Chapter I
The Coming of the Refugees

The sight of the long and never-ending foot convoys and crammed trains are possibly the most enduring images one can recollect of what has been termed as one of the saddest chapters in the history of the Indian subcontinent—the Partition of India. The announcement of the 3rd June plan had made Partition an unavoidable reality. Thereafter, communal violence gathered momentum and migration across the two ‘forthcoming’ boundaries began in earnest. However, with the final verdict, i.e. the Radcliffe Award, not being disclosed till the 17th of August, there remained an air of anxiety among the people. Also a silent wish and a hope that they might not have to leave their homes after all: the wish that Partition would be annulled or the hope that in the eventuality that the country is partitioned, their home falls on the right side of the border and thus remains unaffected. Nonetheless, for millions such wishes and hopes were shattered with the announcement of the Boundary Awards on 17th August. And with it ‘the largest ever mass migration in human history’ started. Thus, the birth of the two nations rendered a large section of their respective population homeless and, as we shall see later, some even stateless.

The Initial Phase: Political Rhetoric and Public Reaction

Much of the migration had started long before the governments on both sides could plan an evacuation programme for the minorities on either side of the border. In fact, unlike a planned division of assets and national wealth among other things, a ‘transfer of population’ was at no point of time envisaged by the leaders of Pakistan and India. And though there were a few who favoured this transfer of population, it was the contrary opinion that largely prevailed. One finds this attitude in public speeches made by the leaders; it was also adopted as a matter of policy with the creation of the Punjab Boundary Force. We find the leaders giving assurances of fair and just treatment to the minorities in their respective countries. The famous speech made by Jinnah is an example of such tendencies—‘… in course of time Hindus would cease to be Hindus and Muslims

---

would cease to be Muslims…’

2 Jawaharlal Nehru made similar appeals in order to lessen if not altogether stem the exodus—‘While we shall give every help to those who wish to come to East Punjab, we would not like to encourage mass migration of people across the new borders for this will involve tremendous misery for all concerned.’

3 The Congress adopted a resolution in Delhi (15th-17th November, 1947):

The AICC has looked with disfavour on this large scale migration which brings suffering to millions, upsets the nation’s economy and does violence to the ideal which the Congress has had since its inception. It is of this opinion that these migrations should be discouraged and conditions should be created both in the Indian Dominion and in Pakistan for minorities to live in peace and security.

This policy of the respective governments of discouraging mass migration seems to have been motivated, to an extent, by socio-economic considerations. Whereas in the case of India, it was a question of standing by the Congress ideals of secularism (as noted in the resolution mentioned above), with Pakistan, it was a decision motivated by economic concerns, i.e. the issue of rehabilitating the incoming refugees, and also, the question of compensating the Hindus of their wealth left in Pakistan, which was much more than that of the incoming Muslims.

Economic concerns held significance in India as well which this dissertation will highlight in the subsequent chapters relating to the rehabilitation of refugees from East Pakistan. For now it would suffice to say that refugees from East Pakistan were seen as an ‘economic liability’, and correspondingly their rehabilitation viewed as a ‘drain on the economics of the country’.

In both the countries, another important concern vis-à-vis this exodus was the disruption in the social fabric of the recipient nation. The Government was concerned understandably with the social tension that would arise on account of this influx of refugees, who would come with their gruesome tales and thereby create an air of anxiety and vindictiveness therein. Therefore, all attempts were made to quell this mass migration to the extent possible. An important step in this direction was the setting up of the Punjab Boundary Force.

2 Speech made by M.A Jinnah on Aug 11, 1947, Constituent Assembly of Pakistan.
3 Speech at Kurukshetra Camp by Nehru, 8th April, 1948, SWJN, vol.6 p. 96.
The Punjab Boundary Force (PBF) was set up in July 1947 by the Partition Council as a ‘special military command’ for the exclusive purpose of maintaining peace and security in these troubled regions. Nonetheless, the PBF failed in its duty, and the violence which had started sometime in March 1947 intensified further. The minorities on both sides of the border started moving out of their homes, and thus began the greatest migration, first on individual initiative, compelling the government to take note of the deteriorating situation in a more serious and realistic light. Thereafter, the need for the evacuation of the minority population from these disturbed areas became inevitable, and so the governments came round to setting up the Military Evacuation Organisation on either side of the new border. This official programme of evacuation would in many ways decide the future course of action in the field of relief and rehabilitation, for only those who were included in this official policy would be entitled to the relief and rehabilitation benefits as provided by the Government. The number of those receiving these benefits in spite of being out of the official evacuation plan was extremely small. Further, as the case of the refugees from Bengal (who fell in this latter category) would show, this was a rather unenviable situation to be in!

In sum, the official evacuation policy impacted significantly upon the citizenship of the country and similarly also upon the future course of rehabilitation programme. This chapter, thus, seeks to look at the evacuation programme as followed by the Indian government and its larger implications put briefly herein, to be discussed later in the subsequent chapters. To begin with let us look at the setting up of the Military Evacuation Organisation (MEO) in India.

**Evacuation in the West**

**The Setting Up of the Military Evacuation Organisation [MEO]:**

When the PBF failed in its task of maintaining law and order both the governments moved to dissolve this organisation on 31st August 1947. In its place the MEO was set up at Amritsar on 1st September 1947 with Brig. S.B.S Chimni as its Commander. The MEO was charged with the duty to evacuate the non-Muslims from West Pakistan. The evacuation programme involved the setting up of Transit Camps for collecting the refugees in the other dominion, transporting these refugees either on foot or by rail/motor
transport (a privileged few would be entitled to evacuation by air as well—the government servants and the rich and influential), and finally, settling them in the relief camps established in the country of their destination.

**Organisation of the MEO:**

The Main HQ of MEO was at Amritsar under the command of Major General Chimni, whereas the Tactical HQ was at Residency, Lahore.

These were charged to perform the following functions:

1) To assist in the collection of non-Muslims from scattered villages to subsidiary bases,
2) To move under military protection refugees from the subsidiary bases to concentration camps,
3) To guard non-Muslims camps against raids by Muslims,
4) To assist civil military authorities in providing means of sustenance in concentration camps,
5) To arrange transport for the move from concentration camps to refugee centres in India, and
6) To provide protection en route.

There was also the need for civilian officers with knowledge of the local area. These officers formed the Civil Liaison Organisation and would assist in the collection of information, maintenance of contact with the refugees before evacuation, and in passing necessary information and reports to MEO (I) and Pakistan respectively. Therefore, they had to act as guides for the troops to evacuate the non-Muslims from hostile areas.

**The Evacuation Plan**

The ‘Joint Evacuation Movements Plan’ dated 20th October 1947 described meticulously the routes of the foot and motor convoys. Rail and air transport, too, would be employed

---

7 Ibid. Appendix No. 6. ‘Joint Evacuation Movements Plan’, dtd. 20th October, 1947, p. 184. The following routes were agreed upon by the representatives of both the Dominions—
in the evacuation process. Whereas, the foot convoys would be the means employed to evacuate the bulk of the rural population, especially those who possessed bullock carts and cattle, motor-transport would be used for the purpose of delivering food to the foot-convoys and also to aid the needy in these convoys—women, children, sick and the aged. Transport by trains would be for the urban population and those villagers with no bullock-carts or cattle to move alongwith or for those who are unfit to walk. Finally, air-transport would also be used, but this would be for a selected few.

Keeping in mind these directions, eventually, the programme of evacuation was carried out under the command of Brig. Chimni. West Punjab was, thus, divided into the following regions— the Near West (consisting of the districts of Lahore, Gujranwala, Sheikhupura, Gujrat, Shapur, Jhang, Lyallpur and Montgomery), and the Far West, comprising of the remaining districts of West Punjab. The evacuation from the Near West—a radius of 150 miles—would be by foot and motor transport, while all evacuation beyond that distance had to be by rail. Isolated pockets which could not be reached by rail or road, and where aerodromes were available, would be evacuated by air. It was decided that this evacuation will have to be completed over a specified period, provided the resources were made available and all activities were thoroughly coordinated at the highest level.

The MEO (I) carried out evacuation work well up until December 1947; and by 1948 it was time to wrap up the organisation. The last statistics provided on evacuation by MEO are for the month of January 1948:

1. Grand Trunk Road (Jullunder-Amritsar-Wagah) for Muslim foot-convoys from Jullunder and Hoshiarpur districts: On completion of this movement, this route would be used by MEO (I) for dispersal from Amritsar.
2. Road Ludhiana-Ferozepur-Kasur.
   (i) For Muslim Foot convoys from Ludhiana, Ambala, Karnal and Ferozepore Districts and from Malerkotla, Sind, Nabha and Patiala States.
   (ii) In the reverse direction, for the exodus of Sikh foot convoys from Lyallpur and Sheikhupura districts. Until this movement is finished traffic control over the Sutlej bridge will be arranged by East Punjab Area.
   N.B.— These convoys will be given the choice of moving via Khem Karan or via Ferozepore.
3. Dera Baba Nanak-Narowal— For Muslim foot convoys from Hisar, Rohtak and Gurgaon Districts and from SUKET state.
4. VIA SIRSA AND SULAIMANKE— For Muslim foot convoys from HISAR, ROHTAK and GURGAON Districts.

<table>
<thead>
<tr>
<th>Mode of Evacuation</th>
<th>Number of Evacuated</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Evacuated By Foot</td>
<td>1600000</td>
<td></td>
</tr>
<tr>
<td>Evacuated By MT</td>
<td>320000</td>
<td></td>
</tr>
<tr>
<td>Evacuated By Train</td>
<td>1082500</td>
<td></td>
</tr>
<tr>
<td>Evacuated By Air</td>
<td>30000</td>
<td>3032500</td>
</tr>
</tbody>
</table>


A demi-official account of rehabilitation struck this self-congratulatory note: ‘In retrospect, the operations connected with the planned evacuation of non-Muslims from West Pakistan constitute a miracle of precision, efficiency and speed… For the role played by the Indian army in this stupendous mercy mission no praise is too high. Our defence personnel performed prodigies in organizing the terror stricken refugees into orderly convoys and escorting them to the haven of Indian soil.’

The Camps:

There were three types of camps for the refugees—the Concentration camp (sic!), the Transit camp, and the Refugee camp. The Concentration camp was the one in which the minority population would collect in from across the various villages and towns of Pakistan. Such camps were in the Pakistani territory and were under the administration of Pakistani officials. Old school buildings, temples, abandoned homes, etc and more often open places (where tents would be put up) were used as camps. Guarded by the Pakistani Ansars or the Pakistani police, these camps were meant to be safe havens in the ‘enemy’ territory for the minority population who were keen to migrate to India. Nonetheless, as was perhaps common in those turbulent times, a biased police force always proved to be a threat to the camp population. Therefore, after repeated requests

---

9 Note the use of the term ‘Concentration Camp’. A similar term was used in Nazi Germany referring to the camps where Jews were kept in captivity and often using varied means were annihilated. Of course, in the present context, it had a different meaning, quite contrary to the German experience. But many years later, Saibal Gupta, the Chairman of the Dandakaranya Development Authority, used the same term to criticise the restrictions and strict regulations which were implemented for the running of refugee camps in Dandakaranya region. Chapter IV discusses this further.
from the camp inmates, some Indian troops were dispatched to provide security to these people.

From these camps people were escorted to the Transit camps which were located in the border areas. Military barracks, old or abandoned buildings, schools and colleges were used to accommodate these refugees. These camps were managed by the MEO (I).\footnote{There were atleast 21 such camps in Punjab alone: Fazilka, Ferozepur, Khem-Karan, Atari, Amritsar and Dera Baba Nanak to name a few sites. Satya M Rai, \textit{Partition of the Punjab: A Study of its Effects on the Politics and Administration of the Punjab (I): 1947-56}, New York: Asia Publishing (1965), p. 110.} From here the refugees were shepherded into the Indian Territory by the means already discussed above.

Once inside the Indian border, refugees were admitted to the Refugee camps. Here they were initially provided relief measures, and later from here itself their proper rehabilitation would be planned out. One of the biggest camps for the refugees from West Pakistan was the Kurukshetra camp. This camp accommodated nearly 50000 people at one time.

Transit camps were set up in India for those Muslims who wished to migrate to Pakistan. In Delhi, there were two big camps set up in Purana Qila and Humayun’s Tomb. However, the camp at Purana Qila was set up entirely by the Muslims who were forced out of their homes by the incoming refugees, whereas, the one at Humayun’s Tomb was pre-meditated and hence not set up as arbitrarily as the former. Anis Kidwai, who was involved actively in running these camps, noted certain differences between the two:

For one, this camp had been established by the Indian Government and was properly managed; Jamia volunteers looked after its daily functioning while the Indian government met its material needs. There were neither two orders in operation here, nor discord about India versus Pakistan... Another difference was that everyone had tents. And yes, the cleanliness... In September, the Purana Qila Camp had housed 80000-100000 refugees. the Humayun’s Tomb camp had peaked at around 60000 then; by November a much smaller number remained, the bulk having left for Pakistan or scattered into various districts of UP. The patients [in the Humayun’s Tomb camp] were mostly ill than injured and the camp residents were mainly poor than rich.\footnote{Anis Kidwai, \textit{In Freedom’s Shade} (translated by Ayesha Kidwai), New Delhi: Penguin (2011), p. 53.}

However, in her detailed description of both these camps the emphasis is on the state of abject misery its residents were reduced to. The difference is made even starker when she draws a contrast between these ‘Muslim camps’ with the ‘refugee camps’ set up by the
same government. She notes with regret how the lower officials of the State, even in this moment of difficult circumstances, were bent on following a ruthless policy of discrimination between Hindus and Muslims. To cite one example, Kidwai recounts that her request for adequate number of blankets had not been responded to by the Ministry. She then approached Gandhi who ordered for the immediate release of the required number of blankets. But ultimately only a few from the sanctioned amount was actually distributed in the Humayun’s Tomb camp, and Kidwai noted regretfully:

… how could one expect those in positions of authority to have a breadth of vision that would, at least in the matters of charity, prevent them from discriminating between Hindu and Muslim?12

The All India Hindu Mahasabha also set up three camps in Delhi—Bhopatkar Canteen, All India Hindu Mahasabha Bhavan and the Bhai Parmanand Relief Camp.13 The Mahasabha workers even arranged for the reception of the refugees from Punjab in the Delhi Main station by offering them free rations and milk. Of course, the purpose behind this ‘warm’ reception was to actually mobilize the refugees in their favour.

Politicians, while addressing the camp inmates, constantly emphasised the need to maintain peace and unity in these adverse situations. The camp inmates were asked to forget the past and start anew, and the ideals of secularism were also preached in these camps. They were also asked to help the Government in the rehabilitation programme. They were asked to become self-reliant and stand up on their own feet, thereby reducing the burden of the Government and thus that of the people who were actually responsible for their plight today.

Bengal—The Other Story:
Bengal presents before us a different picture. The presence of Gandhi (the ‘one-man boundary force’ in Mountbatten’s words) ensured that the Eastern frontier did not witness any indiscriminate violence, rioting and massacres as had occurred on the Western frontier on the eve of Partition. Rather, Bengal would witness a phase-wise migration which would continue for very long, even to this day—though now it is more due to economic compulsions. This point is worth stressing upon as it was this very pattern of

12 Ibid. p. 69.
13 From correspondences found in Ashutosh Lahiry Papers, NMML.
migration which would decide the future rehabilitation policy (or the lack of it) for the refugees from East Pakistan. Within these phases as well, it was never a constant—migration occurred either in small trickles into the Indian side or in a large gush caused by extremely tense or provocative situation.

The following five phases of migration can be identified:

- **1946-48**: Noakhali Riots and the immediate aftermath of Partition.
- **1950**: Riots start at Bagerghat (East Pakistan) in December 1949 having grave repercussions in rest of East Bengal and West Bengal during the latter part of the year reaching a peak in February 1950.
- **1952**: Introduction of passports
- **1964-65**: Hazrat Bal mosque incident in Kashmir—riots in Rajshahi and Pabna Districts and Dacca.
- **1971**: Creation of Bangladesh.

The First Phase:
The migrants who came in the first phase of migration primarily included the *Bhadralok* classes who already had a toe-hold in West Bengal. They came here either as a result of the Noakhali violence or because they were genuinely upset with the creation of the Muslim state—Pakistan—where they saw themselves as nothing but second-class citizens. Thus, political beliefs and social factors were responsible for migration in this first phase. Regarding the ‘political factors’ which motivated the migrants to move out of East Pakistan, relatively small issues like hoisting of the Pakistani national flag, the dissolution of the Provincial and district branches of the Congress and migration of most of the political representatives of the minority community from East Pakistan to India became push factors for the minorities in East Pakistan. Social factors included the psychological impact the creation of Pakistan had on the Bhadralok Hindus who refused to live under the tutelage of the Muslims who they considered as economically inferior to themselves. An example of such apprehensions of the Hindu Bhadralok is cited by
Hiranmoy Bandopadhyay in his memoir. Narrating the incident, the Bhadralok refugee told Bandopadhyay that one day his servant/tenant simply barged into his home calling for the owner loudly:

_Taar eii unchu sur-e kotha aar gaye-pora bhab dekhe ammar mone-mone besh raag holo. Age dekha hole erai dosh haath door theke antoto dosh baar salaam korte. Kintu ekhun toh Pakistan._

[Hearing his loud voice and seeing his way of showing closeness [read equal status] I was furious. Earlier this same person would pay me ten salaams that too, from a distance. Alas, now this is Pakistan [that is from where he has got this confidence and sense of equality.]

When he asked him to stand outside and talk, the man simply refused and entered his home forcibly —

… _barikhana jeno tari sompoti emon bhab dekhiye ekrokom amake tene niye bhetore chollo. Baithakkhana noi, ekebare andorer shobar ghore. Dibi araam kore bichanaye boshe amake ekrokom jor kore pashe boshiye bollo—“Korta, ekhun Pakistan hoye geyche! Mone besh, amra aar chhoto net.”_ [he entered] as if the home was his property and almost dragged me into my own home to sit across and chat—not in the sitting room but straight into my bedroom. There, sitting comfortably on my bed and forcing me to sit by his side he said “Korta, now Pakistan has been created. Do remember we are equals now.”]

It was in anticipation of such behaviour that numerous memoranda and petitions had been sent to Rajendra Prasad by the Hindus of East Bengal requesting him to include their district in the Indian Territory. With their worst fears coming true, the only option left then for them was to migrate to safety, but more importantly to a land where they could live with honour.

---

14 Hiranmoy Bandopadhyay, _Udvastu_, Calcutta: Bangiya Sahitya Samsad (1970), p. 15. It was the Hindus who had always been the landlords of the greater estates and Muslims were mostly tenants and labourers in these lands. Oppressed by these landlords, these tenants dreamt of Independence as an aspect of Partition: Why Tebhaga when we can have the whole of Pakistan?

15 A way of addressing the male head of the home in Bengali language.

16 In Rajendra Prasad papers collection at the NAI, one can find numerous letters from the organisations representing Bengali Hindus requesting for inclusion of their district into Indian Territory citing the fear of oppression by the Muslims after Independence. F No. 1-B/1947 Vol I On boundary commission Bengal 1947. NAI.

17 Of course, that this was a false assumption of these migrants, since the refugees were not so received in West Bengal the way they had imagined they would be. In fact Shyama Prasad Mukherjee pointed out to the disillusionment the refugees had experienced upon coming to West Bengal in the following words ‘In East Bengal it is death with dishonour and in West Bengal it is death without dishonour, but death, all the same in either case.’ S. No 31, SPM Papers, NMML.
The Second Phase:
The communal riots of 1950 proved to be the last nail in the coffin for those migrants who had stayed on and had accepted their subordinate status in Pakistan as *fate accompli*.20 This category of migrants included primarily the lower classes—agricultural labourers, rural craftsmen/ artisans, fishermen, the urban poor. For them it was simply impossible to think of a livelihood outside their normal habitat. They had stayed on in East Pakistan sensing that it would be difficult to re-establish themselves in a new land. They were not interested in the ‘High-politics’ and, therefore, change of guard meant little or nothing for them as long as they were able to make both ends meet on an everyday basis.21

This was truly the first phase of migration in the East on an unprecedented scale. And not only was it high in terms of numbers involved, it was also the first instance of a two-way migration in the East. The images of trains carrying Hindus from East Bengal to West Bengal and then going back with Muslims from West Bengal to East Bengal, foot convoys moving in both directions, and finally, the two-way movement of steamers between Calcutta and Dacca were now creating a scenario similar to what had happened in the western region about two years ago.

In the light of this influx, the Government of India and the Government of West Bengal was compelled to take immediate action. Whereas the former insisted on preventing the influx22 and following this principle the Nehru-Liaquat Ali Khan Pact or the Delhi Pact was signed23, the latter, more aware of the ground realities, made

---

20 These riots were sparked off by a minor conflict between the Namasudras and Muslims in Bagerhat (Khulna District) in late December 1949. The minor incident spread further into the other districts of East Bengal and had violent repercussions in West Bengal as well.

21 Hiranmoy Bandopadhyay in *Udvastu*: ‘Ekhun jara asche, tara rajnetik sombondhe eto sachetan noye je nijer bhite-mati tyag kore rajnitik adhikarer abhab-e deshtyagi hobe. Tara prdhano krishijeevi shrenir lok… Kintu tarao ebar bodhiyae thakte parbe na. Karon ebar nidaron atyachaar ebong nipironer phole paliye ashte hobe. Theke gele tader ghor poorbe, tader meyera dharsito hobe ebong nijera khoon hobe.’ [Now those are coming are not political-minded. They are simple peasants. They are running away from extreme oppression. They will come here only because if they stay back their homes will be burnt, their daughters will be raped and they will be murdered.] p.58.

22 Though evacuation was sanctioned by the Centre, yet, the larger aim was to prevent this influx. Nehru’s argued strongly against the three options given by Shyama Prasad Mukherjee: exchange of population, demand for more territory from East Pakistan to house the incoming migrants and if all fails then war as the final solution.

23 The Delhi Pact and its critique are discussed in detail in Chapters III and IV of this thesis.
immediate arrangements for the evacuation of the stranded minorities by rail, steamer and even flight service.\textsuperscript{24}

To summarise, this was the only phase when the incoming Hindu migrants and outgoing Muslim migrants received some aid from the Government in making the journey into and away from India, respectively.


The Third Phase:

With the introduction of passports, the minority community in East Pakistan realized that the borders in the East were getting sealed and that this was their last chance to make it to the other side legally. Therefore, 1952 once again saw an increased influx of migrants coming from East Pakistan in the months preceding the introduction of the passports. The

\textsuperscript{24} ‘Dr. Roy worked unceasingly to bring the refugees to India. Without waiting for any directive from the Central Government he had sent as many as sixteen chartered planes on his own responsibility to Dacca to airlift the stranded passengers (without charging any fee)’ Saroj Chakrabarti, \textit{With Dr. B.C Roy and Other Chief Ministers: A Record upto 1962}, Calcutta: Benson’s, 1974, p. 70.
The introduction of Migration Certificates (1956) as a compulsory travel document in the post-passport era complicated the process further. Very few could have migrated legally into India in the years following the introduction of passport. With passports and the priority-wise distribution of Migration Certificates, restrictions on mobility had been imposed in the East. As a result, the influx had gone down comparatively but it did not die out completely. From the point of view of the State this ‘element of uncertainty’ had to be eliminated. Two means were adopted for this purpose:

- Issue of Migration Certificates, based strictly on priority categories, and
- Migration after 31st March 1958 was considered as illegal.  

The persistence of migration and the means deployed to circumvent State imposed restrictions form the subject matter of another Chapter.

The Fourth Phase:

After a period of relative lull (1958-1963), migration restarted in the wake of communal riots in 1964. A Commission of Enquiry was set up by the Government of India in early 1965 ‘to enquire into…the exodus of the minorities of East Pakistan into India, particularly since the first day of January 1964.’ The notice called for statement of facts

---

25 ‘Whereas the year 1956 marks the first major phase in the solution of the rehabilitation in the East, the year following—i.e. 1957—stands out as the next important landmark [since after the elimination of the element of uncertainty] the Government was able to make a detailed assessment of the size of the problem in different states. This assessment revealed that for the purpose of rehabilitating effectively the displaced persons who were already in India, it was essential that the size of the problem should not be allowed to grow indefinitely. This realisation led to the important decision in December 1957 to discontinue rehabilitation assistance to those who migrated after March 1958. … It was only during 1958 for the first time that the magnitude of the problem in each state was finally determined.’ Ministry of Rehabilitation, Annual Report for the year 1958-1959. p. 30.

26 See Chapter IV of this dissertation.

27 The riots in 1964 were sparked by the disappearance of the holy relic of Prophet Mohammad from the Hazrat Bat Mosque in Kashmir on 27th December 1963. Even though this was recovered on 4th January 1964, the repercussions of the theft were grave, especially in the distant Khulna region of East Pakistan. Once again violence spread from here to the other regions—Jessore, Dhaka, Narayangung, Faridpur etc—and this resulted in yet another largescale influx. The incoming migrants brought alongwith them horrifying tales of violence and rioting which in turn led to the worst communal riots in Calcutta subsequently.

28 A similar Commission of Enquiry had been set up to look into the 1950 riots. This report too was never published.

29 Notice dated 22nd February 1965, Office of the Commission of Enquiry (on the exodus of minorities from East Pakistan), SWS, JU, Kolkata.
from ‘all persons acquainted with the subject matter of the enquiry’ and noted the terms of reference as such—

- To inquire into (1) the circumstances which brought about the exodus of the minorities of East Pakistan into India; (2) the nature; and, (3) magnitude of the exodus and the problems created thereby;
- To suggest measures which may be adopted for preventing the recurrence of such an exodus;
- To consider other such measures relating to the exodus as the Commission may think fit.  

The accompanying booklet published in Bengali, showed the real intention behind the setting up of this Commission. Its main purpose was to determine the causes behind the influx of the refugees— ‘udvastu agomonter karon nirdharon kora’. The supplementary purpose was ‘Pakistan-e phele asha bishoy sampati somproke khoti pariman sangraho ebong Bharat-e udvastu punorborsi tir swarup nirdharon.’ [to collect evidence of property losses suffered on account of migration from East Pakistan and also to decide upon rehabilitation programme for these refugees]. However, it was the first purpose which was to be given greater importance— ‘Dekha dorkar je gon udeshyo jano mokhyo udeyshyo ke chapiye na pore arthat khoye-khoti poriman o punorbashone asampoornatar kotha beshi kore bolte giye Pakistan tyager karonta chapa na pore.’ [it should be ensured that the narrative of material losses suffered and also that of the incomplete rehabilitation should not overshadow the main focus on the reasons for leaving Pakistan]

This overarching concern on the reasons behind migration rather than on the recording of losses suffered, or grievances on account of inadequate rehabilitation, can be explained by the fact that it was in tune with the principle governing the rehabilitation programme in the East in the post-Delhi Pact era. According to this principle, the minorities were the responsibility of the State to which they originally belonged and that the ‘originating’ State, so to speak, should not wash its hands off from this responsibility.

---

30 Ibid. [Emphasis added]
31 Commission-er Prashnamala Pooron Samporke Nirdesh [Guidelines for the Commission], SWS, JU, Kolkata.
By paying greater attention to the reasons for migration rather than on rehabilitation and material losses suffered, the Indian Government was keen to show that their Pakistani counterpart had not delivered on its promises. Another principle (different from the West) adopted for the East-side rehabilitation was that the migrants would not be paid any compensation for material losses suffered.

The Enquiry Commission’s report was not published. However, some of the testimonies preserved in the Asoka Gupta Archives are a pointer towards the conditions in East Pakistan which compelled the migrants to leave their homes and elect to live the rest of the life as refugees. The respondents cited the following factors as reason for their migration to West Bengal—

- Hindus being killed by Muslims
- Hindu women being abducted or forcibly married to Muslims
- Loot of property, agricultural produce, cash etc by the local Muslims or even Ansars in the border checkposts.
- Lack of freedom to practice own religion.
- Forcible entry into homes of the Hindus, more importantly entering the kitchen and andarmahal in the homes, which was just not acceptable.
- Destruction of temples and also ‘pollution of temples’.

These, the respondents testified, were a regular feature right from the birth of the new State of Pakistan, but the Government of India recognised migration as legal only when such ‘minor’ incidents snowballed into major riots, as in 1950 and 1964. That the Hindus were being systematically squeezed out was something the Government of India seemed to wish away. But the continuing influx and such testimonies were strong statements made by the migrants who clearly showed that the fear was for real.

The last phase of influx of East Pakistani refugees was an outcome of the Indo-Pak war (1971) and the creation of the independent state of Bangladesh. The subsequent Indira-
Mujib Pact stated categorically that migration after 23rd March 1971 would be considered illegal.\textsuperscript{32}

\textbf{State’s View on Migration in the East:}

From its inception, migration in the West was seen as inevitable while that in the East was seen as one that could be prevented.\textsuperscript{33} Hindus in East Bengal comprised nearly 42% of the total population of undivided Bengal, and some regions had an overwhelming Hindu majority. It was perhaps for this reason that it was believed that the conditions would not be unfavourable for them—‘Was it not reasonable, then, to expect them to find their feet in the new state and make their legitimate contribution to its growth and progress?’\textsuperscript{34}

The official correspondences between Nehru and Dr. B C Roy (Chief Minister of West Bengal) regarding the attitude of the Central government towards the migration in the East are instructive in this regard. Nehru opposed strongly any such migration from East Pakistan:

\begin{quote}
I have been quite certain, right from the beginning that everything should be done to prevent Hindus in East Bengal from migrating to West Bengal… If as you suggest things have gone too far already then naturally we shall do what we can but I shudder at the magnitude of the misery that will come in its train. To the last I would try to check this migration even if there is war.\textsuperscript{35}
\end{quote}

Also, since migration in the East persisted even after independence, the Indian State had to be cautious in its approach towards this issue lest any strong action taken by it be seen by its opposite number as a transgression over the latter’s ‘internal’ matters.\textsuperscript{36}

\begin{footnotesize}
\textsuperscript{32} However, lived experience in the Eastern border states shows how migration still persists. Works in this direction include: Willem van Schendel \textit{The Bengal Borderland: Beyond State and Nation in Asia}, London: Anthem Press (2005), Ranabir Sammadar, \textit{Refugees and the State: Practice of Asylum and care in India 1947-2000}, Ne Delhi: Sage Publications (2003), etc.

\textsuperscript{33} U B Rao describes this perception of the Government of India in the following words, ‘The partition in the East was nourished on the illusion that there would be no significant disturbance of the population on either side. If any similar illusions were ever entertained in the West, the pre-partition riots had demonstrated its utter futility… The efforts to persuade the minorities to stay on in West Pakistan had to be abandoned as hopeless.’ U.B Rao, \textit{The Story of Rehabilitation}, New Delhi: Government of India, 1967 p. 141

\textsuperscript{34} Ibid. p.141

\textsuperscript{35} Nehru to Roy, dt 25/08/1948 [Saroj Chakrabarti, \textit{With Dr. B.C Roy and Other Chief Ministers: A Record upto 1962}, Calcutta: Benson’s, 1974, p. 109]

\textsuperscript{36} Hence we find the rhetoric of the State insisting that minorities were the responsibility of the State they were living in. This stand of the Government of India is described in greater detail in Chapter IV of this
\end{footnotesize}
Even in identifying the causes, instead of recognizing the palpable issue behind the migration, the Centre chose to attribute this migration to mere fear and panic. Eventually the doles being given to these migrants came to be seen by the state as an ‘incentive’ which, it believed, led to further migration—‘The economic condition in Pakistan are bad and deteriorating and probably the chief cause now for people trying to come over….‘

When the option of evacuating the non-Muslim population from East Pakistan was suggested to Nehru, his opinion was as follows, ‘Personally, I think that the business of shifting millions of people is entirely beyond our capacity….‘ The Government of India was then clearly averse to migration in the East with very clear implication for the rehabilitation policies that were formulated and enforced in the East.

**Categories of Migrants:**

This section engages with the various categories of migrants and the manner in which they were evacuated. Migrants can be categorised into two distinct groups—the ‘privileged’ section (richer migrants, politicians and government servants) and the ‘non-privileged’ section (people who were unable to pay for flights or reserved compartments in trains, and therefore took the long and unsafe journey on foot, road and rail). This division is based upon the relative ease with which they could make the journey to India.

dissertation. It is adopted in the post-Delhi Pact era, and even more vociferously in post 1964 period, the last phase of ‘legal’ migration into Indian Territory.


38 Nehru to Roy, dtd. 17/02/1950, in ibid, p. 73.

39 In fact, much against the directive of Gandhi and also the other prominent leaders of the Indian National Congress, these West Pakistan and East Pakistan Congressites crossed over to the Indian side after partition. In the East, this was gravely detested by the Bengal Provincial Congress Committee for it was seen that with both leaders and government officials coming over to this side, there would hardly be any confidence left among those who had not migrated so far. Also, these East Bengal leaders would be a constant source of trouble in West Bengal where they actually had no base to capitulate upon. Note B C Roy’s comments on this issue: ‘According to the directive of Dr Rajendra Prasad, the then President, 147 members of the BPCC from East Bengal who opted out found seats in the BPCC, although they did not have any constituency in West Bengal of which they could be considered to be representative. Neither the President of the BPCC nor the President of the District Congress Committee has any touch with the people of West Bengal.’ Saroj Chakrabarti, *With Dr. B.C Roy and Other Chief Ministers: A Record upto 1962*, Calcutta: Benson’s (1974), Note prepared by Dr B C Roy, dated 22.6.1949. p. 127.

Here Roy is pointing out to the wrong move in choosing Suresh Das [President of South Calcutta DCC] from East Bengal as contestant for the South Calcutta by-election which he lost poorly to a West Bengal candidate—Sarat Bose. This was a period when Congress was suffering heavy losses in West Bengal. Roy believed it was to do with too many east Bengal members in the party. For more on this East/West divide in politics, see Joya Chatterji, *Bengal Divided: Hindu Communalism and Partition 1932-1947*, Cambridge: CUP (1994) chapter 5.
Women and Harijans formed the problem category, to which we shall turn to in the subsequent sections.

The Privileged Government Servant

An integral aspect in this whole evacuation programme was the preferential treatment meted out to the displaced government servant. Mountbatten had emphasised upon the need to chalk out a division of the government staff of all departments while enumerating the ‘Administrative Consequences of Partition’.  

Not only was such a ‘division of personnel’ desired by the authorities, it matched the desires of such personnel themselves. A letter written by one Afsal Khan Hussain to the Editor of the Daily Dawn, gave vent to the growing feeling among a section of Muslim officials regarding ‘Hindu monopoly’ in government service:

Like so many other departments of the Government of India, the Commerce Department has since long been the monopoly of our so-called friends, the Hindus…. Muslims of more than 20 years of service are rotting and are never promoted whereas Hindus selected from the gutter have been made gazetted officers. One really wonders at the cunningness of the Hindu officers in charge of administration who have kept all the Muslims of this department at the lowest levels…. Muslims are so scanty in this office that they fear to raise any voice (in the fear that they might loose their jobs).

Apart from noting a sense of discrimination which the Muslims were perhaps exposed to, this note also hints at their hopes and expectations from the new state of Pakistan—freedom from ‘Hindu monopoly’ in administration especially higher posts. It was the latter which proved to be a significant ‘push’ factor for many highly placed Muslim government officials.

Whatever the motivation, an Experts Committee I (one) headed by H M Patel and Mohammad Ali was assigned the task of framing guidelines for the ‘division’ of Government officials. Every government servant was given an opportunity to select the government they wished to serve. Accordingly they could choose ‘India Final’ or ‘India Provisional’ and ‘Pakistan Final’ or ‘Pakistan Provisional’; any change of option from

41 Intercepted letter titled ‘Hindu Monopoly of Commerce Department and Attached Offices’, from Afsal Khan Hussain to the Editor, the Daily Dawn. Date of interception: 16th November 1946. Police Records No. 78, 5th Installment, NMML.
provisional to final could be made within six months of the transfer of power, i.e. by 15th February 1948 failing which the first option chosen would stand\textsuperscript{42}.

Naturally, several Hindu officers posted in Pakistan opted for India; similarly Muslim officers chose Pakistan. However, Anis Kidwai’s account shows that many Muslim officers were almost pushed into Pakistan without actually wanting to serve there— ‘Yehi haal har mahkame ke mulazimo ka hua. Jinhone Pakistan likha tha ve bhi gaye, jinhone Hindustan likha, ve bhi bhaga diye gaye.’\textsuperscript{43} Nonetheless, one advantage which these government officials had over the common people was the near guarantee of safe passage to their final destination, often by chartered flights or reserved bogies in special trains\textsuperscript{44}. More importantly, unlike their fellow displaced brothers and sisters, these government servants were assured of a job and home in the country they arrived at.

The archival records show how several officers of both the States were safely escorted to their respective destinations along with their families, and all this often at government expense. Two factors, perhaps, influenced this stance taken by the Government—one, the practical aspect, i.e. the need for manpower in the newly created administrative machinery, and second, government servants were an important constituent of their respective states, as such their protection was the direct responsibility of the state itself. Both the governments were therefore keen to ensure that their officials were safely evacuated form the ‘enemy’ territory into the fledgling State being assembled across the border. The Purana Qila camp in Delhi was set up with the view that the Muslim employees in New Delhi who had opted for service in Pakistan could be safely escorted to Pakistan by a special train service.\textsuperscript{45}

The Government of India, too, provided similar facilities to its optees across the border. Often we find requests being made to reimburse the airfare or railfare in the official correspondence between the office of the Deputy High Commissioner for India in Pakistan (Lahore) and the Ministry of States (New Delhi). To cite an example, a request

\textsuperscript{42} A sample Questionnaire and Form is annexed in Annexure II.
\textsuperscript{43} i.e. Similar fate awaited the Muslim government servants. Those who opted for Pakistan left and those who did not were also pushed out. Anis Kidwa, \textit{Azadi ki Chaon Mein}, New Delhi: NBT (2005) p. 45.
\textsuperscript{44} The Partition Committee noted: ‘With a view to facilitating smooth transfers of officers and men to and from Pakistan, it is requested that you should arrange the programme of transfers to the other Government in consultation with your counterpart.’
\textsuperscript{45} The Estimates Committee emphasised upon the need for such a camp for Pakistan optees and elaborately discussed measures for its upkeep. Partition Proceedings, Vol 1.
was received by the Ministry of States from the office of the Deputy High Commissioner for India in Pakistan (Lahore) regarding the reimbursement of the entire airfare incurred in the evacuation of Abdul Aziz (Assistant Engineer in Kashmir Government) was sent to Delhi on 6th March 1948 by an Indian National Airways flight and the amount was paid from the latter’s office.46

We read in one such file, fortunately now open to the public at the National Archives, New Delhi, regarding the authorities who would decide whether the government official was entitled to evacuation by air or not—‘Kindly note that the demands for Government seats should be signed by Deputy Secretaries or above in accordance with instructions issued on 13 September 1947. This regulation is necessary in view of the overwhelming number of applications now being received by this Directorate.’47 These officers were also allowed to carry along with them their luggage weighing not more than twenty pounds.

This category of people became the most certain citizens of India while their Muslim counterparts most definitely became suspects.48 At the same time, the rehabilitation of these government officials was not much of a problem for they could easily ‘fill-in’ for the vacancies that were left on account of the departure of the British and Muslim officers. So, on the whole, their evacuation and rehabilitation was not at all a major headache for the Government of India. However, in the long run, it created problems for the local population (who could have been equally eligible for these jobs), the minority population in India (for on several occasions it was observed that the displaced

46 F. no. 7(3)/48, ‘Evacuation Arrangements about Kashmir State Nationals Stranded in Pakistan’—Letter From Secy (DHC Office), Lahore To: Secy to GOI (M/o States), New Delhi, dt 11/03/48:
‘….It is therefore requested that the sanction of the Government of India may kindly be issued for this air journey and the Accountant General central Revenues, New Delhi may be asked to accept debit of Rs.66/- against the Ministry of States under the relevant head of account which should be indicated in the sanction. This may kindly be treated as urgent….’
47 F. no. 14 (150) FII Pt. II, (i) Evacuation of the India opted staff from Lahore Mint, Pakistan and the Pakistan opted staff from Bombay and Calcutta Mints and India Security Press.
(ii) Arrangements for the transit of Messrs McLaren and Spenser to Lahore.’
Letter from Office of the Director General of Civil Aviation to M/O Finance, Government of India, New Delhi dt?
government official often had a vindictive attitude towards them\textsuperscript{49}), and also, for the fellow displaced persons since whereas they had lost their all and come in almost tatters, these officials, as shown above, were in a much better position.

Problem Faced in the Evacuation of the Displaced Government Servant:

The chief problem faced here was that of ‘surplus’ and ‘quotas’, i.e. only those government servants were to be evacuated whose service in the new government would be indispensable. Such reluctance can be observed in the negotiations involved between the officers of the two Mints at Lahore and Calcutta. The Government of Pakistan was reluctant to absorb all the Pakistan optees, and instead fixed a ceiling which implied that only those who had served in these mints for four years (later increased to six years) would be allowed to move into Pakistan and get employed in the Lahore mint. This ceiling significantly reduced the number of workers to be absorbed by the Pakistan authorities, and thus, so to speak, reduced their burden.

Thus, though originally 640 workmen of the Calcutta and Alipore Mints opted for Pakistan, the Pakistan Mint authorities at Lahore were willing to absorb only 200 of them—

Pakistan government are likely to refuse to accept some 450 out of 650 men who are due for transfer to the Lahore mint. This seems to be most unjust and unfair to the men concerned. At the time they were called upon to exercise their option a presumptive guarantee of future employment was given in the form which they were called upon to sign…. I had no doubt whatsoever that had the men concerned been aware that they were actually signing away their unemployment, their options would have been very different… I had some reason to believe that they were coerced into signing Pakistan final (sic). As a result of this action they have lost their employment in this mint and it now appears that the Pakistan government is now going to repudiate any obligation with regard to a great majority of these men.\textsuperscript{50}

\textsuperscript{49} Anis Kidwai’s account cites few instances where the experience of Partition violence had made the officers highly biased. For example she notes a degree of aloofness in the attitude of the Deputy High Commissioner (Delhi) M S Randhawa when it came on taking a swift action on issues plaguing the Muslim camp or Muslim zones. Similarly, she notes the callous attitude of the thanedar in recording atrocities inflicted upon the Muslim residents of Delhi. Kidwai, Azadi Ki Chaon Mein, p. 191

\textsuperscript{50} F. no. 14 (150) FII Pt. II, ‘(i) Evacuation of the India opted staff from Lahore Mint, Pakistan and the Pakistan opted staff from Bombay and Calcutta Mints and India Security Press. (ii) Arrangements for the transit of Messrs McIaren and Spenser to Lahore.’ Letter from E. A. Wimberley (Indian Government Mint, Calcutta) to K.G Ambegaonkar (Secy to GOI, M/o Finance, New Delhi), dtd 17/Oct/1947.
On the Indian side, the Pakistan optees were relieved from their duties in Calcutta and Bombay Mints on 4th October 1947 and from the India Security Press by 30th September 1947. Thereafter, the Government of Pakistan was informed that this staff was now their liability. Regarding the India optees from the Lahore Mint, the Mint Master Wimberley remarked that most of them had been absorbed in Bombay and Calcutta Mints, while in case of a surplus, those men with the least years of service would be discharged from duty. But Pakistan, on the other end, refused to take in all the optees stating that the Lahore Mint was absorbing as many workmen as it could, and that those which it could not was due to the fact that there was a reduction in the demand for coinage, therefore not many workmen would be required.

Another problem faced was with regard to the re-employment of the Provisional optees. Interestingly, though it was maintained that ‘Provisional choice will not prejudice seniority or conditions of service’, yet, in actual fact, a Secret/ Immediate office Memorandum issued by the Ministry of Home Affairs to all Ministries of the Government of India categorically mentions that ‘every Ministry should ensure that employees under their administrative control who opted for service in India in the first instance are all absorbed before a person, who opted first provisionally for Pakistan and later changed his option, is taken back in service.’ The memorandum also explains why this should be so—‘it is necessary for the Government to ensure that the employees’ character and antecedents are satisfactory so as to render them suitable employment… [therefore when provisional optees seek reinstatement] an enquiry should be made through local police authorities and in doubtful cases the papers shown to the Ministry of Home Affairs before the person is reinstated in employment.’

The Eastern Difference:
Though there was no official evacuation programme in the East, the option of either working in Pakistan or in India was given to the government officials in this region as well. Once again, not surprisingly, the Hindus opted for India and Muslims opted for

51 Memorandum dated 10th January 1948 from Ministry of Home Affairs to all ministries of India. NAI.
52 Hiranmoy Bandopadhyay, ICS and DM Dinajpur, Jalpiguri and 24-Parganas district in undivided Bengal, later appointed as Rehabilitation Commissioner for the 24-Parganas district, recollects rather nostalgically his journey in the reserved compartment of the train from Dinajpur to 24-Parganas. He mentions how
East Pakistan. It is interesting to note that the files seen so far in the National Archives of India don’t mention any case of Hindu officers from East Pakistan being brought ‘safely back’ to India. However, what surfaces occasionally are the grievances of these officials who upon reaching India were not recruited.

Four hundred Sylhet employees, who opted for service in India and were therefore discharged by the East Bengal Government, were denied employment by the Assam government. Having opted to serve in India in response to a circular issued by the Government of Assam dated 1\textsuperscript{st} July 1947 on the basis of the fundamental principles laid down by the Special Committee of the Partition Office, Government of India, offering each Government servant free choice as to his domain of service in Pakistan or Rest of India, and thereby also guaranteeing the fullest protection to him for the exercise of his choice, these officers were now rendered unemployed: the Government of East Bengal had relieved them of their duties while the Assam government refused to absorb them in its services.

The justification provided by the Assam Government was that in their view those government servants who were natives of or domiciled in Sylhet and who were posted within the Sylhet district on 14\textsuperscript{th} August 1947 would automatically go over to the Government of East Bengal, irrespective of their choice. Also, in a fresh circular dated 22\textsuperscript{nd} August 1947, it further insisted that such optees could not be absorbed in the services in Assam ‘in a manner that would be in excess of their requirements or create blocks to local recruitment.’\textsuperscript{53} Therefore, these employees were now left jobless. In the annexure to this ‘Memorandum’ these employees were able to prove statistically that if those personnel who had opted for Pakistan were released by the Assam government, then they themselves could be easily employed in these vacancies.

Such an instance is further representative of another important aspect of the entire rehabilitation programme viz, the response of the states where the displaced persons were

almost all of his colleagues came to see him off at the station with moist eyes for this was different from a regular transfer where the hope of meeting again was not impossible. This time, however, it was a final farewell. As he poignantly notes: \textit{this it was different… what I am leaving behind is now going to be a foreign country and those colleagues will be foreigners… this time I cannot say the customary ‘see you again’… I remained filled with sorrow the whole journey.} [translated from original in Bengali]

\begin{flushright}
\end{flushright}

\textsuperscript{53} ‘Memorandum on Behalf of Released Employees’ Organisation, Sylhet’ dtd 21/09/47 in AICC (1\textsuperscript{st} Installment) G3/KWI/ 1947-48, ‘Assam Refugees’. 

49
sent for the purpose of rehabilitation. Assam was an exception, and a highly hostile response was received from this state which for long harboured ill-feelings towards the Bengali refugee. This was so because the fear of the Bengali language and culture dominating over the nascent Assamese culture was very rampant, and therefore one finds numerous references in archival records, AICC papers and local newspapers of this very hostile attitude of the Government of Assam and the local Assamese population towards the Bengali refugee.

However, it seems that these government employees did find employment in the service of the Government of Assam.\textsuperscript{54}

Yet another instance of such grievances is lodged in a letter from Shyama Prasad Mukherjee to Sardar Patel:

I am told that at present East Bengal refugees are eligible for consideration only in the Eastern Zone of India. Offices situated elsewhere have not been given any instructions regarding the absorption of qualified East Bengal refugees. \textit{I think it will be desirable to allow the claims of West Bengal refugees to be considered in the whole of India just as it was done in the case of Punjab and Sind.}\textsuperscript{55}

Minor distinctions notwithstanding, on the whole, the displaced government servant in the East, too, was in a more advantageous position in comparison to the fellow displaced persons who had left behind their all and would therefore have to start afresh in the new country.

The Case of the Abducted Women:
It has been argued that women were the ‘chief sufferers’ of this unprecedented Partition violence. In the West, such violence against women took the form of mass abduction, forcible conversion or marriage. In the East, even though the degree of violence was comparatively less, women were still the victims of such direct and indirect violence. On both occasions women were seen as the receptacles of the honour of the Nation, community and family, and became the ultimate cause of concern for the protector State. As noted by Mridula Sarabhai, ‘To consider every unmarried girl as a daughter of the village and a bride as the bride of the village has been our age-long tradition. One dare

\textsuperscript{54} ‘Government Employees of Sylhet District’ in Statesman, dtd. 3/10/1947.
\textsuperscript{55} SPM to Patel dated 5\textsuperscript{th} March 1950, SPM papers, F. No. 162, II-IV Installment, NMML. Emphasis added.
not molest them. *They had an unchallenged right to expect protection from every villager.*⁵⁶ Therefore, Sarabhai’s main contention was that the women needed the protection of the State, and that in doing so the State was merely performing its traditional role—that of the ‘protector state’. Elaborate arrangements were thus made for the recovery and restoration of the women to their ‘rightful’ state.

The Recovery and Restoration Programme:
The earliest decision on this issue was taken on 3rd September 1947 at the Inter-Dominion Conference whereby it was agreed that ‘forcible conversion and marriages will not be recognised and efforts will be made by the Governments to rescue the victims and help them to attain the status quo which they maintained before partition.’⁵⁷ Thereafter, the entire programme of recovery and restoration of women to their ‘rightful’ place was elaborately discussed at the Conference in Lahore on 6th December 1947.

The entire programme went through three distinct stages as follows:

1. period before 6/12/47—immediate recoveries made after abduction took place and the recovered persons admitted to ordinary transit camps and then evacuated as ‘ordinary unattached women and children (refugees)’.

2. 6/12/47 – July 1948—special recovery police squads and social workers of both the Dominions functioned jointly, thereby making it a ‘joint’ responsibility to recover and restore the abducted women. But this failed since the burden of removing any obstruction to the process of recovery and restoration fell on the other party who wanted to get the recovery done, which was an impossible task since the representatives of the other country could seldom be expected to have effective powers here. Therefore, for the next five months, i.e. July to November 1948, there was a standstill in the recovery work.

3. New proposals were made, and an agreement was reached upon between the two countries on 11th November 1948 whereby both the countries passed an Ordinance which enabled the speedy recovery and restoration of abducted

⁵⁶ F. No. 1—G(R) 49 Vol. 1, 1949, M/o States G (R) Branch, Mridula Sarabhai, ‘The Problem of Abducted Women’
⁵⁷ Cited in ‘Brief History of Recovery of Abducted Persons Programme from 6/12/47 to 30/11/49’ in F. No. 1—G (R)/49 Vol. 1, 1949, M/o States, G (R) Branch. NAI.
women, overcoming all bureaucratic and legal hurdles.\textsuperscript{58} The new agreement bestowed the responsibility of the recovery and restoration of women on the dominion where they were residing. The women were to be brought to a Transit camp and then transferred to the Base camp which was set up exclusively for them—in Jullunder for recovered Muslim women and in Lahore for recovered non-Muslim women—from where they would be restored to their families.

The recovery figures improved to a great extent as a result of this new Ordinance (which later became an Act). The Act was highly arbitrary. It gave judicial immunity to the police and informants involved, disregarded the will of the women, a very arbitrarily decided ‘cut-off’ date\textsuperscript{59} was fixed, and, there was absolutely no recourse to the courts for redressal. This made the Act extremely unpopular for those women who had resigned to their fate. Stiff resistance of these women to forcible restoration was, therefore, not uncommon. At the same time, some of the social workers involved too, empathised with the plight of these women who were thus displaced a second time.

A Search Service Bureau was set up in all those areas which had witnessed mass migration. The Bureau collected information regarding all such marriages and abductions from these areas either through local informants\textsuperscript{60} or from the relatives of the abducted women.\textsuperscript{61} A special recovery team was then dispatched to rescue the woman from captivity. Once rescued, she was brought in to the Transit Camp and reunited with her relatives. If she resisted restoration, she was sent to the Base camp with the expectation that living among her own people and away from the country of her abductors, she would change her decision and go back to her family. If she still resisted, the matter was taken to a Tribunal set up specially for this purpose. The Tribunal comprised three members—representative of India and Pakistan and a neutral person. Scant regard was thus paid to

\textsuperscript{58} The Recovery and Restoration of Abducted Persons Ordinance, 1947. Later became an Act by the same name (1948).
\textsuperscript{59} 1\textsuperscript{st} March 1947 was the cut-off date inter-communal marriages after which were considered as forced and not recognized in law.
\textsuperscript{60} Sources of information re: cases of abduction are enumerated as follows—children’s talks, nurses, hospitals and doctors, sweepers, hawkers.
As pointed out in Mridula Sarabhai’s Confidential Note on Recovery of Abducted Women in Provinces and States other than Affected Areas. Dated 26\textsuperscript{th} March 1949. in in F. No. 1—G (R)/49 Vol. 1. 1949, M/o States, G (R) Branch. NAI
\textsuperscript{61} Annexure I one such form filled by the father of a abducted Muslim women from Jaipur.
the independent will of the woman herself. It was the nation which decided her rightful ‘state’ of belonging.

Begum Anis Kidwai, while recollecting her experiences in this work, points out the numerous instances which highlight the varied facets of the recovery and restoration programme. Writing exclusively on the experience in Delhi, Kidwai mentions instances of individual courage of women who freed themselves from such captivity, of those rare instances wherein upon the repeated appeals of Gandhi a few people released such women, and also of the courage of Mridula Sarabhai and Sushila Nayyar who made all attempts to recover as many women as they could. She also mentions the reasons why the women did not want to go back to their original homes. Here she makes two important observations which, on a closer examination, show how the question of community, state and nation loomed large in this whole debate over recovery of the abducted woman. It is also representative of the fact that it was not only in theory of the later feminist scholars, but in actual practice that women were seen as the embodiment of communal and national honour. The two observations she makes are as follows:

- The Muslims accepted the ‘recovered’ women back much more readily in comparison to the Hindus.62
- The women faced severe criticism from the people of their community and country in the instances where they refused to be restored to their families—

  Muslims seethed at these refusals, young men flushing at this ignominious disgrace of their community’s honour. Father’s would rant, ‘Shame on such daughters! This is why a father prays so hard for a son. At least a son will be a support to his father in his lifetime, and after his father’s death, guard the family honour!’ As for the sons, the one sentiment that moved them was a desire for revenge and anger at their sisters. How could the immoral wantons want to live with those who had murdered their relatives?63

Hence, all arguments—political, humanitarian and legal—were used to legitimise the recovery and restoration programme, but not even once was the individual will of the women themselves taken into account. That the woman might not be accepted in her original family, or that she may have actually adjusted to her new family (specially

---

considering that the restoration programme continued well into seven years after the Partition, and the Act was abrogated only in 1954) were factors either ignored or consciously overlooked by the State. It was clear that Muslim women belonged to Pakistan and non-Muslim women to India, and this ‘status-quo’ had to be restored. What is also clear is that in this process, willingly or unwillingly, women became citizens of Pakistan and India, respectively. The East, however, once again presented a different picture.

The Abducted Woman of the East:

Even though, women were the chief sufferers of Partition and the resulting violence, and the State recognised such women as their direct responsibility, in the East, with violence not being a major factor till the riots of 1950, such elaborate recovery and restoration programme was found to be lacking here. The first attempt at any such programme in the East started only in the wake of the 1950 riots, and for the first time the Search Service Bureau was set up in Calcutta.

But when compared with the activities of the Bureau in the West, its counterpart in the East paints a pale image. For one, as per the dominant principle governing the entire rehabilitation policy in the East, acts of violence and all such factors which were seen to create ‘panic’ and thereby encourage influx from the East were to a great extent suppressed. As noted in Nehru’s telegram to Liaquat Ali Khan while referring to violence in general,

(Hindus) are being squeezed out… (yet) we have tried our utmost to prevent them from migrating and infact we have even avoided giving any publicity to this… (have prevented the appointment of a DHC in Dacca) because I did not wish to give any impression in East Bengal that conditions were very abnormal. (even if DHC appointed) our instructions to him would be to advise people not to migrate and not encourage complaints as far as possible.64

Thus, several means of persuading the Hindus to stay back were employed—the Nehru-Liaquat Ali Khan Pact (1950) which sought to assure minorities of equal rights and safety, providing relief instead of permanent rehabilitation for incoming migrants with the hope that they would go back, and in the case of women, the Dacca Transit Home,

which was seen as a symbolic gesture of the concern the Indian state had for the safety of women of the minority community in East Pakistan.\textsuperscript{65}

Debates over recovery and restoration did not really charge the atmosphere up as much as it had in the West. In fact, answers to questions regarding the abducted women in the West Bengal Legislative Assembly seek to project that the issue was not as grave as it was in the west. Even in the newspapers, numbers were cited and later denied in the same breadth by stating that after scrutinising such cases in detail, the majority of them were found to be untrue—no such women existed, or that the woman was living ‘willingly’ with the so-called abductor.

To conclude, even though the recovery and restoration programme in the East was not organised as elaborately as that in the West, ‘unattached women’ became the responsibility of the State. Their migration to the Indian state was legal and aided by the State itself by granting them ‘priority’ Migration Certificates, which indeed was a privilege to such women when one compares it with the general apathy of the State towards migration the East.

**The Evacuation of Harijans:**
Rameshwari Nehru, Chairperson of the Women’s Section as well as the Harijan Section, noted that Harijans were at a disadvantage in comparison to the other migrants: ‘I was in Lahore helping them to get out and could clearly see that unless the Harijans were given special attention and help, there was likelihood of their being left behind in the race of evacuation. They had neither the means nor resources to compete with the other migrant groups…’\textsuperscript{66}

Though nearly six lakh Harijans had managed to cross over to the Indian side in the months following Partition, yet, there were many more who had been prevented from doing so by the Government of Pakistan. Rameshwari Nehru writes: ‘While helping others to migrate, the Pakistani Government resisted the evacuation of Harijans as they were all manual workers and were useful both in cities and in the fields. Exodus of sweepers was specially stopped under Essential Services Ordinance and many others both

\textsuperscript{65} The functions of the Home are discussed in great detail in Chapter V of this dissertation.
\textsuperscript{66} Rameshwari Nehru in the Foreword to *Report of the work done by Harijan Section in the first ten years: 1948-1957*, Rameshwari Nehru Papers, Reports, S. No. 2, NMML. p.1.
in Sind and Punjab were stopped from migrating through public pressure.\(^67\) Documentary evidences, as found in the correspondence between the two governments, also elaborate upon these hindrances. This is explained below.

Pakistan was not too keen on allowing for the evacuation of the Harijans, since the menial tasks that they performed was demeaning, and there appeared to be no local or migrant Muslims from India who were keen, so to speak, to step into their shoes. A hint towards this direction is observed in the following comment made by the Deputy High Commissioner for India in Lahore—‘He [Chief Minister of Punjab (P)] said he was forced to make this condition (of asking for assurance of no further evacuation of Harijans) because at the rate at which the SC’s have been migrating to India in recent years, some of the districts, especially Sialkot would soon be denuded of a very essential class of labour and that was going to hit the economy of those districts.’\(^68\)

India, on the other hand, was very keen on bringing them back. They have been termed as ‘Indian Nationals’ by the Indian government in the official correspondences between the two nations—‘Sweepers are nationals of India as they originally belong to the United Provinces, Delhi and East Punjab districts and had gone to Sind in search of employment. Many of their families are living in India.’\(^69\)

Conditions Compelling their Departure:

Two articles ‘Conditions in Sind’ and “Six Months Imprisonment For Hundraj (Dukhyal) Waddu Lahori and Dr. Potumal— Fifteen Days Imprisonment For Pribhdas Tolani— Activities Of The Government And The Muslim Refugees For Bullying And Driving The Hindus” published in Bombay (10.11.48) and Sansar Samachar, Larkana (3.11.48) respectively, highlighted the atrocities faced by the Harijans in West Pakistan—‘...Some Hindus especially the devotees of Bhagat Kanwar Ram are compelled by their

\(^67\) Ibid. p. 2
\(^68\) Correspondence between N.V Rao (DHC for India in Pakistan, Lahore) and V.S Trivedi (Deputy Secretary, ME.A, New Delhi). F. no. 31/3/54, DHC Vol.II, 1954, ‘Evacuation Policy etc…’, NAI. Words in ( ) are mine.
\(^69\) 'A Note on the Evacuation of Harijans from Sind’ in File noting, sd/ S.D Dutt. F. no. 31/3/54-DHC Vol II, ‘Evacuation Policy etc…’, NAI, dtd, 11.3.49. This note mentions that nearly 1 lakh Harijan agriculturists, 50000 sweepers and other Harijans were being prevented from migrating to India based on the application of the Essential Services Act in Pakistan. It is strongly urged that the GOI should make efforts to evacuate these stranded Harijans as soon as possible.
poverty to live under great hardships. The Indian government should remove these oppressed and unfortunate persons.’ And, ‘Now it has become very difficult for the Hindus to live in Larkana (Sind) because neither the government has any regard for the Hindus nor do the refugees wish that any Hindu, however faithful he may be, should live in Larkana. The refugees are bullying and compelling the Hindus to leave Pakistan… great panic is prevailing in the Hindus. They want to come out as quick as possible… the Indian government should arrange for the speedy evacuation of the Hindus remaining in Sind.’

The Harijan Sevak Sangh in Delhi described the problems faced by the Harijans, and policy decisions taken by the Government of India regarding their upliftment in a monthly newsletter published by it. One such letter described the trying conditions faced by Harijans in Karachi in the following words:

The few caste Hindus and Harijans who are able to reach the Indian Union are bringing the harrowing tales of the ruthless manner in which the Harijans are being treated in Sind. It is alleged that their womenfolk are enticed away, that their places of worship are damaged and that it is unsafe for them to live as Hindus. They are anxious to come to India, but the Pakistan Govt. does not tolerate the idea of Harijans departing from Sind. And to prevent the Harijans from migrating, the Essential Services Ordinance has been amended and extended by the Governor-General to all classes of Harijans. Before it affected only the sweepers.

In response to such criticism, the Pakistani government simply assured that, ‘there is no desire on the part of the sweepers to leave, but that the Government of Pakistan would always be prepared to look into complaints and ensure that local authorities grant all facilities in genuine cases where individuals wish to visit India and are not being induced to leave Pakistan by propaganda or panic.’

Problems Faced in the Evacuation Process:

The problems faced by Harijans in their evacuation to India are described in a note dated 5.8.54 from the office of the Deputy High Commissioner (DHC) for India in Pakistan:

70 From Secy to Government of Bombay (Home Deptt) to Secy to GOI, MEA and CR Wing. F. no. 30(68)-PakII/49, ‘Evacuation of Harijans from Sind (Pakistan)’, NAI. The two articles are enclosed alongwith the letter.
71 Harijan Sevak Sangh, Monthly Letter for November 1949, Jaglal Choudhary Papers, Sub. File S. No. 2, NMML.
72 File noting, ‘Ministry of External Affairs and C.R wing’, F. no. 30(68)-PakIII/49, ‘Evacuation of Harijans from Sind (Pakistan)’, NAI.
Non-Muslim evacuees who seek admission to the DAV College Camp at Lahore—which is under the DHC, prior to their evacuation to India, have to await clearance from the Police authorities, i.e. the Superintendent of Police Incharge of RAW, Lahore, before they are allowed to leave for India. These authorities have off late started making a distinction between Harijans and other non-Muslim evacuees with the result that this Mission is experiencing difficulties in arranging the evacuation of the former to India. More recently, these authorities have been refusing to accept the admission papers of the Harijans admitted with the camp from the Camp Commandant… In the past the evacuation to India of such personnel has been going on without let or hindrance, from any quarter, even though certain delays were experienced in obtaining the necessary police verification. This mission accordingly requests the Government of Punjab to issue instructions to the police authorities concerned to allow the evacuation of Harijans admitted into the Camp now and in future, once the usual verification is completed.73

Apart from the ban and the above mentioned obstacles placed before the Harijans by the officials, another problem was the propaganda of Harijan politicians. In a note dated 6.9.54, H L Mehta wrote that the Harijans were being compelled to stay back in Pakistan by their own SC leaders (eg. P S Ramdasia), both by the means of persuasion and also by force. He stated that, ‘The leaders mentioned above are now touring the various villages asking the people not to verify the particulars of the Camp inmates. The police are delaying their verification papers. People are coming to the camp to induce them to go back and when failed in their attempts, have threatened them that suits for payment of money would be filed against them and they would be required to stay here for many months till their case are decided one way or the other.’74

Further, he pointed to a certain number of people who in order to prevent persecution at the hands of the Muslims declared themselves as Harijans and were now facing problems— ‘Many caste Hindus who wanted to save their lives and honour in 1947 declared themselves as SC’s. While sending their verification papers the police was required to verify the facts and they were shown as caste-Hindus. Now even this practice is abandoned and anybody who declared himself to be a Harijan in 1947 is classified as Harijan.’75 The MLA’S also threatened them and told that they would not be accepted in India. On account of such measures, some of them did return back to their villages after staying in the camp for a long time, since they had no money left nor any belongings to sell. Thus, the need for their speedy evacuation was constantly stressed upon. However,

73 F. no. 31/3/54-DHC Vol II, ‘Evacuation Policy etc…’, NAI. dated 5.8.54
74 Ibid.
75 Ibid.
in the face of the obstacles being put forth by the Pakistan Government, it became increasingly difficult for the evacuation process. Nonetheless, the Indian government made efforts to bring them back as noted in PM Nehru’s telegram addressed to the Pakistan PM Liaqat Ali Khan* and several other official correspondences between the two Governments. Thereafter the piecemeal migration of Harijans was allowed for.

The question of nationality was, thus, raised in the whole debate on the evacuation of the Harijans. As can be observed in the following comment, ‘[irrespective of Pakistan Government’s claim of existence of congenial conditions therein] What we have to point out is that the ban causes hardship because these sweepers belong to India— they have their homes in India and in many cases their families are also in India — and that in the past these sweepers have been used to coming here, making money and going home with their savings and returning again after some time. They never lost their contact with their homes and invariably they went there once a year.’

This point needs consideration, for as argued subsequently this was certainly a privilege bestowed upon a few and not extended uniformly to all the victims of partition, i.e. refugees from Bengal would have to struggle to attain this valued citizenship of India, and quite a few among them would be denied of it. Alternatively, many Muslims residing in north India would lose theirs on account of this mass exodus and in the efforts made by the Indian Government to rehabilitate the Hindu and Sikh refugees coming in from West Pakistan.

Apart from the category of the privileged government servant and the ‘unattached woman’, the incoming migrants from East Pakistan were seen as a more or less homogenous category for the purpose of regulating influx. Just like the ‘ordinary refugee’, the lower caste Hindus from East Pakistan, too were not beneficiaries of any special evacuation programme. Unlike their counterparts in the West, they were not the

---

* Telegram dated 50 October, 1948, from Nehru to L.Khan:
“Our High Commissioner in Karachi has been speaking to me about restriction on movement from Pakistan to India of approximately 20 (half 40) thousand sweepers, washermen etc. who coming as they do from Gujarat, UP and other Indian provinces, are Indian nationals… Removal of restriction on the movement of such persons appears to me to be eminently desirable on purely humanitarian grounds and I shall be grateful if you will have this matter considered sympathetically…”

76 From M K Kripalani (Office of the D.H.C for India in Pakistan, Karachi) to Addl Secy, MEA and CR wing, New Delhi, dated 27/Jan/1949. F.no. 30(68)-Pak III/49, NAI.

77 A point worth noting is made by Jogendranath Mandal, Scheduled Caste Leader and Minister for Law and Labour in Pakistan, who in opposition to B R Ambedkar had urged the SC’s to stay on in Pakistan
subject of such debates over ‘nationality’. To repeat, the only time serious efforts were made for evacuating the stranded minority population in East Pakistan was in the wake of the communal riots of 1950. It was at this time that the Namasudras and other chotolok of East Pakistan finally took the decision to leave their homeland and migrate to India for safety. But at no point is it mentioned categorically in the Legislative Assembly Debates of the time that it was a specific section of the society which was being or which should be favoured for safe transit. Rather, steamer services, as described above, were deployed for evacuating one and all. It is only the specific category of abducted women who is the subject of discussion, if any, regarding government aided evacuation of minorities. That most of the migrants who came in the post-1950 phase belonged to the lower castes is a point which emerges only from personal memoirs.

The maltreatment of the Harijans in East Pakistan is referred to in the Monthly letter of the Harijan Sevak Sangh, where it is noted that ‘Scheduled Caste are unhappy and are being oppressed by the officials… As a result of this oppression by the Police Officials many Harijans are migrating to India leaving their homelands forever.’ However, no concrete efforts were made to evacuate this minority. They came in very much like the ordinary migrant and were faced with much the same discouraging attitude towards rehabilitation.

What is noteworthy, however, is that Mahatma Gandhi, who was firmly against any exchange of population, and in fact insisted on the minorities to stay on and fight against any discrimination from the majority, did not hesitate to argue for the immediate safe evacuation of the Harijans—‘If they decided to leave East Bengal, it was duty of the

---

78 Hiranmoy Bandopadhyay mentions it was mostly the lower classes that came in this post-1950 phase and so does Indubaran Ganguly, Colonysmriti, Kolkata (1990). As it is, archival records in the West Bengal State Archives (Kolkata) are lacking in any description of the evacuation of minorities from East Pakistan. 79 Harijan Sevak Sangh, Monthly Letter for November 1949, Jaglal Choudhary Papers, Sub. File S. No. 2, NMML. 80 ‘It was unbecoming for brave men and women to be bullied out of their homes. They should stay there and face death rather than dishonour or loss of self-respect.’ He cited the example of the Indians in South Africa who stayed on and fought for equal rights there but did not come back. Harijan, 26th October 1947, p. 383.
upper-class Hindus such as doctors, lawyers, merchants etc to see that the poor SC’s went first. They should be last and not the first to leave.\textsuperscript{81}

**Margins of the Marginalia**

Apart from the above mentioned categories of the migrant, there were those who were exchanged almost as commodities across the border. This marginalised group included the prison and asylum inmates.

For these marginal men and women there was no question of individual choice at all: Hindu and Sikh prison and asylum inmates would be exchanged in lieu of their Muslim counterparts from West Pakistan.\textsuperscript{82} That was that.

**Exchange of Prisoners:**

Apart from inanimate objects like office stationary and furniture to living beings—government servants and abducted women—the two newly-born states also chose to exchange the prisoners. For this purpose initially an Exchange of Prisoners Ordinance (1948) was passed which was soon transformed into an Act and applied to the whole of India w.e.f April 1948.\textsuperscript{83}

Anupama Roy cites the very interesting case of a certain Mangal alias Maphul who killed his wife Ghafoori because she had refused to accompany him to Pakistan. He had been tried at the Session Court in Rohtak and was sentenced to death on 30\textsuperscript{th} December 1948. He appealed to the East Punjab High Court for a reconsideration which was rejected and so was his mercy petition. Interestingly, Maphul had supposedly embraced Hinduism in 1946 and was hence, not ‘exchangeable’ as per the Act. Hence, he was not exchanged in the two spells (April 1948 and October/November 1948, and also in the supplementary exchange of prisoners in 1949) because of the ‘doubtful’ nature of his case. However, it was in 1950 that his execution order was stayed and he was categorised

\textsuperscript{81} Ibid.

\textsuperscript{82} As noted in a newspaper report, ‘Arrangements for exchange of convicts and under-trial prisoners between West and East Punjab were also discussed.’ *Dawn*, 5\textsuperscript{th} December 1947.

\textsuperscript{83} An Act to provide, in pursuance of an agreement with Pakistan for the exchange of prisoners, for the transfer of certain prisoners from India to Pakistan and the reception in India of certain prisoners from Pakistan. [cited in the title of the The Exchange of Prisoners Act, 1948, 10\textsuperscript{th} September 1948].
as a ‘transferable’ prisoner. Roy informs that in all likelihood he was perhaps finally transferred in May 1955.\textsuperscript{84}

A closer look at the Act itself shows how religion had become a distinct criteria for the State to claim one as its own (later also transformed as citizenship). For in all likelihood, the Muslim prisoner was deported to Pakistan and likewise the Hindu/Sikh prisoner to India. The ‘transferable prisoner’ was defined by the Act as such:

i. in the State of Punjab [as it existed before the 1\textsuperscript{st} November 1956], any prisoner who, being a Muslim, is willing to be transferred to Pakistan under the provisions of this Act, and,

ii. in any other part of India, any prisoner of such category as the Central Government may specify by notification in the official gazette who, being a Muslim, is willing to be transferred to Pakistan under the provisions of this act.\textsuperscript{85}

Further all cases in India against such prisoners were to be transferred to Pakistan and only in rare circumstances would such a prisoner be tried here. Thus, not only the prisoner, but also his case records went along with him.\textsuperscript{86}

The final point to note is regarding the permanent nature of such an exchange—‘No person who has been transferred to Pakistan under the provisions of this Act shall return to India except with the permission in writing of the Central Government’. He was liable to imprisonment of three years if found guilty of such breach of the Act. Also, he would be made to complete the tenure of his punishment which he was due before the exchange took place.

Roy notes that in accordance with the Act, 4084 non-Muslims were transferred to India and 3763 Muslims were transferred to Pakistan.\textsuperscript{87} Thus, the Act was instrumental in yet another sort of evacuation of non-Muslims from Pakistan and Muslims from India.

Asylum Inmates:

---

\textsuperscript{84} Anupama Roy, Sifting, Selecting, Relocating Citizenship at the Commencement of the Republic, CWDS Occasional paper no. 54, source: www.cwds.ac.in/OCPaper occassionalpaper54.pdf [last viewed 16th March 2011]

\textsuperscript{85} Definition taken from the Act.

\textsuperscript{86} As noted in the Act—‘… all courts and authorities in India shall… cease to have or exercise in relation to the prisoner, any jurisdiction in respect of the offence or other matter which was the confinement or detention in the prison.’

\textsuperscript{87} Anupama Roy, Sifting, Selecting, Relocating Citizenship at the Commencement of the Republic, CWDS Occasional paper no. 54, source: www.cwds.ac.in/OCPaper occassionalpaper54.pdf [last viewed 16th March 2011]
As per the decision of the Partition Committee, the Punjab Mental Hospital at Lahore was supposed to accommodate Muslim and non-Muslim patients of the province till three years after the partition. But the disturbed situation in Punjab forced a change of decision hereto and the East Punjab government was compelled to set up a Mental Hospital on an urgent basis to receive the non-Muslim inmates of the Lahore Asylum. Just as for the population in general, so also for these asylum inmates, an exchange of population on a reciprocal basis was agreed upon by both the Governments.

The new hospital was set up on the ruins of a reformatory school in Amritsar where a provision was made for receiving 600 non-Muslim inmates of the Lahore Asylum. The Hospital in Amritsar started functioning on 1st March 1949. Yet the first batch of inmates was received only a year later. The report of the Medical Superintendent cites the following two reasons for the delay:

1. The West Punjab Government insisted on pre-payment of the maintenance charges of non-Muslim patients though the rate of such charges was under dispute, and

2. The Government of India desired the exchange of Muslims Mental patients in India and the non-Muslim mental patients in Pakistan Hospital on reciprocal basis.88

Finally, 450 non-Muslim mental patients from the hospitals in West Pakistan (Lahore, Peshawar and Hyderabad) were received at the Indian border on 6th December 1950 in exchange for 233 Muslim mental patients from all over India. This repatriation was possible after much ‘strenuous efforts and protracted correspondence at Dominion level’89. The file also notes that the non-Muslim inmates were made to suffer several hardships which atleast half of them could not withstand and perished in the process, for statistically speaking at anytime the number of Hindu/Sikh patients admitted to these hospitals far outnumbered that of the Muslims. Yet, at the time of repatriation only a handful were sent back which led to the conclusion that the remaining had died out of lack of adequate care or communal rioting.

With the repatriation process complete, the Hospital at Amritsar started functioning at a normal pace with no more restrictions on admission of East Punjab patients, since by

88 Annual Report of the working of the Punjab Hospital, Amritsar, for 1949, p. 3.
this time all patients from West Pakistan had been repatriated. Such was the
description of the exchange of asylum inmates as noted in the official report. However,
the more graphic image which survives to this day is in the immortal work of Sadat
Hasan Manto, *Toba Tek Singh*. The short story captures most vividly the trauma of
displacement even among those who are seen as mentally challenged. Bishan Singh,
resident of Toba Tek Singh and who was also known by the same name, refuses to leave
what may loosely be translated as his ‘homeland’ and as a form of protest lies down in
the no-man’s land between the borders of India and Pakistan claiming this piece of land
as his Toba Tek Singh, i.e. his homeland. In the rest of the story too, the dilemma of
uncertainty and trauma of leaving behind one’s own land (a way of life) is depicted most
characteristically in the acts of the inmates of the hospital.

Thus, the loss of homeland and trauma of partition was not a sensation only felt by
the sane. Rather, similar was the experience of the supposedly ‘insane’ as well.

**Summing Up**

It is seen that whereas the partition of the subcontinent defined the territories of the two
States, the policy of evacuation (and also the lack of it) attempted at fixing the criterion
of citizenship to a select few. Therefore, a study of the exodus, from both West and East
Pakistan into India, and also that of the evacuation policy followed vis-à-vis only the
refugees from West Pakistan holds immense significance. This is so because it is this
exodus which defined much of the rehabilitation policies to be adopted and also the
people to be entitled to these benefits.

In Punjab, the swiftness and enormity of the exodus produced immediate response
from the Government, who took up the entire issue on a virtual war-footing. By the
1950’s as observed before, the evacuation process was over, and so was the rehabilitation
work, as shall be seen later. In Bengal, the peculiar phase-wise migration of the Hindu
populace and it being nearly a ‘one-way traffic’ complicated the matters.

Whereas the pre-Partition and Partition violence influenced the exodus, the exodus
in turn influenced the Government’s policy of evacuation and eventually that of
rehabilitation as well. Its insufficient nature often led to the need for an individual
initiative by the refugees themselves in Bengal. This does not imply that the refugees
from West Pakistan lacked any individual enterprise, but certainly they were better assisted by the Government than their counterparts from the East. There was no official evacuation policy for the minorities in Bengal, instead, migration was sought to be discouraged by the Government at the centre. However, the West Bengal government headed by Dr. B.C Roy did extend some help to the refugees with all its limited resources, but on the whole, exodus from East Pakistan was more on account of the initiative taken by the people themselves.\(^9\)

\(^9\) ‘Dr. Roy worked unceasingly to bring the refugees to India. Without waiting for any directive from the Central Government he had sent as many as sixteen chartered planes on his own responsibility to Dacca to airlift the stranded passengers (without charging any fee)’ Saroj Chakrabarti, With Dr. B.C Roy and Other Chief Ministers: A Record upto 1962, Calcutta: Benson’s (1974) p. 70.
Annexure I

The Form filled by relatives or ‘Enquirers’ seeking restoration of the Abducted Persons

91 This form has been filled by the father (Wazir Baksh) seeking restoration of his daughter (Bismillah, 20 yrs of age) who was married to Ziarat Khan and was a resident of Jaipur, India. The form also mentions the place of abduction as ‘Swami [Sawai] Madho Pur Railway Station’ and the date of abduction as January 1948. It also mentions the name of the person having custody, or who can give information re: the abduction as Lt. Vaid Prakhsh. F no I G (CR)/49-Vol I, MEA, NAI.
Annexure II

Questionnaire

(All answers to be in Block letters)

1. Name (In full)

2. Service and/or Department:

3. Substantive appointment:

4. Present Appointment:

---------------------

(Answers to all the questions asked below should be in a simple affirmative or negative)
(All Government servants are assured that their existing terms and conditions of service
are guaranteed by the representatives of both the future Governments)

1. Do you elect to serve in Pakistan?

2. Do you elect to serve in the rest of India?

3. Is your choice final?

*4. Is your choice provisional?
   * (Note: If your choice is provisional you will have an opportunity to reconsider and
   indicate your final choice within a period of six months from the date of transfer of
   power. The provisional choice will not in any way prejudice your seniority or other
   conditions of service.)

(Signature)

(Signature of Attesting Officer)

Place:

Date: