

The Conflict Of Illegal Migrants And Transit Between India And Bangladesh

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ABSTRACT

Bangladesh's independence in the year 1971 gave freedom to Bangladesh from the clutches of oppressive East Pakistan and also changed the history and geopolitical scenario of South Asia. The oppressive actions of the military by West Pakistan paved the way for the humanitarian crisis and massive refugees. The internal turbulence of Pakistan caused a heavy price for India. The Internal problem of Pakistan has not only become an internal problem of India but also an international problem. When Bangladesh got separated and became an independent state in 1971 India was the first country to recognize Bangladesh and establish diplomatic relations with the country immediately. Bangladesh and India's relations are based on their heritage, culture, civilization, socioeconomic and political. The countries are united by their history, language, cultural ties, music, literature and arts. Bangladesh and India's geographical location is complementary to each other as they share the longest border. Relations between India and Bangladesh have had their ups and downs over the years. Initially, the relationship was strained due to border disputes and the issue of illegal immigration. The rampant illegal migration from Bangladesh has become a threat to the internal security of India. This is caused by the illegal and antisocial activities of the illegal Bangladeshi migrants who are on the run to breach the internal security of the nation and create panic among the Indian citizens. However, in recent times, there has been significant improvement and cooperation between the two countries. India and Bangladesh signed a bilateral agreement on illegal migration in 2015 intending to curb the flow of illegal immigration between the two countries. The agreement established a joint working group to identify illegal immigrants, facilitate their deportation and prevent further illegal migration.

Keywords: Illegal Migration, National Refugee Laws, Detection, Identification, Deportation and National Register Of Citizens (NRC).

INTRODUCTION:

It is interesting to understand and study the role played by India in the liberation and Nation-Building of Bangladesh at a time when the golden jubilee of the Muktiyuddo or the Liberation War marked the year 2021. Bangladesh's independence in the year 1971 gave freedom to Bangladesh from the clutches of oppressive East Pakistan and also changed the history and geopolitical scenario of South Asia. The oppressive actions of the military by West Pakistan paved the way for the humanitarian crisis and massive refugees. The situation with ten million refugees did have a large impact on the Indian government, which urged or forced it to launch retaliatory action against Pakistan. India's intervention was primarily based on governance and realpolitik and was more humanitarian and magnanimous in nature. The making of Bangladesh is one of India's finest victories in its foreign policy and India is silent on acknowledging the

same fact. What can be claimed as more generosity of India is that it didn't claim any 'spoils of victory'. India voluntarily and unconditionally handed over the power to the elected representatives of the newborn nation. Such generosity is sporadically witnessed in world politics. (Narayana M.K, 2021, April 26). Both the neighbours India and Bangladesh, geographically share the longest borders in the neighbourhood and their bilateral relations over the past five decades have seen many highs and lows. They have been able to conquer a set of uneven times and arise as close partners in growth and development. Historical and cultural similarities, geo-strategic interests and economic interconnection make these neighbourhoods politically, economically, socially and culturally vital to each other.

When Bangladesh got separated and became an independent state in 1971 India was the first country to recognize Bangladesh and establish diplomatic relations with the country immediately. Bangladesh and India's relations are based on their heritage, culture, civilization, socioeconomic and political. The countries are united by their history, language, cultural ties, music, literature and arts. Bangladesh and India's geographical location is complementary to each other as they share the longest border. Their relations are multi-dimensional and expanding. Their existence as neighbouring nations is creating an opportunity for them to develop their relations, connectivity and economies. The two countries were once part of a single nation during British colonial rule until they gained independence in 1947 from colonial rule. Bangladesh was part of Pakistan – East Pakistan which got its independence in 1971.

Relations between India and Bangladesh have had their ups and downs over the years. Initially, the relationship was strained due to border disputes and the issue of illegal immigration. However, in recent times, there has been significant improvement and cooperation between the two countries. Economic ties have been a major focus in India-Bangladesh relations. India is one of Bangladesh's most significant trading partners. Further, India has supported Bangladesh in its social and development efforts. It has extended financial aid and technical assistance in various sectors. The two nations have taken steps to enhance regional connectivity through various initiatives. These efforts have increased people-to-people contacts and trade across the border. However, challenges remain in the India-Bangladesh relationship. Ongoing issues include concerns about border security, water-sharing disputes, and occasional instances of tension arising from the movement of people across the border.

History and growth of Bangladesh:

If we look at the history of independent Pakistan since 1947, it was created or rather carved without any basic territorial integrity in design. The fundamental contradictions in terms of culture, nationalism, language and geographical location have no instrumental role in the bifurcation of the Muslim State. The internal differences between East Pakistan and West Pakistan, the economic exploitation of East Pakistan by West Pakistan, and the Punjabi army of West Pakistan looked at the Bengali-speaking people of West Pakistan as inferiors. (Meher, J., 2015).

The period after the partition of East Pakistan in 1947 was marked by significant political, social and economic challenges. Initially, the power dynamics were heavily tilted in favour of West Pakistan. The central government in West Pakistan exercised significant control over the political, economic and cultural affairs of East Pakistan, which led to feelings of neglect and marginalization among the East Pakistani people. The politics of East and West Pakistan were contradictory leading to personal differences among the political leaders of the two wings. Eventually, these differences fuelled the demands for an autonomous, independent and sovereign state in East Pakistan through movements. (Meher, J., 2015). It is very important to understand the reasons for the cleavage. It is very important to understand the

cleavages that led to the separation of East Pakistan from West Pakistan. According to many liberalists in Pakistan, the separation of East Pakistan from West Pakistan started much earlier than 1971 and was largely because of the play of domestic internal politics.

It is essential to understand the reasons that ended in the physical separation and the emergence and growth of Bengali nationalism that led to the 1971 war and a long-lasting animosity between East Pakistan and West Pakistan. Meher J. His article “Dynamics of Pakistan’s Disintegration: The Case of East Pakistan 1947 – 1971 (2015) talks about six variables that are essential to understanding this phase. The study includes and exemplifies the variables as geographical absurdity, constitutional confusions and military take-over, economic disparity, language issues, political factionalism and military dynamics to establish that the situations and inter-play of all these factors led to the gap between the East and West Pakistanis. (Meher, J., 2015). The election results of December 1970 were the result of the people’s mandate that demonstrated the unrest of long-abandoned Bengali sentiment. The natural disaster that struck East Pakistan on November 12, 1970, is one of the world’s deadliest tropical cyclones, declared by the World Meteorological Organisation. The devastation that followed triggered a civil war and finally autonomy for East Pakistan into Bangladesh. A natural disaster with its shock mobility led to the disruption of political and social factors and the change that can be caused in history. Cyclone Bhola caused an estimated 300,000 to 500,000 fatalities that resulted in a huge storm surge covering the low-lying islands and the tidal flats along the shores of the Bay of Bengal. Overnight millions became victims of the disaster and the shock mobility. Ineffective relief efforts from the side of the government and army flamed the dissatisfaction among the East Bengalis with extreme political impact, social unrest, civil war and secession.

The Geographical gap between East Pakistan and West Pakistan by over 1,000 miles of Indian territory had a great impact on the divergent forces of action on both wings of Pakistan till its bifurcation in 1971. (Meher, J., 2015). The geographical gap between the two wings was considered at the time to be of less importance than the common bond of religion i.e. Islam. The argument was of the triumph of Muslim nationalism rather than any physical division or the geographical gap (Stephenson, G.V., 1968). Despite this, there was apprehension from foreign observers about the existence of East Pakistan on account of the geographical gap and existence. Since the freedom and the formation of East and West Pakistan in 1947, the existence, survival and sustainability were considered impractical and unrealistic.

a. The circumstances that led to the growth of Bangladesh:

The All India Muslim League Resolution of March 1940 is known for its ‘Pakistan Resolution’ that called for the making of ‘Independent States’ (Anderson, Benedict., 2015). and not an ‘Independent State’ for Muslims in British India. At that time it wasn’t clear whether it was an independent state within India or a sovereign state. When this was asked for clarification, Zulfikar Ali Bhutto condensed it as a typing error and a mistake of his stenographer. (Nayar, Kuldeep., 2012). British India was partitioned based on the ‘two-nation theory’ which was proposed by Sir Syed Ahmed Khan, according to which the Hindus and Muslims in British India were two different nations. The writings of Vir Savarkar, founder of Abhinav Bharat, also trace this theory. (Ranjan, A., 2016). At the time of the partition of British India, only the Hindu and Muslim religious differences were taken into consideration and all other factors were ignored and the differences started sprouting between East Pakistan and West Pakistan since their formation. The major factors that contributed to the growth of Bangladesh are the cultural differences, constitutional changes and demands, political conflicts and the “operation searchlight”.

b. Operation Search Light:

The pretention, persecution and high-handedness of the military forces of West Pakistan were made visible through the actions between the December 1970 national election and the December 1971 partition of the nation. After the national elections, Yahya's military forces decided to take a 'short and harsh action' against the Bengalis and the generals concluded that "killing of a few thousand would not be a high price for keeping the country together. (Haqqani, H., 2013). Though there were differences of opinion among the general officers to take on military action, had a clear consensus on the objectives and strategy to be followed in the just taken-up task called "Operation Searchlight". (Sisson, Richard, & Rose, Leo S., 1990). Operation Searchlight was carried out in different steps eliminating all the obstacles for West Pakistan and its government. Firstly the leadership was captured in the topmost order of the party. Secondly, neutralise or nullify the student leaders, political organizations and various cultural organisations that preached Bengali resurgence or renaissance. Leaders were to be arrested peacefully and if any resistance was shown force was to be applied and kept troops for the same. Thirdly the Bengali army was to be neutralized and disarmed. Most importantly the operation called for the complete establishment of control over all communications media. (Sisson, Richard, & Rose, Leo S. (1990).p. 158) Mujib on the night before his arrest wrote a declaration of Independence for East Pakistan in which he stated that Bangladesh is a sovereign and independent country and appreciated Bengalis for fighting the enemy with great courage to attain independence. (Guhathakurta, Meghna, & Schendel, Willem van (Eds), 2013) This was broadcast by Major Ziaur Rahman Provisional Commander-in-Chief of the Bangladesh Liberation Army, from Kalurghat on 27 March 1971.

Thousands of people were shot on 25 March 1971 with a genocide military action aimed to reduce the number of Bengalis by bombing or burning to death. Atrocities were committed against children and women which were untold. According to the United States Central Intelligence Agency (CIA) close to 200,000 or more residents of the area were killed and many fled the country. (Bass, G.J. (2013, p. 236) The brutal actions and the slaughtering of Muslims by Muslims showcased the emptiness of the so-called Pakistani concern of 'Islam in danger' and the gap between the two wings.

c. The Role of India in Bangladesh's Liberation War:

India's intervention in the Bangladesh War of Liberation in 1971 was prompted by several key causes including Humanitarian Crisis and Genocide, Geopolitical Considerations, East Pakistan's Struggle for Independence, Nationalistic sentiments, Fear of Domino, Provision of Strategic, and Moral support, Threats to India's Security and International Pressure. During the process, India aided Bangladesh with Shelter and Support, Diplomatic Efforts, Military Assistance, War and Peace and Humanitarian Assistance during the liberation timeline. The unexceptional refugee crisis, the security of India's North-Eastern states and the killing of thousands of Hindus in East Pakistan were the immediate factors that forced New Delhi to military intervention during the liberation war of Bangladesh. The civil struggles and military conflicts have come to an end with the intervention of India in the unfortunate situation of Bangladesh.

The unimaginable atrocities committed by the West Pakistan army and the unfolding of genocide in East Pakistan led to a huge refugee crisis in India. The military atrocities in East Pakistan were compared with that of the Holocaust. The refugee crisis from East Pakistan in India imposed an estimated burden of \$700 million a year on India. (Ganguly, Sumit, 1994). It was even considered that the cost of supporting the millions of Bengali refugees has forced Prime Minister Indira Gandhi to suspend all development plans. It was also considered that the costs of maintaining the refugees for a year would exceed the cost

of resorting to war for which New Delhi resorted to war.[Schanberg, S.H. (1971). New Delhi intervened only after five million refugees crossed the international border and entered India. The cost of feeding the refugees and the widespread and contagious diseases resulting from this consensus was tremendous.

The internal turbulence of Pakistan caused a heavy price for India. The Internal problem of Pakistan has not only become an internal problem of India but also an international problem. On May 24, 1971, Mrs. Indira Gandhi, Prime Minister of India stated that India would insist on abounding all the acts that Pakistan is taking in the name of domestic jurisdiction and are a threat to the peace and safety of Indian citizens and the citizens in their own nation. India took a stern stand on Pakistan and stated that it would not be allowed to seek a solution to its political and other problems at the expense of India and on Indian soil. (Gandhi, Indira, 1972). The major alarming issue for New Delhi and its officials was the security threat from the infiltrations in West Bengal and North-Eastern states of India where they are fighting with the Marxist guerrilla violence. The concern is not only the infiltrations but also their recruitment into the guerillas which can further create political turmoil in the region.(Ganguly, Sumit, 1994).

The Pakistani military considered and treated both Indian and East Pakistani Hindus as enemies and thus the genocide of the Hindu population became a compelling factor for the Indian intervention in the liberation war. (Bass, G.J., 2013) 13 per cent of East Pakistan's population, were Hindus numbering about 10 million were killed and targeted intentionally. Among the refugees who fled to India 90 per cent were Hindus. The deliberate expulsion or the driving out of millions of Hindus by the Pakistani government is a known fact for the Indian government but consciously it took the stand and referred to it as genocide against the Bengali community without taking the Hindu context, to avoid communalism and riots in India between Hindus and Muslims and large outcry from the opposition parties. (Bass, G.J., 2013).

India had already witnessed such communal riots during the partition of British India and any such disturbance would prove to be costlier for the Indian economy and development and to its security. To avoid such a catastrophe India categorically and strategically referred to the genocide against the Bengali community in Bangladesh. India took the issue to the United Nations but couldn't get the needed support. India supported the efforts of the Mukti Bahini and other liberation forces in the aspects of military and humanitarian assistance. Mukti Bahini or the Bangladesh Liberation Force was formed with the help of the Border Security forces of India a day after the Pakistani army unleashed a reign of terror along the Tripura border. Major P K Ghosh who was the then commanding officer at the four border outposts of BSF at Sreenagar, in the southern part of Tripura bordering Chittagong division was instrumental in the formation of Mukti Bahini. (The Economic times., May 08, 2022)

The only solution for constructing a dam across the flooding of refugees was to stop the killing across the Indian border according to the Indian Leadership. This ignited and prompted West Pakistan to launch air attacks in India's western sector on December 3rd. The very next morning India released its military against Pakistan's eastern wing, which led to the partition of East Pakistan and the formation of Bangladesh. For India, it is an opportunity to weaken Pakistan's military power and establish its dominance in the region. The government believed that a sovereign Bangladesh would serve as a buffer zone between India and Pakistan. Nationalistic sentiments also played a vital role in India's intervention. The Indian government supported the Bengali nationalist movement and saw it as an opportunity to strengthen its ties with the Bengali community.

The Pakistani forces were defeated with the subsequent bravery of the Indian Army and with the help of a spirited fight put up by Mukti Bahini – the Bangladeshi guerilla resistance movement consisting

of the Bangladeshi military, paramilitary and civilians. Lt General Amir Abdullah Khan Niazi, the Chief Martial Law administrator of East Pakistan and Commander of Pakistan Armed Forces located in East Pakistan signed the Instrument of Surrender on December 16th, 1971. Over 93,000 Pakistani troops surrendered to the Indian forces and Bangladesh Liberation forces making it the largest surrender since World War II. The war concluded in 13 days and led to the birth of a new nation with the Indian intervention. The Indian role in creating a new nation – Bangladesh has to be appraised and India's one of the finest foreign policy triumphs.

The Conflict - causes and consequences:

The geostrategic location, stable and dependable economic position and liberal democratic personification of India, when compared to its neighbouring nations, increased its magnitude in attracting people from other nations fleeing into it in the form of refugees or illegal immigrants. They are fleeing from their countries of origin to India in search of shelter or looking for a better life. The influx of refugees or illegal immigrants from Bangladesh dates back to the partition of British India. This has impacted adversely and sceptically the interests of the local population in the areas where the large inflow of refugees and immigrants is met. It has also impacted India's National Security. The absence of national refugee laws has further confused the difference between refugees and economic migrants leading to the dismissal of any assistance and support for the asylum seekers. It poses an enormous problem for India and the millions of people who were affected.

In this study, we have already seen that Bangladesh shares a border with India on three sides around 2,500 miles. This includes with Indian border states of West Bengal, Assam, Meghalaya, Tripura and Mizoram. Since the partition of British India in 1947, it's like wave after wave of people with hostile conditions, oppression, intolerance and unfavourable and conflicting economic situations in what constitutes today's Bangladesh have found a safe place in India. Some of them choose to return to their homes in Bangladesh, and the majority of them choose to accommodate and adapt to India. The persistent immigration which includes both refugees and economic migrants from Bangladesh to India continues. The number of illegal immigrants from Bangladesh in India does not have any count or proper number. An analysis of population growth and the demographic statistics for Bangladesh and India suggests with certainty that their number may exceed 15 million in the last four censuses of 2011, 2001, 1991 and 1981. Most of these illegal immigrants have settled in the states along the border of India with Bangladesh and the concern is of those who have moved to other parts of India including its remote places. A large number of them have settled for economic benefits and menial jobs in metropolitan cities, once again in different parts of India. There are places in metropolitan cities in India that are being called 'Bangladesh' as it has settlements of people from Bangladesh at some point in time in the past and today over a period they are Indian citizens.

Such a huge inflow of illegal Bangladeshi immigrants in the border states has proved to be a great challenge for the Indian government with a significant effect on its resources and more on national security. The illegal immigrants considerably contributed to changing the demographic conditions and patterns in the northeastern states of India where they share the border with Bangladesh. The mixup or the interaction between the locals and immigrants has adversely affected their lifestyle and boiling pressures, stress and stiffness among the two parties. Among the Indian states, Assam has experienced one of the highest population growth rates. The population of India grew by 331 per cent between 1901 and 2001 and between the same tenure the population of Assam grew by 710 per cent. (Nath, Hiranya & Nath,

Suresh., 2011). This growth rate is particularly due to the migration of people from densely populated Bangladesh. The extremely porous border near Assam has made it possible for immigrants to migrate into Assam through a formal or legal immigration process. The authentic figures are not available as to the exact number of illegal migrants from Bangladesh to India. The estimate varies from twelve million to 13 million. (Singh, Yogender & Rangi, Yogender., 2020). Bangladesh is prone to extreme cyclonic effects and environmental crises. This is forcing Bangladeshi nationals to immigrate to the border states on a large scale for economic opportunities and livelihood.

The issue of illegal migrants was taken up by India with Bangladesh at all levels from political to diplomatic levels from time to time but the response from Bangladesh was nil. Bangladesh has neither acknowledged nor taken any steps to control the flow of its nationals into India. India made efforts to set up a barbed-wire fence along the border with Bangladesh to control the illegal migrants and also enhanced the border security force surveillance to secure the results have not succeeded. Forceful pushing back illegal Bangladeshi immigrants through the Indo-Bangladesh border has proved to be ineffective. In turn, they are either re-entering India through another porous border or are being pushed back into India by Bangladesh's border security guards. This illegal pushing front and back cannot be encouraged as it may be non-enduring, extra-legal and may lead to criticism.

The task of reconstructing the flow of illegal immigrants back to Bangladesh is a challenge. The need is to coordinate an array of bifurcated strategies with the legal framework and reach the problem more effectively. The strategies could be (i) enacting a national refugee law so that refugees can be defined and can be differentiated. (ii) a bilateral agreement between India and Bangladesh on taking back nationals with illegal stay after due verification. (iii) a concerted action plan to verify and segregate Bangladeshi immigrants and categorize them as refugees and illegal migrants, resettle or reconstruct and most importantly prevent further inflow. (iv) India can get assistance and advisory plans from International organisations like the United Nations High Commissioner for Refugees and the International Organisation for Migration.

Different factors are causing the illegal migration of immigrants from Bangladesh to India. The reasons could be (i) economic causes, (ii) shortage of natural resources, (iii) environmental crisis, (iv) increase in the population, (v) wage rates and difference in the wages, (vi) geostrategic location, (vii) availability of resources and prosperity in the place of destination and (viii) religious discrimination are a few to discuss with. From the historical point of view migration into India was not economic. It was due to the partition, religious discrimination of the minorities, the owning of property and the opportunities for a better welfare life. In recent times the illegal migration across the border from Bangladesh into India is due to economic reasons. Excessive growth of the population has resulted in the scarcity of natural resources and also increased the environmental crisis in Bangladesh with frequent floods and natural calamities

Since the attainment of independence, millions of migrants entered India as illegal immigrants from countries like Bangladesh, Myanmar, Nepal, Pakistan etc. This migration as we have seen in the study earlier is due to many reasons including religious ill treatment, socioeconomic conditions and political violence are few to name. Illegal migration has been an important concern of discussion among policymakers and the agenda of national security policies in India. The different facets of the consequences of illegal migration are economic, social, environmental, political, Internal Security, Health care and Human Rights concerns.

The rampant illegal migration from Bangladesh has become a threat to the internal security of India. This is caused by the illegal and antisocial activities of the illegal Bangladeshi migrants who are on the run to breach the internal security of the nation and create panic among the Indian citizens. During the Chinese aggression of 1962, the central government in India realised the possible dangers of the continuous inflow of Muslims from the then East Pakistan to Indian border states. During wartime, it was observed that in some places of Assam like Darrang and Nagaon districts where Bangladeshi migrants were on a huge scale, Pakistani and white flags were flown to avert possible Chinese air attacks. This became an eye-opener for the central government to take action against the illegal migrants in the border states. (Bedanta Kr. Dutta & Das, S. S., 2013).

The Indian government adopted a scheme for the detection and deportation of infiltrators from Assam and other border states. It was named as Pakistani Infiltration Prevention Scheme (PIP) and later renamed as Prevention of Infiltration of Foreigners (PIF) Scheme after Bangladesh's liberation in 1971. The scheme was extended to the States of Meghalaya, Tripura and West Bengal. To identify and deport the illegal migrants from Bangladesh a Border Organisation was created under the scheme. By this time Assam had become a hub of Muslim militants and fundamentalist groups who made it a fit place for carrying on its illegal activities. Training camps have been set up near the Bangladesh border where the militant groups are trained with the weapons and on completion they enter India as illegal migrants and later indulge in violent and disturbing activities in the country. A strategy called “Internal Encirclement of India” to Islamise the borders with madrasas and Mosques in the borders for infuse fundamentalist ideas among the Muslim youth and later use them for facilitating infiltrations into India. (Pandey, Onkareshwar., 2006).

The Bangladeshi immigrants are claiming themselves as citizens of India by most of them getting their names enlisted in the voting list illegally. The illegal immigrants act as a vote bank for the local political parties in the border states of India. The failure of the Indian government to control the illegal migration led to the agitation by the Assamese under the leadership of All Assam Gana Sangram Parishad (AAGSP) and All Assam Student's Union (AASU). Assam not only witnessed but also experienced governmental instability, sustained civil disobedience campaigns and worst cases of ethnic violence. The local conflicts between the local tribes in the border districts of India and the inflow of Bangladeshi illegal migrants resulted in continuous social ruptures leading to law and order problems.

India's Policy Measures and Actions:

To put an end to the issue of illegal migration from Bangladesh the government of India has approved a diversified and bifurcated path from time to time. For this India has adopted various policies and actionable measures. (a) In 1983 Illegal Migrants (determination by Tribunals) Act was brought in to present a provision which can screen and examine the complainant, if any, by a local against another person who is suspected to be an illegal immigrant in the limits of the same police station limit. (Mayilvaganan.M, 2019) (b) For detecting and deporting unauthorized foreign nationals residing in India, The Foreigners Act, the Passport (entry into India) Act and the Registration of Foreigners Act were passed. Periodically administrative measures like orders and instructions from the Ministry of Home Affairs were given to the States/Union Territories to identify, detect and deport illegal migrants from the country. Throughout the timeline, Indian governments have engaged Bangladesh diplomatically and through regular meetings at different levels of Home secretaries and Joint Working Group (JWG) which include ministries of Foreign and Home Affairs of both countries to find a solution. (Ibid, p 38) Since 1987

following the Assam Accord, the Indian government started fencing along the porous border of the Indo-Bangladesh. As of February 2018 out of 3326 Km of the sanctioned length of fence along the Indo-Bangladesh border, 2746.44 km has been completed. (Ministry of Home Affairs., 2018). Besides the border fencing, India has taken the project of construction of border roads, border outposts (BOPs), installation of floodlights, Hi-tech surveillance equipment etc on a war footing basis. (Mayilvaganan.M, 2019, p. 38)

The problem of illegal immigrants has arisen because India and Bangladesh do not have any agreement to deport illegal immigrants coming from Bangladesh to India back to Bangladesh. The only agreement that India has with Bangladesh is the repatriation of trafficking victims. A task force was constituted between India and Bangladesh in 2009 for the repatriation and rehabilitation of the trafficking victims. On violating visa norms and overstaying in India, Bangladesh accepts such immigrants back. A total of 18,532 Bangladeshi nationals found to be overstaying in India between 2011 and 2013 were deported. (Press Information Bureau of India, July 23, 2014).

India will have to take the initiative to enter into a bilateral agreement with Bangladesh to deal with the problem of illegal Bangladeshi immigrants and to deport their nationals staying illegally in India with a due verification process.

The profound differences in accents, dialect and features between Indian Bengali and Bangladeshi illegal migrants are difficult to detect. Most of the Bangladeshi illegal migrants have ration cards and voter identity cards and to the extent of Aadhaar cards, it is difficult to identify. It is ironically stated and proved that an illegal Bangladeshi is more equipped with his documentation as an Indian than an actual Indian Bengali citizen. This issue of Bangladeshi illegal immigrants is extremely large and complex. The Indian government can work on incentives and policies to facilitate the identification of illegal immigrants voluntarily. This may look childish but at the same time, the trap has to be spread to identify them. Once the domestic refugee law and a bilateral agreement with Bangladesh on illegal immigration are in action the process of verification of immigrants could start with a stipulated period of three to four months. The process of completing the National Population Registry or National Register of Citizens should also be accelerated.

CONCLUSION:

The border between India and Bangladesh is porous and it runs through rivers, ponds, agricultural fields, villages and even houses where the entrance could be in one country and the back door in the other. Effective guarding of such a long and complex border is tough. A border fence was erected to establish greater control over the border. Though it may not be foolproof, it can prevent it to a certain extent. Border fencing has to be supported by vigorous patrolling and other measures including good and developed communication, electronic surveillance and identifying and taking appropriate action against those agents who are involved in the illegal immigration movement. At the same time, India can help Bangladesh provide aid and the assistance needed in the introduction, and implementation of a Unique identity card system for its nationals as that of an Aadhaar card in India with a full biometric system. Most importantly the factors that are forcing the migration should be addressed. As a neighbouring country, India can take up projects to foster economic development in Bangladesh which may control the illegal migration. A National Immigration Commission should be appointed by the central government to frame a national migration policy and a national refugee policy.

India and Bangladesh signed a bilateral agreement on illegal migration in 2015 intending to curb the flow of illegal immigration between the two countries. The agreement established a joint working group to identify illegal immigrants, facilitate their deportation and prevent further illegal migration. It also called for cooperation between the two countries in tackling human trafficking and smuggling of drugs and weapons across the border. It also provided for the exchange of information between the two countries on individuals with suspicion of being involved in illegal activities including terrorism. It reflected the growing concern in India over illegal migrations from Bangladesh, which has been a major source of tension over the years. India has accused Bangladesh of not doing enough to prevent illegal migration, while Bangladesh has argued that many of the migrants are economic refugees who are only seeking a better life. The bilateral agreement has been viewed as a positive development in India-Bangladesh relations as it reflects a shared commitment to tackling common challenges and promoting regional cooperation.

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