanitarian
grounds. When Chakma refugees (Buddhist tribals) from CHT of Bangladesh settled in 1964 in North-East, especially Assam Valley's NEFA /present Arunachal Pradesh, started problems because of fighting over limited resources, employment opportunities, fear of losing protected tribal ethnicity insurgency and inter-tribal or intra-tribal clashing. Therefore, the Chakma refugee is a problem peculiar issue in North East need to be discussed in detail, first of all.

Though there are many different groups of refugees in India, only Tibetans, Chakmas and Sri Lanka Tamils, out of them, have been recognized as refugees and supported financially for their rehabilitation by the Government of India, and other groups of refugees put under non-refoulement principle only broadly. But there is a slightly different policy towards even these groups of refugees. For instance, Tibetans and Tamils have been considered very important political refugees, given travelling and work permit cards and also given cultural autonomy and delegated authority, particularly to the Tibetans. But so far as Bangladeshi refugees including Chakmas and Hajongs are concerned, even though some of them were put in camps and subsequently repatriated, most of them have been assimilated with the local people because of their and cultural similarities and because of 4480 K.M. long porous Indo-Bangladesh borders and friendly Bangladesh, the number of Bangladeshis continues to swell. Therefore, the Government of India have been taking a different approach towards Bangladeshi refugees, such as no-hard-and-fast
rule of repatriation, consideration of their Indian citizenship status unlike the case with Tibetans and Sri Lankan Tamils. So perceptions of the successive Governments at the Centre and in the States vis-à-vis the refugees have been categorized into three chapters such as first: Bangladeshi refugees, second: Tibetan and Sri Lankan Tamil refugees and third: other refugees who are under Government of India’s non-refoulement principle as well as Article 21 of the Constitution and role of the New Delhi Mission of UNHCR with some of these refugee groups, according to the nature and importance of the refugees groups as well as the security implications, obligations and compulsions of government of India.

Foreigners or Bangladeshi Refugee Issue in North-East:

Bangladeshi refugees, mainly four major groups such as Chakmas Reangs and Jummas of CHT, and Hajongs of Mymensingh district in North-East region of India, which have for centuries inhabited the Chittagong Hill Tracts of Bangladesh. Despite the fact that most of the inhabitants of the CHT are either Buddhist or Hindu, the region became a part of Pakistan with the partition of India in 1947. Since this time, the Chakmas and other non-Muslim tribal groups of the Bangladesh have faced extensive and well-documented oppression at the hands of the various Islamic governments. In 1964, communal violence and the construction of Kaptai hydroelectric dam displaced nearly 100,000 Chakmas.

The newly created state of Bangladesh had imbibed the ideals of democracy and secularism under Shaikh Mujibar Rahman's Awami League but after the coup against the first representative government in 1975, a drift towards authoritarian political order and assertive Islamic identity became evident. This strengthened the traditional flow of Hindu refugees from Bangladesh to the Indian State of Assam. For instance, between 1971 and 1981, an estimated 1.8 million Hindus had migrated from Bangladesh to India, suddenly increasing demographic pressures in Assam and creating a conflict between the Assamese and Bangalis. The changing character of the Bangladeshi state also further increased the alienation of Buddhist Chakmas, the tribal inhabitants of Chittagong Hill Tracts (CHT) of Bangladesh and intensified their fight for autonomy and cultural, political and economic rights with the Dhaka regime. The conflict in CHT resulted in more than 50,000 Chakma refugees landing in India. Also, Chakmas fled across the international border into India in 1963–64, pushed out by the pressures of a modernising East Pakistan, Victims of the Kaptai Hydroelectric project that inundated their homeland.6

Foreigners or Bangladeshi Refugee Issue in Arunachal Pradesh:

Bangladeshi Refugees Settlement In NEFA:

Chakma and Hajong refugees were settled in Arunachal Pradesh because of a casual decision of the then governor of Assam, Vishnu

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Sahay, on 10 April 1964. The Governor, Sahay wrote to Sri B.P. Chaliha, the then Chief Minister of Assam, "It occurs to me that we may trouble between the Mizo and the Chakmas in the Mizo district. These Chakmas would be quite suitable people to go into Tirap division of NEFA, where there is easily found vacant land in the area about which you and I have often spoken". They were provided by the Government with migration certificates, some of them were provided jobs and lands. Second groups of Chakmas numbering 58,000 settled in Bangladesh-Tripura Border. Third group of Chakmas is found in southern belt of Mizoram numbering 80,000. In Arunachal Pradesh, the Chakma refugees were found to be "political conscious" and started demanding scheduled tribe status and Indian citizenship. The land-man ratio is certainly a critical factor in such situations. The indigenous people in Arunachal where about 95% of the population in 1951 and by 1991 they had been reduced to 64% As against this, the rest accounted for about 36%. The grant of citizenship to the Chakmas was reviewed in 1976, and shelved for the future dourly behaviour. The Chief Secretary of Arunachal Pradesh informed the Government of India in 1976 that it was "pre-mature to grant them Indian citizenship, hence the need to defer it for it for a couple of years". He took umbrage at a Buddhist Conference organized by the

8 Ibid, p.87
9 Ibid, p.87.
10 Ibid, p.89.
12 Ibid, p.90.
Chakmas which was sought to be exploited for their 'sectarian ends',
and the involvement of some invited foreign nationals which
reportedly caused 'considerable embarrassment' to the government.\textsuperscript{13}
To the three generations of stateless tribals, subjected to the most
insensate and vile forms of humiliation and deprivations under none
other than 17 years old rule of Chief Minister Mr. Gegong Apang. It
was precisely on September 29, 1980 that a letter was issued by
Arunachal Pradesh political secretary B. Hussain to the Deputy
Commissioner of Tirap District informing the latter that no refugee
should be employed as the matter was under examination. Those in
Government service might be continued but should not be made
permanent.\textsuperscript{14}

Initially, this large number of tribal refugees were provided with
lands and jobs to facilitate livelihood even as the country went to war
with Pakistan in 1965. The recalcitrant Pakistan Government refused
to accept the Chakmas even after losing the war and the Indian
government finally decided to keep the Chakma refugees permanently.
The refugees were treated as migrants and promptly issued with
migration certificates to facilitate their permanent settlement in Tirap,
Lohit and Subandiri districts of NEFA. A fresh wave of refugees swept
into the North-Eastern region prior to the Second Indo-Pak war in
December 1971. The Indira-Mujibur Pact in 1972 agreed to settle all
refugees entering India prior to March 1971. The Chakmas of CHT

\textsuperscript{13} Ibid, p.90.
\textsuperscript{14} Hindustan Times, (New Delhi), 14 June 1996.
and the Hajongs from Mymensingh district of Erstwhile East Pakistan who came to India in 1964 were to have been granted citizenship rights automatically as an outcome of the Indira-Mujibur Pact.  

The 1979 anti-refugees foreigners agitation by the All Assam Students Union (AASU) demanding the detection and deportation of foreigners inhabiting Assam, though primarily aimed at containing the increasing influx of Muslim immigrants from Sylhet district of Bangladesh, also had its fall-out on the Chakma refugees settled in Arunachal Pradesh. The Apang Administration raised the anti-refugees bogey in 1980, which led to not only the removal of numerous refugees from Government service, stopped giving scholarships and educational facilities to Chakma students, but also decided that pending further decision, they were not to be given any employment, and those already employed were not to be made permanent. The Assam Accord of 1985, while conferring citizenship on all those of Indian origin who had come and settled in Assam before January 1971. However since the NEFA region was conferred union territory status in 1972, the refugees now belonged to Arunachal Pradesh rather than Assam and therefore precluded from automatic citizenship. The Chakmas and Hajongs resettled in Assam, Tripura and Mizoram were granted scheduled Tribe status under the

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15 Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000), p. 91.
16 Ibid, p. 91.
Indian constitution. The refugees once again in Arunachal Pradesh were ignored and sidelined.

**Policy Perceptions of the Successive Central Governments Towards the Refugees:**

One Central Government team that had visited Arunachal Pradesh in 1982 to study the problem of these refugees, while recommending citizenship for them, had also commented that the grant of citizenship would induce an element of responsible social behaviour in these refugees. The issue of Chakma and Hajong refugees was also raised many times in Parliament especially since 1978. For example, there was a debate calling attention to the urgent public importance of this issue in the Lok Sabha: “Reported influx of Tribal refugees into Tripura from CHT of Bangladesh on July 27, 1978.” There was also another calling attention to a matter of urgent public importance in the Rajya Sabha: “Serious situation arising out of reported heavy influx of people from Bangladesh and Burma into North-Eastern states, particularly Assam and Meghalaya” on August 21, 1978. Minister of External Affairs, Mr. A.B. Vajpayee said: “Moreover, a number of Bangladesh nationals who came to India with valid documents do not return to their country but stay on in India illegally. Because of their common ethnic origin with Indians of the neighbouring states, it is difficult to trace illegal migrants.” But in

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17 Hindustan Times, 14 January 1996.
21 Ibid, p. 1010.
1980, the issue of tribal refugees or Chakmas came to the forefront when Bangladesh denied that any Chakma refugee from Bangladesh was staying in India. However, in 1980 itself both India and Bangladesh started negotiating for the first time in Dhaka on the Chakmas.

India's view was very clear that the Chakma problem was an internal problem of Bangladesh. On 28 April 1987, the Indian media reported that K.P.S. Menon, the then Indian Foreign Secretary had said on Chakma refugees: "It is the responsibility of the Bangladesh side to begin the process of repatriation by convincing their citizens to return home from Indian territory and involvement of India was ruled out". Again India started negotiating with Bangladesh on the Chakmas as Mr. P.V. Narasimha Rao visited Dhaka on 25th August 1987 as a special envoy of the Prime Minister Mr. Rajiv Gandhi to discuss the refugee issue. Both Mr. Rao and Bangladesh President Gen. H.M. Ershad described the refugee issue as essentially Bangladeshi problem and said Dhaka had to take the initiative for a solution.

Despite the sympathetic and humanitarian initiative of Government of India of repatriation of Chakma refugees to Bangladesh, the local governments like Arunachal Pradesh

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23 Ibid, p. 1100.
24 The Bangladesh Observer, (Dhaka), September 18, 1987.
Government raised the Chakma refugee issue in March 1989 elections as an political issue. Another blow was dealt to their precarious existence when the Arunachal Pradesh Government decided not to issue ration cards to the Chakma and Hajong refugees with effect from 1 November 1991 and those already issued, were to be surrendered immediately.\textsuperscript{26} The Minister of state for Home Affairs, M.M. Jacob replying to a Parliamentary question reiterated on 16 December 1991 in Parliament that the Chakma students in Arunachal Pradesh were not to be given scholarships, book grants and hostel facilities. But their access to free schooling and merit scholarships continued undisturbed.\textsuperscript{27} Similarly, the Minister of state for Industry P. J.Kumar informed the Lok Sabha on December 1991 that the trade license was not required for setting up small scale industries by Chakma refugees.\textsuperscript{28}

On February 21, 1992 a full year prior to elections to the Arunachal Pradesh State Assembly yet another circular was signed by Circular Officer Mr. Diyun withdrawing all facilities under the DDS to the Chakma and Hajong refugees.\textsuperscript{29} Throughout that year the Apang administration began a full-scale persecution of the refugees in keeping with a December 3, 1992 resolution unanimously passed in the state Assembly “to deport all refugees from Arunachal Pradesh”.\textsuperscript{30}

\textsuperscript{26} Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi: 2000), p.92.
\textsuperscript{27} India, Lok Sabha, Debates, USQ No. 3861, 16 December 1991.
\textsuperscript{28} India, Lok Sabha, Debates, USQ No. 712, 18 December 1991.
\textsuperscript{29} Hindustan Times, 14 November 1996.
\textsuperscript{30} Hindustan Times, 14 January 1996.
In a contrary stand, the Government of India as late as 1992, had not only ruled out their deportation, but also held the view that the Chakma and Hajong refugees who numbered 30,000 then, were eligible for Citizenship. However, the Government of India wanted to repatriate the Chakma refugees. As on 26th November, 1992, Mr. Eduardo Faleriro, Minister of State for External Affairs said in Parliament that it was agreed between Bangladesh and India to arrange a speedy repatriation of all Chakmas refugees to Bangladesh in full safety and security.

Replying to a Parliamentary question on "Supreme Court ruling on citizenship to Chakmas" Mr. P.M. Sayeed Minister of State for Home Affairs said on 5 August 1993 in Parliament said that the Government was aware about the Supreme Court judgement of May 1993 regarding right of Bangladeshi refugees to Indian citizenship in the case of a special leave petition by the Government of Arunachal Pradesh and M/s Khudiram and others. In its judgement, the Supreme Court quoted its earlier ruling in the case of Lous De Rae dt Vs Union of India wherein it had, inter-alia, ruled that... “the Fundamental Right of the foreigner is confined to Article 21 for ‘Life and Liberty’ and does not include the right to reside and settle in this country, as mentioned in Article 19 (1)(e), which is applicable only to the citizens of this country. Mr. Sayeed also said that the question of

33 Ibid.
Citizenship of these refugees was to be decided under section 5(1) (a) of the citizenship Act 1955. Replying to another question on deportation of Chakma refugees to Bangladesh, Mr. P.M. Sayeed, Minister of State for Home Affairs said on 29th July 1993 in Parliament that the Government of India was keen that the Chakma refugees should have returned to their homeland at the earliest. It had been impressed upon the state Government to convince the refugees to go back to their homeland without further delay. The Bangladesh authorities had already assured the safety and security of the refugees on their return to Bangladesh. But in view of the internal character of the problem, and the uncertainties arising out of its humanitarian aspect, it would not be possible to indicate any definite time-frame for this exercise. Earlier, answering to a question on “financial assistance and maintenance to Chakmas”, Home Minister S.B. Chavan said in Parliament on 29th April 1993 that an amount of Rs 44 crore of rupees had been spent on Chakma and Hajong refugees’ maintenance till 31.03.93 and repatriation process had been started after a full assurance of safety and security from Bangladesh. Again replying to a Parliamentary question on “Indian Citizenship to Chakma and Hajong refugees in Arunachal”, Mr. P.M. Sayeed, Minister of State for Home Affairs said in Parliament on 16 Dec 1993 that the issue of granting citizenship to the Chakma and Hajong refugees who had came to India before 25.03.1971 and were residing in Arunachal

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34 Ibid.
35 India, Lok Sabha, Debates, USQ No 1685, 5 August 1993.
36 India, Lok Sabha, Debates, SQ No 808, 29 April 1993.
Pradesh was under consideration. There was no such consideration, however, for the Chakma refugees who had come to Tripura from Bangladesh subsequently and who were citizens of Bangladesh, and therefore, were to be repatriated to their homeland. The grant of citizenship was determined in accordance with the provisions of the citizenship Rules under the Indian Citizenship Act, 1955. With regard to the issue of grant of citizenship, the state of Arunachal Pradesh appeared to have certain reservations. The state Government of Arunachal Pradesh had been expressing its inability to accommodate a large number of refugees on account of local considerations. Government of India reiterated on the question of repatriation of Chakmas and Hajongs, on 25 August 1993 in Parliament that the refugees had been reluctant to return to Bangladesh. As a result, the process of repatriation was slow.

Talking about the Chakma and Hajong refugees' demand for citizenship, Chief Minister of Arunachal Pradesh Mr. Gegong Apang retorted immediately in May 1993: "... all I can say is that if India starts to settle refugees, then what will happen to our own people? After all, land is scare" Mr. Apang also went on to offer an alternative. He suggested that the Bangladesh Government would have to adopt a more humanitarian approach and take back those who were the country's bonafide citizens. He urged the central

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37 India, Lok Sabha, Debates, USQ. No. 2288, 16, December 1993.
38 India, Rajya Sabha, Debates, USQ. No. 4041, 25, August 1993.
39 Indian Express, 19 July 1993.
government to take immediate steps, as there was a “potentially explosive situation”.\textsuperscript{40} Officially too, the Government of Arunachal Pradesh suggested to the Government of India in 1993 that like the Chakma refugees sheltered in Tripura who were to be deported, those kept in Arunachal Pradesh might be shifted to Tripura refugee camps for onwards repatriation to Bangladesh.\textsuperscript{41}

Replying to a Parliamentary question on Grant of Citizenship to refugees”, Minister of State for Home Affairs Mr. P.M. Sayeed said in Parliament on 16\textsuperscript{th} March 1994 that the issue of the grant of citizenship to the Chakma and Hajong refugees who had come to India before 25.03.1971 and were residing in Arunachal Pradesh had been receiving consideration. There was no such consideration, however, for any other category of refugees.\textsuperscript{42} On 4\textsuperscript{th} May 1994, Government of India in Parliament reiterated its stand on repatriation of Chakma refugees to Bangladesh was going on\textsuperscript{43}. Answering another question on repatriation of Bangladesh tribal refugees, Minister of State for Home Affairs, Mr. P.M. Sayeed said in Parliament on 8\textsuperscript{th} December 1994 that after the repatriation of its 5199 Chakma refugees from Tripura in 2 phases in February and July-August 1994, the refugee leaders had declined to resume the repatriation process alleging that assurances given by the Government of Bangladesh had not been fully implemented and conditions in the CHT area were not conducive for

\textsuperscript{40} Indian Express, 19 July 1993.
\textsuperscript{41} The Statesman, 4 August 1994.
\textsuperscript{42} India, Rajya Sabha, Debates, USQ. No. 2904, 16 March 1994.
\textsuperscript{43} India, Lok Sabha, Debates, USQ No. 215, 4\textsuperscript{th} May 1994.
their return. The Government of India had been making efforts to facilitate the process of repatriation of the Chakma refugees.\textsuperscript{44} Minister of state for Home Affairs, said on a Parliamentary question on “Quit Arunachal Notice to Bangladesh refugees”, in Parliament on 14th December 1994 that some of the Chakma refugees from Arunachal Pradesh had temporarily crossed over to Assam in September 1994. They had since returned to their settlements in Arunachal Pradesh.\textsuperscript{45} Replying to another Parliamentary question relating to financial burden on Chakma refugees, Minister of State for Home Affairs Mr. P. M. Sayeed said in Parliament on 5th May 1994 that Government of Bangladesh had assured the Government of India about life security and protection of Chakma refugees to Bangladesh but the repatriation was slow because of reluctant of the refugees to return to Bangladesh. The financial burden of maintenance of Chakma refugee Camps was being borne by the Government of India. Since 1986, a total of Rs. 53.01 crores had been released to the State Government of Tripura during 1993-94.\textsuperscript{46} Minister of State for Home Affairs, Mr. Syeed Sibtay Razi informed Parliament on 6th December 1995, while speaking on a question of whether the Government’s attention had been drawn to a news item published in the \textit{Hindustan Times} dated 14th November 1995 captioned “Chakma issue puts Centre in a spot”. Arunachal Pradesh was demanding shifting of Chakmas and the Chakmas had

\textsuperscript{44} India, Lok Sabha, Debates, USQ. No. 312, 8th December 1994.

\textsuperscript{45} India, Rajya Sabha, Debates, USQ. No. 1187, 14 December 1994.

\textsuperscript{46} India, Lok Sabha, Debates, USQ. No. 6438 5 May 1994.
been asking for Indian citizenship whose number had grown to 31,140. He outlined the steps central government proposed to take to avoid violence and ethnic clashes in the state. The government of Arunachal Pradesh threatened to quit on the 31st December 1995, but was advised to protect the Chakma and Hajong refugees'. Also based on a complaint filed by the NHRC, the Supreme Court had on November 2, 1995, issued interim orders directing that Chakma refugees situated in Arunachal Pradesh should not be ousted from the state by coercive action not in accordance with law. The state Government was advised to take immediate action in accordance with these directions.47

With reference to a Parliamentary question whether or not the Government of India were treating all Muslims refugees as illegal emigrants or some of them were treated as refugees, Minister of State for Home Affairs, Mr. P.M. Sayeed said in Parliament on 10th May 1995 that all persons irrespective of their religion who had entered the country without valid documentation were being treated as illegal immigrants. Such persons, irrespective of their religion who were recognized as refugees were being treated as refugees. No separate figures were being maintained in respect of refugees on the basis of their religion.48 Government of India’s Home Ministry reiterated over a Chakma refugee repatriation issue in Parliament on 3rd August 1995 that even the repatriation discussed during the meeting of the Indo-

47 India, Rajya Sabha, Debates, USQ. No. 984, 16 December 1995.
48 India, Rajya Sabha, Debates, USQ. No. 5601, 10th May 1995.
Bangladesh Joint Working Group held at Dhaka from 19-21 April 1995, had no specific time frame as the resumption of the repatriation process was dependent upon a satisfactory resolution by the Government of Bangladesh of the issues raised by the Chakma refugee leaders.⁴⁹ Replying to a Parliamentary question ‘whether the Chakma and other refugees in Arunachal Pradesh are illegal settlers’, Minister of State for Home Affairs, Mr. Syed Sibtai Razi said in Parliament on 7th December 1995: “Following large scale violence in the then East Pakistan in 1964, about 1.40 lakh people belonging to a minority communities had migrated to Assam. After consultations between the State Government of Assam, then North-East Frontier Agency (NEFA) Administration and the Central Government, 2902 Chakma/Hajong refugee families were settled in parts of the then NEFA now Arunachal Pradesh. As a part of the rehabilitation scheme, most of these families were allotted plots of land and also sanctioned rehabilitation grants. There is some resentment in the state on account of the settlement of Chakma/Hajong refugees and the issue of the grant of Indian Citizenship to them. This has led to tensions. The State Government has been requested to maintain law and order and to ensure the security of all residents in the state, including the Chakma and Hajong refugees. Based on a writ petition filed by the NHRC, the Supreme Court issued directions on 2.11.1995 that the Chakma refugees situated in Arunachal Pradesh shall not be ousted from the state by coercive action not in accordance with law. These

⁴⁹ India, Lok Sabha, Debates, USQ. No. 727, 3rd August 1995.
directions were immediately conveyed to the state government for compliance".50

In its editorial, the national newspaper *the Hindu* (dated 11 November 1995) critically analysed the role of NHRC vis-à-vis the plight of Chakma and Hajong refugees in North-East region as follows:

THE DIRECTIVE OF the National Human Rights Commission to the Chief Minister of Arunachal Pradesh, Mr. Gégong Apang, not to evict the Chakmas must be welcomed as any action which results in their displacement would cause untold misery to them. The Chakma refugees have been in that State for over 30 years now and cannot be treated on a par with those who left Bangladesh some 10 years ago when they were virtually driven out of the Chittangong Hill Tracts. Some 60,000 of them had settled in Tripura and vigorous efforts to bring them back to the CHT have not yet fully succeeded. The Chakma and Buddhist refugees in Arunachal Pradesh had to flee from the erstwhile East Pakistan and they landed in the former North East Frontier Agency (NEFA) which is now known as Arunachal Pradesh. Mr. Apang, who has been Chief Minister for a record number of years, is very keen that they should be sent out of the State as his Government is finding it extremely difficult to maintain them. Mr. Ranganath Misra, who was the Chairman of the Human Rights Commission, was emphatic that even if the Chakmas were not Indian citizens, they were entitled to protection as they had been in the State for over 30 years. During the elections to the Assembly all the political

50 India, Lok Sabha, Debates, USQ. No. 1821, 7 December 1995.
parties, including the ruling Congress (I), had promised the people that the immigrants would be thrown out. As an election promise their assurance was understandable, but it must not be forgotten that they were first allowed to come to India purely on humanitarian grounds. In Assam and elsewhere in the North East, refugees had been accepted although reluctantly and it would be a most uncivilized act to push them back to a country where they are not wanted. The All-Arunachal Pradesh Students' Union has been carrying on a propaganda war to secure their eviction. Precisely for this reason, the Government of India was toying with the idea of conferring Indian citizenship on them so that they could live in peace in any part of the country. Mr. P.M. Sayeed, who was then Minister of State for Home Affairs, having first announced in Parliament that the Government was considering the grant of citizenship, later backed out under pressure from the Chief Minister when he said that it would not be granted until the issue was considered in its total perspective. Meanwhile the committee for Citizenship of the Chakmas in Arunachal pradesh has sent a representation to the Human Rights Commission asserting that while the Chakmas and the Hajong communities settled in the other North Eastern States were enjoying full-fledged rights of Indian citizenship, those in Arunachal Pradesh were treated as aliens because of the State Government's adamant opposition to the Central Government's policies in this respect. There have been reports that the State Government had behaved irresponsibly towards them in withdrawing facilities they had been
enjoying under the public distribution system. The Chief Minister should realize that the Chakmas are a national problem and it is imperative on his part not to allow the administration to behave in an arbitrary manner towards them. The Human Rights Commission's intervention has added a new dimension to the problem and its resolve to send a fact-finding mission, if necessary, to study at first-hand their status and position in the State is a positive step. This is in consonance with the broad objective of the Commission, which is endeavouring to emphasize the point that the nation is going through a phase "when there is a profound yearning for a return to decency and fair play in society". This yearning is manifesting itself in a variety of ways—from demands for greater probity in public life to, as the commission has rightly said, demands for greater respect for the rights of the people in all parts of the country.51

Replying to a Parliament question on 'whether the Supreme Court gave a ruling recently that there should be no forcible eviction of Chakma refugees from Arunachal Pradesh', Minister of State for Home Affairs, Mr. Syed Sibtey Razi said in Parliament on 6th March, 1996: "The Supreme Court, by its order dated 9.1.1996, has directed, inter alia, that the life and personal liberty of each and every Chakma residing within the state shall be protected and that, except in accordance with law, the Chakmas shall not be evicted from their homes. Certain groups in Arunachal Pradesh have expressed their resentment in this regard. Earlier, on 29.12.1995, orders were issued

constituting a High Level Group under the Chairmanship of the Union Home Minister to look into the background of the issue of Chakmas and Hajongs in Arunachal Pradesh and identify the course of action to be adopted. The Group in its meeting held on 5.1.1996, decided to setup an official level sub-committee to suggest the course of action which could be adopted expeditiously for a resolution of the problem. The Sub-Committee was also expected to visit Arunachal Pradesh. On a reference from the Government of Arunachal Pradesh, the State Government has been informed that the High Level Group and the sub-committee can continue to carry on their work but such work will have to be in pursuance of the directions given by the Supreme Court, and not in derogation thereof. As such, the state government was requested to indicate its convenience for continuing the work of the sub-committee, which included a visit to the state". The State Government was also directed to “enter applications of Chakmas for registration as Citizens under section V of the Citizenship Act of 1995 in register maintained for that purpose. Immediately after the Supreme Court's verdict on the Chakma refugees, the Arunachal Pradesh Government prepared a White Paper in March 1996. It warned: “If the issue is not resolved quickly, fissiparous tendencies may again gain ground in Arunachal” The White Paper had blamed the Assam Governor, Vishnu Sahay who was instrumental in settling

52 India, Rajya Sabha, Debates, USQ. No. 627, 6th March 1996.
53 Hindustan Times, 15 March 1996.
54 Times of India, 15 March 1996.
these refugees from East Pakistan in NEFA. In doing so, the white paper pointed out, not without reason, the constitutional and legal provisions which prohibited people from outside Arunachal from even entering the state. In this white paper, presented to the President Dr. S.D. Sharma, an appeal was also made to have the Supreme Court order reconsidered. Chief Minister Mr. Apang also said that the Supreme Court had made a mistake.55

**Foreigners or Refugee Issue under Arunachal Congress Apang Administration:**

Earlier on 19 January 1996 an all Party meeting (Congress, JD, BJP, AAPSU and other students groups) convened by Chief Minister Mr. Apang decided to boycott the forthcoming Lok Sabha elections, if the Centre failed to take a concrete decision on the demand for removal of Chakma and Hajong refugees from the State. Mr. Apang said: “the biased verdict of the Supreme Court jeopardize the interest of the indigenous people of the State”56.

Earlier in December 1995, Chief Minister Mr. Apang had written a letter to Giani Zail Singh, the then Home Minster: “The presence of such large numbers of refugees has been causing social tension. In some areas, they dominate the population of the indigenous people causing socio-economic problems for them. In 1982, the State Government had asked the Home Ministry to make alternative

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55 Hindustan Times, 15 March 1996.
56 Hindustan Times, 19 January 1996.
arrangement for their (refugees) settlement. However Mr. M. M. Jacob, Minister of States for Home Affairs had affirmed that there was no question of deporting the refugees from the state and asked the state Government to convince the general public that “the burden of rehabilitation of the refugees will have to be shared by the country as a whole including Arunachal Pradesh. He said that the Chakmas, Particularly their Children who were born till 1987 were entitled to Indian citizenship under the Citizenship Act of 1955.

Another white Paper of Arunachal Pradesh Government said on March 14, 1996 that “during 1993 and 1995, the refugee issue had been “the subject matter of adjudication” and both the Guwahati High Court and Supreme Court had uniformly and clearly held that the Chakmas and Hajongs were foreigners. Focus had shifted from the cultural identity of the tribal community of Arunachal Pradesh to the human rights of these refugees. Human history is a mute witness to the fact that in any conflict between indigenous tribal people and outsider settlers, the trial people are the losers. Therefore, it is the indigenous tribal population of Arunachal Pradesh in the instant case which requires protection and not refugees and foreigners”. The die was cast in 1964 when the then Governor of Assam, Mr. Vishnu Sahay, decided to settle the Chakma and Hajong refugees who had
crossed over from erstwhile East Bengal in the Tirap Division of NEFA.59

Apparently answering a question “whether the Government is aware of the growing discontentment among the Chakmas in the Arunachal Pradesh, Mizoram and N.E. States”, Minister of State for Home Affairs, Mr. Mohd. Maqbool Dar said in Parliament on 16th July 1996: “Certain organizations like the All Arunachal Pradesh Students Union (AAPSU) in Arunachal Pradesh and the Mizo Zirlai Pawl (MZP) in Mizoram have been demanding the expulsion of foreigners including Chakmas. The Chakmas in Arunachal Pradesh, on the other hand, have alleged violation of their human rights through intimidation and denial of basic amenities. The State Government of Arunachal Pradesh was advised to protect the life and property of all residents including the Chakmas in the State. A High Level Group was constituted under the Chairmanship of the Home Minister on December 26, 1995 to look into the background of issues of Chakmas and identify the course of action to be adopted. The Group, in its first meeting on January 5, 1996 constituted an official level sub-committee. On January 9, 1996 the Hon'ble Supreme Court of India directed, inter alia, that the life and personal liberty of each and every Chakma residing within the state would be protected and that except in accordance with law the Chakmas would not be evicted from their homes. On a reference from the Government of Arunachal Pradesh to the State Government has been informed that the High Level groups

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59 Hindustan Times, 15 March 1996.
and the sub-committee can continue to carry on their work, but such work will have to be in aid of the directions given by the Supreme Court, and not in derogation thereof. The state Government has been requested to indicate its convenience for the visit of the sub-committee to Arunachal Pradesh. As regards the agitation relating to the expulsion of the Chakmas alleged to have come to Mizoram from outside, the state Government is handling the situation. The central Government has advised the State Government that any work of identification, etc. of foreigners should be carried out in accordance with the provisions of law and as per relevant instructions. It has also been suggested that any work in this connection needs to be carried out through governmental agencies only.60

Subsequently, the appointment of a sub-committee by Arunachal Pradesh Government under its Home Minister in January 1997 to look into details pertaining to early deportation from the state gave a further fillip to the anti-refugee mood.61 Therefore, on 27 April 1998 Union Government represented by Attorney General of India, Mr. Soli Sorabjee, submitted before the Supreme Court that the State of Arunachal Pradesh was not complying with the directions of the apex court to accord protection to Chakma Refugees and to repel any attempt by organised local groups to forcibly evict or driven them out of the state.62

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60 India, Lok Sabha, Debates, USQ. No. 653, 16th July 1996.
Replying to a Parliamentary question on "Citizenship Rights to Chakmas", Home Minister Mr. L.K. Advani said in Parliament on 10th March 1999: "The Government is already seized of the matter relating to grant of citizenship rights to the Chakmas of Arunachal Pradesh. The Government of Arunachal Pradesh has been asked to ensure that necessary steps are taken to honour the Supreme Court judgement in letter and spirit. 258 citizenship applications received directly by the Central Government have been sent to the State Government for further necessary action. However, there has been a delay in furnishing of verified reports by the State Government agencies. Besides, a majority of the refugees have, reportedly, not submitted their citizenship applications so far". 63

Foreigners or Bangladeshi Refugee Issue in Tripura:

Refugees in Tripura and repatriation: Most of the other Jumma refugees from Bangladesh had found shelter there. They were repatriated in early 1988. The Chakmas, Tripuris and Mogs from Bangladesh moved into Tripura in 1979 and 1984. But a massive exodus from the CHT to Tripura took place following the systematic massacre launched jointly by the Bangladeshi forces and the Muslim settlers on the hapless Jummas on 30 April 1986. By January 1987 more than 32,000 refugees had moved into India and settled in the camps in Southern Tripura. In early 1989, following the longadu massacre, another exodus began when about 13,000 Jummas from

CHT moved into Tripura. The Longadu massacre of 10 April 1992 brought more than 3000 Jummas into Tripura.

**Rehabilitation of Bangladeshi Refugees:**

Funded entirely by the Government of India, the maintenance of the refugee camps, i.e., the day-to-day administration, ration and other necessities was carried out by the State administration of Tripura which is based at Agartala. Crisis of a different sort, however, hit the refugees in August 1991 when the supply of milk and milk powder was stopped. The All India Chakma National Movement (AICNM) urged the Tripura Government to restore the cut in the rations supplied to the refugee camps, and to introduce Chakma dialect as a medium of instrument at the primary level in the schools. Through their own efforts, the refugees in the camps set up a Jumma Refugee Seva Sadan, a mini hospital which – was inaugurated on 7 June 1996. In 1995, Dr. Sujit Dhar, a respected RSS functionary from Calcutta donated medicines worth Rs 40,000. The NHRC had sent two of its officials to the camps in May 1996. As early as January 1987, the Government of India tried to repatriate some of them but because of international pressure caused by an awareness of the dangerous situation prevailing in the CHT, the move was abandoned. The Bangladesh Prime Minister Khaleda Zia, while visiting Delhi in 1992, agreed to take back the Jummas by the end of the year.\(^\text{64}\) The

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\(^{64}\) The Statesman, 12 June 1992.
Statesman reported in 22 May 1994, about a communication sent by the NHRC to both the Home and External Affairs Ministries as well as the Chief Secretary of the Tripura administration urging upon them to 'file a detailed report' on the developments in regard to the fresh move on sending back the refugees. After a token repatriation of 1,228 families comprising 5,186 members who were sent off to Bangladesh in two batches in February and July of 1994. The third phase of repatriation got postponed again and again as these refugees refused to return to CHT unless they were assured of their life and honour as enshrined in the 16-point package.

**Bangladeshi Refugees and Left Front Government:**

The third phase of the repatriation of these refugees in 1994, created a controversy over the role of the then Governor of Tripura, Romesh Bhandari. During his visit to the CHT in early 1994, to see the conditions prevailing there so that the returning Jumma refugees could be assured of safe and secure future, the Governor was 'overwhelmed with Dhaka's goodwill and generosity. He further said that the situation was conducive to repatriation. This was contested by the Jumma leader, Upendra Lal Chakma, who also visited the CHT. He affirmed that the situation was not conducive at all for the return of the next batch. Charges and counter charges were traded with the then Governor Romesh Bhandari Charging the refugees with

“falsehood and irresponsible behaviour”. Mr. Bhandari also warned of an “Arunachal-like situation in Tripura” as the tribals there were supporting their brothers in Arunachal in demanding an early repatriation of the remaining Chakma refugees.\textsuperscript{66} Chief Minister of Tripura Dasarath Deb had time and again firmly reiterated his government’s (1993) resolve not to use force against these refugees.

And this, despite Tripura Government’s complaint of non-release of Rs. 4.35 crores for maintenance of refugees which was due then.\textsuperscript{67} The Indian High Commissioner to Dhaka who visited the CHT in mid – 1995 having found that any forcible shifting of the refugees from India to CHT would be an ‘inhuman act’.

“The left front Government in Tripura following the directions of the Union Home Ministry, had intensified its drive to identity and pushback the foreign nationals, who entered the state after march 25, 1971, Chief Minister Mr. Dasarath Deb said on April 29, 1994. The Bangladeshi ‘refugees’ who had entered India after that date could not be treated as “ordinary residents” of India. About 200000 foreign nationals had been deported to Bangladesh since the signing of Indira-Mujibur Pact on March 25, 1972. The Centre had asked state government not to consider these refugees for registration as Indian citizens under section 5(1)(A) of the citizenship Act 1955, and if such

\textsuperscript{66} The Statesman, 16 Oct 1994.  
\textsuperscript{67} The Statesman, 30 August 1993.
refugees applied to the District Magistrates and Collectors for Indian Citizenship, their applications would be rejected\(^{68}\).

The Left Front Government in Tripura categorically ruled out on 28 May 1996 the deportation of any person who came into the state before March 23, 1971 from across the border even as the underground militants served quit notices on the people who settled in the state after 1949\(^{69}\). At present about 51,000 tribal refugees are stationed in six camps in South Tripura. In Feb 1995, during the reign of Begum Khaleda Zia about 5179 refugees belonging to 1,028 families were repatriated to Bangladesh\(^{70}\). About 60,000 Chakmas took refuge in India in 1986 to escape religious discrimination, brutal repression by the Bangladesh security forces and other forms of harassment. The Government of India and Bangladesh first agreed on the modalities of repatriation in 1994 and about 5000 Chakma refugees were even sent back, but the move had to be abandoned in view of the unfavourable conditions on the ground and above all the refusal of great many refugees to return for fear of persecution back home\(^{71}\).

**Refugees Repatriation to Bangladesh (1982 – 1996):**

Initially some Jumma refugees were repatriated in 1982. Some of them were repatriated again in 1984 and again in 1986, 1986 and 1992. Repatriation decided upon by P.V. Narasimha Rao then India’s

\(^{68}\) National Herald, 30 April 1994.

\(^{69}\) Hindustan Times, 29 May 1996.

\(^{70}\) The Hindu, 8 March 1997.

\(^{71}\) Hindustan Times, 11 March 1997.
Minister of External Affairs and Bangladesh Government was to begin on 15 January 1987\textsuperscript{72}.

Bangladesh President Gen. Ershad's amnesty offer was rejected by the Jummas. In May 1989, a Bangladesh delegation visited Tripura, met the Chief Minister and announced on their return to Dhaka that repatriation was to begin in June 1989\textsuperscript{73}. When the proposed repatriation of 200 Jumma refugees did not materialize in May 1993, the Tripura Chief Minister Dasarath Deb ruled out their being pushed back\textsuperscript{74}. After the abortive repatriation of the first batch of Jumma refugees, the Relief Commissioner of Tripura, K. Arya brushed it aside as a minor hurdle. He also said that "they are not our citizens, they have to go back sooner or later\textsuperscript{75}. Some Chakma students held a demonstration outside the Delhi Office of UNHCR to protest against the alleged forcible repatriation, in order to 'progressively dismantle the six refugee Camps in Tripura\textsuperscript{76}. Accordingly, the repatriation of the first batch of 379 families consisting of 1,846 Jumma refugees was carried out over one week (15-22 Feb 1994). A batch consisting of 1,247 families with 6,706 members went back to Bangladesh between 26 March and 7 April 1997. The Returnee Jumma Refugee Benefit Package implementation Committee again petitioned the new Prime Minister, Shaikh Hasina in

\textsuperscript{72} The Statesman, 19 January 1987.
\textsuperscript{73} Indian Express, 4 June 1989.
\textsuperscript{74} The Pioneer, 9 and 10 June 1993.
\textsuperscript{75} Ibid.
\textsuperscript{76} The Pioneer, 15 Feb 1994.
July 1997 to have the 20-point package implemented and end the persistent uncertainty and insecurity of the returnee refugees.\footnote{77} The Statement of the newly appointed Indian High Commissioner to Dhaka, Deb Mukherjee in May 1995, that fresh repatriation was not possible at this stage since the refugee leaders felt that a conducive situation was yet to be created in the Hill tracts for their return,\footnote{78} sounded quite realistic. \textit{The Statesman} also commented, Dhaka’s tone was from placatory on the day the second group left in July, 1995. It had accused India of sheltering’ Chakma insurgents of the Shanti Bahini and described their stay in India as eight years of agony in Tripura camps.\footnote{79} The Tripura Governor, Siddheswar Prasad stated in June 1995 that the Tripura district administration was gearing up for the refugees’ repatriation and the Bangladesh Government had agreed to implement all the 16-assurances given to the refugees. He assured that the Government of India would ensure the implementation of the package. He also warned that if the refugees return, ‘they will have no future’, though he did not approve of using force against them.\footnote{80} According to the Governor, the refugees were to leave after the end of the monsoon season. Probably in keeping up with this optimism, the cease-fire was extended to 30 September 1995. Both the PCJSS and the Government of Bangladesh held a meeting on 12 July, 1995 and the latter released

\footnote{78} The Statesman. 18 May 1995.  
\footnote{79} The Statesman, 19 May 1995.  
\footnote{80} Indian Express, 25 June 1995.
some of the Jumma youth as demanded by their leader. The reported threat given by the Bangladesh High Commissioner in Agartala that the repatriation issue could not be tagged to the solution of the on-going politics of the CHT and that the 16-point package offer would not continue indefinitely, revealed the true intention of Dhaka. Khalida Zia's government faced with the opposition boycott of the Parliament, carried on with every function of the state including negotiations with the foreign countries. The visit of Savita Ambedkar to Venuvan Vihara at Agartala in April 1996, was seen by some Jumma activists as a landmark since that famous vihara was not in proper state of maintenance.

**Refugees Repatriation to Bangladesh (1997–1998):**

The chief whip of the Awami League in Bangladesh Parliament, Abul Hasnat Abdullah, as the chief of the committee on the CHT affairs led a delegation to Tripura in February 1997, to renew the negotiations on repatriation. It brought a set of 20-point package and after the JRWA submitted a 7-point memorandum, the delegation went back to Dhaka for consultations. When the delegation returned again to Agartala and held further discussions with the JRWA in March 1997, the third phase of repatriation of the Jumma refugees was finalised. A batch consisting of 1,247 families with 6706 members went back to Bangladesh between 26 March and 7 April.
1997. The CHT, JRWA held another two-day meeting with the official Bangladesh delegation of Agartala, in early August 1997. In former suggested to the Bangladesh Government to abide by the various agreements it had concluded with the organizations of Jumma refugees including the oral assurance given by their readers at March 1997, talks at Agartala Circuit House by 30 September 1997.

The sixth round of talks between the Government of Bangladesh and the PCJSS after Sheikh Hasina came to power was held in September 1997. The draft was reportedly finalized on 17 September 1997 to end the tribal insurgency and provide for suitable accommodation of their demands. The Government of Bangladesh had clearly announced its objective. Prime Minister Hasina said, “the image of our civil and military administration will improve at home and abroad if the tribal returnees are rehabilitated properly”. In the four-day long negotiations, they discussed the land issue, removal of settlers from the CHT, withdrawal of security forces quartered all over the hilly tract, and the authority of the regional council. The latter was to be vested with the authority to look after general administration, and levy taxes under Chairman enjoying the status of a state minister. The Prime Minister denied the opposition propaganda about the withdrawal of the security forces from the CHT and the removal of the settlers. She in fact, accused them (BNP) of having discussed the Jumma problem with India. She reiterated that her objective was to

83 The Hindu, 19 September 1997.
84 The Statesman, 26 September 1997.
'restore peace in the Hills' and create an atmosphere where both tribals and non-tribals will live in harmony. Jyotirindra Bodhipriya Lama, Chief of the PCJSS, addressing a meeting of the Jumma people in CHT assured them that these negotiations would protect their interests. *The Statesman* however, warned that without concessions on 'demilitarization of the CHT', eviction of Bengali settlers and exclusive tribals rights to land', peace prospects would appear gloomy. Faced with persistent criticism launched by the fundamentalist BNP, Sheikh Hasina charged the latter for misleading the people' over the CHT issues. She also reiterated that the army was not to be withdrawn from the CHT. She wondered as to how the Independence of the Country would be destroyed if the refugees returned home, as alleged by her detractors.

Following the visit of an official Bangladeshi team to Tripura to finalize repatriation, it finally started on 21 November 1997. In two days, more than 1,400 refugees from Tabalchari camp moved out to Bangladesh. The Tripura Chief Secretary however, maintained that the refugees led by Upendra Lal Chakma were adopting a cautious approach.

The much awaited peace agreement was finally signed on 2 December 1997, at Dhaka. The Jummas were represented by

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85 The Hindu, 19 September 1997.
86 The Hindu, 19 September 1997.
87 Hindustan Times, 18 October 1997.
88 Indian Express, 19 November 1997.
Jyotirindra Lama, President of the PCJSS and the Bangladesh Government by Abul Hasnat Abdullah, Chief Whip of the Awami League and the Governor of the National Committee of CHT (NCCHT). The ceremony was held in the presence of the Prime Minister and other dignitaries. As for the Shanti Bahini members and other armed fighters, the government was to declare a general amnesty on the condition that they would surrender their arms within 45 days from the date of agreement, i.e., by 17 January 1998. The repatriation of the last phase of refugees on 1 January 1998, following a schedule drawn up on 23 December 1997 in Bangladesh. By 7 January, 1998, 4765 Jummas had been sent to the CHT. Within 13 days, altogether 11,778 Jumma refugees had returned. As the next step, 737 Shanti Bahini men led by Jyotirindra Lama finally laid down their arms on 10 February 1998 before Sheikh Hasina. Both the Prime Minister and Mr. Lama released white pigeons in a symbolic gesture. The Prime Minister also thanked the Government of India for its help in carrying out this massive task. Larma reiterated, “We did not sign the peace agreement to have political or economic gains. We signed it to ensure our right to land.” As a follow up to improve our social, political and economic conditions particularly to the Chittagong Hill Autonomous Regional Council Act passed by the Bangladesh Parliament in May 1998 an interim Chittagong Hill Autonomous

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89 Hindustan Times, 2 January 1998.
90 Indian Express, 7 January 1998.
91 Hindustan Times, 5 April, 1998.
Regional Council was announced by Government of Bangladesh to implement the provisions of the agreement.

**Foreigners or Bangladeshi Refugee Issue in Mizoram:**

Jumma refugees in Mizoram moved into the state from Bangladesh in 1979, 1982 and 1984. About 86,000 Chakma refugees have been living there, some of them since pre-1947 days as in Lushai district. The State Government insisted on 26 January 1950 being kept as the cut-off date to determine eligibility for citizenship right to the immigrants in Mizoram. The Mizoram Government maintained on 16 January 1996 that the Supreme Court judgement of January 1996, did not affect them. Though in difference to the wishes of NHRC, they had desisted from deporting them so far. But earlier in 1996 General Elections, itself the names of thousands of bonafide Chakma voters including former members of legislative Assembly such as Satya Priya Dewan and present members of Chakma Autonomy District Council (CADC) executive committee like Mr. Punya Chakma were deleted from electoral rolls published on January 2, 1996. Mizoram Chief Minister Lalthanhawla even went on record that the names of 15,000 Chakman were deleted from the voters list to silence Mizo National Front (MNF) and Mizo Zirlai Pawl (MZP). However, the Chief Minister Mr. Zoramthanga made a statement in December 1998.
that the local Chakma residents were not outsiders indicated a
different stand unheard before\(^\text{94}\).

Despite being given assurances of protection and safe passage,
the Reang refugees living in refugee camps in Tripura are hesitant to
return to Mizoram as they fear repression by the Mizos who had forced
them to flee their villages in 1997. The Mizoram government has
agreed to take back the refugees who belong to the second largest
tribal group in the State. On August 7, 2000 Union Home Minister
L.K. Advani held a meeting with Tripura Chief Minister Manik Sarkar
and Mizoram Home Minister Tawnluia in New Delhi to discuss the
modalities of repatriation\(^\text{95}\).

Mr. Advani announced that the first batch of refugees would be
repatriated by October 31, 2000 and the rest by December 2000\(^\text{96}\).
The NHRC which sent a study team to the camp area recently, had
urged the Centre to expedite the repatriation process. Members of
NHRC had met the Chief Secretaries of Assam, Mizoram and Tripura
in Agartala earlier to discuss the issue\(^\text{97}\). Although Mizoram agreed to
take back the refugees, it raised doubts about the screening procedure
suggested by Tripura. “Not all the Reangs living in Tripura are
originally from Mizoram. Reangs born and brought up in Tripura have
mingled with those who fled Mizoram”, \(^\text{98}\) Tawnluia said Mr. Advani

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\(^{94}\) Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000), p. 101.
\(^{95}\) Frontline, 15 September 2000.
\(^{96}\) Ibid, p. 9.
\(^{97}\) Ibid, p. 9.
\(^{98}\) Ibid, p. 10.
assured the Mizoram government that the Centre would help the state solve problems that might crop up once the refugees returned. A Central team led by Ajay Srivastava, Deputy Secretary in Home Ministry visited the refugee camps in June 2000 along with senior Tripura and Mizoram government officials, and held meetings with Camp officials and leaders of the refugees. The refugees' leaders submitted to the delegation a 22-point Charter of demands. The demands include the setting up of an autonomous district council in Mizoram for the Reangs and reservation of seats for the tribe in the Mizoram Assembly99.

According to official sources in Tripura, 31,511 Reang refugees belonging to 6,956 families live in six camps in North Tripura hill district. The Mizoram government has put the figure at 16,000. The refugee influx initially sparked tension in the Jampui hills of North Tripura, where some 6,000 Mizo families live. On their arrival, the Reangs tried to drive out the Mizos from the Villages of Bhangmum, Sakhan and Sharmun. Babujan Reang, the CPM member of Parliament who has been camping at Jampui hills, has assured members of the Mizo community that the state government would protect it100.

Faced with "Quit Arunachal some of Chakma refugees had fled to Gonpur area in Sonitpur district of Assam in 1993 – 94. Some of

99 Frontline, 15 September, 2000, p. 11.
100 Ibid, p. 11.
them took shelter with Buddhist people there.\textsuperscript{101} The Assam Chief Minister, Hiteswar Saikia, gave "shoot" at sight orders in case they moved into Assam.\textsuperscript{102} Incidentally, some of the Hindu Bengalis and Christian Garo Tribesmen fled from Mymensing district of East Pakistan, were granted Indian Citizenship. The Hindus from the Sind province of Pakistan who had migrated to India in 1965, were granted Citizenship by Morarji Desai's Janta Government in 1977. Those who came from East Pakistan before 1966, are to be given Citizenship of India as per the Assam Accord.\textsuperscript{103}

\begin{footnotes}
\item[101] The Statesman, 26 October 1994.
\item[102] Saradindu Mukherji, Subjects, Citizens and Refugees (Delhi, 2000) p. 111.
\item[103] Ibid, p. 111.
\end{footnotes}