Chapter II

Rehabilitation of Refugees Coming from West Pakistan

My mother said, ‘Look I have cooked you sweet chapattis, eat them and put some in your pockets, we don’t know what is going to happen, whether we will get water or not, we don’t know anything, things are pretty bad’….

Satya Vanti

Such was the air of uncertainty regarding the future after migration among the Hindus and Sikhs who came from West Pakistan in those turbulent days of Partition. Migration to a new land and thereby, leaving behind a stable and secure livelihood (inspite of whichever economic class the refugee belonged to) was the last option for a majority of the people. The following chapter, thus, seeks to probe the extent to which such doubts of the migrants actually proved to be true, or whether, by contrast, life did finally look up for them.

Most of the ‘official’ narratives of the ‘Story of Rehabilitation’ are nothing more than laudatory accounts of the State-sponsored rehabilitation programme as implemented in the Western region. Expectedly, the role of the government is the main subject or the ‘agent’ in this story—‘The Ministry, for its part, displayed rare imagination, a spirit of inspired improvisation, a human sympathy that is alien to bureaucratic machinery.’ The Punjabi migrant himself plays only a supporting role, which is graciously acknowledged by the State—‘If the Ministry has striven with superhuman courage and determination, let it be said, too, that the people on whose behalf it laboured reciprocated with gallantry, self-reliance and the will to make good.’

This chapter revisits the theme of post-partition rehabilitation of refugees from West Pakistan, and in the process, we shall identify the main issues involved therein.

---

2 The title of the account written by U B Rao on the rehabilitation programme which was published by the Ministry of Rehabilitation.
3 U B Rao, The Story of Rehabilitation’ p. 138
4 The norms of patriarchy seldom recognise the role of women. Here also, it is the image of the woman as a responsibility of the state that predominates in the text (a chapter on the Recovery and Restoration programme of the Government is elaborately discussed), but not a single mention of her as an equal partner in the rehabilitation programme implementation.
Priorities and Plans

With the evacuation programme coming to a close by 1948 and the MEO wound up soon after, the next step for the Government of India was the provision of relief and rehabilitation to this huge mass of displaced persons. Even as evacuation of refugees continued, the Ministry of Relief and Rehabilitation was set up in September 1947 with Mr. K C Neogy as its Minister. Before we discuss the finer details of the elaborate relief and rehabilitation programme, it will be useful to keep in mind the following points regarding the situation in the west:

1. The refugees from West Pakistan were victims of the most gruesome violence. This acted on the rehabilitation programmes in two ways: the State ordered that the issue of relief and rehabilitation will have to be considered as ‘urgent’ and ‘immediate’\(^6\), second, the refugees also found sympathisers among the local people and also political parties with vested interests\(^7\).

2. Evacuation of refugees from West Pakistan eased the rehabilitation programme to some extent. The number of people to be rehabilitated was now a known and also would be a fixed, determined number.\(^8\)

3. From the beginning the rehabilitation programme was a well-planned and well-organised one. The phases can be more or less distinctly marked out as: evacuation (completed by early 1948), relief measures (completed by 1950), and permanent rehabilitation (completed by 1955).\(^9\)

\(^6\) As noted by Nehru, the problem of rehabilitation of refugees from Western Pakistan, always an important and urgent one, had now assumed a new urgency... Having more or less completed this evacuation, rehabilitation had now to be taken in hand, not spasmodically and casually but in a planned way.’ Discussions at a Cabinet Meeting, 10\(^{th}\) January 1948, in SWJN, vol. 5, p.137.

\(^7\) Albeit, this sympathy from the local population was temporary, and that too, it should not be generalized. CID records show certain cases where the local population in Delhi was not happy with the incoming Punjabi refugees. Here also, apart from links with old neighbours, the issue of vested interests dominated, especially when lands were being requisitioned for the use of the incoming refugees and other such issues. Hindu Mahasabha started three refugee camps in Delhi for the purpose of providing relief to the refugees. But it is now a known fact that these camps were also the breeding grounds for prospective RSS volunteers.

\(^8\) The vast numbers were a result of a one-time mass displacement; and this too, was carried out in a more or less organized, planned evacuation programme by the Government of India. Compare this situation with refugees from the East: since violence was not a major issue there hence there was no mass migration from the East which in turn meant a phase-wise migration and therefore an indeterminate number and lackadaisical approach from the Government of India.

\(^9\) Record of the Meeting of the Cabinet Emergency Committee, New Delhi, 22 September, 1947: ‘Lord Mountbatten felt that resettlement should be carried out in three phases:

1. Arrange to receive the refugees on arrival in India and direct them to various destinations.
2. Set up an organisation to assist refugees for first six months.
4. Each and every displaced person from West Pakistan was entitled to relief and rehabilitation benefits. Accordingly, at least 90% of the migrant population received these benefits in some form or the other\textsuperscript{10}. The remaining were in a position to help themselves. This, too, sharply contrasts with the situation in the East, where only a small minority actually received any rehabilitation aid from the State, and that too in an amount so negligible that quite a few chose to refuse it altogether.\textsuperscript{11}

5. The rehabilitation of refugees from West Pakistan was to be dealt as an all-India problem, i.e. not only the affected state of Punjab, but also the rest of India was to be strictly involved in the process.\textsuperscript{12}

6. The rehabilitation policies introduced by the Government of India were so near complete that we can see it having a positive bearing even to this day.\textsuperscript{13}

Keeping these points in mind, it is easier to understand the entire rehabilitation programme for refugees from West Pakistan.

**Defining the ‘displaced persons’**

Let us now look at how the State defined the ‘displaced persons’ and also at how they were accepted into the fold of the nation as ‘citizens’. In this process of transition from being identified as victims of Partition to that as the citizens of the State, a great number of people were included and many excluded. The importance of looking at the definition of the displaced person lies in the fact that it was the first step in the process of

---

\textsuperscript{3} Formulate a long-term resettlement plan.’

Selected Works of Jawaharlal Nehru (SWJN), Vol 4, p. 96.


\textsuperscript{12} As noted by Nehru, ‘it was doubtful if the resources of the East Punjab government were sufficient for the purpose of tackling this problem. The other provinces in India had also to cooperate. Essentially therefore it was a matter for Central direction and Central planning. The Centre indeed was paying for all this, or nearly all, and it could not leave matters to drift or to chance.’ Discussions at a Cabinet Meeting, 10th January 1948, in SWJN, vol. 5. p.137. Emphasis added.

\textsuperscript{13} We need only compare the immensely prosperous state of Punjab with the still impoverished Bengal. Bengal is also the only state where the Department of Rehabilitation still continues, whereas, it has been long wound up for the Centre and Punjab, i.e. the Ministry of Rehabilitation was closed down in 1962.
rehabilitation, i.e. identifying the people who were to be ‘justly’ entitled to state sponsored rehabilitation in India.

One of the earliest instances of the use of the term displaced persons occurs in the Resettlement of Displaced Persons (Land Acquisition) Ordinance in 1948\(^{14}\). Here the displaced person was defined as—

any person who, on account of the setting up of the Dominion of India and Pakistan, or on account of civil disturbances, or the fear of such disturbances in any area now forming part of Pakistan, has been displaced from or has left his place of residence in such area after the first day of March, 1947, and who has subsequently been residing in India.

This definition was further modified in one of the most important Acts of Parliament for the benefit of the displaced person—The Displaced Persons (Claims) Act (1950)\(^{15}\)—in the following manner:

… any person who, on account of the setting up of the Dominion of India and Pakistan, or on account of civil disturbances, or the fear of such disturbances in any area now forming part of Pakistan, has after the first day of March, 1947, left or been displaced from, his place of residence in such area and who has been subsequently residing in India, and includes any person who is resident in India and who for that reason is unable or has been made unable to manage, supervise or control any immovable property belonging to him in Pakistan.

The new addition to the definition concerns property issues. Modifications were made to the definition to cater to the particular stage of rehabilitation. The earlier definition dated back to 1948 and was representative of the initial phase of rehabilitation, which was restricted to the provision of relief only. The second definition of 1950, and specially the very Act from which it is taken, is representative of the government’s intention to provide compensation for the losses suffered by the displaced persons and also to permanently rehabilitate them. Refugee policy from now on was not only about relief, but also about rehabilitation. Alongwith the Evacuee Property Act (1950), which also used the same definition for the displaced persons in addition to introducing a new category of persons—the evacuee, this definition also shows that permanent rehabilitation would mean the displacement of one section of the population to accommodate another. In this regard property would once again hold immense importance.

\(^{14}\) Applicable to Delhi region. But there was a similar Act passed for the Punjab region as well. The East Punjab Refugees Rehabilitation (Buildings and Building Sites) Act, 1948.

\(^{15}\) ‘An Act to provide for the registration and verification of claims of displaced persons in respect of immovable property in Pakistan’ Acts of Parliament, 1950, Ministry of Law.
Going back to the definition of the displaced persons (as used in the Claims Act 1950), we can deduce a number of points. The cut-off date is set at 1st March 1947. This is so because that is when the riots are presumed to have started in Punjab. The definition includes all the people who moved out of ‘any area now forming part of Pakistan’ into India on account of ‘civil disturbances’, or, even ‘the fear of such disturbances’. This point is worth noting, since, by this definition then, it is clear that the State does not differentiate between migrants from West Pakistan and those from East. Also, the State recognises displacement of the people not only on account of direct ‘civil disturbances’, but also, those on account of ‘fear’ of such disturbances. As we shall see, whereas the categorisation of the ‘displaced person’ remained uniform, at the time of application, it was accompanied by certain riders which kept the migrants from East Pakistan from availing benefits which should have been meant for both sets of refugees.\[16\]

As pointed above, the State by virtue of this definition did acknowledge the displacement on account of ‘fear’ of such violence, but not so for the migrants coming from East Pakistan.\[17\] Fear was not seen as an adequate factor for migration from the East. An interesting comment made by Nehru in the Parliament regarding the ever-increasing influx of migrants from the East:

> We have talked here of the feeling of insecurity that prevails in East Bengal… There is that feeling of insecurity, although I believe, and I hope it is not wishful thinking, I think that gradually that is lessening… Some members think that every single member of the minority community from there will leave East Bengal… I find no reason for thinking so… I would try my utmost even so to prevent it happening and not to say a word or deed which would encourage that process to flow because that very process creates the terrible problem that we have to face.\[18\]

However, the violence in West Pakistan (and correspondingly so in North India), was enormous in magnitude and unparalleled in nature. The doubt regarding any perceived threat or ‘fear’ of violence, if any, was removed in the months before partition. It is in this

\[16\] Ibid. For eg: the very Act from which this definition has been derived (Displaced Persons Claims Act, 1950), is applicable to only West Pakistan migrants by virtue of a provision in the Act which clearly mentions—’West Pakistan’ means territories of Pakistan excluding the Province of East Bengal; and that the ‘claims’ to be made only by those who have immovable property in West Pakistan.

\[17\] As shown in Chapter I the Government of India took action re: the relief and rehabilitation of incoming migrants from East Pakistan only in the two phases marked by serious rioting (1950 and 1964). In the other phases a conscious policy to discourage migration was followed.

\[18\] Reply to the Debate in parliament on the situation in Bengal, 9th August 1950. SWJN, p. 279
context that the rehabilitation programmes were charted out for these displaced persons from West Pakistan.

From the point of view of the displaced persons, they did not look upon themselves as objects of charity. Rather, they saw themselves as the ones who had made the maximum sacrifice for the independence of their country. It is by virtue of this pride that they demanded proper rehabilitation in the country and from the government for whom they had sacrificed their all. A meeting of the Pakistan Minorities Sufferers Board\(^9\) passed a resolution which stated that they were not refugees and had not taken refuge in India, rather, they had left their homes or were driven out from there. In all of this, according to them, their only consolation was that the country had been made independent of British rule. Therefore, the Government of India should take special notice of their ‘sacrifice’ and they should thus be treated better.

**From Relief to Rehabilitation**

The first task of the Ministry of Relief and Rehabilitation was to provide relief to the migrants. P N Luthra, writing in the twenty-fifth year of India’s independence, mentions that initially the refugees were looked after on an ‘adhoc basis’ by the voluntary organisations and villagers in the border areas. This was so because the Government thought it was a temporary displacement and that after the violence had subsided people would go back to their homes. However, this did not happen and so massive relief operations had to be taken up by the government. A number of relief camps were opened in East Punjab, Delhi, Rajasthan, Himachal Pradesh and the United Provinces—‘By December 1947, there were 160 relief camps with 1.2 million refugees spread over in various parts of the country…’\(^20\)

Delhi, too, was home to many Hindu and Sikh refugees from West Pakistan. In addition, however, it was also home to the Muslim refugees from Delhi itself.\(^21\) They had come to the ‘Muslim camps’ for their safety but with the intention of going back to their

\(^9\) A refugee organisation setup by the NWFP refugees themselves to voice their grievances and make them heard in Delhi.


\(^21\) Interestingly, the Muslim inmates of the camps were not termed as refugees, rather they were defined as evacuees. It appears only Gandhi was keen on seeing them return back to their homes in India. This will be discussed in detail in the subsequent sections of the chapter.
homes in Delhi once the situation normalised. But not many could go back to their homes, which they found often occupied by the Hindu or Sikh refugees. Unable to reclaim it, they were compelled to go to Pakistan rather unwillingly.\footnote{The following point involves the larger issue of the alienation of Muslims by way of the Administration of Evacuee Property Act (1950) discussed in great detail by Vazira Zamindar, \textit{The Long Partition and Making of Modern South Asia: Refugees, Boundaries and Histories}, New York: Columbia University Press (2007).} I shall return to this theme later, for now it will suffice us to know that in Delhi, therefore, there were camps for the Hindu and Sikh refugees and also those for the Muslim refugees\footnote{Camps set up at Kingsway Camp, Anand Parbat, Karol Bagh among others for Hindus and Sikhs, and for the Muslims at Purana Qila and at Humayun’s Tomb.}.

Anees Kidwai presents a harrowing description of the two Muslim camps. Whereas, the one at Purana Qila was a camp set up hastily by the refugees themselves in the wake of the September riots in Delhi, the one at Humayun’s Tomb was set up by the Government of India. And as mentioned in Chapter I of this dissertation, Kidwai also goes on to compare the camps for Muslims with those for the Hindus and finds that the latter were much better provided for.

The purpose of the refugee camps for the displaced persons from West Pakistan was not merely to provide relief to these victims of violence and displacement. It was also to make a rough estimate of the approximate number of people who would have to be provided permanent rehabilitation. Based on these reports, refugees were classified as: able-bodied men who could be recruited in available jobs (rural or urban based), women who could be employed either in work-centers or who would have to be housed in special homes for single women, and, finally, the old or disabled refugee men and women were classified by the government as permanent liability, and, thus, were to be housed in the Permanent Liability camps. Camps were also the ideal ground for propaganda and publicity of party ideologies. For example the camps opened by the Hindu Mahasabha became the recruiting ground for RSS volunteers. Anees Kidwai mentions the anti-Congress propaganda carried out by some Muslim Leaguers in the Purana Qila camp. Refugees in these camps, thus, proved to be combustible elements ready to be exploited by parties and politicians with vested interests.
Camps were not set up arbitrarily; rather they were located at places very close to the future site of permanent rehabilitation. An analysis of the camps set up for the refugees from East Pakistan shows that they were not set up with any intention of providing permanent rehabilitation at some stage. The sense of urgency here was only in disposing off the migrants as fast as possible. Thus, the threat of closure of such camps always loomed large.

Even when it was decided to close down the camps by 31st October 1949 for the refugees from West Pakistan clear instructions were given that this should not be done till suitable alternative accommodation was provided—“It is not good enough just to inform State and other Governments that you are going to stop this free feeding. You have to device adequate alternatives of work…. There must be intensive and accurate planning and checks as to how far your plan is succeeding.”

Apart from the measures taken by the Government, the local population, too, participated actively in the process. An Arya Samaj worker states how they would regularly go to the railway station and bring the refugees from there, and house them in mandirs, schools and gurudwaras. ‘We ran our meals for a month. After about a month, we thought these people might become dependent upon us, and they should be assisted in finding employment. So we helped them find some initial work. We gave them small sums of money to start some work, and so some started selling fruits, and so on…. So we tried to get them on their own feet as soon as possible.’

To conclude, by 1950 the phase of relief measures was near completion in the West and preparation were made for the next phase, that of permanent rehabilitation of the migrants from West Pakistan.

---

24 Thus we find the camp set up near Faridabad which later developed into a full fledged industrial township of Faridabad. Similarly, the camp at Rajpura was set up for the rehabilitation of refugees in the twin township of Tripuri and Rajpura. In fact in the many files of correspondence regarding housing and employment schemes for the refugees, special mention is made in this regard, i.e. the planners are asked to keep in mind the proximity of the camp to the township to be developed. Not abiding these guidelines often led to grievances being filed by the refugees themselves.


26 Interview with Vaid Vidya Sagar, in Talbot and Tatla, Epicentre of Violence, p.215
Permanent Rehabilitation

Measures of relief were followed by methods of permanent rehabilitation. By 1950 all the relief camps were closed down and the inmates were shifted to the site of permanent rehabilitation. Permanent rehabilitation involved rural and urban rehabilitation programmes. Arguably, the rural rehabilitation policies were easier to implement, and expectedly so produced immediate results.

Not having signed the UN Convention for Refugees, India had to go alone in this work of rehabilitation. More importantly, the State had no permanent policy on rehabilitation, it had to, therefore, rely on legislative measures as and when required. I discuss the legislative policies which proved to be crucial in the rehabilitation work. The Acts discussed are:

- The Administration of Evacuee Property Act (1950)
- The Claims Act (1950)
- The Compensation and Rehabilitation of Displaced Persons Act (1954)

Rural Rehabilitation

The rural rehabilitation programme earned a lot of appreciation for the government and its chief architect Tarlok Singh. A discussion of this programme has been the subject matter of many books and official publications.\(^{27}\) I will, therefore, mention only some of the salient features of this scheme without getting into the details. First of all, the concerns of the government:

- There were large areas of land which were either destroyed or deserted (the crops were left standing), on account of partition violence. These lands had to be quickly tended to, and the only recourse was to allot these lands to the rural migrant from Pakistan.\(^{28}\)


\(^{28}\) This initial allotment of land in such a haste was termed as Temporary Allotment scheme whereby a fixed area of land was allotted to every adult in the family, irrespective of their previous holding in Pakistan. Thus, it was a very egalitarian approach.
(b) Two innovative concepts of the Standard Acre (the measurement according to which land was distributed) and the Graded Cuts (the scale used for determining the measure of land to be distributed to each claimant) were introduced by the government.

(c) The government was mindful of the need to resettle these migrants in such a way that would re-create the atmosphere of the villages they had left behind. It, therefore, ensured that as far as possible migrants from two or three villages settled on the same lands.

(d) In the process of registering claims, verifying them, and then in the final distribution of land, a close cooperation between the government officials, village headmen, and refugees themselves is observed.

From the point of view of the beneficiaries of this scheme also, the following observations can be made—

(a) The immediate allotment of lands provided sufficient relief to the migrants.

(b) Initially, through the system of Temporary Allotments, the government tried to do away with the earlier inequalities. However, under pressure of the richer landlords, Quasi-Permanent Allotments were made which reverted the situation to status-quo. Nonetheless, to some extent the glaring inequalities were reduced by the introduction of graded cuts, which reduced to a great extent the possibility of a single person being allotted vast acres of land, which in turn had resulted in absentee-landlordism.

(c) The picture of the hardy Punjabi migrant does not get anywhere more real than in the rural hinterlands. The lands left behind by the Muslim evacuees in East Punjab were less fertile and lacked irrigation facilities. But the migrants took up the challenge and transformed these rather barren lands into one of the most fertile regions.
So much for a brief overview of the rural rehabilitation programme introduced by the government, and possibly the only one which did receive much appreciation from the refugees. Government-sponsored publications also acknowledged that it was rural rehabilitation which was relatively much easier to sort out. It was the urban migrant who posed a more serious problem. This was partly due to the disparity in the economic status of the Muslim evacuee in comparison to his contemporary Hindu/Sikh migrant who came to India—often involved in business and professional activities, the latter could not have simply filled in the vacancies the former left behind. Also, the government’s priorities in rehabilitating the migrants were in the main two-fold—housing and employment. Both these issues were solved at one stroke in the case of rural rehabilitation—the land vacated by the Muslim evacuee was simply allotted to the incoming migrant and these lands were homestead plots, thus, solving the housing problem.

Urban Rehabilitation
This was the most difficult part of the entire rehabilitation programme. Immediately policies were laid out for the housing, employment and education of these migrants since it was these factors which were the main concerns from the point of view of the government.

Regarding housing, certain directives were issued to all State Governments, whereby they were to play an active role in identifying suitable sites and also in the construction of houses therein. According to the directive, the State Government could also involve private parties in the building of these houses. A hint of class bias can be noted in one such directive which read: ‘If the better class of displaced persons can be catered for through the Housing Company, the government may concentrate on construction of cheap houses for

---

29 Though some rich landlords complained of not being compensated adequately, there were yet others who complained of having lost out all that they had gained through the temporary allotments.
30 This smooth sailing in rural rehabilitation was specific only to Punjab where there was an exchange of population. There were confrontations in the other states—Rajasthan, Haryana and Himachal Pradesh. The case of Meos and their forcible eviction from lands is case in point, but on the whole, rural rehabilitation was much easier than urban rehabilitation.
31 The Rehabilitation Finance Administration was set up with the exclusive purpose of disbursing loans to the migrants, in 1948. And though these factors were of prime concern for rural migrants as well, however, as shown above, both the problems were solved at one go with the allotment of homestead land. Education was not a major concern for rural migrants from the point of view of the Government.
those who cannot afford to pay even a portion of the cost. Further, in the detailed description of the specifics of the construction of houses this attitude was evident—the one room tenements are constructed for the poor classes, whereas the two/three roomed homes were for the richer classes. The former group of homes would be constructed of mud and other such cheaper material, while the latter were the more ‘pucca’ homes.

Regarding the issue of providing employment to these migrants, the first step taken in this direction was the setting up of the office of the Director General of Rehabilitation and Employment. Migrants were enlisted by this office and given the first priority in government office vacancies. This office also set up vocational training centres to impart training in small handicrafts to these migrants so that they could set up small business enterprises.

Thus, the preceding paragraphs briefly summarised the features of rural and urban rehabilitation programmes. As mentioned before, the focus in this dissertation is on the legislative policies. Hence, the next section discusses the legislative acts passed by the Government of India for the exclusive purpose of rehabilitating the migrants from West Pakistan. Thereafter, rehabilitation of migrants in Delhi will be discussed to illustrate the implementation and impact of these very policies.

Making way for the Refugees:
Abandoned homes of the Muslims were the first option for housing the incoming migrants. However, not all homes were abandoned by the Muslims of their free will, and even those which had been so abandoned were done in haste, with no real intention of permanently moving out. They had taken simply temporary refuge in the camps with the intention of returning back to their homes once the conditions had normalised. However, as Vazira Zamindar has ably shown, even such homes were found to be occupied by the Hindu/Sikh migrants with the complicity of the government! Such a discussion on the Administration of the Evacuee Property Act has enabled Zamindar to draw out important conclusions on regimes of citizenship as drawn out by the State.

32 Letter from V D Dantyagi (Jt Secy to GOI) to All State Governments, Ministry of Rehabilitation, F. No.106 FA/48, NAI
33 Zamindar, The Long Partition, chapter no. 4, pp.120-160.
This section, however, seeks to analyse the impact of the Act on rehabilitation. The very intention of the State in demarcating property as ‘evacuee property’, of allowing the migrants to actively participate in the process of identifying such property, and finally, of assigning the ownership of such property to incoming migrants from West Pakistan, are all important markers of how rehabilitation in the West from the very beginning was visualised as dependent upon the displacement of the Muslims. It also implied that as a matter of policy, the government had accepted that the Hindus and Sikhs coming from West Pakistan were here to stay.

The Act
Initially property of the evacuees was supposed to be kept in trust by the Home Government which would act as custodians of all such ‘evacuee property’; when the migrants would return they would be given full ownership of their properties. At this stage, both the Governments were presumably unaware of the magnitude, and more importantly, the finality of this migration. But when the scenario became clear that the refugees were here to stay, then immediate concerns of accommodating them became the moving force behind the change in the original purpose of the office of the Custodian of Evacuee Property.

Ajit Prasad Jain, Minister of Rehabilitation, noted that it was after Gandhi’s death that the Office of the Custodian and the intention of the Act underwent a significant change\(^{34}\); the ownership of all such property was vested in the custodian and it would be now used for the purpose of rehabilitating the incoming migrants.\(^{35}\)

Earlier even though it was agreed that such property would be used for the rehabilitation of refugees, a time period was fixed for the occupation of such property by the Custodian for rehabilitation purpose:

---

\(^{34}\) He cites two reasons for such a change. One, the minorities lost confidence in the government after the death of Gandhi who had opposed the exchange of population till the end, second, the Indian Government had asked its Pakistani counterpart to pay the rent recoveries made by the Custodian so that it could be used to rehabilitate the refugees in India. When the Pakistani Government refused to do so, a similar stance was reciprocated by the Indian side and there onwards the nature of the Ordinance and the Custodian office changed.

\(^{35}\) Ajit Prasad Jain, Oral Archives, NMML, p.108.
The maximum period for which the Rehabilitation authorities may take over immovable evacuee property should not exceed the following—

- Residential property: 3 years
- Commercial and Industrial Undertaking: 4 years
- Agricultural property: 3 years
- The question of properties owned by institutions and trusts would be considered separately.  

Other points made in this plan which reflect the lenient attitude of the State in its initial phase include the payment of rent at full rates to the evacuee owners, the option to make own arrangements for the management of evacuee property by the owner for property which was not directly under the use of rehabilitation authorities, and finally, the permission to sell/transfer/exchange such property after the fixed period of use by the rehabilitation authorities. All these provisions were removed from the Ordinance passed in 1949 and also the Act in 1950. Now evacuee property became the source for the rehabilitation of refugees.

This change in the nature of the Act was criticised by Nehru as well—a policy is being pursued which I consider not only improper and immoral but also harmful to national interests… This is neither law nor good morality. In another letter to the Ministry of Rehabilitation Nehru referred to it as being a product of ‘refugee mentality or worse still RSS mentality.’ In fact, Nehru was never comfortable with this Act and its implications on the Muslims. However, that the Act remained in function till 1954 is reflective of the hard conditions (high rate of influx and need to house the incoming refugees) because of which Nehru had to acquiesce to the situation. Seeing the miserable plight of the migrants in Delhi, at one point Nehru was forced to comment: ‘I am not

---

36 ‘General Plan regarding Treatment of Property left behind by evacuee’ attached to letter from V D Dantyagi (Joint Secy to GOI) to Chief Secretaries of all Provincial Governments/all Chief Commissioners dated 22nd January 1948, F. No. 2(7)G(R)/48, NAI.
37 The Rehabilitation authorities would grant the use of such property to the refugees at reduced rates but would have to pay the fair value to the Custodian who would send these rents to the evacuee owner. The deficit was to be paid up by the Rehabilitation authorities—’concessions given to the refugees should be at the cost of the Rehabilitation authorities and not of the evacuee owners.’ Ibid.
38 Note that three sources had been identified for forming the Compensation pool: evacuee property, debts received from Pakistan and Government of India contribution.
39 Nehru to Mohanlal Saxena (Union Minister for Rehabilitation) dated 8th September 1948. N G Ayyangar Papers, S. No 23 [Dec 1948-Nov 1950]. Nehru was referring to the sealing of shops belonging to Muslim owners in Delhi, Agra, Moradabad etc upon the orders of the Custodian.
40 Nehru to Saxena, 10th September 1948. Ibid.
quite sure if I would not be taking possession of an empty house in their position." As noted by Gopalaswamy Ayyangar—

The Evacuee Property law had become complicated enormously and if we stopped merely with the administration of that law and depended upon the owners of the property making their own arrangements for its disposal, it would take decades before we saw the end of this irritation. The point of this scheme was not the making of particular arithmetical calculations. It was rather the reaching of a settlement on an adhoc basis, by each government taking over the properties within its limits and distributing them to the refugees who had come over to its territory from the other country.

Therefore, once the property was declared as evacuee, it was next to impossible to get it back with the Custodian now having all power over the property.

Impact of the Act on the Refugees

The Act through its many changes was intended to provide for the rehabilitation of refugees. It favoured the refugees over and above the original residents of the country. This can be seen in many ways.

The incoming migrant, though often new to the city, was given the power to identify property as evacuee and notify it to the custodian. This comes as a surprise, considering

---

41 Letter from Nehru to Mohanlal Saxena (Minister of Rehabilitation), 4th October 1948, SWJN, vol 7. p. 50.
42 Cabinet Minister (Railways), but is writing here from his position as the one who drafted the Scheme for providing compensation West Pakistan refugees.
43 Ayyangar to Nehru, 24th July 1950, ibid. It is here that for the first time evacuee property is being considered for contributing towards the compensation pool. An estimate of Rs 500 crores is made regarding material losses suffered on account of partition in the West. This huge amount had to be recompensed to the migrants. That this Act was pro-refugee is once again proved herein since its larger purpose was to contribute towards the compensation pool.
44 A very graphic description of such a predicament of the resident Muslim whose property was declared as evacuee property is depicted in the M S Sathyu directed film Garam Hawa (1974). Inspite of Salim Mirza’s decision to stay on in India, the haveli was reported by a Hindu migrant to the Custodian office as evacuee since it was in the name of Salim’s elder brother who had migrated to Pakistan. Hence, notwithstanding the fact that Mirza, his mother, wife, daughter and son still resided in the haveli, it was declared as evacuee property and consequently allotted to a Hindu migrant coming from Karachi. They, then, rented a house with much difficulty. Hence, the internal displacement of the Muslim from his very own home for no fault of his!
45 Nehru, too, was wary of such absolute power of the Custodian to declare any and every property as evacuee. He notes, ‘This is a matter of extreme importance and I feel that it must be decided at the highest level and not left to the sweet will of the Custodians and the rest… I am not going to be part of or responsible for a policy which I consider thoroughly wrong.’ Nehru to Mohanlal Saxena, 8th September 1948, N G Ayyangar Paper, S. no 23 [Dec 1948—Nov 1950], NMML. Elsewhere he writes, ‘The idea that these matters affecting big or small property should be finally decided in the Custodian’s office with no appeal to civil court shocks me as a lawyer and as a politician… I am quite clear in my mind that this approach of the Custodian’s department here or elsewhere has to be changed completely, if disaster is to be avoided.’ Nehru to Saxena, 10th September 1948. Ibid.
the fact that the migrant was new and could not possibly have known much about the area and its residents. Also, the destitute migrant, who out of vengeance did nurse vested interests in the notification of property as evacuee, could not have been an impartial informer. This was a point rightly criticised by Nehru—‘information received from interested parties should always be subjected to heavy discount. Displaced persons are not objected and indeed it is difficult for me to understand how a displaced person can be in a position to give reliable information. He is an outsider… Indeed, the evidence of displaced persons is the least important in this connection.’ Yet, Nehru’s reservations were overlooked and indeed the displaced person was taken as an important informer in all such cases. Thus, the displaced person ended up having greater power over the resident Muslim.

Displaced persons were given the first preference in the allotment of such property. The Custodian of Delhi while reporting the activities of his office to the Ministry of Rehabilitation makes special note of this function: ‘Allotment of evacuee property is made with a view to rehabilitating the refugees.’ This is also noted in the explanation cited above given by Gopalaswamy Ayyangar to Nehru regarding the purpose of this Act. A similar Ordinance passed in Pakistan simultaneously was in fact called—Pakistan Rehabilitation Ordinance—making no pretensions whatsoever to hide the purpose behind the taking over of evacuee property. According to Section 7 of this ordinance the person seeking allotment of such property for rehabilitation would have to satisfy the following two conditions: residence in Pakistan, and, second, to have owned property ‘in the prescribed areas’ which included East Punjab, Delhi, Ajmer-Merwara, and a number of states that have acceded to India as also certain districts in United Provinces.

Apart from the power given to the migrants to notify such property, and also be given the first preference in its allotment, the migrants were given one more privilege: they could not be evicted from any such property which after investigations was, in the

46 An example of such notifying is appended in Annexure I of this Chapter.
48 File noting of the Custodian Office, Delhi ‘Activities of the office of Custodian of Evacuee’s Property, Delhi, province of Delhi’, undated and unsigned, possible 1949, F.No. 25/2/49 RE, NAI.
49 Concerning Evacuee Property, an information booklet for instructing Custodians of all States in India authored by Custodian General Acchru Ram. Government of India Publication [1950].
rare instance, declared non-evacuee till they were provided alternate accommodation.\textsuperscript{50} Till the time such accommodation was made available to the refugee, the Muslim owner would be resettled at some other place. This situation further led to the crowding of Muslim zones, also called Muslim \textit{mohallas}, which had been set up during the September 1947 riots in Delhi. To summarise, the migrants could occupy ‘vacant’ homes, however, it is doubtful whether the homes were vacant already or forcibly vacated. Second, in the event that the Muslim owner returned when conditions normalised, he could still not occupy his home till the migrant was suitably accommodated elsewhere. As Vazira Zamindar shows, such re-occupation of homes, therefore, seldom occurred; the evacuee was compelled to move into the Muslim camps and from there be sent to Pakistan or to move into the Muslim zones.\textsuperscript{51}

This last point also shows how the new migrant was given preference over and above the resident Muslim. Muslims in north India were thus pushed out to make way for the incoming Hindu/Sikh migrant from West Pakistan. The next sub-section deals precisely with this aspect—the impact of the Act on Muslims.

\textbf{Impact of the Act on Muslims}

The Act affected the resident Muslims in several ways. The onus of proving oneself as not evacuee fell on the person himself. Acchru Ram, the Custodian General, instructed all the Custodians:

\begin{quote}
…where any person is found to be in possession of, or otherwise enjoying any right to, interest in, or benefit from, any property in Pakistan, he may quite legitimately, be required to prove either that the property was not evacuee or abandoned property, or that he had acquired the right to, interest in, or benefit from, such property, otherwise than by allotment or by taking wrongful possession or by any other legal means.\textsuperscript{52}
\end{quote}

\textsuperscript{50} As noted in the following statement of the Custodian, Delhi—‘In conformity with the present policy of the Government refugees are not evicted from the premises occupied by them after the disturbances unless alternative accommodation is made available for them. Their occupations are therefore confirmed after ascertaining genuineness in each case.’ File noting of the Custodian Office, Delhi ‘Activities of the office of Custodian of Evacuee’s Property, Delhi, province of Delhi’, undated and unsigned, possible 1949, F. No. 25/2/49 RE, NAI.

\textsuperscript{51} Anis Kidwai mentions numerous examples where Muslims from rural and urban areas in Delhi were forced out of their homes by the violent refugees. She and her team of workers from Jamia tried in vain to make these resident Muslims return to their homes from the Purana Qila and Humayun’s Tomb camp. Kidwai, \textit{Azadi Ki Chaon Mein}.

\textsuperscript{52} \textit{Concerning Evacuee Property}, p. 2
This was the main criteria for identifying an evacuee—whether he had been allotted any evacuee property in Pakistan or not—apart from the other important criteria of having physically moved out of India into Pakistan. Whereas the latter part was proved based upon the absence of the person, it was the former which was more difficult to prove, and hence, this was left to such a suspected person to prove oneself as not evacuee.

Next, once a property was identified as evacuee property, it would be annexed by the Custodian inspite of any appeal made against such an order by the ‘evacuee’. Thus, the strict instruction given to the Custodians was that he should ‘not stay or suspend the enforcement of an order declaring certain property as evacuee property merely because an appeal has been or is being filed from that order for interim stay.’

Finally, this Act and its implications made the resident Muslim a suspect in the eyes of the State. This is observed in many ways as described below.

The Muslims who left for Pakistan could not make the return journey to India easily with the permit system being introduced precisely for preventing this reverse migration. The real intention of the permit system was expressed in very clear terms as follows—‘[i]t is intimately connected with the working of the evacuee property ordinance, because the real intention of the permit system was to stop the one way traffic of Muslims, who after seizing all property in Pakistan were wanting to come back to India to regain hold on their property here. There should, therefore, be close liaison between the authority granting permits, or ‘no objection’ certificates, and the Custodian.’

Police records also show how the Muslims had become a suspect in the eyes of the State—‘The return of Muslim evacuees for resettlement in India is as a matter of fact, impregnated with potential danger to the security of the Indian Union. Pakistan is bound to utilize this opportunity to send its spies to India.’

That the Muslims who came back by a certain date (31st December 1950) would be restored their properties was a clause added in the Act. However, it was difficult to obtain the return permit for the Muslim, and even if he got it, seldom was the property restored to him as per the other clause in the Act whereby the eviction from the property of the

---

53 Circular No. 23, to all Custodians from the Custodian General, dated 31st March 1950, F. No. 7(10)/R/50, M/o States, R Branch, NAI.
54 ‘Notes on new evacuee property’ signed V D Dantyagi (M/o Rehabilitation), in F No. D/21-14/50, MEA, NAI.
55 Secret letter from Rishi Kesh, CID to MML Hooja, IB, MHA, dated 26th February 1951.
evacuee would be possible only if suitable alternative accommodation would be provided to the refugee.

As if this uncertainty regarding restoration of property was not enough, such a return also made these Muslims suspect in the eyes of the Government—put under the vigil of the CID. To cite one example to highlight this predicament of the retuning Muslim: a group of seven Muslims who had returned from Pakistan to reclaim their property in Delhi were denied any such restoration and instead found their names in the CID records as those ‘reported to be making propaganda to take back their lands from the authorities.’\(^{56}\) It was also noted that these Muslims were agitated by the fact that ‘if the government had no intention to settle them on their lands, they should not have been sent for from Pakistan.’\(^{57}\) The fact that it was specifically difficult for the north-Indian Muslims to make the journey back home is further proven in the observation that a Muslim was more likely to be undetected if he made the journey back to India from its Eastern border than those who came from the western border—‘our experience shows that people who had migrated to West Pakistan on partition of the country have been coming back to India via the East Pakistan without being detected as there is no Permit system or check between India and East Pakistan.’\(^{58}\)

The ‘intending evacuee’ clause created further uncertainties regarding the status of the Muslims in India. One could be declared an intending evacuee on the following grounds—having transferred their assets wholly or in part, or having acquired either personally or through any dependent relative any right to, interest in or benefit from any evacuee or abandoned property in Pakistan or by execution of any document, or any other document in writing sought to effect exchange of the whole or part of the property in India with property in Pakistan. Its impact can be well imagined in a scenario where every movement, financial transaction and correspondence with relatives was under the scanner. Special instructions were given by the Custodian General to the Custodians to develop a close cooperation with Banks to identify such ‘intending evacuees’. The Habib

\(^{56}\) Source Report, CID, dated 7\(^{th}\) August 1948, Delhi Police Records, F No. 96. NMML.
\(^{57}\) Ibid.
\(^{58}\) From SP, CID, Delhi to Assistant Custodian, Delhi. Dated 4\(^{th}\) March 1952, in ibid.
Bank was especially brought under scrutiny—‘activities of all banks generally and Habib Bank specially need close and careful watching.’

The arbitrary manner in which this Act was used by the Custodian was criticised by Nehru as well. He questioned the logic behind declaring one an evacuee even if he had gone only temporarily to Pakistan. He also pointed out the other flaws in the way the Act was implemented—properties once declared as non-evacuee after a long and tedious process of claims and counter-claims were once again re-gazetted as evacuee property, notices were issued without any prior enquiry solely on the ‘presumption that all Muslim property owners are evacuees’. The Prime Minister of India observed that notices were served to people who had long died even before 1st March 1947 (the cut-off date for declaring people and their property as evacuee) or even to unknown persons as “Shri to whom it may concern”! Nehru was also concerned about the fact that in some cases the Assistant Custodian had signed blank notices and given it to the Field Inspectors to use it as per convenience and discretion.

Interestingly, a similar critique of the Act is made by scholars so many years later as well! The result of Nehru’s criticism was that the intending evacuee clause was removed and finally in 1954 the Act itself was abrogated. However, the damage done was irreversible. Muslims who had been dispossessed could rarely come back, and a decade later with the Indo-Pak war in 1965, a different version of this Act was once again reintroduced: the Custodian of Enemy Property under the Defence of India Act (1965). What this Act demonstrated was that the ‘suspicion’ of the Indian state of Muslims was, tragically, not over as yet, even two decades after the partition of the country.

In sum, the 1950 Act was simultaneously beneficial to the migrants and totally detrimental for the resident Muslims. It aided rehabilitation of the former at the expense of the permanent displacement of the latter. The next two Acts—the Claims Act (1950) and the Compensation and Rehabilitation of Displaced Persons Act (1954) — strengthened the position of the migrants even further.

---

59 Executive instructions to all Custodians from S P Advani, Asst Custodian General, dated 4th May 1950. F. No. 7(10)/R/50, M/o States, R Branch, NAI.
60 From Nehru to Saxena dated 14th February 1950, Ayyangar Papers, S. No. 23, Dec 1948 and Nov 1950. NMML.
Compensating for the Losses Suffered by the Migrants:
The Claims Act (1950) and the Displaced Persons Compensation and Rehabilitation Act (1954)

‘The concept of compensation is the off-spring of idealism. It was nurtured at the roots by the Prime Minister’s concern for the millions dispossessed of their all by Partition.’

So wrote U B Rao in his official history of rehabilitation. The government had thought of
the principle of compensating the refugees from West Pakistan as early as in 1949 itself.
Thereafter, a Press communiqué issued on 12th September 1950 declared, ‘the
Government of India[‘s] desire to assure all concerned that the Displaced Persons will be
recompensed to the extent possible for their losses—the extent of the recompense depending necessarily upon the total assets that became available for distribution.’

Its chief proponent was N. Gopalaswami Ayyangar (Minister for Railways, but also heading
the High Power Committee set up for the rehabilitation of these refugees). In a note
drafted by Ayyangar it was stated that the compensation amount would be derived from a
‘compensation pool’ which in turn would comprise the ‘properties left in India by
persons who have migrated to Pakistan, the amount which might have been received
from Pakistan as compensation, and such contribution from the government of India as
might be possible taking the general financial position into account.’

The first step in this direction was the registration of such claims and their verification. To enable this process, the Claims Act (1950) was passed. It allowed the
displaced persons to present their claims in respect of the immovable property which they
had abandoned in West Pakistan. Claims regarding agricultural land were excluded from
the provisions of this act, since it was already dealt with under another scheme.

A Chief Claims Commissioner was appointed and under his supervision worked several Claims Officers appointed in the regions. Sweeping powers were given to the Chief Claims Commissioner, and he along with all the officers involved in this operation were granted judicial immunity. The claims would be verified and if found false, the claimant could be

---

63 ‘Papers and Correspondence with A.P Jain (M/o Rehabilitation) relating to the rehabilitation Scheme and Grant of Compensation to Displaced persons from West Pakistan (1952-53)’ S. No. 64 N. Gopalaswamy Ayyangar Papers, NMML.
64 Land Resettlement programme, which had the standard acre and graded cuts as its point of reference and was thus settled.
penalized. It is interesting to note the very high degree of involvement of the refugees in the whole process of registration and verification of claims. The seniors of the villages, erstwhile neighbours, etc were questioned and cross-questioned to determine the truth behind claims recorded. All attempts were made to rightfully verify the claims made. The claimant could also be penalized if he submitted his claim to more than one registering officer.

The Act saw swift implementation, and immediately long queues formed outside every regional rehabilitation centre to record their claims. By the end of November, most of the work of registration was completed. After the registration process, the next step was the verification of the claims made. This task took over three years to complete, and finally by 1953 nearly 390000 claims had been verified with the total value being assumed at Rs 500 crores. This sum was to be compensated from the following sources:

(a) Evacuee property in India,

(b) Amount which might be received from Pakistan as compensation, and,

(c) Contribution by the government of India.

Discussions and negotiations were held at the top level in the government—the Ministry of Rehabilitation and Secretaries of State Departments of Rehabilitation. Opinions of both these conferences were then placed before Bakshi Tek Chand Committee, thereafter, the final bill was framed. The Act which, thus, came about was titled as The Displaced Persons (Compensation and Rehabilitation) Act, 1954.

The available evacuee property was assessed at 100 crores, which meant that the remaining 400 crores had to be adjusted from the remaining two options—compensation as received from Pakistan, and also from Government of India’s contribution. But the Government of India soon realised that there was no amount to be received from Pakistan, therefore, now it would have to be paid by the central government itself. There was, however, some amount received from the proceeds of sale of movable property from Pakistan:
According to the lists received from Pakistan in pursuance of the Indo-Pakistan Movable Property Agreement, India will receive a sum of Rs. 16 lakhs from Pakistan on account of sale proceeds of movable properties of displaced persons.65

But as far as immovable property was concerned, since the value of the property left by the Hindu and Sikh migrants was far more than that left by the Muslims in India, no amount was received from Pakistan. Therefore, the alternative arrived at by the Government of India to compensate the refugees was that the compensation demanded would be scaled down, and the loans given to the migrants so far would be considered as part of the compensation.

To put in the words of the draft rules framed by the High-Power Committee headed by Ayyangar—‘... any money or property received out of the evacuee property by a claimant will be referred to as ‘Compensation’, any money or property cut of Government’s contribution as ‘rehabilitation grant’, and the aggregate of the two as ‘recompense’.66 The amount to be compensated was then calculated as follows:

Each claimant would be entitled to 20% of his claim from the evacuee property, the claimants having claims in excess of one lakh rupees would receive progressively less than this percentage. Only claimants having claims less than 50000 would be entitled to receive benefits out of government’s contribution.67 The compensation table was as such:

---

65 Press Note dated 15th March 1957 titled as ‘Movable properties of Displaced Persons left in West Pakistan: Disbursement of Sale Proceeds: Applications for Payment Invited’, in Subject Correspondence File—Compensation to Displaced Persons (1958), S. No. 35, Rameshwari Nehru Papers, NMML.

66 Papers and Correspondence with A.P Jain (M/o Rehabilitation) relating to the rehabilitation Scheme and Grant of Compensation to Displaced persons from West Pakistan (1952-53) S. No. 64 N. Gopalaswamy Ayyangar Papers, NMML.

67 It was assumed by the government that 98% of the migrants would fall in this category, with only the remaining 2% having claims above 50000 rupees. Thus, a very small proportion of the total population.
Compensation, Rehabilitation Grant and Total Recompense for Urban Claims

<table>
<thead>
<tr>
<th>Assessed Value of Claim (Rs)</th>
<th>Compensation</th>
<th>Rehabilitation Grant</th>
<th>Recompense</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>As percentage of Claim</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Upto 2000</td>
<td>20.0</td>
<td>55.0</td>
<td>75</td>
</tr>
<tr>
<td>2001-5000</td>
<td>20.0</td>
<td>55.0-38.0</td>
<td>75.0-58.2</td>
</tr>
<tr>
<td>5001-10000</td>
<td>20.0</td>
<td>38.2-28.0</td>
<td>58.2-48.0</td>
</tr>
<tr>
<td>10001-30000</td>
<td>20.0</td>
<td>28.0-9.3</td>
<td>48.0-29.3</td>
</tr>
<tr>
<td>30001-50000</td>
<td>20.0</td>
<td>9.3-0</td>
<td>29.3-20.0</td>
</tr>
<tr>
<td>50001-100000</td>
<td>20.0</td>
<td>0</td>
<td>20.0</td>
</tr>
<tr>
<td>Above 100000</td>
<td>20.0 and less</td>
<td>0</td>
<td>20.0 and less</td>
</tr>
</tbody>
</table>

Based on these calculations, it was estimated that the total liability for the government would be about 155 crores. With the value of evacuee property fixed at 90 crores (keeping in mind a 10% margin for price fluctuations and deterioration), it was then calculated that the government would now have to pool in the remaining 65 crores. This was the amount payable to the urban claimant of immovable property.

Regarding the claims made by rural migrants (except for that on agricultural lands), a different scale was used. Here the dividing line was claims made over 10000 rupees and those made less than that. For the smaller claims, houses or sites for construction of houses varying in size from 100sq. yards to 300 sq. yards were to be allotted alongwith cash grants at the following rates were distributed:

<table>
<thead>
<tr>
<th>Value of Houses</th>
<th>Cash Grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upto Rs. 2000</td>
<td>Rs. 500</td>
</tr>
<tr>
<td>Rs.2001-5000</td>
<td>Rs.750</td>
</tr>
<tr>
<td>Rs.5001-10000</td>
<td>Rs. 1000</td>
</tr>
</tbody>
</table>

---

68 Papers and Correspondence with A.P. Jain (M/o Rehabilitation) relating to the rehabilitation Scheme and Grant of Compensation to Displaced persons from West Pakistan (1952-53)’ S. No. 64 N. Gopalaswamy Ayyangar Papers, NMML.

69 Ibid.
Those with claims over Rs. 10000, were entitled to houses worth Rs. 4000 and above. If this was not possible, then they would be given cash grants of a similar amount. The rural migrant was also given the option of choosing an urban allotment, however, in this eventuality the claim would be scaled down by 30% because the market value of properties in rural areas is less than their assessed value as determined by methods used for assessment of values of properties in urban areas. The total amount was thus, calculated at approximately Rs. 30 crores.\(^{70}\)

Therefore, the total amount the government would have to pay was 65+ 30=95 crores. There was an extra 2 crores to be paid as relief amount. This was keeping in mind the loss to the compensation pool on the rare occasion wherein an evacuee would be compensated for the loss suffered on account of his property being declared as such. Thus, the net amount now payable by the government was 97 crores. Of this amount, nearly 70 crores of rupees were already assumed to have been paid by the government in the form of properties sold off at cheap rates to the migrants and the non-recovery of a large proportion of loans (urban and rural) granted to the non-claimants. Thus, it was a balance of 27 crores which was now to be paid. Here it was decided that Rs. 7 crores would be paid in cash in the year 1953-54 and Rs. 10 crores in 1954-55. The remaining Rs. 10 crores was to be contributed in the form of bonds carrying an interest of 2.5% and redeemable in 25 years.

Based upon these guidelines, the interim compensation scheme was worked out. The first distribution of compensation under this scheme took place at Delhi on 28\(^{th}\) November 1953. At a formal ceremony, Ajit Prasad Jain, the Minister of Rehabilitation, handed out bank drafts to several old men and women.\(^{71}\) Finally, with the passing of the Displaced Persons (Compensation and Rehabilitation) Act in 1954, all legal obstacles to this compensation scheme were removed and the process of distribution continued for quite some time. Once again the class of government employees had a clear advantage over the others, with them being compensated mostly in terms of payment of full pension and provident fund dues to the extent of 50% on the production of documentary evidence,

\(^{70}\) Ibid.
\(^{71}\) U B Rao, *The Story of Rehabilitation*, p. 124
even in the absence of verification.\textsuperscript{72} Rao makes a quick summary of the total compensation made till 1961. According to Rao, by the end of September 1961, claims of 4,968,944 people (out of a total of five lakh people) had been satisfied, and the total amount disbursed till then was Rs. 164 crores (Rs.62 crores in cash, Rs.78 crores by way of transfer of properties and Rs.24 crores through adjustment of public dues). This amount had been acquired through—96 crores from evacuee property, 16 crores on account of property built by the central government, 48 crores on account of housing and other loans and the remaining 4 crores was acquired from general revenues.\textsuperscript{73}

Certain observations can be made from this Act. A part of the compensation pool comprised the available evacuee property. The finality with which this Act lays such a strong claim over the evacuee property proves that by this time such property was well in the hands of the government. This is irrespective of the fact that Nehru was quite dismissive of the Administration of Evacuee Property Act, and, also that his strong repulsion to this Act actually resulted in it being repealed in 1954. In the very same year, this Compensation and Rehabilitation Act was passed. Therefore, this act too, is demonstrative of the fact that the economics of rehabilitation required that the Muslims who had left for Pakistan do not come back and stake their claim on their properties. The Evacuee Property Act (1950), the introduction of Passports (1952) and finally, the Compensation and Rehabilitation Act (1954) at a time when the Evacuee Property Act was being repealed, all prove that by denying the Muslim evacuee his right to return to India, the Indian government was making way for the permanent rehabilitation of the vast Hindu and Sikh migrant population from West Pakistan. It also gave finality as regards the ‘rightful’ constituents of India, for immediately the next year the Citizenship Act was passed (1955).

The Act is also representative of the intention of the government regarding its efforts to rehabilitate the migrants from West Pakistan. Being the last and final phase in the rehabilitation programme for these migrants, it was, in the eyes of the government, a logical conclusion to the whole process vis-à-vis the migrants from the West. Thus, the various stages in this process could be identified as follows—

\textsuperscript{72} Ibid, p. 133
\textsuperscript{73} Ibid, p. 136
evacuation → relief measures → permanent rehabilitation → compensation for loss suffered

What is noteworthy is that both these Acts were strictly applicable only to the migrants coming from West Pakistan. The reason for such a distinction was the perceived temporary nature of migration in the East. As noted by Ayyangar:

… the scheme was intended only for the West, for the areas where the migrations had become permanent and there could be no idea of return of migrants to their original habitat. My scheme was not intended for the Bengals… On the West, however, the migrations that had taken place were permanent, and the assumption on which my scheme was based was that there would be no re-migration.⁷⁴

Having looked at the main legislative policies adopted by the Government vis-à-vis the migrants from West Pakistan, let us now look at its implementation in Delhi.

Delhi: The ‘Refugee City’

Delhi as the national capital became the most popular site for the displaced persons. In many ways, therefore, Delhi became a ‘refugee city’. It became home to not only the Hindu and Sikh refugees, but also the departing Muslims who made Delhi their last stop en route to Pakistan.⁷⁵ Delhi was the national capital and the face of India. Delhi became important on account of it being the seat of power and hence, any threat to peace and stability here was to be sorted out immediately. As noted by Diwan Chaman Lal, ‘The problem of refugee rehabilitation in Delhi has become immediate and brooks no delay. The influx of nearly two lakhs of people from outside into Delhi has already upset the

---

⁷⁴ From Ayyangar to Nehru dated 24th July 1950, Ayyangar Papers, S. No 23, NMML. For the ‘Bengals’ his scheme was of restoration of property to the returnees who came back by 31st December 1950, and for those who did not return and chose to stay back in Pakistan, they would have to arrange for the administration of the property with ownership rights over their property resting with them only. The fallout such a proposition is discussed in Chapter III of this dissertation. For now it will suffice to know that the migrants from the East were never compensated for the material losses suffered on this very pretext that they owned rights over their property in East Pakistan and hence could not claim compensation for it in India.

⁷⁵ Muslims from the neighbouring states of UP and Gurgaon, and even far-off places like Rajasthan and Hyderabad, made it to the national capital with the hope of moving out safely to Pakistan or even as a temporary measure to escape the violence in their respective states. Within Delhi region itself, Muslims moved to the assured safety of the camps, once again with the intention to either migrate to Pakistan or to wait there till situation improved.
economy of the city and action must be taken at once as such in the interest of the refugees as to let Delhi—the nerve centre of India—resume her normal activities.\(^{76}\)

The proximity of a turbulent Punjab so near to Delhi was another cause of concern. Therefore, the Punjab issue had to be solved sooner than later. Nehru was also concerned about the crowding in the Delhi region.\(^{77}\) Therefore, immediate plans were made to quickly disperse the refugees into the neighbouring areas specifically being built for them and thereby to de-congest Delhi.\(^{78}\)

**From Pakistan to Delhi**

Gyanendra Pandey has shown that by 1951 as high as 28.4% of the population of Delhi was composed of refugees.\(^{79}\) The first task in the rehabilitation of refugees in Delhi was their compulsory registration as refugees upon reaching Delhi.\(^{80}\) The refugees were to register themselves in the Town Hall latest by 15\(^{th}\) November 1948.\(^{81}\)

In the process of providing rehabilitation to the refugees, the government and, by extension, the refugees alienated certain sections of the local population—both Hindus and Muslims—who suffered on account of the rehabilitation policies, and also on account of the loss of peaceful days of the past: a common Delhi culture which was rehashed and reworked into a more dominant Punjabi culture. In a telling phrase pointed out by Gyanendra Pandey, such a sentiment is clearly marked out—‘Dilli ab bhi baqi hai, aur vahan Musalman bhi baste hain, lekin ab woh Dilli kahan…?’ [Delhi still exists, Muslims still reside there, but where that Delhi of the yore]?\(^{82}\) Often, it is observed that the locals preferred the Muslims over the migrants. Personal memoirs, oral testimonies and

---

76 Diwan Chaman Lal, a Punjabi migrant himself, but also a man at the helm of refugee affairs in Delhi, ‘Rehabilitation of Refugees in Delhi’ Undated report in F. no. 149, Diwan Chaman Lall Papers, NMML.
77 References in SWJN on numerous instances are to be found where he remarks that Delhi should be quickly cleared of the refugees. It is a city visited by foreign delegates and their opinion mattered as it would be the word taken around the world.
78 For e.g. Faridabad Township.
80 In his Some Thoughts on the Problems of Rehabilitation of Displaced Persons from Pakistan, writes, ‘…the first step in any scheme of rehabilitation must be the enumeration and occupational classification of people involved. Compulsory registration of the immigrants in Delhi and UP of voluntary registration in the East Punjab have already been done.’ Diwan Chaman Lall Papers, F.No. 149, NMML.
81 Annexure IX: Registration form, in F.No. RHB/120/3/49 ‘Allotment of Bungalows in Nizamuddin’, NAI.
literary works testify to such feelings among the local Delhi population. Even in official records, some evidence in this matter is found. One such example which is richly illustrative of such a hostile response from the local population of Delhi can be cited here as follows—

The residents of Delhi are beyond any shadow of doubt opposed to the refugees living in Delhi and they appreciate the action of the authorities in turning out the refugees.³³

The Deputy Commissioner of Delhi, M S Randhawa, is believed to have stated that the people of Delhi were ‘extremely jealous’ of the hardy Punjabi migrant who was swiftly making immense progress in the process of resettlement.

Housing the Migrant in Delhi

The first option present before the government as well as the migrants themselves was the vacant homes of the Muslim evacuees. In the wake of the communal riots in Delhi, Muslims had taken shelter in the Muslim camps at Purana Qila and Humayun’s Tomb, some with the intention to permanently shift to Pakistan and, yet, there were others who thought this displacement would be short-lived. Whatever the intention, this situation led to many homes in Delhi being left ‘vacant’. It was these homes which were looted and forcibly occupied by the Hindu and Sikh migrants. In this way, many such houses were placed at the disposal of the migrants.⁸⁴

However, even at this time of chaos and looting, there were those who successfully exchanged their properties with migrants on the other side of the border. An observation made by Anees Kidwai regarding the absence of the elite Muslim classes in the dilapidated camps is a pointer that there were those who had much before the riot started safely moved out of their homes into Pakistan.⁸⁵ Archival records bring to notice two such cases where senior government officials did exchange their properties in West Pakistan with that in Delhi. M S Randhawa, ICS officer from West Punjab and posted as

---

³³ Secret letter from Ram Lal, CID, to MML Hooja, Intelligence Bureau, dtd. 21⁹ September 1948. F.No 26, Police Records, NMML.

³⁴ This forcible occupation of evacuee homes was strongly condemned by the government, and considered illegal as well by an agreement between both the countries as per decision taken in the Joint Defense Council Meeting held on 27th August, 1947. But there was little that they could do, as the dejected Prime Minister Nehru stated that when it was so difficult to protect lives, how could one protect the property.

³⁵ Newspapers like Dawn and Times of India carried numerous ‘sale/exchange of property’ classifieds even after the Karachi Agreement (1949) was signed whereafter as the Custodian was made responsible for management and allotment of all such property.
Deputy Commissioner in Delhi after partition, had entered into a deal with one Badrul Islam for exchange of his property in Montogomery with that of the latter in Chatarpur near Mehrauli in Delhi. Similarly, another wealthy property holder from West Punjab, Sardar Datar Singh also successfully exchanged his land with Nawabzada Liaquat Ali Khan of East Punjab. Both these cases date back to October 1947, much before the passing of the Evacuee Property Ordinance and certainly the Evacuee Property Act.\(^{86}\)

In her memoir, Anees Kidwai recounts the repercussions of such exchanges. The thirteen bighas of land acquired by Randhawa in exchange of the forty bighas he left in Pakistan created problems for the Muslim tenants occupying that land. Having been thrown out of their villages, they were now homeless, and, therefore, compelled to come to the Humayun Tomb camp. In some cases, the tenants of the land were Harijans, but since the property had changed hands, therefore, they, too, were rendered homeless.

Nehru was very critical of such seizures of property by the Hindu and Sikh migrants. On several occasions we find him strongly condemning such acts—`It is not the desire of the government to send away any citizen of Delhi against his will… It should be clearly understood that the houses vacated by Muslim evacuees continue to belong to them and that ownership of property in them cannot pass to another. So long as they are not taken possession of by their owners, a custodian of evacuee property will hold them in trust and no arrangements should be made which come in the way of the return of their previous owners.`\(^{87}\)

This is probably the first mention of the office of the Custodian of Evacuee property. That eventually there was a drastic change in the functioning of this office has been discussed above.\(^{88}\)

We shall now focus on some of the schemes introduced by the government for housing the refugees in Delhi. In the absence of sufficient vacant land and property in Delhi, some other means had to be adopted for the purpose of housing the displaced persons. The government, therefore, passed an Ordinance— the `Resettlement of the

\(^{86}\) F. No 25/35/49-ESTS,On Evacuee Property, NAI.
\(^{87}\) Note to the members of the Cabinet, 17th September 1947, SWJN, vol. 4, p. 81.
\(^{88}\) The All India Hindu Mahasabha was much against this `soft` approach of the Custodian in India and compared the situation with that in West Pakistan where, according to them, property of the Hindus and Sikhs was being seized. A critique of the Evacuee Property ordinance by the Hindu Mahasabha can be found in the All India Hindu Mahasabha Papers, C-177/1949 Part I.
Displaced Persons (Land Acquisition) Ordinance, 1948’. Henceforth, a notification would be published in the official gazette to this effect stating the area and boundaries of the land to be acquired and also the date on which such an acquisition would be made. Along with this official notification in the Gazette, similar notifications would be posted as public notice in the area to be acquired. The ‘competent authority’ would also inform the owner of the land by registered post. The owner of the property could object to its acquisition by filing his objection to the competent authority within one month of the notification. An enquiry would be made, and if the objection was found justified then the land would revert back to its original owner.

But in the event of it being acquired by the government, suitable compensation would be given to the original owners—either by agreement between the two parties, or by the arbitration of a third party. The parties concerned could make a final appeal to the High Court, the decision made here would be final. The land thus acquired would be used for the exclusive purpose of ‘resettling the displaced persons’. As with the other Acts passed for the resettlement of displaced persons, this Ordinance too came with the additional power of judicial immunity to the officials involved which was considered a suitable protection for an action done in ‘good faith’. The Ordinance eventually became an Act in the next month, i.e. September 1948. It was used extensively for acquiring plots in and around Delhi. These plots were distributed among the displaced persons and used for the purpose of construction of homes and shops, either by the migrants themselves or by government agency.

Numerous refugee colonies came up as a result of this Government initiative. The first such colony was at Pusa Road. Thereafter, many other followed—Patel Nagar, Rajendra Nagar, Jangpura, Lajpat Nagar, Tilak Nagar and Kirti Nagar, to name a few. Annexure III to this chapter shows the proposals made regarding the construction of

---

89 Only land being used or earmarked for the purpose of building schools, orphanages, hospitals or that for the exclusive use of religious purposes were excluded from such acquisition.
90 The Ordinance was issued on 2nd August 1948, and it was passed as Act LX of 1948 on 20th September in the same year. The area of jurisdiction was, however, limited to the Chief Commissioner’s Provinces of Delhi and Ajmer-Marwara.
91 Annexure II: Letter from M L Dave (Secy to Delhi State Government) to Secy (GOI) M/o Rehabilitation, dt. 22nd June 1953 re: List of cases of land acquired for the M/o Rehabilitation wherein compensation has been proposed by the Collector, Delhi. In F. No. RHB/55/2/53 ‘Payment of compensation for the lands acquired—Consolidated reference from the State Government.’ NAI. All the proposals were passed.
houses and shops in these areas. These proposals were passed and houses and shops in these areas were set apart for the migrants.

Making of a colony in Kirti Nagar:
A pamphlet titled ‘Why and How? To Own a Plot in Kirti Nagar’ issued by the Rehabilitation Housing Cooperation Limited describes how to acquire a plot in this colony. Kirti Nagar was a colony spread over 150 acres, of which the saleable area under the plots was only 70 acres, this meant that it would be less populated than other colonies. It was situated in the industrial area on the Najafgarh Road. The layout had been approved by the Town-Planning Sub-Committee and the Delhi Development Sub-Committee, and was sponsored by the Ministry of Rehabilitation in cooperation with the Punjab National Bank. The plots were to be free hold and there was provision of sites for a school, dispensary, cinema, petrol pump and public building. Details of plots for bungalows, cottages, houses, shop cum residence, dispensary, cinema, petrol pump and a public building were mentioned along with their reserve price. The mode of payment was stated as follows:

- 10% with application
- 15% at the time of allotment
- 75% in two years time by four equal half-yearly installments

A 6% rebate would be granted if the full payment was made at the time of allotment itself. The pamphlet can be ascribed to the year 1953. Already by then sufficient work was done in this direction, as claimed in pamphlet: leveling work completed; roads been laid out, painting still left; drainage work to be completed by 1954; and, finally, filtered water supply and electricity to be made available.

Minute details of the colony have been mentioned because as we shall see in the subsequent chapters, such a planned organisation of colonies by government initiative was completely unheard of in West Bengal, Calcutta to be specific.

---

92 Annexure III: Demand No. 140, Memorandum issued by the M/o Rehabilitation dtd. 6th July 1953: Housing Schemes for displaced persons in Delhi programme for the year 1953-54 (part I), in ibid. NAI
93 Annexure IV: Particulars of Plots, in brochure ‘Why and How to Own a Plot in Kirti Nagar’ in F.NO. RHB/126/8/53 [Rehab] ‘Policy regarding the disposal of plots and buildings by Delhi Rehabilitation…’ NAI.
94 Chapter IV of this dissertation discusses colony formation in Calcutta in great detail.
The proposed colony received a good response and many forms were sold out. However, the final allotment of plots was subject to certain conditions specified by the Rehabilitation Housing Corporation Limited. Some of the conditions specified were as follows:

- 80% of the plots shall be reserved for the displaced persons, first preference being given to those registered in Delhi.
- The sale of plots shall be effected by the Corporation direct as well as through the agency of sales agents.
- The applicants can indicate offers for more than one plot but not exceeding 3 plots showing preference. Only one plot shall be allotted to each applicant, according to the bids received for each plot…
- Plots shall be allotted to those offering the highest price. The Corporation, however, reserves the right of not accepting any offer without assigning any reason.
- The allottees of the plots shall be required to deposit within 30 days 15% of the sale price or such amount as shall make the total amount including of the amount paid on application atleast 25% of the total sale price.
- The possession of the land shall be given to the allottees when atleast 25% of the sale price has been paid and the allottee may start construction thereafter.
- A notice shall be served on the allottees who fail to pay the installment by the due date to pay the amount within 15 days together with interest at 6% p.a. and the Corporation shall have the right to cancel the allotment and to resume possession and the amount paid by the allottee shall be liable to forfeiture by the Corporation.
- The Corporation shall enter into an ‘agreement for sale’ with the allottees where 25% of the total sale price has been paid. When the entire sale price has been paid by the allottee and the allottee fulfils the terms and conditions of sale, the land shall be legally transferred to him and the sale deed executed and registered.
- The displaced persons to whom the land is allotted shall not transfer or assign his interest in such land to any person other than a displaced person during the period of 5 yrs from the date of allotment.

95 Annexeure V: Application Form for applying for plot in Kirti Nagar. F.No. RHB/126/8/53 [Rehab] ‘Policy regarding the disposal of plots and buildings by Delhi Rehabilitation….’ NAI.
96 Due date being the 5th of every month.
• The non-displaced person to whom the land is allotted shall not transfer or assign his interest in such land to any other person during the period of 5 years from the date of allotment without the prior approval in writing of the Corporation.

• Any person to whom land is allotted shall complete the construction of building, within two years from the date of allotment, failing which the Corporation shall have the right to cancel the allotment and resume possession after giving him proper notice. This time limit may be extended by the Corporation, if it is satisfied that the failure to complete construction within the said period was due to causes beyond the control of the allottee.

• The allottees shall be free to construct the houses and shops according to their own design but in accordance with the rules regulating erection of buildings and shall get the plan approved by the competent authorities.\textsuperscript{97}

These were some of the conditions laid down by the Corporation for the allottees. An analysis of these conditions shows that the Corporation had very superior rights over the land for at least the first five years.\textsuperscript{98} But it also shows that such colonies were well-planned and to a very great extent supervised by the government itself. This was quite advantageous for the migrants.

Apart from allotting plots to the migrants for building purposes, the government also had a scheme for allotment of readymade houses to the migrants. These houses were built by the government, or by issuing contracts to private builders who had to get their plans approved by the Rehabilitation Board. However, there were certain guidelines which were to be followed in the process of allotting the homes to the migrants— only those displaced persons who were registered in Delhi before the prescribed date, i.e. 15\textsuperscript{th} August 1948 and were ‘gainfully employed’ could be allotted such homes.

Satellite Towns in Delhi:
The ‘over-crowding’ in Delhi became a matter of serious concern. As Nehru stated ‘…Delhi cannot possibly absorb fresh batches of refugees… I would earnestly request

\textsuperscript{97} ‘Conditions for the Sale of Plots in Kirti Nagar, RHB/126/8/53, ‘Policy regarding the disposal of plots and buildings by Delhi Rehabilitation and Development Board’, Ministry of Rehabilitation, NAI.

\textsuperscript{98} Contrast this with arpan patras distributed to the East Pakistani refugee by the Government of West Bengal where it was indicated that the latter had control over the former’s property for 10 years.
that no further refugees from Pakistan should come to Delhi as this will not help them in anyway. They will merely add to their difficulties as well as ours.'

After deliberation the final solution was found in the alternative of establishing satellite towns in Delhi—‘… I think it would be much better to have small townships… within an area of say 20-25 miles around Delhi or little more. The point is, do not commit yourself absolutely to keeping the people in Delhi…’ wrote Nehru to Mohanlal Saxena in a note dated 1949.

Four satellite towns were built around Delhi proper. But it was not without its problems, the most important being the acquisition of suitable land for developing these townships. It was here that the Resettlement of Displaced Persons (Land Acquisition) Ordinance, 1948 [which later was passed as an Act as well] came to be of utmost utility. The four sites under consideration were—Sheikh Sarai, Tihar, Kalkaji and Mehrauli. A notification to this effect was issued by the Delhi Improvement Trust in the Government of India Gazette dated 17th January 1948. Any objections to the said scheme would have to be submitted to the Chairman of the Trust by 17th February 1948.

Numerous objections were received by the Trust from the original owners of the land (predominantly the agriculturists who worked on the land). A report— Recommendations of the Committee appointed to hear objections to the Satellite Township Schemes— was drafted summarising all such objections also indicating the final action to be taken.

Let us look at the objections briefly. The first point of objection was that the land being acquired was very valuable from the point of view of agricultural production, and, therefore, should not be taken up for building a township. Then there were demands made for suitable compensation in lieu of the land acquired. There was also the issue of emotional attachment to the land ‘which the applicants and their predecessors have been holding from time immemorial’, and also the fact that these owners had invested ‘a great deal towards increasing their productive capacity. The acquisition of these lands will

100 Letter from Nehru to Mohanlal Saxena dtld 27th July 1949, F.No. 29 (47)/48 PMS, NAI.
101 Annexure VII: Notification in regard to satellite townships, in F No. RDB/B/53, ‘Satellite towns around Delhi’ in NAI.
102 ‘All cultivable land falling within the scheme should be excluded so that the owner may not be put to monetary loss and may continue to support his family. The acquisition of cultivable land will also mean a set-back to Government’s Grow More Food Campaign and therefore acquisition should be restricted to only barren land.’ RDB/B/53- Satellite Towns Around Delhi- NAI.
mean their financial ruin.’ The acquisition of the land came as a ‘shock’ to these agriculturists—‘Government have been professing that the present administration represents a “Kisan-Mazdur Raj”. The acquisition of these lands is a negation of this policy.’

The owners suggested alternative plots which could be acquired instead of their land. Further, they also suggested that the land vacated by the Muslims should be acquired which would in itself be sufficient for the township construction. Yet, the final decision of the Committee overlooked all their objections and suggestions—‘the schemes should be gone on with and that steps to this end should be taken. In addition in actual execution care should be taken to see that exceptionally valuable irrigated land or areas capable of a high yield of agricultural produce should be avoided being left as far as possible as open spaces under cultivation.’

Land was, thus, acquired and the townships were built in these areas. The townships, thus, came into being, housing a considerable number of refugees. However, it led to the displacement of many of its original owners. Though compensated by cash and land, the objections filed show that the owners were not happy, the land received by them as compensation was often of an inferior quality.

Thus, in the process of pacifying the migrants, there was a section of the local population which was alienated in the process. We have mentioned the plight of the landowners in the four satellite township areas, the Muslims who were compelled to leave their homes, and the poor Harijan tenants in most of the rural areas where land was acquired by the government. Left to their own sources, this section of the population recollected the peaceful days in Delhi with much nostalgia, and lamented over their present state of displacement.

**Employment Opportunities for the Migrant:**

Once the housing issue was more or less settled, the next step towards permanent rehabilitation was to provide the migrant sufficient avenues for employment.

Government employees, as mentioned in the previous chapter, were at a clear advantage over the other migrants. Having being given the option to choose the State

---

103 RDB/B/53 ‘Satellite Towns Around Delhi’, NAI.
they would like to serve, expectedly the Hindu and Sikh employees in Pakistan opted for India and were absorbed in the vacancies left by the Muslim employees opting for Pakistan. Their passage into India was also safe and assured, all at government expense. Regarding the housing facilities also, apart from occupying the government houses vacated by the Muslims, special consideration was given to house these government officials. In each of the housing schemes, a significant percentage of plots or houses were reserved for them. Further, in most of the housing schemes, an essential criteria of eligibility was ‘gainfully employment’. In this time of crisis, it could have only been the government employees who were so employed. A special inventory of all the displaced government officials was also made and keeping in mind the vacancies, they were employed accordingly.

Politicians and political parties were interested in pacifying the government employee. In his letter to Mountbatten, written just a week before 15th August 1947, Sardar Patel mentioned the need to relieve urgently the Pakistan-optees and replace them by the India-optees in the greater interest of national security—

… it is obvious that those who have elected for Pakistan will no longer be interested in safeguarding the interests of India, but will be more concerned in doing everything they can to promote the interests of Pakistan even by prejudicing those of India… The possibility cannot be ignored of the enthusiasm of some of these persons outrunning their discretion, and we must provide against the danger of sabotage, etc. in certain key departments…[therefore, I suggest] we take these persons off their regular administrative duties and replace them as soon as possible by those who have elected to serve India…

Such policies had adverse effects on those Muslim employees who wanted to stay on in India. Anees Kidwai cites several cases where the Muslim government employee was forced to leave India—a case in point would be the example of her husband who was posted in Mussoorie as the District Magistrate. He was threatened repeatedly by the Hindu and Sikh migrants to leave India, but he stuck to his duty and ignored such threats. However, at the end, he paid dearly for refusing to leave. Few days later he was killed by the very same refugees who had threatened him. Not every employee, however, met such a fate. Nonetheless, a significant majority were compelled to leave India, often against

---

their own wishes. CID records do mention the increasing communal tension between the Hindu and Sikh employees on the one hand, and the Muslim employees on the other. One such report states—‘A high tide of communal tension is running among the clerks who live in Lodhi Road colony [about 2000 employees of the Secretariat]. The matters have gone to such an extent that Hindu and Muslim clerks do not even speak with each other…’ The polarisation was more or less complete before independence, with the Hindu employees supporting the Congress or the All India Hindu Mahasabha, and the Muslim employees in favour of the Muslim League.

A Transfer Bureau was set up by the government at the centre for the exclusive purpose of finding employment for them. The central government passed the directive that the first preference in recruitment in government service should be given to these displaced persons. In addition to all these measures, notifications were issued to all the departments to treat the officials who opted for India but could not join in their posts immediately on account of the partition violence, as being on duty for one month from 15th August 1947, or from the date of release from their posts in Pakistan. The period of absence exceeding more than one month would be treated as leave due or leave without allowance if none was due.

However, there was the problem case of those who had opted for ‘India-provisional’ or ‘Pakistan-provisional’. Often Hindu and Sikh employees in Pakistan did opt for this latter option on the presumption that post-independence conditions would normalise and so they would not have to leave their homes afterall. Similarly, many Muslim employees, too, opted for the same in India. In India, this provisional option was valid till 15th February 1948 after which a final decision was to be made. Compelled by the disturbing circumstances many of the officers changed their option in the meantime.

---

105 Yet, there were those who happily migrated to Pakistan. They felt that in Pakistan, finally, they would be relieved of having to work under Hindu officers. Unlike as in India where the administrative apparatus was more or less well established (a result of the colonial legacy left behind), Pakistan had to start anew. These employees were, therefore, more than welcome to build the fledgling state. Thus, we find the initiative taken by the Pakistan government to safely evacuate the Pakistan optees—the Purana Qila camp, as mentioned before, initially was set up exclusively for the purpose of evacuating government employees and special trains were used for this exclusive purpose.

106 Police Records, NMML.


108 This implies that those who had chosen ‘Pakistan-provisional’ could change the option to ‘India-final’ by this date and not later.
Interestingly, it was not only these provisional optees who changed their option, but also those who had chosen ‘Pakistan-final’.\(^{109}\) A survey was conducted in all the government departments, and information regarding the number of employees who opted for Pakistan but chose to stay back, and also of those who went to Pakistan but came back soon after was gathered. G D Khosla, who was part of the team that conducted this survey, wrote—

To the poor man and in fact most men, economic pressure is a much stronger argument than religious urge. The Muslim is by conviction a crusader but even he does not want to starve [!] . It has been said that every Muslim wants Pakistan whatever the economic conditions there may be. This statement is, however, falsified by events. A large number of railway employees who had opted for Pakistan could not be provided for there and had returned to India.\(^{109}\)

Responses to the questionnaire were received from several departments. The questionnaire comprised three questions and was applicable to both Muslim and non-Muslim employees as well:

(a) The number of government employees who left for Pakistan.
(b) The number of those who returned.
(c) The reasons for their return. [to be explained elaborately, each case individually, for this would be the basis for their reemployment]

The responses show that many non-Muslims did opt for continuing their service in Pakistan, however, with the conditions worsening, they changed their option to India-final. Often Muslims who had opted for Pakistan, changed their option to India-final, the reasons cited by them were—family still living in India, not being absorbed in Pakistan, or having found the terms of service in Pakistan not to their liking. On many occasions, these Muslim officials also stated the fact that they could not actually move to Pakistan

\(^{109}\) Whether, Hindu employees changed their option from India-final to Pakistan-final cannot be known from archival sources in India. In contrast, the sources available only depict the strong urge among the Hindus and Sikhs to migrate into India. But the statistical evidence regarding the reverse migration of the Muslims back to India which is not reciprocated by any such migration from India to Pakistan by the Hindus can be a pointer to the fact that the rehabilitation programme in India was relatively better and more complete than that in Pakistan. Such reverse migration in case of Hindus is to be found only on the eastern border—much as a result of the Nehru-Liaquat Ali Pact of 1950. The Pact, however, could not promote any similar migration on the western border.

\(^{110}\) Note dated 19 July 1948, ‘Statements regarding employees of Government of India who opted for Pakistan but came back and sought re-employment with the Government of India—giving reasons for seeking reemployment.’ Subject F. No. 18, G D Khosla Papers, NMML.
on account of the communal disturbances in India, as the reason for why they sought reemployment in India.

To cite an example—the responses received from one of the departments- All India Radio (Ministry of Information and Broadcasting)\textsuperscript{111}, and a point reflected from the analysis of the responses from all other departments, show that whereas the non-Muslim employee who opted for Pakistan-provisional was reemployed easily, the case of the Muslim official placed similarly was either kept ‘under consideration’ or rejected downright. Also, it was mostly the class III and class IV employees who were most likely to change their options since they were not so easily absorbed in Pakistan. The senior Muslim officials were more easily absorbed in the fledgling Pakistani administration, hence, very few of them chose to stay back in India. As pointed out by Vazira Zamindar, Chief Commissioner of Delhi, Sahibzada Khurshid was the only top Muslim officer who stayed back in Delhi.

Despite changing their option to India-final, the class III and IV Muslim employees could well loose their jobs in India, for their’s was a position easily filled in by the non-Muslims. Even Nehru, who was otherwise disturbed by the ‘pushing out’ of Muslims, especially from Delhi, stated, ‘Many of the old posts have been filled and there are large numbers of Government employees from Pakistan who are on our waiting list. Our rule is to give first preference to those who had first opted for India, secondly to those who have been transferred from Pakistan to India and thirdly to those who have first opted Pakistan and then for India.’\textsuperscript{112} Therefore, these provisional optees or those who changed their option later to India-final, were last in the queue, and among them also, the Muslims would be given even lesser preference.

Thus, exceptions notwithstanding, there was a sizeable section amongst the government employees who did mange to either retain a somewhat similar status in India or be employed in some other capacity in any of the departments.

The problem of employment was more serious and difficult for the other migrants. Rural migrants were relatively easier to rehabilitate, as they could easily fill in for the

\textsuperscript{111} Annexure VIII:Letter from Director General (All India Radio) to Kailash Chandra (Officer on Special Duty) M/o Relief and Rehabilitation, re: details of no. of such optees and reasons for changing to India-final. In F.No. 18 ‘On Optees’ G D Khosla Papers, NMML.

\textsuperscript{112} Letter to Sri Prakasa, High Commissioner of India in Pakistan, from Nehru, dated 31st March 1948, F.No. 29(1)/PS/47-PMS, NAI
Muslim cultivators who had migrated to Pakistan. An elaborate scheme was formulated to distribute the evacuee lands left in Punjab to the cultivators from East Punjab. This procedure has been mentioned above in greater detail. It was, therefore, the problem of rehabilitating the urban migrant which became the real source of problem.

In most cases, the sites for permanent rehabilitation came up in the near vicinity of these relief camps. There were two reasons behind this move—one, the migrant himself could be employed in the process of building these sites (townships like Faridabad, Rajpura, Tripuri etc.) and thereby earn a reasonable livelihood, second, the ones who were not employed at the sites, often found odd jobs in the neighbouring towns or villages (set up small shops/stalls or worked as casual labourers etc.). The government did not want to upset these small arrangements which the migrant had made for himself and his family.\footnote{By contrast, camps in West Bengal were closed down arbitrarily without having similar concerns regarding the East Pakistan migrant. The intention there was simply to send back the refugees somehow. If they refused, the option was to send them out of Bengal.}

Apart from this measure, relief camps were converted into work centres where the migrants could learn various crafts which would be useful for them to set up small business enterprises for which the government would give them loans.\footnote{Like blacksmithy, carpentry, handicrafts, electrical works etc.} To cite an example: the Ambar Charkha Training Course was started at the Kasturba Seva Mandir in Rajpura Camp. The duration of the course was six months and during this period a stipend of Rs. 40 per month was to be paid to the trainee. The minimum eligibility for admission to this course was matriculation pass with ‘good health, active habits and good character’. In addition to these qualities, the prospective candidate was also required to have ‘no mental reservation for manual labour’, and also ‘no objection to live with Harijans and other scheduled castes’. After successful completion of the course the trainee would be sent on probation and could thereby, earn an initial amount of Rs. 65 p.m. Thus, such training centres imparted useful skills to the migrants and also ensured that they would find some employment.

Special centres were opened for women as well where the single women were taught skills which could make them self-reliant—spinning, stitching, handicrafts were common...
skills taught to them. In his *Some Thoughts on the Problem of Rehabilitation of Displaced Persons from West Pakistan*, Chaman Lall writes how these displaced persons could be employed in medium and large-scale industries like textiles, engineering, minerals, mills (oil, paper, sugar, rice and flour) and mint. He also suggested the employment of displaced persons in cottage industries. A Transfer Bureau was set up, which aided not only the government employees but also provided for ‘educated unemployed’ refugees in general. There were certain relaxations made for the displaced persons with regard to employment opportunities like age relaxation, educational qualifications, wherever possible, were overlooked, and the most sweeping measure adopted was that those migrants who could not complete their education on account of partition violence would be given their degrees which they could not complete, provided they worked for three months in the refugee camps.

Rehabilitation issues, to a considerable extent, were settled in the west more or less adequately and within a fixed time frame, i.e. by the end of 1950’s.

Thus far we have discussed the rehabilitation polices of the Government vis-à-vis the migrants coming from West Pakistan. This has been done by looking at the legislative policies introduced, by discussing the various categories of migrants (rural, urban, and government servant), and finally, by looking at the city of Delhi. Two significant categories have been left out in the process—rehabilitation of Harijans and of women. Chapter V of this shall focus on women’s rehabilitation as a separate theme; in the next section we will briefly discuss the first category. Thereafter, the individual initiative of the refugees will be analysed keeping in mind the grievances aired by the refugees and the remedies they sought for it.

**Rehabilitation of Harijans**

After much negotiation, Harijans ultimately did make it to the Indian side of the border. Considering the passionate claims made by the Indian government regarding the ‘Indian’ status of the Harijans, one would have expected that they would be received with enthusiasm. But this was not the case. The age-old discrimination based on class and caste was not shattered even in these abnormal times. Ravinder Kaur has noted that

\[115\] A special branch called the Women’s Section was formed within the Ministry of Rehabilitation on 24th November 1947 with Rameshwari Nehru as its head.
Harijans were either housed in separate quarters within the relief camps or had their own separate camps. Yet, inspite of such stepmotherly treatment, she found in the testimonies of the Harijans a genuine acknowledgement of the work done by the government for their rehabilitation. This marked a significant difference in the narratives of the Harijans from that of the Caste Hindu and Sikh migrants with the latter rarely acknowledging the role of the government:

The untouchable were helped by the government in different ways, which may be deemed discriminatory, from the non-untouchable migrants. Yet, among the untouchables, the credit for their social and economic success is duly given to the government. This is something often avoided by the upper caste Hindus since it challenges the myth of their own role in successful refugee resettlement. The untouchable refugees remain beholden to the Congress government, whose politics of rehabilitation had dramatically transformed their lives. Most of them said that they could have never dreamed of making such economic gains... had they remained in Lahore... They received systematic support from the state that would have never happened in ordinary circumstances.  

Let us look at their rehabilitation in greater detail.

Almost contemporaneous with the setting up of the Women’s Section, a Harijan Section was also set up by the government as an adjunct to the Ministry of Rehabilitation in 1948. This section, too, was headed by Rameshwari Nehru. To give more powers to this Section, an autonomous non-official agency was set up to assist further in the act of rehabilitating the Harijans. This organisation was called the Harijan Sewak Sangh, which was recognised as a Central Government Agency. A board of 15 members comprising two members from each of the five regions and five from Delhi was also set up and was called the Displaced Harijan Rehabilitation Board. The object of this board was to prepare rehabilitation schemes, get them approved by the State governments and assist in their implementation. But as pointed out by Rameshwari Nehru, the Chairman of this board, it was not an easy task to implement the approved programmes due to the stiff opposition by the State governments. Nonetheless, inspite of political and social obstacles in the path to the rehabilitation of the Harijans, there was significant work done in this direction.

The East Pakistani counterparts of these Harijans were not ignored by the Harijan Section. Six regional centres of this board were set up, one each for Bombay, Madhya

Bharat and Greater Rajasthan, Saurashtra, East Punjab, Delhi, and Bengal. In the reports submitted by the board, which was intended to evaluate the functioning of the work done so far, it is seen that in all the concerns—housing, employment, and education—the displaced Harijans from East Pakistan were also mentioned.

The Harijans mostly belonged to the agriculturist class—they were the landless tillers of the soil. By this qualification, they could not be eligible for the quasi-permanent allotment, which were restricted strictly to claimants, i.e. those who owned property in West Pakistan. But Rameshwari Nehru pressed for at least some land out of the evacuee property to be assigned to these Harijans. Finally, after a series of exchange of correspondence with Prime Minister Nehru, she was successful in persuading the government of East Punjab to set aside at least 5 lakh acres of land out of the total 45 lakh acres of evacuee lands for distributing to the Harijans in East Punjab. In similar vein some amount of land was set apart for the Harijans in Rajasthan, Bengal and Bombay as well. These Harijans were then housed in the evacuee homes on these lands itself. In case the housing on these lands was not sufficient enough, some house-building loan was given to them. In this way they were resettled on land.

It was the housing of the Harijan in the urban areas that became a bigger problem. The Harijans, it seems, were not entitled to any evacuee home/property for seldom were they owners of property. Therefore single-roomed tenements or mud houses were constructed for them. Some of the colonies built on government initiative in Delhi were at Lajpat Nagar, West Patel Nagar, Moti Nagar, Ramesh Nagar, Tihar, and at Malka Ganj. There were colonies built by the Board as well at Rameshwari Nagar, Kasturba Nagar and Kilokri. Whereas, the colonies set up by the government were primarily built with the intention to cater to the essential services (sweeping, scavenging, artisans, labourers) required for the rich and middle class urban migrants who had settled in the same areas, the ones constructed by the board, were more genuinely inclined to bring about an improvement in the status of the Harijans.\footnote{This point can be observed from the reports and letters of correspondence between the Harijan Sewak Sangh and Ministry of Rehabilitation, Rameshwari Nehru Papers and Jaglal Choudhary Papers,NMML.} It is seen that these latter colonies were quite self-sufficient: single roomed tenements, a school for boys and girls, a training centre (Udyogshala) and often with playgrounds for recreation purposes.
Regarding employment, they were allotted some land since most of them belonged to the agriculturist class. But in the grievances addressed to Rameshwari Nehru, we find that in some cases the land allotted was not good enough, and so many of them left these lands and came to the cities in search of petty jobs. In the cities, the jobs offered to them were once again on the lines of their erstwhile occupations. Mostly employed as sweepers (either privately in colonies or in government employment—Municipal Corporations), there were others who took to their traditional jobs—leather workers, cobblers, labourers, porters etc. Some also found employment in petty government jobs as clerks, police constables, watchmen, peons etc.

The Harijans suffered to a great extent on account of the social taboos which still persisted. The best lands, the best homes and the best jobs were reserved for the upper caste migrants. From the available government records it seems only the Harijan Sewak Sangh was involved seriously in resettling the Harijans. This problem of an antagonistic response is evident in one of the letters addressed to A V Thakkar (General Secretary, Harijan Sewak Sangh) from Mohan Lal (Vice-President East Punjab Harijan Sewak Sangh), wherein the latter is uncertain of receiving help from the Rehabilitation Minister. He writes,

The immediate commitment of the government in connection with the scheme is the acquisition of the land and its development with a view to making it available for the proposed housing colonies. [if evacuee lands made available, then initial expenditure on this project will only be five lakhs, but government has to approve this amount] It is hoped that Shree Vishnu Bhagwan will recommend this amount. [but his is not the final say] His boss, the Rehabilitation Minister happens to be a Sikh gentleman who belongs to Akali Party. For very obvious reasons, he is not likely to give a push to the scheme.118

Individual grievances of the Harijans were mostly entertained by the Harijan Sewak Sangh. These letters were addressed to either Rameshwari Nehru or A V Thakkar, who would in turn take necessary action.

**Grievances of the Displaced Persons**

The most common grievance of the displaced persons was the inadequate relief measures provided in the relief camps. Numerous instances of the refugees demonstrating in front

---

of the homes of the Prime Minister, Minister of Rehabilitation etc. are found recorded in the CID files. The active participation of women in the demonstrations—squatting outside the homes of the politicians, sloganising outside the ministry office, offering satyagraha to demand their rights, etc— is also noted. Some of the demands made by the refugees were:\footnote{119} 

(a) Demand for better quality food, 
(b) Demand for blankets for braving the cold winters, 
(c) protests against eviction from homes forcibly acquired, 
(d) protests against demolition of their make-shift shops built on the streets, 
(e) demand for medical treatment on government expense, 
(f) demand for the distribution of the properties of the Muslims to the migrants 
(g) protests against them being moved out of their present site to unknown places since they had already worked out some arrangements for their survival, 
(h) demand for employment 
(i) against the Delhi Premises Bill\footnote{120} 

These were some of the demands made by the refugees in Delhi. Most commonly, these issues were sorted out by assuring the refugees a redressal of their grievances as soon as possible. Often these assurances were effective in dispersing the crowd; on other occasions, help of the police was sought.

The refugees also formed organisations which they felt were better equipped to voice their grievances. One such refugee organisation was the Pakistan Minorities Sufferers Board, with Dr Captain Des Raj Kehar as its President. Its main object was ‘To extend aid and facilities to all those sufferers, who have suffered financial as well as other losses due to the partition of the country and to improve the political status of the country.’\footnote{121} Some of its objectives were: 

(a) To extend aid to the widows and orphans and to draw attention of the Government and to arouse public opinion through Press and Platform.

\footnote{119} Summarizing the demands made by the refugees which were recorded in the CID files, NMML. 
\footnote{120} A Bill to allow for the demolition of all unauthorized constructions in Delhi. 
\footnote{121} Delhi Police Records, F,No. 55, (IIIrd) Installment, NMML.
(b) To make due representation to the Provincial as well as Central Government with regard to their complaints and grievances and to secure redress.

(c) Secure representation in Provincial and Central governments

(d) Secure compensation for refugees

(e) Secure employment for refugees

The CID thus kept a record of the numerous refugee organisations and daily reports of their activities were filed. One such report mentions the names of the refugee organisations—The Refugee Association (Kingsway Camp), The Refugee Association (Humayun Road), The Frontier Pursharthi Jirga, The Bhartiya Khudai Khidmatgar Jirga, Central Pakhtoon Jirga, etc. The two main organisations which were most active and upon which the maximum check was kept by the investigation bureau were—the Pakistan Minorities Sufferers Board and the All India Refugee Association.¹²²

The All-India Refugee Association was very active in promoting the interests of the refugees. Right from observing 24th April as ‘Refugee Day’ to holding conferences all over Delhi, presenting their demands to the Prime Minister and also to the Minister of Rehabilitation, the organisation adopted all means to voice their grievances. The following resolutions were passed by them at their conferences—

(a) The government of India should accept full legal and moral responsibility for the losses suffered by Hindus and Sikhs and must take immediate steps to compensate them.¹²³

(b) The value of properties left behind by Hindus and Sikhs in Pakistan is much more than those left by the Muslims in India, therefore, the Evacuee Property Act should be applicable to whole of India, and that this property should be used for compensating the refugees.

(c) A speedy shift from relief to rehabilitation should be made.

¹²² This organisation was formed by refugee leaders from West Punjab—Dr. Choithram Gidwani, Mehr Chand Khanna, Diwan Bhanju Ram Gandhi, Bakshi Tek Chand, MC Dawar and Prof. Ishar Singh. Initially, it worked in cooperation with the government, but later this organisation, too, became quite vociferous in making its demands, adopting any and every means, which brought it under the scanner of the CID.

¹²³ The question of owning up to the moral and legal responsibility by the government was an issue raised by most of the refugee organisations, but never adhered to explicitly by the government itself. However, tacitly there was an understanding of this proposition—on many accounts in the debates over each of the Acts passed, we observe the politicians arguing on a similar vein in support of these Acts.
A close observation of these demands will show that most of them were given in to by the Government of India, except for the first one. Further, refugees were rehabilitated as close as possible to their present location, and as we have seen above, this was one of the criteria kept in mind when permanent rehabilitation was being planned.

Building upon the popular rhetoric of supreme sacrifice, the Association suggested that a Capital Levy should be implemented so that the non-refugees in India, too, could contribute towards resettling the refugees. They calculated their total loss in property to the tune of 2000 crores; they argued that this amount should be recovered by bringing into use wastelands for agricultural and industrial purposes. This would contribute to about 900 crores of the total amount. The remaining amount, according to them could be acquired from the following sources—evacuee property\(^ {124} \), amount received from Pakistan, funds from Government of India and state governments, and, finally, from special taxation (the capital levy).

Thus both, the Government and the refugees believed that the latter had made a tremendous sacrifice for the nation, and that the latter should be compensated in lieu of this sacrifice. Note also that the options presented by the government and refugees for recovering compensation amount were the same, except for the last one. Like the government, the Association also realised that the second option was illusory and that therefore some alternative had to be devised. The difference lay in deciding the amount to be compensated and also in choosing the alternative. Whereas the Government was content with an estimate of Rs 500 crore as the material losses suffered, the refugees believed it was Rs 2000 crore. Further, whereas the government scaled down the compensation amount to a lesser amount as an alternative, the Association, on the other hand, emphasised upon enforcing a Capital Levy as the alternative. Justifying the capital levy, the Association stated—

> A capital levy for compensation in our country is a moral measure and concrete translation of love into economic sacrifices intended in the interests of rehabilitation of those who need most and will bring about also that egalitarian set-up of society, which

\(^ {124} \) They calculated this value at 300 crores, much more than the government estimate of 100 crores.
the country badly needs… Every Displaced Person will begin to feel, that the great nation has done its duty towards him.\(^{125}\)

That it was not a smooth sailing for the refugees from West Pakistan is clear from the contemporary surveys carried out in the refugee townships and also from the grievance letters written by the refugees and addressed to the politicians. VKRV Rao headed one such survey of five refugee townships (Rajpura, Tripuri, Nilkoheri, Faridabad and Kingsway Camp) conducted by the Delhi School of Economics. The conclusion at which he arrived at was common to all the townships: the refugees had nowhere reached the pre-Partition economic status, and also that they had arrived at this final destination after many years of residence in various other camps.

In the grievance letters, often addressed to the Congress President or directly to the Rehabilitation Minister, one notes a deep sense of the inadequate treatment being meted out to these refugees. One finds in these letters a wide range of demands: from requesting evacuation facilities to redressal of grievances in the relief camps, from the demand for accommodation for family to jobs for self. With the enactment of the Claims Act and the Displaced Persons Compensation and Rehabilitation Act, there were grievances regarding inadequate compensation for losses suffered:

\[
\ldots \text{in the case of Government servants, allotments are being made with due regard to their position. But in the case of refugees, their position in Pakistan is no criterion for allotments to them, both in regard to lands for maintenance, and houses for accommodation.}\]^{126}

Often we find a severe criticism of the rehabilitation department in these letters:

This rehabilitation branch created by the government is to rehabilitate the refugees or dehabilitate them. … Where are those phrases which our great leaders had uttered before the Partition of Pakistan and Hindustan.\(^{127}\)

In conclusion, however, we find many common points between the demands of the refugees and the concerns of the government. Much was adopted, and on some occasions the demands were rejected. In the East, there hardly existed a common ground between

\(^{125}\) From the pamphlet ‘Capital Levy’ issued by All India Refugee Association, (possibly dated 1950-51) found in F.No. 66, Delhi Police Records (IIrd Instalment), NMML.

\(^{126}\) Fr: Ramdas T Chugani, Indra Nagar, New Delhi To: Secretary, Rehabilitation, AICC, New Delhi Dtd: 26.3.1951, AICC Papers, IInd Instalment. NMML.

\(^{127}\) Fr: Mulchand Udhomal (Bombay) To Secretary, Government of Bombay, Rehabilitation Department, Bombay, Dtd: 28.3.1951. AICC Papers, IInd Instalment. NMML
the government and the refugees. The former was simply adamant to prevent the influx of the latter. It brings us to a very important conclusion regarding the rehabilitation programme in the West: a close cooperation between the State and the refugees was instrumental in its success. But where such cooperation was lacking, as in the East, correspondingly the rehabilitation programme was a failure. Cooperation at the level of States with the Centre was another important factor behind the success of the rehabilitation programme in the West. Once again this was clearly lacking in the East.\textsuperscript{128}

**Summing Up**

Clearly, government policy was not unmindful of the grievances of the refugees—the Compensation and Rehabilitation Act was much influenced by the refugee demands which asked for it, the Evacuee Property Act, so inconsiderate in its effects on the Muslims, can also be traced to the numerous petitions of the refugees where they demanded that the Muslim homes/property should be assigned to them, and townships were constructed as close as possible to the relief camps so as to ensure minimum displacement, and loans were written off on the occasion that it could not be paid. These are some concerns which were specific to the rehabilitation programme in the case of refugees from West Pakistan. The next two chapters show how much more privileged this class of refugees were in comparison to their eastern counterpart. As pointed out by Ravinder Kaur, the middle-class refugees from Punjab refused to acknowledge the government-sponsored help in order to maintain the famed imagery of the hardy Punjabi migrant who stood back on his feet of his own. Tai Yong Tan and Gyanesh Kudaisya further elaborate on this disparity:

> In Punjab the rehabilitation effort was successful precisely because of the energy and creativity which the refugees displayed in rebuilding their lives could be harnessed by the state into patterns of rehabilitation that harmonised with integral social development. The Bengali refugees too, showed tremendous dynamism and zeal but there was no matching effort on the part of the state to rehabilitate them. The failure of the refugee rehabilitation

\textsuperscript{128} These points are elaborated in Chapter IV of this dissertation. For now it will suffice to say that the statement made by Nehru, re: the responsibility of the Centre towards the West Pakistani migrants, set the tone of the rehabilitation in the West. All the states of India, barring West Bengal, Assam and Tripura, were drawn into the rehabilitation programme (as is observed in the jurisdiction of the Acts discussed above and also M/O Rehabilitation files). But for the East, bare minimum cooperation is observed. In fact, the failure of Dandakaranya is the best example of the indifference of neighbouring states re: rehabilitation of the East Pakistani refugees.
in Bengal was, in fact, the failure of the state: whatever rehabilitation took place in the province was largely self-rehabilitation by the refugee.\textsuperscript{129}

To summarise, the government took a keen interest in the rehabilitation of the refugees coming from West Pakistan, which it saw as a state responsibility and also the performance of a ‘humanitarian’ task. An elaborate organisational setup was created to deal with this issue on a ‘war-emergency’ basis. There was a significant input taken from the refugees themselves. Issues were addressed at all possible levels—rural and urban rehabilitation. Efforts were made to placate the demands of all sections of the society.

However, a class bias cannot be ruled out—the best homes/plots were so priced which only the middle-classes could afford, in the rural rehabilitation programme, also, whereas the temporary allotment scheme was much more egalitarian\textsuperscript{130}, the final system of standard acre and graded cuts reverted back to the earlier system. The principle behind the compensation scheme was to ensure that those who had lost their all were suitably reimbursed, which meant reviving the status quo. This bias was noted by none other than Nehru himself. Regarding the rehabilitation programme, he observed:

\begin{quote}
Conservatism held the field. Vested interests held the field. We paid more attention to the man of money who had come across, had rights of property and shouted for compensation than to reorganisation on a real basis... In our rehabilitation, our outlook, I fear, has not been what might be called an egalitarian outlook. It has definitely been giving more to those who have and less to those who have not.\textsuperscript{131}
\end{quote}

In his analysis of the rehabilitation programme, Nehru was disappointed with this pattern of rehabilitation, which according to him was reflective of ‘petty shopkeeper mentality’. Strongly dismissive of the Evacuee Property Act and also against the principle of compensation, which according to him reinstated the earlier divisions in the society, Nehru was in favour of a rehabilitation programme which would benefit the migrants without harming any other section of the society. However, as we have seen, with time and in the face of the growing discontentment among the displaced persons, Nehru had to give in to such policies.

The refugees, too, had a part to play in this successful rehabilitation programme in the west. Making the best of the opportunities provided by the State to them, today most of

\textsuperscript{130} Even those without any property in Pakistan were granted allotment of land.
\textsuperscript{131} Address by Nehru to the Rehabilitation Conference held at New Delhi 11\textsuperscript{th} December 1950. SWJN, vol.15 part II, p. 66.
them are proud of the fact that they could stand on their own feet much sooner than later. But they also nurse the grudge that inspite of the massive planning and implementation of these rehabilitation schemes, they never reached their previous status which they had in Pakistan. To end from where we began, Satya Vanti expresses this emotion most vividly—

Even after 60 yrs, we only scratch a living here. We were so rich there. Our grandchildren now ask for groundnuts from a shop! Before 1947, our house had sacks of almonds, and we could afford luxury. All our family was employed. Desi ghee was plentiful in the house, we used to give it to others…. Everything was around in plenty. On this side of the border, all those plentiful things just vanished. This is God turning the wheel of fortune. We fared so badly…. We never reached the stage we enjoyed there…

To,

The Custodian of Evacuee’s Property,

Delhi

Dear Sir,

There is a dispensary of Doctor Abbas in Bara Toti Sadar Bazar. It is in the deserted and vacant nature. I have looked the said premises for the time being from the back side [sic] which was wide open and in a broken condition.

I have been doing medical practice for twelve years in 34, Lall Chowk, Gilla Gujjar Singh Lahore. I have been holding a job as Vice Principal in Sanatan Dharam AV [DAV] College Lahore.

I had to leave my dispensary office and residence in the intact form on the 14th August 1947, when our locality was attacked by the rioters. I have come to know that everything has been looted and the place occupied.

I therefore request your honour to allow me to begin my medical practice so that I should be able to make the start of my new life early and feed a big family of nine members who have suffered much during the present riots.

For your information I may add that I showed the deserted premises to the Municipal Commissioner of the place before putting a temporary lock.

Hoping to be favoured with an early sanction and oblige.

Yours Faithfully

Doctor Panna Lall

L S M F

c/o 19 Diaz Square

New Delhi

N B: I tried my level best to trace the whereabouts of the occupant of the shop but could not contact him. Probably he has left for Pakistan.

A copy forwarded to Hindu Mahasabha President.

---

133 Hindu Mahasabha Papers, F no. C-168/1947, NMML.
## ANNEXURE II

**Compensation in lieu of Land Acquired by M/o Rehabilitation**

<table>
<thead>
<tr>
<th>Acquisition of Land</th>
<th>Notification No.</th>
<th>Area in Bighas</th>
<th>Compensation Granted</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Acquisition of land for allotment to refugees dislodged from Roshnara area.</td>
<td>F.15(5)/51-MLT</td>
<td>351 Bighas</td>
<td>Compensation for 185 bighas at Rs. 90/bigha= 16681/8/-</td>
</tr>
<tr>
<td></td>
<td>Dtd. 31st March 1951</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Acquisition of land for the construction Fayaz Nagar colony.</td>
<td>F.15(32)-MLT</td>
<td>73 bighas 13 biswas</td>
<td>Compensation for 2 bighas 7 biswas at the cost of land on 1/9/39 at 40% = Rs.7790/4/-</td>
</tr>
<tr>
<td></td>
<td>Dtd. 12th March 1951</td>
<td></td>
<td>Compensation for 71 bighas 6 biswas = Rs. 50075/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The actual purchase price acquired by owners from 1/9/39 To 1/10/47, total= Rs. 57865/4/-</td>
</tr>
<tr>
<td>3. Acquisition of additional land @ Faiz Nagar, for the construction of single-roomed tenements.</td>
<td>F.15(32)50-MT &amp; CE, dtd. 24/11/52</td>
<td>17 bighas One biswas</td>
<td>Compensation @ Rs. 3315/bigha (cost of land 1/9/39 + 40%) = Rs. 56520/12/-</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Acquisition of land for the construction of shops @ Daryaganj.</td>
<td>F.6(3)/50 R&amp;R</td>
<td>2360 yards</td>
<td>The actual price and other expenditure incurred by the claimants have been recommended as compensation Rs. 61138/10/- in all.</td>
</tr>
<tr>
<td></td>
<td>Dtd. 15/12/50</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| 5. Acquisition of land at Band Stand Area extension For the resettlement of dps.   | F.15(17)/51-MT&CE(iii) | 4900 Sq.ft | Compensation at Rs.1385/bigha i.e. cost on 1/9/39 + 40%
total= 747/13. |
### ANNEXURE III

**Housing Schemes for Delhi, Demand made by M/o Rehabilitation**

<table>
<thead>
<tr>
<th>Shopping Centres/Houses</th>
<th>Amount in Lakhs</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lajpat Nagar</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Construction of 18 shops</td>
<td>93900</td>
<td></td>
</tr>
<tr>
<td>2. Provision of sanitary installations, drainage, internal water supply and other services in single-roomed tenements.</td>
<td>115000</td>
<td></td>
</tr>
<tr>
<td>3. Provision of E I in the 10 shops</td>
<td>3350</td>
<td></td>
</tr>
<tr>
<td>4. Construction of latrine blocks in Lajpat Nagar and Patel Nagar.</td>
<td>8800</td>
<td></td>
</tr>
<tr>
<td>5. Construction of compound wall around Kasturba Niketan for unattached women and children in Lajpat Nagar.</td>
<td>41000</td>
<td>262050</td>
</tr>
<tr>
<td><strong>Tilak Nagar</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Construction of 50 two-roomed tenements.</td>
<td>281100</td>
<td></td>
</tr>
<tr>
<td>2. 50 (A) type tenements.</td>
<td>220000</td>
<td></td>
</tr>
<tr>
<td>3. Completion of the pumphouse building in Tilak Nagar water supply scheme.</td>
<td>10000</td>
<td>511100</td>
</tr>
<tr>
<td><strong>Tehar</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Provision of storm water drain and sullage drains in 150 acres of land at Tehar.</td>
<td>699000</td>
<td></td>
</tr>
<tr>
<td>2. Provision of handpumps and lavatories in 100 acres of land.</td>
<td>46500</td>
<td>745500</td>
</tr>
<tr>
<td><strong>Jangpura</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Construction of 13 units of two-roomed tenements in Jangpura A &amp; B.</td>
<td>70000</td>
<td></td>
</tr>
<tr>
<td>2. Construction of 14 shops at Jangpura.</td>
<td>70000</td>
<td></td>
</tr>
<tr>
<td>3. Provision of internal sanitary arrangements in the single room tenements at Jangpura.</td>
<td>117000</td>
<td></td>
</tr>
<tr>
<td>4. Electric Installation (E I) in shops at Jangpura.</td>
<td>8000</td>
<td>265000</td>
</tr>
<tr>
<td><strong>Malkaganj</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Construction of 100 A type tenements.</td>
<td>440000</td>
<td></td>
</tr>
<tr>
<td>2. Provision of internal sanitary arrangements in 464 single-roomed tenements.</td>
<td>212000</td>
<td></td>
</tr>
<tr>
<td>3. Provision of E I in 22 shops and 11 flats.</td>
<td>14460</td>
<td>666460</td>
</tr>
</tbody>
</table>
ANNEXURE IV

Description of the plots available in Kirti Nagar for allotment.

<table>
<thead>
<tr>
<th>Plots</th>
<th>Sq. Yards</th>
<th>DP. No.</th>
<th>Others no.</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bungalow</td>
<td>150’x60’</td>
<td>1000</td>
<td>34</td>
<td>8</td>
</tr>
<tr>
<td>Cottage</td>
<td>100’x45’</td>
<td>500</td>
<td>71</td>
<td>18</td>
</tr>
<tr>
<td>House</td>
<td>75’x36’</td>
<td>300</td>
<td>195</td>
<td>49</td>
</tr>
<tr>
<td>House</td>
<td>60’x30’</td>
<td>200</td>
<td>667</td>
<td>167</td>
</tr>
<tr>
<td>House</td>
<td>60’x22.5’</td>
<td>150</td>
<td>212</td>
<td>53</td>
</tr>
<tr>
<td>Shop cum</td>
<td>60’x26.3’</td>
<td>87.5</td>
<td>82</td>
<td>20</td>
</tr>
</tbody>
</table>

Reserve Price of Plots

- 1000 sq.yards plots @ Rs. 7/sq.yard
- 500 sq.yards plots @ Rs. 8/sq. yard
- 300 sq.yards plots @ Rs. 9/sq. yard
- 200 sq.yards plots @ Rs. 10/sq. yard
- 150 sq.yards plots @ Rs. 10/sq. yard
- Shops plots @ Rs. 11/sq. yard
- Cinema plots @ Rs. 50000/-
- Petrol Pump plots @ Rs. 1000/-
ANNEXURE V
REHABILITATION HOUSING CORPORATION LIMITED
8, KOTAH HOUSE, SHAHJAHAAN ROAD
NEW DELHI

APPLICATION FORM
FOR ALLOTMENT BY SALE OF PLOTS IN KIRTI NAGAR ON NAJAFGARH ROAD

1. Name (Block Letters)
2. Father’s Name
3. Address
4. Place of Residence in Pakistan
5. Registration No. and date with place of registration
   (attested copy of registration certificate to be attached)
6. Vocation
7. Plot desired in order of preference

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Size of Plot</th>
<th>No. of Plot</th>
<th>Price offered per sq. yard.</th>
<th>Total price offered for the plot.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. Amount deposited as advance (being 10% of the total price offered) Banker’s receipt to be attached.
10. DECLARATION
    I have read the terms and condition of the allotment and agree to abide by them. The charges for the registration of the sale deed in case of allotment of a plot to me shall be borne by me in addition to the price offered for the plot.
    Date……..  Signature………..

Registration No.  Date………..
Received with thanks from_____________________ of __________ the sum of Rs._______ by ___________ on account of advance for the allotment of a plot in Kirti Nagar.

For Rehabilitation Housing Corporation Ltd.

Secretary
Rs. ____________________
ANNEXURE VI

Application form for purchase of a house/plot in Delhi

1. Name (in block letters)
2. Father’s Name
3. No. of member’s of family
4. Present residential address.
   (Change in address should be promptly intimidated to the Ministry)
5. Refugee Registration No. and Date of arrival in Delhi.
   (if not registered, quote no. of Ration Cards as alternative proof) No other
   Evidence will be considered. Government servants may attach a certificate
   From Head of their office as proof of arrival.
6. Occupation.
7. Place of displacement.
8. Accommodation at present occupied.
   (i.e. in a government quarter as un-authorised occupant, co-sharer etc, in evacuee property,
   Dharamshala or public building, in un-authorised structure or with friend or relation)
9. Whether any house/plot/agricultural land has been allotted by government in any of the
   rehabilitation schemes, or by the Custodian of Evacuee Property? If so, where.
10. Name of the scheme and type of houses required and its estimated cost/ Name of the Colony and
   area of the plot required.
11. I hereby declare that all the above entries are correct to the best of my knowledge and belief.
12. I hereby declare that I or any member of my family have not allotted any flat, house or plot or
   agricultural land in any of the scheme of the government as Rehabilitation Assistance
   nor any evacuee houses in the Indian Dominion.

Date_________ Signature___________________
Address____________________
                                          _______________________
                                          _______________________  

NOTE:- Authority to deposit the necessary money will be issued in prima facie eligible cases on receipt of
the application.
<table>
<thead>
<tr>
<th>Name of Area</th>
<th>District</th>
<th>Tehsil</th>
<th>Village</th>
<th>Area of the Land comprised in the scheme (acres)</th>
<th>Boundaries of the scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Sutanpur</td>
<td>67</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>518</td>
<td></td>
</tr>
<tr>
<td><strong>Kalkaji town expansion scheme</strong></td>
<td>Delhi</td>
<td>Delhi</td>
<td>1. Tughlakabad</td>
<td>116</td>
<td>N: Pucca road from Chirag Delhi to Muttra Road.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Tekhand</td>
<td>54</td>
<td>S: Area of Mauza Tughlakabad and area of Tekhand</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>825</td>
<td>W: Area of Bahapur</td>
</tr>
<tr>
<td><strong>Tehar town expansion scheme</strong></td>
<td>Delhi</td>
<td>Delhi</td>
<td>1. Tehar</td>
<td>890</td>
<td>N: Abadi Tehar S: Cantonment Road and the remaining area of Nangal village</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Nangal</td>
<td>85</td>
<td>E: Katcha track from Delhi Cantt Rlwy Stn to Tehar Village</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. Posangipur</td>
<td>138.5</td>
<td>W: Katcha Track from Tehar village to Posangipur village and thence to Cantt road.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4. Dabri</td>
<td>250</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5. Aslatpur</td>
<td>86.5</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Khawad</td>
<td>1450</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>2. Hauz Rani</td>
<td>70</td>
<td>W: Boundary of Hauz Adhodhini</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3. Begumpur</td>
<td>241</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>4. Tut Sarai</td>
<td>74</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>5. Sheikh Sarai</td>
<td>124</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6. Sarai Shahji</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>632</td>
<td></td>
</tr>
</tbody>
</table>
## ANNEXURE VIII

Regarding optees and their change of option

[Of the 282 persons who left for Pakistan, 10 returned back to India. Two of them have been absorbed, both are Hindus. Reasons cited by those who returned for this change of option, re: All India Radio employees]

<table>
<thead>
<tr>
<th>Name and Designation</th>
<th>Reasons given for changing option to ‘India Final’</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Mr. H S Jadhav Programme Secretary All India Radio, Calcutta</td>
<td>Family circumstances did not allow him to continue at Lahore. Climate of Lahore did not suit him.</td>
<td>Since joined Bombay Station.</td>
</tr>
<tr>
<td>2. Mr. Khalid Hussain, Studio Commissioner, All India Radio, Lucknow</td>
<td>Felt shortage of food especially of wheat in Pakistan.</td>
<td>Was posted to Patna Station resigned before joining duty.</td>
</tr>
<tr>
<td>3. Mr. H C Das, Mechanic, Central News Organisation, All India Radio, Delhi</td>
<td>No reason given.</td>
<td>He opted for India provisional in the first instance and was transferred from Dacca to Delhi. He later changed to Pakistan final. He again desired that he may be allowed to change his option from Pakistan final to India final. His case was referred to the Mo I&amp;B in letter no. 4(110)/A dtd 17/1/48 and the decision is awaited.</td>
</tr>
<tr>
<td>4. Mr. M A Saroor Kidwai, Clerk Grade II, All India Radio, Lucknow</td>
<td>Opted for Pakistan provisionally under pressure from other colleagues.</td>
<td>The matter of his appointment has been referred to the government and is under consideration.</td>
</tr>
<tr>
<td>5. Mohd. Roshan Khan, Peon, All India Radio, Bombay.</td>
<td>Separation from family</td>
<td>————do———-</td>
</tr>
<tr>
<td>6. Suleiman Khan, Peon, All India Radio, Calcutta.</td>
<td>No reason given. No application received. In his letter to the GOI, the A S Pakistan says that Suleiman Khan changes his option from ‘Pakistan provisional’ to ‘India final’.</td>
<td>————do———-</td>
</tr>
<tr>
<td>7. Ibrahim Hussain Duftry, All India Radio, Bombay.</td>
<td>Family circumstances. Parents unwilling to stay at such a long distance from native place.</td>
<td>————do———-</td>
</tr>
<tr>
<td>8. Mohd. Ishaq, Peon, All India Radio, Bombay.</td>
<td>His parents who had been to Pakistan were missing. He had opted for Pakistan only because he wanted to stay with his parents. He also did not feel safe to go to Pakistan.</td>
<td>His application for ‘India final’ was rejected as he had previously opted for ‘Pakistan final’, vide I &amp; B Ministry No. 5/40/47/A&amp;G dtd 28th April 1948. He has been struck the rolls and instructed to report to Pakistan government.</td>
</tr>
</tbody>
</table>
ANNEXURE IX

Refugee Registration Certificate

FORM OF CERTIFICATE OF REGISTRATION
GOVERNMENT OF INDIA
MINISTRY OF RELIEF AND REHABILITATION

CERTIFICATE OF REGISTRATION

Serial No._________
Reception Camp No._________
Registration Office No. R919/V

Name of Refugee.                            S. Jagat Singh
Address before evacuation                   Senior Sub-Judge, Kohat, NWFP.
Name of head of family                       Jagat Singh
Signature or finger print of refugee         sd/- Jagat Singh
Office of Registration                       Raisina Road
Registered By                                Raghunath Rao
Dated                                        18.11.47