

# **Denial of Citizenship Rights and Marginalisation:**

## **Linguistic Bengali and Muslim Minorities in Assam**

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Assam, the gateway province of India's northeast geographically consists of lowland plains and valleys split down the middle by the mighty river Brahmaputra. Assam has international borders to north with Bhutan and to the southwest with Bangladesh. Assam also shares a border with other five hill states of India's north east- Arunachal Pradesh to the north Nagaland and Manipur to the east, and Mizoram and Tripura to the south. It has further a short a stretch of border with Bangladesh between Tripura and Meghalaya, which borders Assam to its southwest<sup>1</sup>.

Assam had a long glorious history of six hundred years. The Ahoms established their dynasty in the region in 1228 and ruled till 1826. Throughout the Ahom period people belonging to different religious groups and other tribal communities lived together happily. It was a peaceful state.

Till 1826, the Ahom rulers could successfully resist all the foreign invasions. Medieval Indian rulers tried their level best to conquer this Ahom Kingdom but all had to bow their heads in front of the later. But by the beginning of the nineteenth century this powerful Ahom dynasty became weak and was overpowered by the Burmese. The Burmese also could not rule the state, as they were defeated in the hands of the British and according to the Treaty of Yandaboo, 1826, Assam came under the British-Indian rule. The British government to keep its rule intact in India, from the very inception adopted 'Divide and Rule Policy' and sowed the seeds of communalism specially stimulating the Hindus against the Muslims and the Muslims against the Hindus. Newly annexed Assam with the British-Indian government also could not escape from this Hindu-Muslim policy of the British. Immediately after taking over the power of Assam the British Indian government created a war like situation in the state by executing a Human Plantation Programme. Poor peasants of eastern Bengal, most whom were Muslims, were encouraged to migrate to Assam and settle down there. This Human Plantation Programme divided the entire Assamese community in two camps- 'Hindu camp' and 'Muslim camp'. Here in this writing an attempt has been made to study the British policy and intention to encourage

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<sup>1</sup> The World Encyclopedia, Vol. 1, World Book International, London, P. – 669.

the people of Bengal origin to migrate to Assam and how it has been corroborating with the foreigners' issue in Assam.

### **British Motives Behind the Human Plantation Programme:**

In comparison to other states of India, Assam was a thinly populated state. New inhabitants could fill large areas of depopulated waste but fertile land. Whatever amount in the name of revenues the British got from the local inhabitants of Assam could not satisfy them. Till the closing decade of the nineteenth century the British did not take any direct measure to maximize the collection of revenues. However, by that time Assam's contiguous state i.e. Bengal started suffering from overpopulation problem. Huge number of Bengal peasants became landless. Occurrence of famine became a common feature of the state. Moreover, most of the revolutions against the British Indian government were also initiated from Bengal. The British, thus, had to tackle the Bengal situation tactfully.

The British colonial officials saw land abundant Assam as a solution to the Bengal problems of growing revolutions, land scarcity and over population. Accordingly, the government proposed to mobilize a section of Bengal people to the neighbouring thinly populated and land abundant state of Assam. This motivation of colonial officials was political- balancing the Hindu-Muslim population of Assam was undoubtedly an attractive tool of colonial political control.<sup>2</sup> The government, thus accepting the proposals of its officials decided to take up a human plantation programme from Bengal to Assam and started giving all round facilities to the poor peasants of the state for coming to Assam and to have settlement there. This policy of shifting Bengal population to Assam aimed at profits for colonial government. It minimized the problem of over population of Bengal, numerous strength of the united power of the Bengal population against the British government weakened; increased population of Assam maximized the collection of revenues of the British Indian government, etc. Moreover, as eighty five percent<sup>3</sup> of the migrant people from Bengal belonged to Muslim community, and, their settlement in Assam, dominated by non-Muslims, created British expectation of communal situation. Local inhabitants did not welcome the new settlers of the state and demanded their expulsion. It busted communal conflicts between the Hindus and Muslims demanding loss of huge lives and properties. Moreover, the British intentionally creating a 'Line System' contributed fuel to the fire of

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<sup>2</sup> Baruah Sanjib, *India Against Itself Assam and the Political Neutrality*, Oxford University Press, New Delhi, 1999, P.55.

<sup>3</sup> Guha Amalendu, *Planter Raj to Swaraj Freedom Struggle and Electoral Politics in Assam 1826-1947*, Peoples Publishing House, New Delhi, 1988, P. 206.

Hindu-Muslim conflict of Assam so that both communities could not come out together to take part in the anti British movement of India.

### **People's Response to the Call of the British:**

Though the British Indian government provided all round facilities to the Bengal people to migrate towards Assam for having new settlement, it did not get expected response from the Bengali people. Till the beginning of the early decade of the twentieth century the migration and colonization from Bengal (especially from East Bengal) was practically confined only to the border district of Goalpara. The census report of 1911 showed that, out of 54,000 migrants from Mymenshingha, Rangpur and Jalpaiguri about 51,000 were found in Goalpara district.<sup>4</sup> Those early migrant people mostly chose to settle down at char and riverine areas of the district, but later on they started to occupy lands in the town and other major places of the region. The number of Muslim population in the Brahmaputra Valley in 1911 became 365540, which rose to 594981 in 1921 and from it to 953299 in 1931.<sup>5</sup> This large scale migration led to a shift in the demographic balance in favour of the Muslims with abnormal rise in their proportion from 9% in 1921 to 19% in 1931 and 23% in 1941.<sup>6</sup> In Barpeta subdivision alone, the proportion of Muslims abnormally increased from 0.1% in 1911 to 49% in 1941.<sup>7</sup> The number of migrants in Kamrup district rose from 44,000 in 1921 to 1,34,000 in 1931, the highest recorded district in the Brahmaputra Valley<sup>8</sup>. In one decade (1921-1931), in a particular *Mauza* of Barpeta subdivision the population increased by 150%, while the *purb* (East) and *pachim* (West) Chamaria *mauzas* of Guwahati subdivision registered an increase by 142% and 168% respectively. According to an official report five *mauzas* of Nowgaon, viz, Laukhowa, Dhing, Bokoni, Lahorighat, and Juria recorded an increase varying from 100% to 290%.<sup>9</sup>

In 1921, while the number of migrants in Goalpara increased to 1,41,000, the number of other districts of the Brahmaputra Valley was about 3, 00, 000 in the same year.<sup>10</sup> The migrants of Nowgaon district became 14% to its total population. In Kamrup it was about 6%. Later,

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<sup>4</sup> Zaman Ahmed Shahiuz, 'Migrant Muslims of Brahmautra Valley (Assam): A Socio-Cultural Study Since 1871 till Date' An Unpublished M. Phil. Dissertation, North Bengal University, Darjeeling, 2002, P. 25.

<sup>5</sup> Arun Chandra Bhuyan, Sibopada De (Ed), Political History of Assam, Volume Two (1920 – 1939), Publication Board of Assam, Second Edition, November 1999, P. 308.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

<sup>10</sup> Ahmed S. U, Muslims in Assam (1200-2000), Nowgaon, 1999, P. 24.

Darrang and north Lakhimpur subdivision were also under the wave of migration.<sup>11</sup> Till 1920, practically there was no rule or regulation for the new comers to the new settlement in Assam. People from Bengal started migrating towards Assam and took settlement in different places of the state without maintaining any systemic order.

### **Remonstrations of the Local Assamese People against the Migration Policy:**

This large-scale migration of Bengali people Assam was not saluted by a section of the local Assamese people. It was alleged that '--- alarming rise in the population adversely affected the rural economy of Assam. Mass immigrations in an organized way and occupation of wastelands, grazing and forest reserves, posed a serious problem. Mass squatting as well as the occupation of whole villages at times by the immigrants through the purchase of lands by offering tempting prices to the local inhabitants whose economic difficulties compelled them to part with their land seemed to threaten the survival of the indigenous inhabitants. As public opinion in the rural areas was too feeble and unorganized to focus the magnitude of the problem in its proper perspectives, the immigration issue was steadily assuming a serious turn.'<sup>12</sup>

The large-scale migration from erstwhile East Bengal towards Assam was first noticed in 1911 and the local Assamese people first exposed their awareness regarding this migration process in 1916.<sup>13</sup> Highest number of migrants came from erstwhile East Bengal to Assam in between 1911 and 1941. This large number of migrants started settling down occupying the lands of Brahmaputra Valley, Assam. The local people could not welcome this process of new settlement and even feared the loss of their own identity.<sup>14</sup> They, thus, appealed to the government to restrict the settlement areas for migrant people. Accepting this appeal of the local people, the British Indian government in 1920 decided to execute the proposed 'Line System' of 1914, which was supposed to keep the migrant people aside from the local Assamese people.<sup>15</sup>

However, it should be mentioned here that the British Indian government earlier on the demand of a section of local people encouraged the erstwhile East Bengal peasants to come to Assam and to have settlement there. The British government allowed the migrant people to bring the waste and jungle infested areas under cultivable and fruitful habitable regions. The culture and

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<sup>11</sup> Ibid.

<sup>12</sup> Arun Chandra Bhuyan, Sibopada De (Ed), Op cit, P.309.

<sup>13</sup> Guha Amalendu, Asom Namare Aamion Namaro (In Assamese), Sristilekha, Guwahati, 1993, P. 70.

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

social behaviours of the new settlers of Assam in no way was similar to that of the local inhabitants. The new settlers were poor and illiterate, who, at the initial period worked under the *zamindars* and *Mohajanas*. They were highly labourious and could work hard for long time. After coming to Assam they fought with tigers, wild buffaloes and snakes of the jungle infested areas of the region, and cleared lands off wild occupants, brought under cultivable and habitable areas. These migrants seemed to be aggressive, who even involved themselves in collision for any simple reason. The negative characteristics of the migrant people<sup>16</sup> threatened the local Assamese people. It seemed that on the approach of the migrants to the areas of local inhabitants' villages, the latter used to "leave their villages in the hands" of the former and established new villages at distant places.<sup>17</sup>

### **Introduction of 'Line System':**

A tense atmosphere started to blow over the skies of Assam during the early decades of the twentieth century over the question of the settlement of the migrant peasant. The British followed the policy of 'divide and rule' in order to secure their mastery over their subjects. In 1905 the British Indian government first divided Bengal by which Hindus and Muslims of the state were separated from each other, and feelings of communalism amongst the Indian people was injected. Same policy was also applied in Assam and introduced the 'Line System', which could also be termed as 'Communal Line' in order to settle the settlement question and to save the British rule. However, here a question arises, why the British Indian government introduced this 'Line System'. In order to answer this question, following observations may be made.

The British Indian government experienced large number of "revolutions" of the peasants of Bengal. These peasants' "revolutions" were initiated against the corrupt and exploiting measures of the government. For example, "the revolution" of Tutumir (19<sup>th</sup> November 1831); *Farazi* movement, initiated by Hazi Shariyatullah; Santal "revolution"; revolution of 1857; *Neel* revolution; mass revolution in Pabna. Etc. may be mentioned.<sup>18</sup> Moreover, Bengal, during the second half of the nineteenth century and the first half of the twentieth century became one of the most overcrowded states of India. In order to escape from these "revolutions" and to minimize the problem of over-population of the state of Bengal, the British Indian government in a planned way shifted the poor Bengali peasants from Bengal to Assam, the land abundant

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<sup>16</sup> Guha Amalendu, Op cit, P. 71.

<sup>17</sup> Ibid.

<sup>18</sup> Basu Swapan, Gana Ashantosh O' Unish Shatikar Bengali Samaj (In Bengali), Radical Impression, 43 Beniatola Lane, Kolkata, 1987 (Second Edition), P. 28-86.

state. At the same time the British also realized very well that if the migrants and the local Assamese people got assimilated, it might create another problem to the existence of their rule in the region. Moreover, with the dawn of the twentieth century the Freedom Movement of India took a new turn, which became increasingly difficult to suppress. So, at that critical juncture the British had to take any decision quite tactfully.

When in 1916 a section of local Assamese people first expressed their resentment against the indiscriminate settlement of the migrant people in the state, the British tactfully and politically tried to solve the problem. It resulted in the introduction of 'Line System' in 1920. Though this 'Line System' could meet up the need of the British government and could keep aloof the migrant people from the local inhabitants, it created a tense communal situation in the state.

The 'Line System' was a system by which the migrant people were required to settle down in some specific and definite areas of Assam Valley districts and were prohibited to take settlement in the areas where the local Assamese people inhabited. It was, in fact, a device to segregate the Muslims from the local population including the tribal and backward classes.<sup>19</sup> This 'Line System' was first brought into action in the Nowgaon and Kamrup districts in 1920.<sup>20</sup>

Mr. Scott, the Revenue Member, pointed out that the 'Line System' originated in Nowgaon district where the lands had been divided into three classes<sup>21</sup>.

1. those in which immigrants might settle freely,
2. those in which they (the immigrants) could not settle, and
3. where a dividing line was drawn on the map or on the ground, only one side of which they could settle down.

The lines, which were drawn arbitrarily on the map or on the ground, had no fixed principle. In Nowgaon and Kamrup the number of Mymenshinghia lines were 75 and 41 respectively. The numbers of "mixed" villages in the aforesaid districts were 191 and 221 respectively.<sup>22</sup>

### **Debate over the Line System and explosion of Hindu Muslim Camps:**

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<sup>19</sup> Lahiri D. K. & Dev Jalan Bimal, Assam Muslim Politics and Cohesion, Mittal Publication, New Delhi, P. 23.

<sup>20</sup> Report of the Line System Committee, Shillong, 1938, P. 2.

<sup>21</sup> Ibid, P-3.

<sup>22</sup> Unstarred Question No. 526, Assam Gazette, Part VI, No. 18, 1936, P. 1528.

The 'Line System' could not become entirely successful due to several grounds as the Muslim migrants wanted its immediate abolition and the local Hindus wanted its application. Large areas of unutilized wastelands were still available in the state where the new settlers continued to find their settlement. Moreover, 'mixed' and 'closed villages' were soon turned into migrant settlement. This was made possible as the district officials became corrupt and were not sincere in discharging their duties. Their 'dubious attitude and leniency' encouraged the migrants to cross the restricted areas.<sup>23</sup> In Barpeta sub-division of Kamrup district, for instance, the migrants carried on cultivation year after year without paying any revenue and without being evicted. Most of the professional grazing reserves were thus encroached. Eviction notices were issued regularly but could not be executed due to the corrupt dealings of the district officials. On every occasion the migrants were allowed more time to complete reap their harvests, and when the time for vacation or eviction came, they planted another crop thereby obtaining reprieve to extended time from the officials. This process was repeated over and over, and the migrants gained solid hold on the land.

The new settlers of Assam were expert in various cultivations and could produce large quantity of crops even from a small farm. As they were better cultivators, they could offer higher and lucrative prices to induce Assamese peasants to sell out portions of their holdings. Local *Marwaries* and even Assamese moneylenders (*mohajanas*) financed the migrants so that the latter could reclaim and expand the cultivation of *jute*, *ahu* rice, pulses and vegetables.<sup>24</sup> In the Report of the Assam Banking Enquiry Committee, Jagannath Bujarbaruah cited- 'Immigration had led to all round prosperity in Barpeta areas. Many Assamese farmers had turned into land speculators. They sold off their lands to immigrants at a good price; then they cleared new plots (*pam*) on wastelands and sold them again. The immigrants were financed by their own headmen (*matbar*) as well as by *Marwaries* and Barpetia moneylenders. Even the *Hati* funds (indigenous co-operative bank) of Barpeta were involved in this financing, to a small extent'.<sup>25</sup>

However, the formulation and execution of 'Line System' created a tense, dubious and almost unsolvable problem in the state. It took political turn adding fuel to the growth of communal feelings between the local Assamese and newly settled people. The local people, who were most of them Hindus, wanted to stop migration from East Bengal and desired a well planned

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<sup>23</sup> Arun Chandra Bhuyan, Sibopada De (Ed), Op cit, P.310.

<sup>24</sup> Guha Amalendu, Planter Raj to Swaraj Freedom Struggle and Electoral Politics in Assam 1826-1947, Peoples Publishing House, New Delhi, 1988, P. 206.

<sup>25</sup> Assam Banking Enquiry Committee Report, 1929-30, Vol.2, PP. 508-17.

restriction to the settlement of the migrant people; while the migrant people, of whom eighty five percent were Muslims were looking forward of getting opportunities to find settlement in the available waste lands of the state and stood firmly against the newly formulated 'Line System' demanding its immediate abolition. Thus a tug of war started between the two groups of religious people (Hindus and Muslims) on the question of 'Line System', which even impacted all-India politics.

The first voice against the large-scale migration was raised through the organization of *Asamiya Samrakshini Sabha*. The organization appealed for restriction of migration of the people from East Bengal and favoured the assimilation of already migrated people with the Assamese society. A few prominent Muslim leaders of Assam also supported the proposals of the organization.<sup>26</sup> In 1924, Rohinikanta Hatibaruah, an Assamese member of the Swaraj party made the first attempt at restricting migration. He proposed to move a resolution recommending restriction to migration. But as it was a question of inter-provincial migration (between Assam and East Bengal, two legitimate states of India), the Governor could not accept the proposal of Hatibaruah. The Governor, instead, was of the opinion that, if the mover of the resolution wanted prohibition of settlement of land for the migrants, the proposal could be considered. The Assamese people under the leadership of Hatibaruah did not agree to any curtailment of their demands<sup>27</sup>.

Baruah now proposed another resolution in 1925 recommending that all available wastelands should be settled with Indians only with certain amount of preference to the Assamese indigenous people.<sup>28</sup> Kuladhar Chaliha and Kamakhya Ram Baruah, two other leading personalities of indigenous Assamese people also supported Hatibaruah. They now demanded the policy of preference to the "Children of the Soil". Kuladhar Chaliha, Member of the Assam Legislative Council, pointed out that in the South African Union and the United States of America, governments reserved a certain amount of land for the natives, but in Assam there were no such safeguards for the future generations of indigenous Assamese people. All these movements of the Assamese leaders vexed both the Muslims and the Europeans.

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<sup>26</sup> Arun Chandra Bhuyan, Sibopada De (Ed), Op cit, P.310.

<sup>27</sup> Karr M., Muslims in Assam Politics, Vikash Publishing House Pvt. Ltd., Delhi, 1997, P. 10.

<sup>28</sup> Assam Gazette, Pat VI-A, 1925, PP. 1388-1451. \*The European on the patronization of the British Indian government used to come to Assam for the plantation of tea. They occupied large acres of areas in different parts of the state (particularly in Upper Assam) favorable for tea cultivation. It irritated the local Assamese people and appealed the Government against the settlement of Europeans in Assam.



The Muslims were naturally against the proposals raised by Hati Baruah and his followers, as they came to Assam for settlement on the encouragement and facilities provided by the government. Alauddin Ahmed Choudhury, a Member of Assam Legislative Council from Sylhet in response to the proposals of Hatibaruah deliberated- “--- the bogus claimants from the children of the soil may frustrate the just claims of the outsiders intending to come and settle in Assam who may possibly require the settlement of land more urgently”<sup>29</sup>.

To the debate of the ‘Line System’ and the proposals raised by the Hati Baruah and his followers, the Europeans supported the Muslims. European Members of the Legislative Council termed the resolution of the local Assamese people as ‘a cry of the class preference’. The Europeans considered such steps to be economically bad that may obstruct the free flow of capital and enterprise. Moreover, they considered, if the demands of Hati Baruah and his group were accepted, large acres of wastelands and jungles would remain unproductive, hampering the trade and prosperity of the state. A. H. W. Bentinck, an European Member of the Assam Legislative Council reacted to the manifesto of ‘Children of the Soil’ as follows. ‘---- so far as the Assam Valley is concerned, the Assamese other than the Ahoms came from the west, the Ahoms came from the east, the Kacharis from the north, the Sylhetis, Bengalese and Mymenshingias came from the south, the Europeans came from overseas, which of these have the best right to be called ‘children of the soil’?’<sup>30</sup>

In spite of all these criticisms, the local Assamese people with Mahadev Sarmah as their leader demanded a restrictive policy to settle the burning question of migration. On 23<sup>rd</sup> July 1927, Mahadev Sarmah moved a resolution with a view to prevent or at least restrict, the settlement of wastelands with migrants from other provinces and from foreign countries including the British planters.<sup>31</sup> Sarmah recommended a committee to examine each district of the state regarding the following aspects-

- a. the availability of wastelands,
- b. the desirability of reserving adequate area for future development and,
- c. the implication of an immigration policy in terms of its impact on the requirements of grazing, fuel and forest reserves.<sup>32</sup>

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<sup>29</sup> U. Ahmed S., op cit, P. 26.

<sup>30</sup> Assam Gazette, Pat VI-A, 1925, PP 1084-1105.

<sup>31</sup> Guha Amalendu, op cit, P. 207.

<sup>32</sup> Ibid.

Thus the debate on the application of the 'Line System' or its abolition started creating severe tension in Assam. It gradually turned into communal politics. Brajendra Narayan Chaudhury of Sylhet, Deputy Leader of Swaraj Party, considered it as a Hindu-Muslim problem. The Muslims stood in favour of the abolition of the 'Line System' as they thought- 'Men are equal in the eyes of *Allah* (God), why should thousands of acres of land remain waste, particularly when men are in search of livelihood and *lebensraum* are available to turn them into smiling fields?'<sup>33</sup>.

The Muslims in the debate of 'Line System' got large scale support from the local Assamese Muslim leaders. Khan Bahadur Nuruddin Ahmed of Nowgaon, a prominent Muslim leader deliberated- 'My Hindu friends of Assam Valley in order to prevent them (migrant Muslims) from falling in to the hands of the organizers of the Domiciled and Settlers Association, have been telling the immigrants that they regard them as Assamese people. But it is of no use calling them Assamese without giving them the status of Assamese.'<sup>34</sup>

The local Assamese Muslims extended their support to the migrants motivated by political goals. They thought that these migrant people would assimilate with the greater Assamese culture with the passage of time and numerically strengthen the base of Muslim politics in the province. 'They will become Assamese – not domiciled Assamese like many people – but Assamese in fact as much as the Ahoms and the Kalitas became Assamese.' So, asked Sayedur Rahman in a speech on 23<sup>rd</sup> July 1927 in the council, "Why raise sentimental objections to their comings?"<sup>35</sup>

On the other hand a number of regional Assamese Hindu leaders were adamant in their notion of restricting the settlement of the people of East Bengal origin in Assam, and, they raised the slogan - 'the Assamese race is in danger'. Ambikagiri Raychaudhury and Nilomoni Phukan were the forerunners of this slogan creating a tough situation. A number of British top officials also added fuel to the fire. Since the inception of the British Indian administration, the British applied the method of 'Divide and Rule'. Here in Assam also the British Indian Government never wanted a cordial tie between the local Assamese and the people who had migrated from the contiguous province. Moreover, most probably, to divert the mind of the local Assamese people from the case of the European Tea Planters' issue, the British Indian government

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<sup>33</sup> Ibid. P. 210.

<sup>34</sup> Ibid. Speech by Nuruddin Ahmed, 16<sup>th</sup> March, Assam Legislative Council Proceedings, 1936, Vol. 10, P. 340.

\* The motion led by Khan Bahadur Nuruddin Ahmed was lost by seven votes to twenty. All seven voters were Muslims whereas none of the Hindu voters had voted in favor of the abolition of the 'Line System'.

<sup>35</sup> Guha Amalendu, op cit, P. 211.

circulated some provocative misinformation, though the government in fact, never wanted to stop migration. For example, C.S. Mullan, most cunning Civil Servant, instigated a notorious campaign against the migrants. He wrote that during 1921 – 1931, the ‘migrant army’ (the people, who leaving East Bengal, the home state started migrating towards Assam were termed by C.S. Mullan as ‘immigrant army’)- “--- has almost completed the ‘conquest’ of Nowgaon. The Barpeta Subdivision of Kamrup has also fallen to their attack and Darrang is being invaded. Sibsagar has so far escaped completely, but the few thousands Mymenshinghias in North Lakhimpur are at the outpost which, may during the next decade, prove to be valuable basis of major operations. Wheresoever the carcass, the vultures gathered together! Where there is wasteland, thither flock the Mymenshinghias”<sup>36</sup>!

Mullan, citing the Census Report of 1931 tried to add fuel to the fire of the Hindu Muslim tension. The government from the very onset tried to tackle the problem diplomatically, and took the side that there were sufficient wastelands still available in Assam for settlement of the outsiders. The pressure from the local Assamese Hindu people to stop the migration from the erstwhile East Bengal could not convince the government. Instead, the government started a scheme of colonization in 1928, and, it was first executed in Nowgaon, which was followed in Barpeta and Mangaldoi subdivision. Under this scheme a small family was given twenty *bighas* of land on payment of a fixed premium.<sup>37</sup> Till March 1933, 47,636 acres of land in Nowgaon was allotted among 1,619 Muslims and 441 Hindu migrant families.<sup>38</sup>

The Muslims, officially for the first time, raised their voice against the ‘Line System’ in 1936, when Khan Bahadur Nuruddin Ahmed, a member of the Assam Legislative Council from Nowgaon, moved a resolution to abolish it. In support of his resolution Mr. Ahmed enumerated a number of grievances. Supporting the move of Mr. Ahmed, Abdul Mazid Ziossham of Goalpara complained that the ‘Line System’ was a discriminatory measure by which the expansion of Muslim settlement was to be ended<sup>39</sup> Ziossham further explained his logic in favour of abolishing the ‘Line System’, arguing as follows- ‘If Indians looked for humane treatment in Africa, why the people, who, to find out a safe livelihood, leaving East Bengal sought to find settlement in the wasteland of Assam, should not also be treated in like manner’<sup>40</sup>

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<sup>36</sup> Census Report of India, 1931, P. 51.

<sup>37</sup> Guha Amalendu, op cit, P. 209.

<sup>38</sup> Assam Legislative Council Proceedings, Vol. 13, 24<sup>th</sup> March 1933, P. 883.

<sup>39</sup> U. Ahmed S., op cit, P. 27.

<sup>40</sup> Karr M., op cit, P. 16.

The Hindu members of the Assam Legislative Council could not bear with the resolution moved by Khan Bahadur Nuruddin Ahmed. Rai Bahadur Nilamber Dutta of Dibrugarh boldly stood against the motion, which was supported by other leaders like Rohini Kumar Choudhury of Kamrup. The government and the European members of the Council, in this debate on 'Line System', did not support the local Assamese. For their political and administrative profit they sided with the Muslims. W. L. Scott, Finance Member of the Executive Council, admitted that there was still a great deal of wastelands in Assam for jute cultivation and the migrants could produce more out of the land than the local Assamese could. He thus argued- 'The provincial government had no power to stop or control or check the inter-provincial migration ---<sup>41</sup>'.

After the debate on the 'Line System', the British Indian government sided with the Muslims, but none of the British members of the Council cast their votes either to abolish the 'Line System' or in favour of its existence. Instead, they abstained from voting. The motion of Khan Bahadur Nuruddin Ahmed ultimately was lost by seven votes to twenty. All the seven supporters of the motion were only the Muslim Members.

The Muslim leaders were unbending and left no stone unturned to abolish the 'Line System'. Political consciousness among the Muslims started to grow up under dynamic leaders like Maulana Abdul Hamid Khan Bhasani and Munowar Ali. It led to the emergence of a migrant lobby, which later impacted on the political scenario of the state as well as on the nation.

On 15<sup>th</sup> September 1937, Munowar Ali of the 'Surma Valley United Muslim Party' moved a strong resolution in the Assam Legislative Assembly in order to abolish the 'Line System'. Placing the resolution before the assembly, Ali stated- 'The immigrants had turned the thickest forests of Assam into smiling paddy lands yielding all kinds of crops, bringing in prosperity, health and wealth to the province of Assam'<sup>42</sup>. He further characterized the 'Line System' as – 'Arbitrary and against all principles of nation making.'<sup>43</sup>

Over the question of the 'Line System', a new chapter to the political history of India had come up when, according to the Government of India Act of 1935, Provincial Autonomies were sanctioned to the states of India. Accordingly in Assam also, a Cabinet headed by a Muslim League Leader, Sir Syed Muhammad Sadullah, along with two other members of the League had come into power in 1937. They also condemned the 'Line System'. Abdul Matin

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<sup>41</sup> Ibid, P. 16.

<sup>42</sup> The Assam Gazette Part- VI, No. III, May 5, 1937, P. 304.

<sup>43</sup> Ibid.

Choudhury, a Muslim League stalwart of national fame and status supported the resolution of Munower Ali. He stated- 'This (Line System) is system of racial prerogative, a system of economic exploitation for which you would not find a parallel anywhere in India'<sup>44</sup>.

Abdul Matin Choudhury considered the 'Line System' as an unjust and arbitrary distinction between the 'local Assamese' and the 'migrant'. The bitterness of his feelings regarding the 'Line System', was expressed as follows-

' If, Sir, your ancestors came to Assam with Mirjumla or Ahom King, if you came as invaders, despoiled the population, usurped the land to settle here, you will be called as indigenous Assamese, you will be treated as the pet child, you will be shown all the favour, the benign Government can bestow. But sir, if your ancestors came as pioneers, if they developed the country, if they cleared the jungles and made prosperous villages and habitable places, if they contributed to the development of the province, you will be called an immigrant, you will be treated as *pariah* in your own land and you will be saddled with all difficulties and all disadvantages that human ingenuity can invent. Sir, a more unjust, a more illogical and more absurd system it is difficult to conceive. It makes no difference, sir, that you both are born and brought up as the children of the same soil, that you pay the same tax- in fact you pay a higher one including the premium- that you owe common allegiance to His Majesty the King and that you are the children of the common mother land of India, that makes no difference. A sort of vested interest is created in favour of the so-called indigenous population to the detriment of the interest of the so-called immigrant.'<sup>45</sup>

Thus the 'Line System' controversy created a major crisis in the political scenario of Assam and it added fuel to the communal sentiment between the 'local Assamese Hindus' and the 'migrant Muslims'. This burning problem was noticed by the all India leaders. On the 'Line System' Jawaharlal Nehru observed - 'I do feel the present line system is essentially bad as it creates or likely to create two sharply divided areas hostile to each other. Immigrants should always be assimilated; otherwise they become foreign bodies always giving trouble. Therefore, the present line system is certainly undesirable. At the same time, to abolish it or leave open to the unrestricted immigrants without any safeguard would also be undesirable.'<sup>46</sup>

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<sup>44</sup> Ibid, P.305.

<sup>45</sup> Ibid, P. 303-877.

<sup>46</sup> Karr M., op cit, P. 18.

Nehru, thus in order to find out an amicable solution wrote to Bishnuram Medhi, the then leader of the Assam Pradesh Congress Committee on 1<sup>st</sup> November as follows:

‘The immigrant question is a complicated one and it has become a communal question which makes it more difficult of solution. Every effort should be made to avoid giving prominence to the communal aspect of it. The desire of the Assamese not to be overwhelmed by a non-Assamese people --- is perfectly legitimate. But it must be recognized that a sparsely populated area with vacant lands like Assam is at present, cannot continue as it is with overcrowded provinces surrounding it. Therefore, immigration is bound to take place because of the economic urge for it. No amount of sentiment and not even laws will ultimately stop it. Indeed, even from the point of view of developing Assam and making it a wealthy province, immigration is desirable.’<sup>47</sup>

Here it is astonishing to notice that while the Assam Pradesh Congress Leaders stood to stop the migration of East Bengalis into Assam and advocated for strict continuance of the ‘Line System’; Jawaharlal Nehru, well famed Leader of the Indian National Congress, emphasized not to impose restrictions to the settlement or free settlement of the needy and poor people of the neighbouring provinces.

At that critical juncture, Rohini Kumar Choudhury, the then Revenue Minister tried to handle the situation with utmost care. Choudhury had good relations with his Muslim colleagues. He thus, fell in a catch twenty-two position. He could neither support the Muslims nor the Hindus. Choudhury, thus in order to bring a wholesome atmosphere in the state moved some policies diplomatically. He tried to defend the ‘Line System’ saying- “It (Line System) was not a prohibition of settlement but a measure adopted by the earlier administration to avoid quarrel and unpleasantness between ‘the two sections of the people’.”<sup>48</sup>

Rohini Kumar Choudhury further suggested for finding out a means by agreement to do something for those people who had settled for years and who in many cases adopted Assamese as their mother tongue and had written books in Assamese language. He further hesitated to classify the settlement seekers as ‘migrant’<sup>49</sup>. He felt the need of protection of earlier migrants and checking of further migration, and at the same time safeguarding the interest of the local Assamese. He even proposed to appoint a committee to look into the issues that a rose with the

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<sup>47</sup> Ibid.

<sup>48</sup> Ibid, P. 19.

<sup>49</sup> Ibid.

question of the 'Line System'. Rohini Kumar Choudhury was the first representative from the Hindu community who sought the problem to be solved keeping a soft corner towards the Muslims.

By this time the migrant members of the Assam Legislative Assembly joined the camp of Abdul Matin Choudhury, with distinct understanding that they altogether would work from all possible corners for abolishing the 'Line System' in Assam so that the culture and language of the 'Bengali migrants' could be protected.<sup>50</sup>

An urgent need was to settle this simmering explosive problem of Assam. Accordingly, following the advice of Rohini Kumar Choudhury, a decision was taken to form a Commission to look into this problem and to find out a wholesome solution. To make an elaborate enquiry about the wastelands of Assam and to find out "If the 'Line System' should be Abolished or to be Continued", a committee was appointed in the month of January 1938. This committee was termed as the 'Line System Enquiry Committee'. The Committee consisted of the following members.

'Line System Enquiry Committee'

Name of the Members	Designation
F. W. Hochenhull	Chairman.
Abdul Matin Choudhury.	Member.
Syed Abdur Rouf.	Member.
Sayidur Rahman	Member.
Rabi Chandra Kachari.	Member.
Dr. Mahendra Nath Saikia	Member.
Sarbeswar Barua.	Member.
Kameswar Das	Member.
A. G. Patton	Member.

Source: 'Line System Enquiry Committee' Report, 1938, Shillong.

The Committee represented almost all the political groups of the then contemporary Assam. Syed Abdur Rouf of Barpeta Subdivision of Kamrup District represented the migrant interest of

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<sup>50</sup> Press statement of Abdul Hamid Khan Bhasani, Hindustan Standard, 25<sup>th</sup> October 1940.

the Committee. Sarbeswar Barua and Kameswar Das, two other members of the committee represented the *Asamiya* Hindu section. Rabi Chandra Kachari and Dr. Mahendra Nath Saikia of the committee were belonging to Plain Tribes and Depressed Class respectively. Abdul Matin Choudhury and Khan Bahadur Syedur Rahman represented the interests of the Surma Valley Muslims and *Asamiya* Muslims respectively. A. G. Pattan acted for the government. F. W. Hockenhull, who was a European Planter in Assam, chaired the committee. A study of the political background of the members interestingly reveals that all the Muslim members were belonging to the Muslim League and the Hindu members were Congressmen. The members of the committee after making extensive tours and looking deeply into the matter submitted their report in the month of February 1938.

The report was a 'curious amalgam of contradictions and promises'. The report failed to find out any clear-cut solution to solve the situation. Most of the non-Muslim members were of the opinion that migrant is 'a troublesome neighbour, his sense of proportion was considered imbalanced'<sup>51</sup>. They favoured the retention of the 'Line System' and a very few who were Muslims urged for its abolition. It is stated in the 'Line System Enquiry Committee Report that:-

The argument for the retention of the Line System, as advanced by many Assamese Hindu witnesses, was mainly based on the fantastic theory that once the immigrants secured a foothold in village, constant harassment compelled their Assamese neighbour to migrate elsewhere. Letting loose of cattle in Assamese fields, cutting away their paddy surreptitiously were cited as instances of petty harassment. Stray cases of elopement, in some cases, five or ten years old, were resurrected to malign the East Bengal immigrants as a class. Isolated instances of murder were ascribed to criminal propensity of the immigrants, as their racial characteristics. Grievances, real and fancied, were multiplied to buttress the case against the abolition.<sup>52</sup>

However, as controversy grew up within the members, it could not prescribe a very effective solution. At that dubious occasion the members of the Committee took decision prescribing the following note.

After extensive tours in the immigrant areas and looking at the problem, in all its aspects, we see no reason to modify our view that the Line System should be abolished forthwith. Our views however, were not acceptable to the majority in the committee. Holding the views, as stated

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<sup>51</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 31.

<sup>52</sup> Report of the Line System Committee, Shillong, 1938, P. 52.



above, we are prepared to consider suggestion for the ‘modifications’ of the Line System as a first step to its ultimate ‘extinction’ and, therefore, lent our support for the proposal for ‘modification’.<sup>53</sup>

Almost all the members of the committee came to the conclusion that the migrants who had already come to the province should be provided with lands, if it was at all possible. Again some of the members of the committee thought that no more migration to the province should be permitted and that ‘no lands should be settled with the migrants coming to the province hence forward’.<sup>54</sup>

The report of the ‘Committee’ was submitted in February 1938. Within six months of the publication of the report, the first Sadullaa coalition Cabinet was broken by the Gopinath Bordoloi. The coalition government of Bordoloi lasted for fifteen months, as he had to resign by the order of the Congress High Command. The Cabinet of Sadulla was lenient to the demands of the Muslim members of the Committee and the Cabinet of Gopinath Bordoloi had a mind for the retention of the ‘Line System’. But it was a strange that the governments did nothing on the report over this serious matter. Therefore the resolution became purely perfunctory.

The ‘Line System’ acted as statement of power among the different power groups. It was a statement of power for the British Indian government as it effectively managed to divide the entire Assamese community into two sharp groups – ‘the Hindus and the Muslims’ in a much planned way. It was a statement of power for the *Asamiya* middle class as it could manage effectively to segregate the migrant’s society.<sup>55</sup> It also acted as statement of power for the Bengali migrants as it paved the way to prove their legitimacy over the soil of Assam and also to capture the political power of the province.

The resignation of Gopinath Bordoloi Cabinet on 16<sup>th</sup> November 1939 again gave an opportunity to Sadulla to form his Cabinet. Sadulla remained as the Premier of the province of Assam till the election of 1946, with a short break of eight months during which the province was governed under Governor’s rule.<sup>56</sup> The Bordoloi government, a few days before its resignation (on 4<sup>th</sup> November 1939), published its policy regarding the ‘Line System’ on the

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<sup>53</sup> Ibid, P. 51-52.

<sup>54</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 32.

<sup>55</sup> Dasgupta Anindita, Emergence of a community: The Muslims of East Bengal Origin in Assam in Colonial and Postcolonial Period, An Unpublished Ph. D. Thesis, Gauhati University, 2000, P. 213.

<sup>56</sup> Karr M., op cit, P. 20., Lahiri D. K. & Dev Jalan Bimal, op cit, P. 32-33.

basis of the report of the 'Line System Enquiry Committee. The policy stressed on the following points:

1. planned settlement keeping in front the interest of the indigenous people.
2. determined to evict settlers from the forbidden places like village grazing grounds and professional grazing reserves.
3. in regard to the settlement of the migrant people, preference would be given only to those who had migrated before 1<sup>st</sup> April 1937.

This notification of the Cabinet of Bordoloi caused widespread resentment amongst the migrant people and their leaders. Disappointed with the declaration of the Bordoloi government, the migrant people in large number joined the first session of the Assam Provincial Muslim League held at Ghagmari on 18<sup>th</sup> November 1939. Maulana Abdul Hamid Khan Bhasani, who himself was a migrant, took the leadership of 'Line System Abolition Movement'.

On 16<sup>th</sup> November 1939, Bordoloi government had to resign and Sadullah government once again came to the power. Sadullah, from the very inception of his Premiership of Assam, though was vocal in favour of the migrant people, never took any stern measure to abolish the 'Line System'. The Premier in his budget speech of 1940 stated a plan for safeguarding the interest of the local people and to provide settlement to the migrant landless people. The Premier opined, 'Stopping the flow of migration from Bengal would be most 'unwise' as Assam is suffering from want of population to cultivate the vast quantity of arable land, which is waiting for plough'.<sup>57</sup>

Still, Sadullah ministry, as expected by Bhasani, did not take any open step to abolish the present 'Line System'. On 2<sup>nd</sup> April 1940, a public meeting was organized at Karimganj Town Hall where Bhasani addressed the gathering advocating the immediate abolition of the 'Line System'. In his address he even did not hesitate to state that to overthrow the 'Line System' the Muslims would overrun the path of '*Charka*' and 'non-violence'. He again in his monthly magazine 'Paigam' dated 1<sup>st</sup> January 1941 published a poem, "*Ar Kato Kal*", appealing to the people to walk up and to put a stop to such oppression.<sup>58</sup> On 8<sup>th</sup> and 9<sup>th</sup> February 1942 this roving Maulana at Ghagmari of the district of Goalpara organized a two days convention of Assam Praja Conference. Azad Shobhani of Bihar Presided over this conference. In the

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<sup>57</sup> Hindustan Standard, 28<sup>th</sup> October 1940.

<sup>58</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 37.

conference Bhasani through his speech warned the government – ‘if the government fails to abolish the ‘Line System’, it will compel him to launch Civil Disobedience Movement in the province’<sup>59</sup>. To check Bhasani, on 18<sup>th</sup> February, the Government of Assam circulating an order warned him not to convene or address any public meeting for a period of one year.<sup>60</sup> But the undaunted Maulana was adamant in his move.

Meanwhile due to Bengal famine and the impact of the Second World War, ‘food crisis’ took place India. The Central Government ordered the concerned state governments to take up immediate steps to tackle the situation and to increase food production. Accordingly, to grow more food in Assam, A.G. Patton, the then revenue secretary suggested abolition of ‘Line System’ and to clear the jungles and wastelands of Assam, so that poor and expert migrant peasants of Bengal could get settlement there and cultivate crops from it.

An All Party Conference was organized by the Sadullah government on 16<sup>th</sup> December 1944 where Majority of the representatives were of the opinion that the government should go for a planned scheme for settlement of wastelands in Assam, reserving a certain percentage for further expansion of the local people. The government, thus, decided to keep reserve 30% of available wasteland as provision for indigenous people’s expansion in future. It also decided to settle the rest of the wastelands with the landless sons of the soil and also with the migrant people who reached Assam before 1938. Moreover, the government also decided to allow an allotment of maximum of thirty *bighas* of land to each family.<sup>61</sup> But Abdur Rouf and Maulana Abdul Hamid Khan Bhasani stated – ‘No policy without the abolition of the ‘Line System’ would be acceptable to them’<sup>62</sup>.

The migrant people led by Bhasani, Rouf and Abdul Matin Choudhury resented this new declaration of the government. Bhasani became very much vocal in demanding the withdrawal of the government’s plan and abolishing of the ‘Line System’. Thus, immediately a meeting of the Assam Provincial Muslim League was arranged on 28<sup>th</sup> January 1945 at Gauhati under the chairmanship of Maulana Bhasani. The meeting was attended by 525 representatives who came from various corners of the province, and all raised their demands unanimously for total

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<sup>59</sup> Ibid.

<sup>60</sup> Ibid.

<sup>61</sup> Assam Tribune, December 22, 1944; Lahiri D. K. & Dev Jalan Bimal, op cit, P. 44.

<sup>62</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 44.

abolition of the 'Line System'.<sup>63</sup> This meeting of the Provincial Muslim League badly criticized the worthless policies undertaken by Sadullah ministry.

The fight for legitimacy over the soil of Assam between the local people and the people migrated from East Bengal was noticed by the High Command of the All India Muslim League Council of Action. In May 1945, a team of Muslim League Council of Action visited Assam. Bhasani conveyed the anti-migrant activities of Assam government to the team. Addressing a meeting at Mangaldoi on 21<sup>st</sup> May, Liaquat Ali Khan alleged the discriminating policies of land settlement in Assam. Choudhury Khaliquzzaman also disapproved the 'Line System' and pleaded for its abolition.<sup>64</sup> The roving Maulana Bhasani, organizing several meetings declared *jehad* and delivered provocative lectures like- 'The Britishers should be kicked out from India if India is to be independent'. He also asked the people to prepare themselves – 'for wresting power from the unwilling hands of the British'.<sup>65</sup>

The land settlement policies took a new turn in 1946, when the Gopinath Bordoloi ministry overpowered the Sadullah ministry. Bordoloi, once again becoming the Premier of the province, came forward with a stern measure to deal with the migrants' land settlement issue. Bordoloi started evicting the migrant encroachers without any compromise to human feelings. It brought an unexpected crisis as a large number of migrants became homeless.

The Assam Provincial Muslim League could not allow the eviction operation undertaken by the Bordoloi government. Bhasani, the President of the Assam Provincial Muslim League, advised the landless and evicted persons to 'spread out' and cultivate surplus cultivable lands and produce food crop to save their livelihood. Bhasani even decided to take appropriate action challenging the legality of the 'Line System' in the court of law.<sup>66</sup> But from court also Bhasani could not get any favourable verdict. As paths were closed down to get justice, Bhasani decided to go for hunger strike to expose his resentment against the 'Line System' and the inhuman activities of the government. By the mid of May 1946, Bhasani resorted to a fast unto death 'unless the government of Assam stopped the eviction of the migrant people. On seeing the down trodden health condition of the prime leader, the other Provincial League leaders requested

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<sup>63</sup> Assam Tribune, 19<sup>th</sup> February 1945.

<sup>64</sup> Amrit Bazar Patrika, 17<sup>th</sup> July 1945.

<sup>65</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 47.

<sup>66</sup> Ibid, P. 49.

him to break the fast. But adamant Bhasani stated-“I am not on hunger strike like Gandhiji. I am merely fasting. How can I take food so long as immigrants continue to starve?”<sup>67</sup>

Bhasani took food after long 61 days and gave a call to the Muslims of Assam to observe 31<sup>st</sup> May as a Protest Day against the alleged ‘Congress atrocities’.

By November 1946, the government again started eviction in the districts of Darrang, Kamrup and Nowgaon. Bhasani along with Mahmud Ali, the General Secretary, Assam Provincial Muslim League, planned by the end of December 1946 to launch a Civil Disobedience Movement against the Assam government’s policy of eviction and sought permission in this regard from the High Command of the Indian Muslim League. But the leaders of the Assam Provincial Muslim League could not carry out their plan, as the High Commission did not accord permission. Instead, they observed 3<sup>rd</sup> January as ‘Black Day’. Bhasani compared the eviction policy of the Bordoloi government with the ‘tyrannical rule of the infidels of the ancient time and characterized it as ‘cruel’, ‘inhuman’ and ‘barbarous’.<sup>68</sup> Bhasani and his associates now became more belligerent. On 9<sup>th</sup> March 1947, a crucial meeting of the Assam Provincial Muslim League was held. The meeting was presided over by Bhasani taking decision to undertake a Civil Disobedience Movement even without the green signal of the High Command.<sup>69</sup> Bhasani characterized the Movement- ‘a struggle for existence’, ‘a fight for achieving basic necessities’, ‘an agitation against the British imperialists’ and ‘a *Jihad* against the reactionary policy of the Assam government’.<sup>70</sup>

The government of Assam became alert on receiving the news of this development and immediately arrested Bhasani at Tezpur Town Hall on 10<sup>th</sup> March while addressing a huge gathering. Later, he was sent to Jorhat Jail.<sup>71</sup> The arrest of Bhasani created a widespread resentment among the League Leaders and the migrant masses in general. However, the reaction of the masses was somewhat neutralized by the moderate attitude of Sadullah, the chairman of the Committee of Action of Assam Provincial Muslim League, who in the subsequent days entered into a series of negotiations with the Bordoloi Government.

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<sup>67</sup> Mahmud Ali, op cit, P. 29. \* Maulana Bhasani broke his fast after long 61 days when the Government stopped the eviction operations. However, the Government did not stop the operation of the eviction responding to the strike of Bhasani; it was stopped due to the onset of monsoon.

<sup>68</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, PP. 51-52.

<sup>69</sup> Morning News, 12<sup>th</sup> March 1947.

<sup>70</sup> Lahiri D. K. & Dev Jalan Bimal, op cit, P. 53.

<sup>71</sup> Ibid. \* Bhasani was released from Jorhat Jail on 20<sup>th</sup> June 1947 and was compelled to leave for East Bengal.

## **Communal Atrocities:**

The Bordoloi government that opposed the settlement of the migrant Bengali Muslims in Assam started assessing the number of encroachers in various reserves of Assam since 1946. At the first stage the number of encroachers in the nine reserves – four in Darrang and five in Kamrup district-was assessed. The encroachers of other districts remained undetermined. Till 1947, a large number Muslims were evicted. Earlier Bhasani, Sadullah and their allies strongly opposed this policy of eviction of the Bordoloi government as it was carried on the basis of communal intention. But the reactions of the migrant Muslims were ignored ruthlessly. Even legitimate holders of land were evicted.<sup>72</sup> This brutal activity created a sharp debate on the floor of the Assembly. But still the government did not feel to change its policy of eviction.

The scheme of mass eviction of the Bordoloi Government brought a communal acrimony between the Hindus and the Muslims. The partition politics of the nation in the name of ‘India’ and ‘Pakistan’ also created strong feelings of Hindu-Muslim sentiment all over the country causing a toll in life and property. Here in Assam also the ministry of Gopinath Bordoloi started to develop a communal hatred among the Hindu masses to rise against the numerical strength of the Muslims in Assam. A section of Assamese Hindu intellectuals also favoured the minimization of the number of the Muslim inhabitants in Assam so that the political as well as social strength of the Hindus may remain safe for future.<sup>73</sup>

Communal riots in the pre as well as post colonial period had brought a fearful situation. Hundreds of Muslims were killed and their houses were burnt into ashes. The main goal of the counterparts was to drive out the Bengali migrant Muslims from the state. As the anti-migrant government held the political power, the Muslim had no alternative leaving the state and to take shelter as refugees in East Pakistan, a part of the newly created nation ‘Pakistan’. The number of Muslims left for Pakistan was several lakhs.<sup>74</sup> As there is no official document relating to the number of people who took shelter in East Pakistan, various interpretations were made by various individuals. According to some it was eight lakhs.

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<sup>72</sup> U. Ahmed S., op cit, P. 91. \* It was estimated that by the year of 1946, one lack and fifty thousand Muslim immigrants were evicted from Assam.

<sup>73</sup> Ibid, P. 93.

<sup>74</sup> Ibid.

B. P. Misra in his work 'The Assam Agreement and Its Likely Fallout' finds out the following figures of Muslim Population of various districts of Brahmaputra Valley, and the district of Cachar of Assam.

### **Muslim immigrants from Assam to East Pakistan**

#### **During Communal Riots of 1950.**

Districts	No. Of Muslims Left For East Pakistan
Goalpara	60,000
Kamrup	20,000
Cachar	14,000
Darrang	6,000
Nowgaon	Not available.
Sibsagar	Not available.
Lakhimpur	Not available.
Total	1,00,000

*Source: Hussain Monirul, The Assam Movement Class, Ideology and Identity, Manak Publications PVT. LTD., Delhi, 1993, P. 210*

Hem Barua another distinguished Assamese parliamentarian in his work 'Red River and Blue Hills' expressed- '53,000 Muslim families were displaced and they had to be rehabilitated in the implementation of Indo-Pak agreement of April 1950'<sup>75</sup>

If we take the expression of Hem Barua in our mind and assume three to five persons in a family on an average and multiply it with the number of the figure of families as noted by Barua it will be a big number of individual persons left to East Pakistan from Assam on the wake of communal riots of 1950.

### **Nehru-Liaquat Agreement and End of the 'Line System':**

By the month of April 1950, a cordial relationship of political development took place between the two nations- Pakistan and India. Both India and Pakistan felt the need to immediately find

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<sup>75</sup> Hussain Monirul, The Assam Movement Class, Ideology and Identity. Manak Publication PVT. LTD., Delhi, 1993,210.

out a solution for these communal riots. Accordingly, on 8<sup>th</sup> April 1950 an agreement was signed between Jawaharlal Nehru and Liaquat Ali the then two Prime Ministers of India and Pakistan respectively.<sup>76</sup> This historic agreement is known as ‘Nehru-Liaquat Agreement’. The agreement resolved that the people who left their own country in the wake of the communal violence may return to their own homes along with their bag and baggage on or before 31<sup>st</sup> December 1950.

On the return to their respective countries, both the governments of India and Pakistan would provide them citizenship right with due honour. Both the governments further solemnly agreed that each shall ensure to the minorities throughout its territory complete equality of citizenship irrespective to religion, a full sense of security of life, culture, property and personal honour, freedom of movement within each country and freedom of occupation, speech and worship subject to law and morality. Members of the minorities shall have equal opportunity with members of the majority community to participate in the public life of their country, to hold political or other office, and to serve in their country’s civil and armed forces. Both governments declared these rights to be fundamental and undertook to enforce them effectively. The Prime Minister of India drew attention to the fact that these rights were guaranteed to all minorities in India by its new constitution.<sup>77</sup>

Thus, it can be summarized that the scheme of the ‘Line System’ introduced by the British Indian government in Assam acted as political tool among political parties to retain powers in their hands. The migrant Muslims of Assam were victims to the game of this power politics, many of them lost their lives along with movable and immovable properties. The introduction of this ‘Line System’ transparently divided the entire people of Assam into three hostile and power loving groups—

1. The British, who intentionally for keeping effective control over the Assamese community introduced this ‘Line System’ and turned the Hindus and Muslims hostile towards each other.
2. The indigenous Assamese Hindus, who demanding the retention of the ‘Line System’ in Assam decided to stop the influx of the East Bengal migrant Muslims and to restrict the settlement of them in the state, so that, they could hang on to the Hindu power in Assam suppressing the chance of Muslim political potency in future.

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<sup>76</sup> Nehru-Liaquat Ali Khan Agreement, 8<sup>th</sup> Aril 1950.

<sup>77</sup> Ibid.



3. The migrant Muslims, who for their basic need of livelihood and on the encouragement of the British Indian government migrated to Assam from erstwhile East Bengal in search of land and to have settlement in the available wastelands of Assam.

Though the 'Nehru-Liaquat Agreement' of 1950 provided constitutional citizenship rights to the former migrant Muslims of Assam, the 'Line System' of the British Indian government that laid the foundation of Hindu-Muslim communalism still persists as the British expected and wanted

### **Foreigners' Deportation Movement:**

Within India its citizens are identified from various points of view, such as- religious identity, caste identity, tribal identity, regional identity, national identity, etc. All these identifications are honoured in almost all spheres and are also supported by the constitution of India. The constitution of India, at its commencement clearly defined the Indian citizenship of this country that every person who has his domicile in the territory of India and-

- (a) Who was born in the territory of India; or
- (b) Either of whose parents was born in the territory of India; or
- (c) Who has been ordinarily resident in the territory of India for not less than five years immediately preceding the commencement of the constitution, shall be a citizen of India.<sup>78</sup>

It is not necessary to mention that the state of erstwhile East Bengal was one of the unitary states of India till the formation of Pakistan in 1947 and the people who migrated from this state to Assam prior to the creation of Pakistan were Indians. This migration may be termed as 'inter-state migration' i.e. within two unitary states of India or as 'Internal Displacement'. These migrant sections may be recognized as 'Internally Displaced Persons' (IDPs). United Nations guiding principles defines IDPs as follows-

Persons or groups of persons who have been forced or obliged to flee or leave their homes or places of habitual residence, in particular as a result or in order to avoid the effects of armed conflict, situation of generalized violence, violation of human rights or natural or human made disasters, and who have not crossed in an internationally recognized state border.<sup>79</sup>

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<sup>78</sup> Bakshi P.M. The Constitution of India, Universal Law Publishing Com. PVT. LTD, Delhi, Fifth Edition, 2002, P-8.

<sup>79</sup> United Nations Guiding Principles on Internal Displacement, Section II (2).

Unfortunately, in Assam the people who once migrated from erstwhile East Bengal to Assam and settled down there permanently suffer both from national as well as state identity.

From the very inception, the migrant Muslims of Assam, accepting Assamese language and culture have been trying to assimilate with the greater Assamese society. But the Assamese community is reluctant to accept them into the fold of their society. The migrant Muslims thus often face a major crisis in Assam- i.e. the identity crisis. Questions are raised to the authenticity of their citizenship. They are identified by some organizations and by some individuals as Pakistanis and Bangladeshis. It creates tense situations over the skies of Assam. This issue was the basic background of the foundation of the 'Foreigners Deportation Movement' in Assam. Declaring the 'erstwhile East Bengal origin people of Assam' be illegal occupants of the state, a long six years 1979-1985 movement, known as 'Assam Movement' was initiated jointly by the 'All Assam Students Union' (AASU) and 'All Assam Gana Sangram Parishad' (AAGS).

The migrant Muslims of Assam were/are given some abusive names like- *Mia, Pamua, Charua, Abhibashi, Laohitya*, etc. by a section of Assamese people. Migrant Muslims consider these names as humiliating and insulting. The 'Assam *Shahitya Sobha*', a highly honoured leading non-government academic institution, established in 1917<sup>80</sup> had been taking a major role from its inception whenever any crisis occurs in socio cultural fields in the state of Assam. However, mysteriously, the 'Assam *Shahitya Sobha*' acted the role of a mere spectator to the burning problem of the identity crisis of the migrant Muslim people of Assam and did not show any interest to solve it till the closing decades of the twentieth century.<sup>81</sup>

The Assam Movement was formally started by the 'All Assam Students' Union' and 'All Assam Gana Sangram Parishad' calling a twelve-hour strike of the state on 8<sup>th</sup> June 1979<sup>82</sup>. However, the seed of such a movement in Assam was sowed before the formal declaration of the movement.

In 1972 a major political development took place in the continent of Asia, as it gave birth to one more sovereign state in the name of Bangladesh. The people of the East Pakistan fought against the brutal treatment suffered from the West Pakistan for independence. The Government of India extended its help and involved itself in a war against the Pakistani Government. The movement of East Pakistani people became successful and achieved their independence in 1972. However,

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<sup>80</sup> Ahmed Shahiuz Zaman, Op. Cit, P- 83.

<sup>81</sup> Gohain Dr. Hiren, *Asom Andolanar Pratisruti Aaru Falasruti* (In Assamese), Guwhati, editorial, P- C.

<sup>82</sup> Ahmed Shahiuz Zaman, Op. Cit, P-84.

most of the people who migrated to Assam belonged to erstwhile East Bengal of undivided India. This erstwhile East Bengal later became a part (East Pakistan) of the sovereign state of Pakistan in 1947. From East Pakistan also a number of Pakistani people took shelter in India during the Bangladesh Freedom Movement and large numbers of them later on with the acceptance of the Indian government took permanent settlement in India.

However, after the formation of Bangladesh in 1972 a section of Assamese people started considering those people who, during the time of British Indian government as well as Pakistani government migrated towards the Assam and settled down there as the Bangladeshi people. With this attitude a new chapter of identity controversy arose which the Muslims of Assam have been facing.

These developments in the politics of Assam invited a movement against the migrant people, specially the Muslims considering them to be the illegal occupants of the state. The media and newspapers also have been adding fuel to the fire supporting the claims of the so-called nationalist groups. The *Assam Sahitya Sabha* also joined to that “in Assam a large number of foreign nationals were settling”, and the organization, without any logic, did not hesitate to point to the ‘erstwhile East Bengal origin people of Assam’ as illegal occupants. All these factors created chaotic environment in the state, and doubt in the minds of the people was infused that the state was in danger of falling in to the hands of foreign nationals. Especially the students’ community of the state seriously took this issue. In 1978, immediately after Mr. Golap Borbora took over the government the students’ leader of the state submitted a memorandum in the month of November to the government asking for the deportation of the ‘illegal occupants’.<sup>83</sup>

The main agenda (deporting the foreign nationals from the state) of the Assam Movement was propagated among the mass in such a way that the majority of the inhabitants of the state got so much afraid of losing their identity that they would be branded as ‘Bangladeshi’, and to be on the safe side, accordingly advanced their support to the Movement leaders. Moreover, as most of the student leaders of the Movement were from the University (Gauhati University) and did not bear any earlier bad image in the society, the people of the state took them in good faith without any hesitation. The leadership of the Movement was steered by Prafulla Kumar Mahanta, Bhriagu Kumar Phukan and others. The Movement, under the leadership of Prafulla Kumar Mahanta

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<sup>83</sup> Ibid, P-C.

submitted a long list of demands to the Prime Minister of India on 2<sup>nd</sup> February 1980<sup>84</sup>. The prime agenda of the memorandum was the foreigners' issue. It demanded the expulsion of the foreigners of Assam who came and settled down in the state from across the border after 1951<sup>85</sup>. Movement leaders unhesitatingly and intentionally pointed some areas of the state occupied by the foreigners. Even, the leaders like Prafulla Kumar Mahanta propagated that the inhabitants of *char* areas of Assam were foreign nationals. As the media were in favour of the leaders, all of their observations and deliberations were published in no time. One deliberation of Prafulla Kumar Mahanta, which was made to an interviewer, was published in a popular magazine 'Sunday' as follows.

'It must be in phases, according to a prepared list. We would like to give top priority to the deportation of those people who hoisted the Pakistani flags in the *char* lands. I will show you where they are (He asks his colleagues to bring the map; they bring a huge map). He shows the interviewer.'<sup>86</sup>

The leaders started insulting the migrant Muslims as *Mia*<sup>87</sup>. In Assam the term *mia* means unclean, rough and unwanted Posters were hung all around the state with the slogans like-

'*Pindhe lungi, chorar besh, bol mia Bangladesh. Miai Asom khan khale; Mia banuak kamat nolagabo, Miahat Asom eri guchi ja, etc.* (wear *lungi*, a dress of thief; *mias* go back to Bangladesh. *Mias* are exploiting Assam; do not engage *mia* labours in work; *mias* leave Assam immediately; etc.).

The runners of the Assam Movement felt that even after the creation of Bangladesh in 1972, huge numbers of Muslims were entering in the state for settlement posing threat to the existence of the indigenous people. During the period of the Movement, without making any statistical data the leaders deliberately exaggerated the number of the foreign nationals in the state. According to Jogen Hazarika (1979), the Chief Minister, the number of foreign nationals in Assam was two lakhs. Two regional parties of Assam- '*Assam Jatiyatabadi Dal (AJD)*' and the '*Purbanchaliya Lok Parishad (PLP)*' estimated the number of the foreign nationals in the state at 40 lakhs and 13 lakhs respectively. According to an ideologue of the movement the number of

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<sup>84</sup> Hussain Monirul, The Assam Movement, Caste, Ideology and Identity, Manak Publication Private LTD, New Delhi, 1993, P- 117.

<sup>85</sup> Ibid, P- 134.

<sup>86</sup> Ibid

<sup>87</sup> Though the word '*Mia*' means respectable or honorable, here in Assam it is an insulting word to denote the erstwhile east Bengal origin Muslims as dirty people.

foreign nationals living in the state illegally was 45 to 50 lakhs, out of Assam's total population of 1,46,25,000<sup>88</sup>. Another political scientist estimated the number of the foreign nationals in Assam up to 1981 at 40 lakhs. Another exponent of the movement named Bisweshwar Hazarika, counted the number of foreign nationals in the state at 77 lakhs. The All Assam Students' Union in one of their publications fixed up the number of infiltrators at over 45 lakhs, of whom over 15 lakhs had entered their names in the electoral roles. If one accepts such fantastic figures, the percentage of foreign nationals would range between 10 to 50 percent of the total population of the state.<sup>89</sup>

A discussion between the AASU leaders and the state government took place in 1982 regarding a possible solution of the foreigners' deportation issue. The discussion failed to bring any solution. The AASU leaders now came in conflict with the government. They decided to stop the general election of 1983 by any means and created an extremely explosive situation. On 18<sup>th</sup> February 1983, over 1200 people, mostly women and children belonging to the erstwhile East Bengal origin Muslims were brutally killed at Neilli of Nogaon District. An eminent Assamese journalist estimated the death toll of Neilli massacre at 3000.<sup>90</sup> The police did not take any action against the culprits who were killing people under the sunshine. It is also alleged that even the police had their hands in the massacre. It was a big tragedy in the history of Assam which was criticized worldwide. The Neilli massacre was followed by another massacre at Chaulkhowa Chapari in Darrang District, where also the victims belonged to the same social group. In other places also several people died in counter attacks. Bombs were blasted in several parts of Assam. Between 1979-1984, a minimum of forty one cases of bomb blasts were reported to the police and at least one hundred and one persons died as a result of those blasts.<sup>91</sup> The Movement activists did not hesitate to set fire to the houses in many villages, inhabited by those Muslims of Assam. A large number of villages in the districts of Bongaigaon and Barpeta were burnt down into ashes and thousands of people became homeless.

After a strong controversy over the foreigners deportation issue, the 'leaders' had to bow their heads in front of the state as well as the Central Government of the country. A Memorandum of Understanding, popularly known as 'Assam Accord' was signed between the Government of India and the leadership of the Assam Movement in the capital city of 'New Delhi' in the early

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<sup>88</sup> Census Report of Indian, 1971.

<sup>89</sup> Ibid, P- 135.

<sup>90</sup> Bargohain Homen, *Neilli Gana Hatya Pratibedan* (an Assamese Article), Janakranti, Guwahati, 1985, Vol. 4:90, 3<sup>rd</sup> March.

<sup>91</sup> Hussain Monirul, Op. Cit, P- 143.

hours of 15<sup>th</sup> August 1985.<sup>92</sup> In regard to foreigners' issue the **ASSAM ACCORD** through its provision 5 (five) solved the problem as follows.<sup>93</sup>

5. (1). For purpose of detection and deletion of the foreigners, 1-1-1966 shall be the base of date and year.

5. (2). All persons who came to Assam prior to 1-1-1966 including those amongst them whose names appeared on the electoral rolls used in 1967 elections shall be regularized.

5. (3). Foreigners who came to Assam after 1-1-1966 (inclusive) up to 23-3-1971 shall be detected in accordance with the provisions of Foreigners Act 1944 and the foreigners (tribunal) order 1964.

5. (4). Names of foreigners so detected will be deleted from the electoral rolls in force. Such person will be required to register themselves before the registration officer in respective districts in accordance with registration of Foreigners Act 1939 and registration of Foreigners Rules 1939.

5. (5). For this purpose the Government of India will undertake suitable strengthening of the Government machinery.

5. (6). On the expiry of a period of 10 years following the date of detection, the names of all such persons who have been deleted from the electoral rolls shall be restored.

5. (7). All persons who were expelled earlier but have since reentered illegally in to Assam shall be expelled.

5. (8). Foreigners who came to Assam on or after March 25, 1971, shall be detected, deleted and expelled in accordance with law. Immediate and practical steps shall be taken to expel such foreigners.

5. (9). Government of India will give due consideration to certain difficulties by the AASU and AAGSU regarding implementation of Illegal Migrants (determination by tribunals) Act 1983.

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<sup>92</sup> Assam Accord (Memorandum of Understanding), 1985.

<sup>93</sup> Ibid.

It seems, with the Assam Accord of 1985, the long run citizenship and identity quandary of the migrant Muslims of Assam came to an end. The year 1966 was accepted by the signatory parties (The AASU leaders, the Central Government and the State Government) as the cut off year for deporting foreign nationals from Assam as well as India. It was agreed that those who entered Assam / India between 1<sup>st</sup> January 1966 and 24<sup>th</sup> March 1971 would be detected and allowed to stay in Assam but disenfranchised for ten years; after which they would be given back their right to vote once again. Those who entered Assam from across the International border after 24<sup>th</sup> March 1971 would be deported. Besides, the Government of India agreed to offer constitutional, legislative and administrative safeguard to protect, preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people.<sup>94</sup>

The AASU leaders considered Assam Accord as of their great achievement. They had the notion that a large number of foreigners would be detected from the state and on the deportation of them big acres of lands would be vacated where the growing indigenous people would take over. The major portion of the inhabitants of the state also got convinced with the notion of the AASU leaders. This mass support to the Student's Movement encouraged the AASU leaders to form a new political party in the state with the banner of '*Assam Gana Parishad*' (AGP). The former AASU leaders forming and joining this new political party contested the election of 1985. Deportation programme of the foreign nationals from the state was the main agenda of the AGP leaders in the cited election, who showed the mass of people the dream of establishing a golden state. Majority of the people of the state were also convinced by the notions of the students' leaders and unhesitatingly advanced their support to the newly formed political party in the election of 1985. Thus '*Assam Gana Parishad*' at its first election became victorious with absolute majority. Prafulla Kumar Mahanta, a student who stayed in the hostel of the Gauhati University and led the Assam Movement, became the party leader and under his leadership the Assam Ministry was formed. This new government tried its level best to find out and deport the foreign nationals from the state. But it could not identify and deport even one thousand foreigners from the state.<sup>95</sup> Hence, in respect to the foreigners' issue, the Assam Movement was nothing but an excuse for capturing political power of the state, which was well planned by a group of University students.

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<sup>94</sup> Hussain Monirul, Op. Cit, P- 145.

<sup>95</sup> Ahmed Shahiuz Zaman, Op. Cit, P- 89.

The 'Assam Movement (1979-1985)', 'Assam Accord (15<sup>th</sup> August 1985)' and the failure of the Assam Gana Parishad government to identify foreign nationals in the state still could not bring any political solution to the identity of the Muslims of the state. Till date a major section of this community is doubted as the illegal occupants of the state. Many of their voting rights have been snatched away by the government on the basis of doubt on their citizenship. In the electoral roll against their names 'D' is written which means doubtful citizens and thus are deprived of their right to vote. These people are categorized as suspicious citizen as they are alleged to be illegal migrants from Bangladesh. It is also alleged that the recent NRC (National Registration of Citizens) updation process of Assam, chalked out by the government is also a well planned mechanism to harass the minority, specially the Muslim minority people of the state.

### **'D' Voters Issue:**

In 1997 the Election Commission of India identified a section of Muslims who live in the *Char Chapari* areas of Assam, linguistic Hindu minority and even the Rajbongshi people of the state as 'D'<sup>96</sup> voters. The process of identification of 'D' voters was unusual. It is alleged that the lower officials of the Election Commission were asked to mark at least 10 to 20 people in each village of the state as 'D' citizens. Thus in many families wives or husbands became doubtful citizens keeping rest of the members Indians. Again in some families, sons and daughters were identified as doubtful citizens, where as their parents remained Indians! The officials of the Election Commission did not follow any criteria in identifying doubtful citizens. They at random 'marked' the names in the voters list and denied franchisee rights.

At present in Assam there are 3.5 lacs 'D' voters. Thirty two (32) Foreign Tribunals have been set up throughout the state to detect these large numbers of people whether they are Indian or foreigners. Out of 32 tribunals 13 are lying defunct without judges. Thus the progress of tribunal work is very slow. During 2006-2010 in the foreigners' tribunal of Bongaigaon against 9,222 registered cases only 1,333 got settled, and 4 accused have been identified as Bangladeshis. That too, these 4 persons got such a verdict as they could not produce their documents within 'the stipulated time' given by the court.

Likewise in the foreigners' tribunal of Goalpara District, against 22,000 'D' voters' cases only 600 have been settled till date and only one women called Tarabhanu has been identified as foreigner. This Tarabhanu case created a huge controversy throughout the state as it is said that

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<sup>96</sup> Doubtfull citizen of the state.



Tarabhanu is an Indian citizen and she has become the victim of state conspiracy. Tarabhanu was snatched away from her three months old child and was deported from the state which was inhuman in nature.

It is also said that the government of Assam has secretly instructed the each lower ranked border police officers to identify at least 10 doubtful foreign nationals. Thus in order to protect 'Good service record' and escape from the insult of the higher officials, these lower ranked personnel have been marking thousands of citizens as 'D' voters of the state. Consequently the numbers of suspected citizens as well as the numbers of cases in the foreigners' tribunals of the state have been increasing. As the cases are lying unsettled in the Foreigners' Tribunals, lacs of people, though they are Indian, are suffering a lot. They are deprived of their basic rights of citizen like-franchisee rights, etc. The ultra nationalist people of the state also hate these people from all possible ways.

Even, if the running 19 Foreigners' Tribunals become more active and settle 19 cases in a day and work for highest 200 days in a year these tribunals would be able to settle maximum of 3800 cases. Likewise, to settle all the cases that are lying in the Foreigners' Tribunals of that state, it will take more than 92 years. Consequently, these 3.5 lacs 'D' voters as well as their children of the state who are fighting to get back their citizenship rights for the last 12/13 years will remain as 2<sup>nd</sup> class citizens and most of them will die before their cases get settled. Surprisingly enough, even those 'D' voters, who have cleared their cases in the Foreign Tribunals, have not been included in the voters' lists till date. The Deputy Commissioners of concerned districts are also seemed to be reluctant to take any action in this regard. In an interview, one of the Deputy Commissioners said that they were unable to take any action on the 'D' voters' issue until they received any signal from the higher authority.

### **NRC Updation/Controversy:**

The Government of India through a notification decided to update the long pending National Register of Citizens (NRC) of 1951. Accordingly, the Government of India at the initial stage through a pilot project, decided to update the NRC of Chaygaon Revenue Circle of Kamrup District and Barpeta Revenue Circle of Barpeta District.<sup>97</sup>

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<sup>97</sup> The Ministry of Home Affairs in the Gazette of India Extraordinary, Part II, Section 3 subsection II.

The work of updating the NRC in Assam as per the provision of the amended rule 4(A) had been taken up as 'Pilot Project' in Barpeta and Chaygaon Revenue Circle in the district of Barpeta and Kamrup Rural respectively. As per this amended rule, all the residents, where most of the people are illiterate, are asked to apply before the district magistrate, along with several supportive documents, and also appear for hearing and prove their citizenship to the satisfaction of the officer concerned for inclusion of their names in the updated NRC. This procedure is exclusively meant for the citizen of Assam, which is not applicable in other parts of the country. In rest of the country the enumerators go to each house, collect the data and update the NRC without harassing the citizens. In case of Assam it is absolutely discriminatory, undemocratic and unconstitutional.

The task of Pilot Project of updating the NRC, 1951 started on 15<sup>th</sup> June 2010 in Barpeta Revenue Circle. Accordingly, the copies of NRC, 1951, Electoral Rolls of 1961 and 1971 had been re-printed by the district authority which are in sufficient and bears numbers of anomalies and confusions.

1. Out of 146 revenue villages under the Barpeta Revenue Circle, NRC documents are not available for 24 villages viz. Metowakuchi Town, Metowakuchi Gaon, Joti Town, Gandhi, Goremara Gaon, Chakabausi Gaon, Vella, Veraldi, Joshihati, Aicharapara, Dewliapara, Kadamguri, Katlijfar, Dhanbandha, Sonkuchi Gaon, Bar Agdia, Tatikuchi, Dokonia Beel, Rangialortari, Boriarpathar, Bontipur, Pakbetbari Pam, Pakabetbari Pathar, Phulikipara. Again, the electoral rolls of 1966 and 1971 are not available for 11 and 12 villages respectively viz. Metowakuchi Town, Gandhi, Dhanbandha, Bar Agdia, Rangialortari, Boriarpathar, Pakbetbari Pathar, Phulikipara, etc. with the district authority. On the contrary, no guidelines for other documents such as, land records, school certificates, etc. have been given in the application proforma and these are not accepted by the authority.
2. There are wide spread discrepancies and anomalies in the re-printed NRC and electoral rolls. Names of 1700 households have been dropped in the re-printed NRC under Ghilazhari and Howly Mouza. Surnames of women have been used for men and vice versa. Anomalies have also been made in case of ages of the inhabitants. Again, same Serial No. has been used more than once to identify different households.
3. In the reprinted NRC of 1951, many Muslim families have been identified as Hindu families.

4. In various instances names of father/mother against their siblings are printed as 'Unknown'. In some other cases only the surnames and titles have been printed instead of full name. In some other cases siblings are mentioned as *Kesua* (babies) and "*Amuk*" (somebody). Males have been made wife and females have been mentioned as husbands.
5. In the reprinted NRC of 1951, birth places of a large number of people have been shown as to be Mymenshing, Dacca and West Pakistan though the original birth place of those people are different villages of Assam.
6. Though in Phulkipara and Deorikuchi villages Muslims have been residing since pre-independence period but these villages are identified as Hindu villages in reprinted NRC. (What is the intention behind it?)
7. People who have settled themselves in Barpeta and Chaygaon Revenue Circle areas either by marriage or livelihood are not able to procure their necessary documents of inheritance as these are not published in their original places.
8. In the application form, in Column 12 the word successor has been published instead of predecessor.
9. The NRC updation process is silent about the fate of the 'D' Voters of Assam whose cases are still pending in different Foreigners' Tribunals/Court.
10. R B Vaghaiwala, the then Census Commissioner, 1951 stated that the names of 68415 people were not entered in the said NRC and also a large number of Muslim people specially in the districts of Kamrup and Goalpara were not covered by the said NRC. The present Pilot Project is silent about the fate of those people dropped out.
11. In order to solve the foreigners' issue in Assam, the Assam Accord (5. (3)) signed on 15<sup>th</sup> March 1985 stated, 'Foreigners who came to Assam after 1-1-1966 (inclusive) up to 23-3-1971 shall be detected in accordance with the provisions of Foreigners Act 1944 and the foreigners (tribunal) order 1964. Names of foreigners so detected will be deleted from the electoral rolls in force. Such person will be required to register themselves before the registration officer in respective districts in accordance with registration of Foreigners Act 1939 and registration of Foreigners Rules 1939. For this purpose the Government of India will undertake suitable strengthening of the Government machinery. On the expiry of a period of 10 years following the date of detection, the names of all such persons who have been deleted from the electoral rolls shall be restored'.

Thus, in pursuance of the Assam Accord people, who entered Assam between 1966 and 24<sup>th</sup> March, 1971 were to be franchised after ten years. The processes of franchising those people have not been carried out till date. The present NRC up-dation process is also silent about the fate of those people and their descendants.

### **Issue of NRC Updation and Police Firing:**

Noticing the anomalies in the mechanism of the NRC updation process, the 'All Assam Minority Students Union' (AAMSU) gheraoed the Deputy Commissioner's Office, Barpeta, on 21<sup>st</sup> July, 2010 demanding immediate postponement of the Pilot Project of the ongoing updation of the (NRC). The organization also demanded taking of 1971 as the base year for updation of the Pilot Project and settlement of the D voters' problem first before starting the process of NRC updation.

Thousands of processionists coming from different areas of District approached the DC office at around 11am on 21<sup>st</sup> July, 2010. The leaders of the processionists wanted the Deputy Commissioner to come of his office and take their memorandum which the latter denied. The processionists were waiting for the Deputy Commissioner in front of the DC office for about an hour under direct sunlight. Meanwhile, a third party who was ready with stones and wanted to create havoc started pelting on the processionists. The mob now lost their nerves and became violent and in return started pelting the same stones to the DC office. Suddenly, the Superintendent of Police of the district appeared on the scene and ordered the police personnel to fire. It took lives of four processionists and about hundred got injured. The died persons were Siraj Ali, 25; Majam Ali, 55; Matleb Ali and Moidul Mullah, both 30. The police could have controlled the situation by applying tear gas or *lathicharge*. It is alleged that the police applied tear gas and *lathicharge* when the mob almost dispersed from the place after firing.

It was noticed that while the processionists were running away to save their lives, many of them were caught by some unidentified youths and beaten up badly. Anwar Hussain, 35, one of the injured, told The Telegraph that he was beaten up by some unidentified youths. "I requested the youths with folded hands not to beat me but they did not stop till I became unconscious. I suspect there was a third force which fuelled the incident," he said<sup>98</sup>.

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<sup>98</sup> The Telegraph, 22<sup>nd</sup> July

The town also witnessed clashes between the protesters and the residents who started attacking the AAMSU supporters allegedly for shouting anti-AASU and anti-Tarun Gogoi slogans. The clashes continued for over half-an-hour. The situation came under control following reinforcement of security personnel.<sup>99</sup> The state government immediately announced the postponement of the NRC updation process in the state.

The All Assam Students Union (AASU) activists could not permit the demands of the AAMSU as the former consider the latter to be the defenders of the Bangladeshi people in Assam. According to the AASU, in Assam lacs of Bangladeshi people are residing illegally.

AASU is of the opinion that the mechanism which had been framed by the government for the Pilot Project did not bear any incongruity and hence its application will detect those Bangladeshi people in the state. Thus, the organization has been insisting the government not to delay the NRC updation process.

- **One conceptual clarification:** *Throughout the above writing two words- 'Immigrant' and 'Migrant' are used frequently. Though meanings of both the words are different. Both the words denote erstwhile east Bengal origin people of Assam. Literally the word 'Immigrant' means- 'a foreigner, who comes into a country to live there permanently; and the word 'Migrant' means- 'a person who passes from one land to another land for residence'. If we look from both the angles, the people who once came from the erstwhile east Bengal to Assam and settled down there permanently cannot be termed as 'immigrant' because till India got her independence on 15<sup>th</sup> August 1947, both Bengal and Assam were within the British Indian Territory. So the shifting of erstwhile east Bengal origin people to Assam can be termed as 'internal displacement' or interstate migration between two states of India. But some social scientists in their writings have considered erstwhile east Bengal origin people of Assam as 'Immigrant'. Whenever I quoted quotations of those social scientists I have not distorted their opinions but at the time of my consideration I have used the term 'Migrant'.*

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<sup>99</sup> The Telegraph, 22<sup>nd</sup> July

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