

# Fenced Indians Pay for 'Security'

ANOOP PRAKASH, SHAILAJA MENON

Since 1986, India's borders with Bangladesh are being fenced disrupting the lives of citizens residing in those tracts. The unnatural division of people has created a human tragedy of which the organs of the state refuse to take cognisance of. Excluded by mainstream discourses of security, the lives and livelihoods of these fenced Indians bear the costs of fencing.

Any strategic discourse should not only address the safe-keeping of the State and its interests but also the needs of the most disadvantaged masses. The notion of a just peace has to be articulated from the perspective of the disempowered. In a conventional sense, security is equated with national security which is guaranteed by means of militaristic techniques.

The nation implies the State with well-demarcated geographical boundaries. In the case of the Indian subcontinent, contiguous socio-cultural factors facilitate the migration of people.

Some claim that two crore Bangladeshi migrants are present in India.<sup>1</sup> However, the Bangladeshi government claims that there is not a single Bangladeshi migrant in India.<sup>2</sup> Illegal Bangladeshis and local Bengali-speakers are not easy to distinguish, especially since some Bangladeshis have managed to secure ration and voter identity cards in India.<sup>3</sup>

Interestingly, in response to a right to information (RTI) enquiry, the Ministry of Home Affairs of the Government of India stated that since the entry of illegal Bangladeshi immigrants into the country is clandestine, it is not possible to estimate the total number of Bangladeshi immigrants in the country.<sup>4</sup> It further stated, "[t]he only data with the Home Ministry, Government of India is of those Bangladeshi immigrants who overstayed their visa period". In 2006, 13,692 people who overstayed their visa period were deported; in 2007, the figure was 12,135 and in 2008, 12,625 illegal Bangladeshis were deported.<sup>5</sup>

While most migrants are "Malthusian" in character, in the sense that they have come to India for better living conditions, their presence in the border region poses a security problem.<sup>6</sup> In many places, this has led to outbreaks of xenophobic violence,

particularly against those perceived to be Bangladeshis. After attacks in northern Tripura, for example, there are now thought to be 50,000 to 1,00,000 internally displaced Bengali-speaking persons.<sup>7</sup>

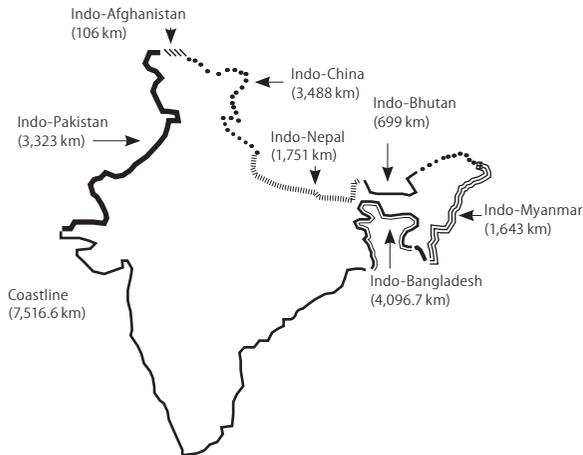
## Fenced for Defence

From the late 1980s onwards, India has attempted to fence the 4,095.7 kilometre (km) long international border with Bangladesh (see Map, p 34). The states of West Bengal (2,216.7 km), Assam (663 km), Meghalaya (443 km), Tripura (856 km) and Mizoram (318 km) share a common border with Bangladesh.<sup>8</sup> Fencing actually commenced in 1986 and till date, out of a total of 3,436.59 km, 2,677.81 km has been completed.<sup>9</sup> Besides the fencing, there are border observation posts (BOPs) or watch towers at intervals of three to four kilometres. In addition, some stretches are not demarcated (6.1 km in three spots); others exist as enclaves in the other country's territory (111 Indian enclaves inside Bangladesh and 51 Bangladeshi enclaves inside India) and as adverse possession of land by both countries.<sup>10</sup> The artificial boundary cleaves through densely populated areas and through communities which have shared a historical relationship and mutual interdependence. They are the primary victims of intermittent firing between the Border Security Force (BSF) of India and the Bangladesh Rifles.

The fencing is supposed to be done 150 yards away from the international zero line, the notional boundary line that separates Indian territory from that of Bangladesh, but this rule is not followed at many places. As the fencing is at times done kilometres away from the zero line, Indian territory has been virtually abandoned by the Indian state.<sup>11</sup> The National Buildings Construction Corporation (NBCC), a central government agency in charge of fencing at the Indo-Bangladesh border, has been constructing composite-type-fencing, without regard to the distance from the zero line. To illustrate, the existing border road and fence between two consecutive pillars was constructed at varying distances of about 900 metres, 700 metres, 500 metres and 300 metres from the international boundary. Between two pillars after that the

The field study was conducted during 2009-10 under the aegis of the Centre for Civil Society, with a team comprising Anoop Prakash, Deeksha Sharma, Tanya Narula, Chaitanya Safaya and Satyajit Dey. We wish to thank Parth Shah and Manoj Mathew of the Centre for Civil Society for facilitating this study. Certain names have been changed to protect respondents' privacy.

Anoop Prakash ([anoopplc@gmail.com](mailto:anoopplc@gmail.com)) is at the Centre for Civil Society and Shailaja Menon ([shailumenon@yahoo.co.in](mailto:shailumenon@yahoo.co.in)) teaches at the Jamia Millia Islamia, New Delhi.

**The International Borders of India**

Ministry of Home Affairs (2010): *Annual Report, 2009-2010*, p 28. Also at: <http://www.mha.nic.in/pdfs/AR%28E%290910.pdf>

fence was constructed at about 400 metres to 1,000 metres from the zero line.<sup>12</sup>

The majority of the work is done through subcontracting and there is a lack of effective monitoring. Due to this reason, a huge number of families have fallen outside the fence. A huge part of Indian land is “no man’s land”, according to the Merriem Webster dictionary, “an area of unowned, unclaimed, or uninhabited land between

two bordering countries, which is not used for occupation or habitation”.<sup>13</sup> However, using the term no man’s land is a misnomer since the entire fenced Indian land is privately owned by Indian citizens who inhabit and cultivate this land. This insensitivity reflects the confused approach towards the entire border issue by the state. While interacting with the affected population, the researchers learnt that the State is deliberately not declaring the fenced Indian area as a no man’s land because then the State would be bound to acquire the fenced private land and compensate the landowners.<sup>14</sup> It is learnt from NBCC officials that the Ministry of Home Affairs has awarded the phase III work by replacing the existing single-type fencing with composite-type fencing on the existing alignment. There is no provision for fresh land acquisition in

phase III work. However, due to this decision by the Ministry of Home Affairs, very valuable land has fallen outside the fencing with width varying from 137 metres to 900 metres. This has caused widespread resentment amongst the people of these bordering areas and all the political parties have raised an alarm against such actions by the NBCC. If the distance of 137 metres from the zero line for the new fencing is maintained by making provision for land acquisition, the valuable land outside the fencing will be reduced and also the sufferings of the border people will be minimised.<sup>15</sup>

The current scenario has created prison-like villages. About 90,000 people in 149 villages suffer a harrowing and imprisoned existence as India has abdicated all sovereign responsibility towards its citizens. The barbed wires have divided their homes, social lives, natural resources and means of livelihood, excluding them and forcing them into miserable subsistence. The wilful disregard of the border realities under the Indian state has created two categories of citizens, “mainland” and

## FELLOW PROGRAMME IN MANAGEMENT – COMMUNICATIONS

2011-14  
FPM-C



MICA invites applications for admission to its doctoral-level ‘Fellow Programme in Management – Communications’ (FPM-C). The FPM-C is an AICTE APPROVED, three-year, full-time, residential programme.

### PROGRAMME SALIENCE

- MICA’s FPM will produce ‘**Fellows of Communication**’ who will be able to meet international norms of research and education in communication; the FPM focus would be on theory and, hence, critical thinking, argument development, knowledge gaps identification, problem formulation and report writing.
- The FPM offers four areas of specialisation: **Integrated Marketing Communication, Communication and Social Change, Communication and Cultural Studies, and New Media and Communication**. Candidates should choose any one area at the time of application.
- Students will spend one term at an overseas university department assigned to an eminent communication academician/researcher.
- **FPM students will be paid a stipend.**

**LAST DATE FOR APPLYING: MARCH 28, 2011 | PROGRAMME COMMENCES: JULY 2011**

For more information, please visit [www.mica-india.net](http://www.mica-india.net). For any queries, please contact:

FPM Office, Mudra Institute of Communications, Ahmedabad (MICA), Shela, Ahmedabad – 380058, Gujarat INDIA Tel: +91.2717.308250 Email: [fpm.micore@micamail.in](mailto:fpm.micore@micamail.in)

### Eligibility Criteria

Applicants must have a two-year UGC/AIU/ AICTE approved Master’s degree/equivalent qualification with at least 55% marks or equivalent grade in any discipline of the Humanities/Social Sciences/ Business Management having Communication/Journalism/Advertising/PR/ Marketing as a core subject. The candidate also should have completed a three-year Bachelor’s degree/equivalent qualification after completing higher secondary (10+2) or equivalent education. Candidates with M.Phil. or NET/JRF (UGC) qualification in ‘Mass Communication and Journalism’ or ‘Management’ and/or relevant work/research experience in a recognised communication/media institution will be given preference.

### Application Procedure

Application form and additional details are available on the MICA website: <http://www.mica-india.net/Academicprogrammes/fpm.html> for download. The applicant shall submit an application fee through a demand draft of Rs. 1500, a Statement of Purpose (SOP), two letters of recommendation, and copies of certificates along with the application.

### Selection Process

All eligible applicants will be scrutinised through telephonic interviews. Shortlisted candidates will then be required to appear for the MICA Admission Test (MICAT-FPM). MICAT-FPM is a two-tier process: Written Test (WT) and Oral Presentation + Personal Interview (OP+PI)

“fenced” Indians. As the entire issue is subsumed under the larger interests of national security, no civil society organisations, crusaders of rights or media have taken cognisance of the plight of these ensnared citizens. They are simply invisible in the national mindscape, surfacing only when the bogey of terrorism is raised.

Till date, a total of Rs 5,205 crore have been spent on fencing.<sup>16</sup> Interestingly, the Ministry of Home Affairs has no data on the border population nor is there any scheme for rehabilitating these fenced Indians.<sup>17</sup> Replying to an RTI query in which an exact estimate of the Indian population falling between the zero line and the wired fence was sought, the Ministry of Home Affairs replied that “the Border Management is not maintaining any such data for the population residing in the border areas”.<sup>18</sup>

### Contextualising the Study

The study is based on information gathered through the RTI Act 2005, field surveys, interactions with the affected people, and interviews with people’s elected representatives both currently in office and previous office-bearers. Interestingly, the only current official to depose was the president of the Zila Panchayat, Karimganj district, Assam. All the villages studied are in Karimganj. The researchers talked to 425 residents of Lafasail, 285 in Zarapatta, 335 in Govindpur and 265 in Niamura, a total of 1,310 inhabitants. In the mainland, two villages of Karimganj were visited. The former member of legislative assembly (MLA) of Karimganj pointed out that nearly 50% of the population are Muslims and most of the remaining 50% are scheduled caste Hindus.

### Broken Lives over Barbed Wires

The lives of the fenced Indians are at the mercy of the gate timings which control their ingress and egress. The life cycle of the fenced villagers is dominated by the gate timings, which are from 6:00-7:00 am, and 9:00-10:00 am in the morning, and from 1:00-2:00 pm and again 4:00-5:00 pm in the afternoon. Their ingress into the Indian mainland is limited to these four hours in a day, and all entry and exit are recorded in a register. Their livelihood, social activities like marriages or recreation,

and even health issues are decided by the opening and closing of the gates. The fenced areas have no schools and the children are forced to attend mainland schools. If the school starts at 8:30 or 9:00 am, the child has to leave by 7:00 am or be perpetually late.

Every family is also required to provide a male child to the BSF to man the gate. If the family does not have a male child, it hires another child for Rs 20 per day. These children are aged about 10 to 11 years. There are 53 families in village Lafasail and each family’s turn comes after one month and five days.<sup>19</sup>

Children cannot play any ball games in the enclosed areas as the balls cross the border. What was very striking for the researchers was that no teenage girls are visible in these villages. The parents are apprehensive that they will be forcibly abducted for child labour or sex work. Hence, when a girl child turns 10 years old, she is sent to a family home elsewhere.

The women labour and survive under extremely insecure conditions. In one reported case, a woman suffering from severe diarrhoea was prevented from being taken to the hospital by a BSF soldier manning the gate, who refused to open the gate for them.

The people eke out a meagre subsistence as a shadow economy dominated by the middlemen and facilitated by the border guards has emerged. Fishing and agriculture are the chief occupations.

In an oral testimony, an aged resident of the fenced area, a former contractor of the tea garden in the village Zarapata, candidly discussed the various dimensions of the issue:<sup>20</sup>

Earlier gate opening timings were morning 6:00 am to 6:00 pm, but now they are a few hours. Fencing has created enormous problems. Nobody gives us loans. The government does not give us grants; no roads, no Indira Awaas, no electricity. Bangladeshi thieves raid in nights and our BSF men do not help. These thieves steal our cattle. No medical person visits us. In case of emergency, BSF men bring their vehicle. We have a drinking water problem; government should give us water by laying a pipeline; there is no other way. Work opportunities have been reduced after the fencing. If someone goes outside to work then how can he return in time? Rations, sugar, etc, are available in limited amount except during marriages. They

think that we will send such commodities to Bangladesh.

The rich have gone but poor are left. We cannot use our natural assets, we cannot sell our bamboo. We do not want to live here; we want to move to the other side. We should be given compensation and rehabilitated. I have half a bigha of agricultural land in the fenced area and four bigha outside the fences on the India side. I cannot construct a house there. Agricultural production is not sufficient to feed us even for a year, so we work in fencing to purchase the essentials.

We are Indian citizens and our name is in the voters’ list. The BSF company commander has issued identity cards to us. We showed the identity card to cast our vote. A couple of families from here have shifted and in such events, the BSF helps. We also help the BSF. This year we have given 100 bamboos to the BSF free of cost; a single bamboo costs Rs 70.

This testimony was corroborated by the personal observations of the researchers. As the gates are omnipresent, agricultural yields do not reach the market. Hence, utilisation of resources is not maximised. To illustrate, the daily market begins at 6:00 pm. The fishermen have to dispose of their catch by 4:00 pm as the gates will shut by 5:00 pm. The direct beneficiary is the middleman to whom the fishermen sell their yield at the cheapest available rate. The Indian state is visible in these villages only with a military presence. They are excluded from the ambit of any services like banks or other credit, electricity, portable drinking water,<sup>21</sup> Pradhan Mantri Gram Sadak Yojana,<sup>22</sup> Indira Awaas Yojana,<sup>23</sup> Mahatma Gandhi National Rural Employment Guarantee Act (NREGA)<sup>24</sup> or any employment generation programme.

At the policy level, there is no stopping of any welfare scheme by the government but on the plea of insecurity, the BSF is preventing the villagers from taking

### Economic & Political WEEKLY

available at

#### Akshara-The Executive Partner

8/3/1089, Plot No 46,

Srinagar Colony

Hyderabad 500 034

Andhra Pradesh

Ph: 23736262

advantage of any such welfare schemes.<sup>25</sup> A BSF inspector admitted that “we basically have two problems – water and roads. We should be assured of safe and regular drinking water supply and the border roads should be made pukka.”<sup>26</sup>

The administrative orders of the civilian authorities regarding the gate timings are disobeyed by the BSF.<sup>27</sup> The additional district magistrate (ADM) of district Karimganj also noted that:<sup>28</sup>

No identity card is issued for the people outside the fences. Voter identity cards are not available throughout Assam. Getting a domicile certificate is also a big problem for the fenced people. There is no plan or project for the rehabilitation of the fenced people.

In a submission made by the unfenced inhabitants of village Kurikhal, of development block North Karimganj, similar issues were highlighted.

Our village is not in the fenced area but our agricultural land is fenced. The gate opening timings create big problems in cultivating the land. We will be satisfied if the government gives compensation for our land. If the gate remains open for a considerable period of time, some of our problems may get resolved.<sup>29</sup>

Apart from socio-economic issues, there are emotional implications. To illustrate, a section of the Indian sepoy rebelled against the British during the 1857 War of Independence at Malegarh and 28 soldiers were martyred. The British buried the bodies in Malegarh. The local people have deep sentiments regarding this place, located some 35 metres from border pillar 1363/8 (S) of the Indo-Bangladesh border. They are apprehensive that this area will fall under Bangladeshi side if the current fencing norms are followed. At present, the area is left unfenced due to local resentment. A BSF officer noted that the Assam government had proposed making the Malegarh hillock a tourist destination but this was vehemently opposed by Bangladesh Rifles.<sup>30</sup>

### Wronged Property

The right to property finds a place in Article 300 (A) of the Indian Constitution, which states, “No person shall be deprived of his property save by authority of law”.<sup>31</sup>

The fenced Indian land, though described as no man’s land in official documents, is

not officially declared as such. As the entire land on the Indo-Bangladesh border is privately owned, such a declaration would amount to compulsory acquisition of the fenced land which the State can attempt only after paying adequate compensation to the landowners. The fenced land has lost its market value as it lacks a potential purchaser. In order to escape the barbed wires and lead a relatively more free and normal existence, there is a gradual pattern of relocation from “fenced” India to “free” India. There is every possibility that within a few years, the entire area will practically become a no man’s land, without burdening the State with any legal and moral obligations of compensation. Though the National Rehabilitation and Resettlement Policy exists since 2007 for families affected by land acquisition in any government project, these fenced lives do not have any such policy.<sup>32</sup>

In the present case, the State has not acquired the land property but deprived the fenced Indians of their property nonetheless by acquiring only a strategic strip of land parallel to the zero line for the purposes of building barbed fences and border roads. This deliberate action of the State has adversely affected the fenced Indians not only in terms of their tangible property but also their human capital. Such a strategic acquisition of land raises a very crucial question of law: Does deprivation of property amount to acquisition of property or not? This case is peculiar to the Indo-Bangladesh border region as the areas on the border are densely populated. Although the Radcliffe line through the Indo-Pakistan border also cleaved through villages, there is no population residing in the fenced area at present and it is used only for agricultural activities.<sup>33</sup>

### Institutional Responses and Failures

Since 1986, when fencing commenced on the Indo-Bangladesh border, the fenced citizens have protested their marginalisation. The initial government policy, both at the state and central level revolved around acquisition of patta land and rehabilitating the fencing-affected people in any other suitable place.<sup>34</sup> Three different petitions were filed in the Guwahati High

Court by affected citizens. As recorded by the high court, the petitioners alleged that:<sup>35</sup>

- Petitioners in the other side of fencing are treated as enemy/aliens by the security forces and humiliated and tortured.
- Petitioners face problems even going to their agricultural lands situated to the east of the boundary fencing within Indian mainland.
- They are reduced to the status of stateless persons and forbidden to have connections with the mainland which seriously prejudices their rights as Indian citizens.
- In case of a breakout of hostilities between the two countries, their condition would be at risk as they would be unable to flee into Indian territory due to the erection of barbed wire fencing.
- Further, they would be the first casualty of any such eventuality.
- Finally, the petitioners alleged that the respondents (Union of India and the Government of Assam) despite being aware of the situation faced by them have failed to expedite their own schemes to assess costs for the acquisition of patta land for rehabilitation.

These above petitions were disposed of by a common order dated 26 July 1994 wherein the Guwahati High Court directed the respondents

to expedite the scheme and take necessary and immediate action to alleviate the hardship of petitioners who are genuine Indian citizens ...and to provide necessary relief to the petitioners within four months from the date of receipt of this order.<sup>36</sup>

Till date, neither the central nor the state government has implemented the order of the Guwahati High Court.

### Permission for Reproduction of Articles Published in EPW

No article published in EPW or part thereof should be reproduced in any form without prior permission of the author(s).

A soft/hard copy of the author(s)'s approval should be sent to EPW.

In cases where the email address of the author has not been published along with the articles, EPW can be contacted for help.

However, the protests have intensified over the past two years as the BSF limited hours of access to the mainland up to just four. In July 2008, the people of Karimganj submitted a representation to the deputy commissioner of Karimganj to request the BSF to allow free passage up to 8:00 pm.<sup>37</sup> In response to this request, the deputy commissioner of Karimganj wrote that the concerned BSF officials knew of a relaxation up to 9:30 PM.<sup>38</sup> However, this order was ignored.

Subsequently, the beleaguered villagers submitted a petition to the president of India with copies to the prime minister, the National Human Rights Commission (NHRC), the home minister, the chief minister of Assam and the deputy commissioner, Karimganj. They also enclosed the judgment of the Guwahati High Court. The villagers prayed that they be granted rights at par with fellow mainland citizens.

Unfortunately, there was no response to the above petition. When one of the authors filed a complaint in the NHRC regarding the violation of human rights of Indian citizens on the Indo-Bangladesh border,<sup>39</sup> the NHRC refused to take cognisance of the complaint on the grounds that the matter was not subject to the jurisdiction of the commission.<sup>40</sup>

## Breaking the Blockade

The conventional notion of security depends on barbed wires and other military paraphernalia to secure the lives of citizens. Security cannot be ensured through the barrel of a gun, but by infusing a sense of belonging which should eliminate any notion of alienation among citizens. An enlightened State strives to ensure that all the citizens are protected by its welfare mechanisms. The contemporary debate on the fate of fenced Indians as well as illegal Bangladeshi migrants requires a fresh look.

A senior BSF official posted at the Indo-Bangladesh border observed that fencing has reduced infiltration. Further, he noted that reverse migration was taking place, and Bihari Muslims who had migrated to Bangladesh prior to 1947 in the hope of a better future were returning. The BSF border posts had transport available to help the fenced people during an emergency. The BSF had demanded relocation of the

population. Due to manpower constraints, the BSF could not keep the gates open for 24 hours.<sup>41</sup>

Political will is required to address the constraints faced by the BSF, local authorities and the fenced people. However, certain practical solutions may ameliorate the situation for these internally displaced people. Since 2000, West Bengal, Assam, Meghalaya, Tripura and Mizoram have been allocated Rs 4,393.67 crore for fencing.<sup>42</sup> Despite this, the flow of immigrants has not slowed. Hence, fencing is a sheer wastage of the taxpayers' precious money, which could have been better utilised in improving the social infrastructure of the Indo-Bangladesh border region.

Despite the favourable 1994 judgment of the Guwahati High Court and continuous representation to the highest authorities, the tragedy unfolding at the Indo-Bangladesh border has failed to shake the conscience of the Indian state. These more than 90,000 fenced Indians, a majority of them Muslims and dalits, inhabiting five states across 4,000 kilometres, are politically too insignificant to influence the electoral fortunes of any individual constituency. Their scattered existence renders the power of collective bargaining so fragile as to make it inconsequential. Condemned to a bleak future, the Indian identity of the fenced Indians is jeopardised.

## NOTES

- 1 Tribune News Service (2003): "2 crore Bangladeshis in India: Fernandes", *The Tribune*, 28 September. Accessed on 26 January 2010: <http://www.tribuneindia.com/2003/20030928/main.htm>
- 2 T V Rajeshwar (2003): "Problem of Bangladeshi Migrants: Politico-Economic Study in Historical Context", *The Tribune*, 17 February. Accessed on 26 January 2010: <http://www.tribuneindia.com/2003/20030217/edit.htm#3>
- 3 Staff Reporter (2007): "22 Illegal Immigrants from Bangladesh Held", *The Hindu*, 9 October. Accessed on 26 January 2010: <http://www.hindu.com/2007/10/09/stories/2007100961730800.htm>
- 4 RTI response, Ministry of Home Affairs, 25022/87/2009-F. VI, 8 January 2010.
- 5 Ibid.
- 6 Rajeshwar, op cit.
- 7 Thomas Reuters Foundation (2008): "North East India Clashes: Tensions in the Seven Sisters", AlertNet, 22 October. Accessed on 26 January 2010: [http://www.alertnet.org/db/crisisprofiles/IN\\_CLA.htm?v=in\\_detail](http://www.alertnet.org/db/crisisprofiles/IN_CLA.htm?v=in_detail)
- 8 Ibid: 29.
- 9 RTI response, Ministry of Home Affairs, Department of Border Management, 11013/80/2009/BM-III, 13 November 2009.
- 10 Mansi Mehrotra (2009), "Management of the India-Bangladesh Border", Centre for Land Warfare Studies. Accessed on 26 January 2010: [http://www.claws.in/index.php?action=master&task=316&u\\_id=57](http://www.claws.in/index.php?action=master&task=316&u_id=57)

- 11 Note by deputy commissioner, Karimganj, Assam, 18 May 2009.
- 12 These pillars are in the first example, 1369/6-S to 1370/3-S, and in the second example, 1370/3-S to 1372/MP.
- 13 <http://www.merriam-webster.com/dictionary/no%20man%27s%20land>
- 14 Daihan Mohammad, advocate, interview, 23 June 2010.
- 15 Deputy commissioner, Karimganj, 18 May 2009, op cit.
- 16 RTI response, Ministry of Home Affairs, Border Management Division, 11013/79/2009-BM,III, 30 November 2009.
- 17 RTI response, Ministry of Home Affairs, Border Management Division, 11013/79/2009-BM,III, 20/10/2009.
- 18 Ibid.
- 19 Oral testimony by a Lafasail villager, 1 July 2009. This particular problem is in this village only.
- 20 Interview, 1 July 2009.
- 21 RTI response, Ministry of Rural Development, Department of Drinking Water Supply, W-11042/12/2009/WATER, 24 November 2009.
- 22 RTI response, National Rural Road Development Agency, Ministry of Rural Development, F-21013/2/2008-F&A, 3 December 2009.
- 23 RTI response, Ministry of Rural Development, K-11018/1/2009-RH (Pt-5), 19 November 2009.
- 24 RTI response, Ministry of Rural Development, NREGA Division, L-12060/4/2009-NREGA, 19 November 2009.
- 25 Oral submissions by the fenced villagers, 28 June-3 July 2009.
- 26 Oral submission, 1 July 2009.
- 27 Note by deputy commissioner, Karimganj, Assam, 16 July 2008 and 19 December 2008.
- 28 ADM, Karimganj district, 29 June 2009.
- 29 Submission by villagers, 1 July 2009.
- 30 BSF Deputy Commandant, P K Chauhan, comments about the foundation stone-laying ceremony of the Assam tourism project in Malegarh, 16 February 2009.
- 31 *Bishambhar Dayal Chandra Mohan versus State of Uttar Pradesh*, 1SCC 39, 1982.
- 32 National Rehabilitation and Settlement Policy 2007, vide OM No A-430/01/2009, in response to RTI request to the Ministry of Rural Development, Department of Land Resources, 12012/01/2009, 25 November 2009.
- 33 Debashish Bhattacharya (2005): "Postcards from the Edge", *Current Affairs*, Guwahati, 28 August.
- 34 Wireless text message, R L A/100/89-22, 28 November 1989, from copy of the writ petition filed by 21 petitioners in *Karimganj vs Union of India and Others* at the Guwahati High Court. The copy was obtained by the author, Anoop Prakash, from one of the petitioners, Habibur Rahman, on 2 July 2009.
- 35 *Maulavi Mahmud Ali versus Union of India*, judgment of Justice M Sharma, Guwahati High Court, 26 July 1994, pp 4-5.
- 36 Civil Rule No 1195/93, 1196/93, 1191/93,
- 37 Letter to Bhupen Sarma, Deputy Commissioner, Karimganj, by the affected villagers, 16 July 2008.
- 38 Ibid.
- 39 Complaint to the NHRC by Anoop Prakash Awasthi, 31 October 2009.
- 40 NHRC Law Division, case 133/3/10/09-10/OC/SB-2, 26 November 2009, in response to Anoop Prakash Awasthi's complaint dated 23 November 2009.
- 41 Interview, 29 June 2009.
- 42 RTI response, Ministry of Home Affairs, Department of Border Management, 11013/79/2009-BM,III, 30 November 2009.