

APPENDIX-I

INTERVIEW SCHEDULE SL.NO _____
ON
'DISPLACEMENT AND CRISIS OF IDENTITY':
A STUDY OF HAJONG TRIBE

- A. General Information :
1. Name of the Respondent : _____
 2. Fathers' Name : _____
 3. Present Residential Address:-Vill/Town : _____
PO : _____
Dist : _____
State : _____
Pin : _____
 4. Sex : 1. Male 2. Female
 5. Age / approx, year : _____
 6. Marital Status : 1. Married 2. Unmarried.
 7. Religion : 1. Hindu 2. Others _____
 8. Caste : 1. ST(P) 2. ST(H) 3. Others ____
 9. Educational Qualifications : 1. Illiterate 2. Primary 3. Middle
4. High school 5. HSLC 6. HS
7. Graduate 8. Above Graduate
- B. ORIGIN AND RACIAL AFFINITY :
1. Do you know the actual meaning of the term 'Hajong'? 1. Yes 2. No
 - 1.1. If yes, what is it ? _____
 2. Do you know the racial groups to which the Hajong belong to? :-
1. Mongoloid 2. Dravidian
3. Indo-Aryan 4. Do not know 5. Any Other
 3. Do you think that the Hajong tribe is an ethnic sub-tribe of any bigger tribal group?
1. Yes 2. No
 - 3.1. If yes, then name the group to which you think they belong to ?
1. Bodo 2. Garo 3. Rabha 4. Any Others
 4. Do you know the aboriginal dwelling place of the Hajong tribe?
1. Yes 2. No
 - 4.1. If yes, where it was ? _____
 5. Do you know the number of clans or Nikini in Hajong have?
1. Yes 2. No
- C. DISPLACEMENT & MIGRATION :
1. Do you think that you are a displaced person?
1. Yes 2. No
 - 1.1. If yes, then name the previous country you were displaced from? _____
 2. What is the residential address before your displacement?

- a. Village/Town : _____ b. P.O _____
 c. PS _____ d. Mouza _____
 e. District _____ f. State _____
3. What is the name of your forefathers' birth place? _____
 4. Do you remember the exact year of displacement ? _____
 5. How many family members were displaced along with you ?
 1. Few 2. A few 3. Half 4. All
6. Name any other communities if displaced along with you : _____
 7. What are the main causes of displacement-?
 1. Voluntary
 2. Communal conflict/riot induced displacement
 3. Ethnic violence
 4. Development induced displacement
 5. Suppression over minority by majority people
8. Any kind of help or support provided by the Government of displaced country?
 1. Yes 2. No
9. Name the country you took shelter after displacement :
 1. India 2. Pakistan 3. Myanmar. 4. Bhutan. 5. Any other -----
10. If it is India, then name the state you took shelter first :-----
11. What kind of shelter or status did you receive from the sheltering country-
 1. Refugee or shelter camp 2. Supply of food, medicine, clothes,
 3. Pecuniary help.4. Rehabilitation plan 5. Any Other-----
12. Whether you were given any valid migration certificate or not ?
 1. Yes 2. No
13. Was there any land patta allotted as part of refugee rehabilitation?
 1. Yes 2. No
- D. REFUGEE LIFE OF THE HAJONG TRIBE :
1. Do you consider yourself as a/an :-
 1. Indian citizen. 2. Internally displaced person.
 3. Refugee under protection 4. Stateless person.
 5. Foreigners. 6. Any Other.
2. If you are an Indian citizen, then how did you acquire the citizenship?
 1. By birth . 2. By registration. 3. Any Other.
3. If you are a refugee, name the international border through which you entered India _____
4. Do you remember the refugee camp you were given shelter in after your arrival in India?
 1. Yes 2. No
- 4.1 If yes, then name it _____
5. Would you like to remember the days or time spent in the refugee camp ?
 1. Yes 2. No
- 5.1 If yes, then?
 1. Less than six month. 2. Six months to one year.
 3. One year to five years 4. More than five years.
 5. Any others.
6. Would like to state the number of other refugees kept in the refugee camp along with you ? _____
7. Name the states you were taken by the government for Refugee Rehabilitation. _____
8. Do you think that you are still living the life of a stateless refugee?
 1. Yes 2. No

- 8.1. If yes, then who do you think is responsible in preventing you from acquiring Indian citizenship?
 1. Government of India 2. States Government, 3. Election Commission of India.
 4. Students Organisations.5. Other Indigenous Ethnic communities.
9. Are you facing any kind of threat to leave your dwelling place at present?
 1. Yes 2. No
- E. CRISIS OF IDENTITY :
- POLITICAL :
1. Are you a member of any political party? 1. Yes 2. No
2. Are there any political parties formed by the Hajong tribes? 1. Yes 2. No
3. Are you representing the Hajong tribes politically? 1. Yes 2. No
- 3.1. If yes, specify it :1. Parliament. 2. State Legislature.
 3. Local Panchayat bodies. 4. Any other.
4. If it is no, what may be the main cause of their political non-representations:-
 1. Smaller in numbers.2. Scattered life of the Hajong tribe.
 3. Suppression by the dominant tribal groups.
 4. Lack of political consciousness and opportunities.5. Any Other-----
5. Did you ever exercise the right to franchise? 1. Yes 2. No
6. If yes, then mention the first year and election in which you exercised it?
 Year Election
7. Other than the political parties, is there any organization working to educate the Hajong tribe?
 1. Yes 2. No
8. Do you think that the Hajong tribe is politically deprived and for which facing acute identity crisis?
 1. Yes 2. No
- F. SOCIO-CULTURAL :
- (I) HOUSING :
1. Type of Houses (Present) :
 1. Traditional Hajong House. 2. Chang Ghar. 3. Assam Type Katcha.
 4. Assam type pucca 5. R.C.C. Building. 6. Any other _____
2. When was the House constructed? _____
3. What was the main reason of its constructions? :-
 1. Influence of non-tribal or dominant tribe.2. Sound Economic system.
 3. As per Hajong customary laws. 4. Any Other _____
4. Did you construct your dwelling house in cluster in the courtyard of the Adhikari (village headman) according to the customs of Hajong society? 1. Yes 2. No
5. Do you have the plan to construct new type of house? 1. Yes 2. No
- 5.1. If yes, mention the type of House:
 1. Traditional Hajong House 2. Chang Ghar. 3. Assam Type Katcha
 4. Assam type pucca 5. R.C.C. Building 6. Any other
- (II) DRESS PATTERN :
1. Do you wear clothes woven in the traditional family loom called 'Bana'?.
 1. Yes 2. No
2. Whether traditional Hajong women dress called 'rangapatin' is being used or not in your family?
 1. Yes 2. No
3. Is the traditional dress maintained only by the Female members?
 1. Yes 2. No

4. Does the male members of your family wear a house woven piece of cloth is called 'Ningti'? 1. Yes 2. No
5. What is your opinion about traditional Hajong dresses? 1. Like 2. Dislike
3. Neutral 4. Do not know
6. Whether weaving is still done or not in your family? 1. Yes 2. No
7. Whether modern dress is being used or not? 1. Yes 2. No
- 7.1. If yes, who first introduced modern dress in your family?
1. Grand Father. 2. Father. 3. Mother 4. Children.
8. Which are mainly responsible for the changing Dress pattern in your Family?
1. Unpopularity of weaving. 2. Influence of neighbouring non-tribal or tribal.
3. Educations and Sound Economic conditions. 4. Any Other _____

(III). Marriage and Ornaments

1. What kind of marriages you prefer most?
1. Monogamy 2. Polygamy 3. Any Other _____
2. What type of marriages are found to be prevalent in the Hajong society?
1. Negotiated marriage. 2. Widow marriage.
3. Love marriage 4. Any Other _____
3. Is there any marriage that took place in your society between boy and girl belonging to the same clan which are not permitted by the Hajong customary laws?
1. Yes 2. No
4. Whether you would like to accept the 'Khalti', the bride price or dowry in the marriage which was not allowed by the Hajong customary laws?
1. Yes 2. No
5. Who is to perform the marriage rituals in Hajong marriages?
1. Hajong Community Priest ,Adhikari .2. Brahmins, Hindu priest. 3. Any Other ____
6. Whether women members of your family use traditional Hajong ornaments like Kata Baju, Bagh, Harsara, Gunjar?.
1. Yes 2. No

(IV). RELIGIOUS BELIEFS AND FESTIVALS-

1. What is your religion?
1. Hindu 2. Christian. 3. Animist 4. Any Other _____
2. Do the Family members go to the Temple, Namghar, Church etc.?
1. Yes 2. No
3. Do you perform some festivals based on the traditions of your society like Lewa-Tana, Bihu, Katigasha, and Pushna?.
1. Yes 2. No
- 3.1. If yes, mention the frequency:-
1. Regularly 2. Frequently. 3. Occasionally 4. Never.
4. Do you celebrate various festivals and ceremonies round the year?
1. Yes 2. No
- 4.1. If no, why? 1. Have no time 2. Impact of acculturation. 3. As a result of assimilations 4. Any Other _____
5. Do you believe in traditionally held evil spirits in Hajong society like Jarang Deo, Machang Deo, Zukhini, Daini?
1. Yes 2. No
6. Do the family members enjoy and participate the traditional festivals of other?
1. Yes 2. No

2. What was the particulars of occupation of your last two generations ?

Generation	Main Occupation	Subsidiary Occupation
a. Grand Father	1. Government services 2. Business 3. Cultivation 4. Labourer 5. Any Other	1. Government services 2. Business 3. Cultivation 4. Labourer 5. Any Other
b. Father	1. Government services 2. Business 3. Cultivation 4. Labourer 5. Any Other	1. Government services 2. Business 3. Cultivation 4. Labourer 5. Any Other

3. Do you agree with the view that the traditional occupation of the Hajongs were cultivation ? 1. Yes 2. No

4. Whether your production is sufficient for your family? 1. Yes 2. No

4.1 If not, what alternatives are taken to maintain your family?

1. Part time labourer
2. Business
3. Service
4. Wood cutter.
5. Any Other. _____

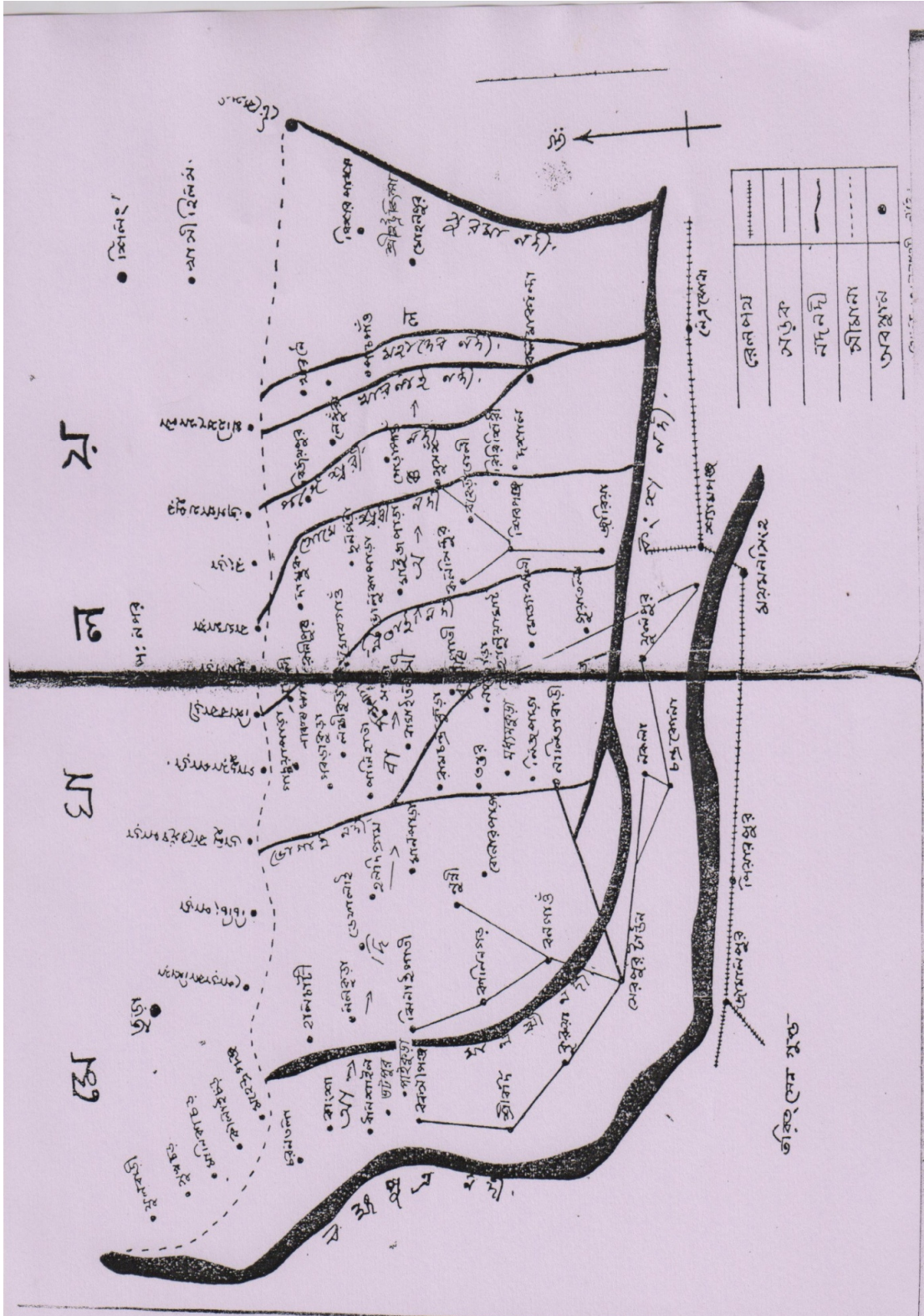
5. State the reasons for which the Hajong tribe is not accepting their Traditional occupation ?

1. Lack of agricultural land.
2. Expensive cultivation method.
3. Unsound economic conditions.
4. Any Other. _____

Personal observations: -

APPENDIX-II

Hajong inhabitation before the Partition of the Country.



Appendix-III
REIGN OF TERROR
OVER
THE HAJANGS

LETTER TO PANDIT NEHRU

8-E, Dacres Lane,
Calcutta
The 4th March, 1947

The Hon'ble Pandit Jawaharlal Nehru
Vice-President,
Interim Government of India
New Delhi.

Dear Panditji,

Thanks for your telegram promising enquiry into the situation arising out of police measures in the Partially Excluded Areas of Susang in the district of Mymensingh, Bengal. Detailed reports drawn up by the Members of the Non- Official Enquiry Committee, who have personally investigated the matter on the spot are attached herewith.

It is true that the matter is principally within the jurisdiction of the Provincial Government. But when terrible things like the present incidents go on unchecked, the people have certainly the right to hope that the Central Government will at least enquire into the matter thoroughly and make their views known to the Provincial Governments. Besides the area being Partially Excluded, the Viceroy, and therefore, the Central Government have some special responsibilities to the people of the area.

It is also strongly rumoured that the large-scale policing of the area and previous special visits of the Governor to the area are connected with ideas of setting up a special Frontier Province between Bengal and Assam in this aboriginal border area as an outpost of British Imperialism. This, by itself, is now worthy of enquiry by the popular Interim Government.

Thanking you once again,

Yours truly

Sd/- Somnath Lahiri

Member, Constituent Assembly of India.

**REPORT ON ATROCITIES COMMITTED BY ARMED
FORCES AND POLICE IN THE SUSANG
AND SHERPUR AREAS OF MYMENSINGH.**

In the Parganas of Susang and Sherpur, District Mymensingh, lie the main bulk of the 'aboriginals' i.e., Hajang, Garos, Dalus, etc. It is also in this region (which is also one of the partially excluded areas of Bangal) that a peculiar system of land revenue still exists. This system is called the 'TANKA' system. Under the 'Tanka' system, the peasant has to pay to the landlord a certain amount of produce instead of money as rent. This amount is always fixed and does not vary according to the produce, i.e. if the contract is that the peasant has to pay, say 10 maunds of paddy per acre, he will have to pay stipulated amount whether his produce is 20 maunds per acre or even 10 maunds per acre. Previously the tenants under this system had no right of tenancy either.

After a long and sustained agitation by the peasantry, the Government at last in 1940, made certain modifications and instead of the hitherto unheard of extortion, limited the land lords demand to 5 to 9 maunds of paddy per acre or its equivalent in money and also acknowledged the tenancy rights of the peasants. This is actual working meant that in an acre, when the average produce is 15 to 20 maunds per acre and one crop in a year, the peasants under the 'Tanka' system have to pay as rent according to the present price for paddy something like Rs. 40/- to Rs. 70/- per acre (or 5 to 9 maunds paddy) whereas the ordinary tenants in the same area pay the maximum rent of about Rs. 6/- only.

Apart from this hated 'Tanka' system, the peasantry in this area, Garos, Hajangs, Dalus, Hindus and Muslims, are also agitating for the right to pay only one third of their produce instead of half, where they are Bargadars, i.e. where they till the land without any occupancy right and when all costs even that of manuring the field, are also borne by them. It may be mentioned in this connection that the agitation one-third of the produce instead of half, is going on all over Bengal wherever is in vogue and even Mahatma Gandhi has supported the cause of these share-croppers or Bargadars in no uncertain terms. It may also be mentioned that everywhere the same type of oppression is being resorted to by the Government against the peasantry for voicing a very legitimate demand of modifying an antiquated and exorbitant rent receiving method. What is more strange is the fact, that though, a Bill is being introduced in the Provincial Legislature to establish the right of the Bargadars to two-thirds of the produce, at the same time a veritable reign of terror is let loose on these same Bargadars for demanding the right!

It was to bring this state to the notice of the public and to obtain their support; big rallies and meetings were held by the peasants in Susang and adjoining areas. The landlords and Jotedars were all the time seeking some excuse to suppress this movement and had started innumerable, Civil and Criminal Proceedings against the peasants. In

spite of repeated acts by the landlords to provoke the peasantry, the peasants remained absolutely peaceful.

On the 7th January, 1947, two car loads of paddy belonging to the court of Wards Estate were made to proceed through fields near Jigatala village in the Kalmakanda P.S. (in Susang) where crops were yet to be cut. The peasants refused passage to the carts over their unharvested fields, but there was neither any looting nor any violence. But this was used as a pretext and the 8th of January, armed police raided the villages of Jigatala, Lengura, Chaitannagar and Bharatpur beat up innocent men and women on whom they could lay their hands, and even beat to death a small child of one Rameswar Hajang. The police party then went to Lengura Bazar and searched and looted the local Kissan Samity Office and while coming back fired shots.

Shortly after the above incident unusually large police reinforcements arrived in Durgapur P.S. and there new police camps were stationed in the villages of Jigatala and Lengura in Kalmakanda P.S. and Dasal in Durgapur P. S. Thereafter the police continued widespread searches in many villages including Jigatala, Lengura Chaitannagar and Bharatpur. The usual methods of the police in their searches were also employed, i.e. looting anything they could lay their hands on and destroying whatever they could not take.

On or about the 26th of January, four carts from the local zaminders were sent to the village of Baopara to collect their share of the 'Tanka' paddy. The villagers refused to give any paddy and on this false charge were made by the zemindars to the police stating that some people from the village of Baheratali (near Baopara) had looted the paddy.

Meanwhile strong detachments of the Eastern Frontier Rifles were moved to Susana by 28th of January. From 29th January, aeroplanes are reconnoitering over the Hajang areas.

The authorities began to take action from 31st January. Without enquiring into the truth of the zemindar's statement, the police, on the 31st January, reinforced by some men of the Eastern Frontier Rifles raided the villages of Baheratali on three occasions. The previous incidents of brutal violence, looting, etc. by the raiding police parties had created panic among the peasants in this village and almost all the men-folk had left the village when the police arrived. On failing to effect any arrests, the police took hold of one Kumudini, wife of Lankeswar Hajang and not only tortured her indecently, but paraded her all over the village and then took her across the fields to the house of one Baidyanath Hajang. Apart from this, they indulged in an orgy of plunder and loot and did also beat and insult a number of women in the village. This news spread all over the area which naturally enraged the simple peasants and while the police were coming back to their camp with Kumudini, they were stopped by 60 to 80 Hajang men and women, who demanded the release of Kumudini. The police replied with a burst of rifle fire, killing a woman, Rashmani, and one man, and wounding several others. The peasantry had no other alternative but to defend themselves and the clash that ensued not only caused

death to two policemen but also a large number of men and women. And a still larger number of men and women were left on the field severally wounded.

On enquiry it was brought home to us, not only from questioning the local Garos and Hajangs, but also from the Head of local Ramkrishna Mission, that it was only after the police had so brutally murdered Rashmani and others that the crowd acted as stated, and except for that solitary incident, and up till now, there had not been any sign of violence by the peasantry.

From the 2nd February, started the full blast of the military and police terror under the direct supervision of Mr. Bastin, the District Magistrate. They went to Baheratali village and smashed the whole village into bits and in a typical Nazi manner, tore into fragments all books or papers, religious texts, school primers, deeds of sale and purchase newspapers, account books, etc. They looted all the rice and paddy and destroyed the vegetable gardens and cut down banana trees. Iron utensils for cooking were broken and the local priest's house with the room of the idol in it, was broken and desecrated. On their way back they set fire to the house of one Subodh Master in the village of Bejoypur and raided the village of Sangarah and arrested Ramjoy, an old man of sixty.

Airplanes were regularly used for reconnaissance and from now on the story is one long monotonous repetition of brutal, barbarous and systematic orgy of loot, outraging women's modesty, and murder, under the direct guidance of the keeper of 'Low and Order', the District Magistrate of Mymensingh, Mr. Bastin.

On the 3rd of February, the village of Lengura was raided, Police and Military with sten guns, machine guns and with all the deadly weapons of modern warfare, under the leadership of Mr. Bastin to teach the unarmed peasantry the lesson of their lives. They burnt and looted. They set fire to the house of one Lalit Hajang and the Kisan Samity- the rest of the houses are there to bear witness to the depredation of the modern "Nadir Shah".

The same day they repeated their ugly performances at the village of Gigatala and also looted about Rs. 300/- from Ram-Saundar panchayat.

On the 4th February, the Police party raided the villages of Charuapara and Madhyampara in the Durgapur P.S. 40 Sheds in the market of Lengura was burnt down and here they again showed their Fascist methods by burning down the Middle English School of Chartuapara. This was done perhaps Mr. Bastin is supposed to be a "tribal expert" he could not possibly tolerate the "aboriginals" whom the British have left in such glorious primitiveness for the last 150 years, should not start reading and writing. He also organized the loot which yielded about Rs. 1,500/- in cash, heaps of paddy and rice and some ornaments. Then the police party satisfied their lust in outraging the modesty of Bisheswar's wife and of another woman. They arrested six persons from Madhyampara, two women and one man with bullet wounds and five from Charuapara, including a boy of about 10 years of age.

On the 5th February, the forces raided the houses of Sj. Mahindra Sinha, Vice President, Bengal Provincial Kissan Sabha and Sj. Phani Goswami (another respected political leader) at Susang. At both the places the police seized every bit of Paddy, clothes, furniture and other articles that they found there, though these things belonged jointly to other members of Sj. Sinha and Sj. Goswami's family. The widowed mother of Sj. Goswami and the widowed sister in law of Sj. Sinha were left with only the clothes they stood in. No search list was made over or copies given in charge in these two houses. (Statements of Sj. Goswami's mother and Sj. Sinha's sister in law are to be found in the Annexure, as well as the statements of the non-official enquiry committee sent on behalf of the Bengal Provincial Sabha, Bengal Provincial Trade Union Congress and other organizations of Bengal.

On the 6th of February, the forces obviously not satisfied with their previous exploits, again raided the villages of Lengura and Gigatala and arrested seven more persons.

On the 7th of February, they raided villages Nayankandi, Bharatpur, Mankhola, Kamalpur, Munshipara, Nalgora, Jangalipara and looted innumerable houses and took away clothes, money, paddy and rice as well as whatever movables they could take with them.

On the 8th of February, they demolished the Kisan Samity Office in village of Harinakuri.

On the 9th of February, all seventeen printing presses at Mymensing town were searched for publishing perfectly legal publications, protesting against the police repression. It is interesting to note that in January, the Government themselves had some leaflets published illegally from the "Udayan Press" without the name of the press or the publisher and which were then distributed from the air in the partially-Excluded area. There was no action against illegal publication; there was action against presses for perfectly legal hand bills.

On the 10th of February, village of Bagajora was raided and one kisan woman, Bajramani was arrested with a bullet wound on her person.

On the 11th of February, an armed police party raided Kurikhai market and demolished the Kisan volunteer camp, and arrested two persons. The Sub-Divisional Kisan Conference at Jhaugara, Jamalpur (Sherpur Pargana, miles away from the village of Baheratali or Lengura) was banned by an Order Section 144 Cr. P.C. The police raided the local Kisan Sabha Office, took away the radio and all books, papers, festoons and handbills. Three persons were arrested and mercilessly beaten.

On the 12th of February, the forces took up the area of village and market of Nalitabari as their area under operation; an area where no incident had taken place and where everything was peaceful till this day. The offices of the local Communist Party and Kisan Sabha were wrecked and looted as well as of the students' congress. The market place has become the free looting place for the men of the police and the Eastern Frontier Rifles. An number of sellers and businessmen, Hindus and Muslims, have had their quota of expropriation of goods without payment and whoever have protested have been kicked and beaten and left bleeding on the road. Mir Sher Mohammad, an old Muslim Leaguer and Sri Nagesndra Das, an old Congressman could give evidence of the treatment meted out to them. All the villages within the radius of 10 miles from Nalitabari have been raided and looted with the accompaniment of the usual brutalities on men, women and children.

On the same day, i.e., 12th of February villages of Tanter, Hatipagar, Nalkura and Bonarpar were raided. From the above places the police and military looted rice, paddy, ornaments, money, clothes, etc. They even looted paddy from the collective grain stores of the peasant at Hatipagar. At Bonarpara and Nalkura the local Kisan Samity and Communist offices were burnt. Altogether 120 houses were looted on this particular day.

On the 13th of February, village of Dhansi was raided and three persons arrested. On the same day, Naluapara, Madhyampara and Charuapara were again raided (within Dargapur PS) and 9 persons from Naluapara and 2 from Charuapara were arrested.

On the 14th of February, villages of Dharapani, Dhupkura, Maldigram and Manikkura were raided and almost all the houses looted. These villages under Haluaghat P.S. where also no unrest had hitherto been reported.

On the 15th of February, a Printing press in Netrokona was searched on the ground that a leaflet protesting against repression was published from there and for this the Press was subsequently seized. On the above day, too, villages of Madhyamkura, Binnibari, etc. were raided again and 27 houses looted and 4 persons arrested. Apart from money, ornaments, etc. articles used in Temples were also taken away.

On the 16th of February, three workers of the people 's Relief Committee accompanying Dr. Bera on their way to Lengura market were arrested at Susang under BENGAL SPECIAL POWERS ORDINANCES.

On the 17th February, raids were again started in Kalamakanda, P.S. in villages of Harinakuri, Baola, Bastupur, Bagdubi and Salikhapatan and 13 arrests were made, including the Secretary of the Local Thana Congress Committee and 2 teachers. Properties looted, apart from cash and the usual movables, the corrugated sheds of the High English School premises were not spared and subsequently used for the covering of the latrines for the use of the forces. On that day too, the villages of Goshber, Ghilabui and Gopalpur were raided and the usual looting and beating took place. While the village of Daodhara was being raided, four young children between 3 to 10 years were so mercilessly beaten that the members of Non Official Enquiry Committee could see the marks plainly even on the 19th of February, six people were arrested and their wives beaten at Daodhara.

On the 18th of February, in the village of Gujakulia under Kalmakanda P.S. the police were attempting to criminally assault women during a raid. This women belongs to the 'fisherman class' and had nothing to do with either 'Tebhaga' or 'Tanka' movements. The men folk came to her rescue and thereon the police shot and killed one Rajkumar Das, and his old father Mahendra Das was most brutally assaulted. The local Choukidar, Iswar Das, who went to protest against such atrocities, had his hands badly burnt by the police and then asked to make himself scare as otherwise he would have to face serious criminal charges. On the same day, at Nalitabari Neechpara, in Nalitabari P.S. the house of Jaldhar Pal was raided, and even the properties of his father and brothers were looted and destroyed. Similar incidents took place in the house of Jiten Maitra of the same village.

On the 19th of February, the members of the Non-Official Enquiry Committee saw the men of Eastern Frontier Rifles returning, after a raid on the village of Mandalipara, carrying at least twenty chickens and ducks and other articles as their loot. The reporter trying to photograph this scene was threatened with rifles and forced to desist. On the same day, Mr. S. K. Acharyya, Barrister at-law, Mr. Jyoti Basu, Barrister at-law, M.L.A., and others of the said Enquiry Committee were stopped at the point of Sten Guns, etc., and taken to the police camp at Bongaon and detained till about 9 p.m.

On the 20th February, orders for externment under Bengal Special Powers Ordinances were served on Mr. Acharyya and Mr. Basu, ordering the former not to enter

or be present in the Partially Excluded Area of Mymensing and ordering the latter not to or be present in the District of Mymensing.

The above is a resume of incidents up to the 20th of February. The Government of Bengal support by the combination of Hindu and Muslim vested interests have been assiduously circulating stories of mass uprisings and violence, etc. It can be easily seen from what has happened that except for only one case by the Hajangs as a purely defensive measure, there has been no other case which could justify such colossal employment of troops and armed police. Another story circulated by interested parties, was that on the 26th of January, ten thousand Hajangs gathered Susang and destroyed the Thana and the Post Office. But when the local Congress leaders and the members of the Non-Official Enquiry Committee went to Susang for enquiry, they found that neither the Thana nor the Post Office were looted or destroyed. The Officials of Post Office said also that the Hajangs had gathered for Independence Day, as well as for protesting against the police firing on peaceful citizens of Mymensingh on the 22nd of January, which had resulted in the death of one student and wounding seriously of seven Hindu and Muslim students including a girl.

Another point of consideration is the action of the different Christian Missions of those areas. Rev. White of the Birisiri Baptist Mission (under Durgapur P.S) and Rev. Mark of the Mission near Daodhara (Nolitabari P.S.) are but only two of the many Missionaries who are carrying on a general campaign with the threat that unless peasantry sever connections with political parties, embrace Christianity and hoist the flag with the sign of the Cross, the police will carry on their depredations against them. And strangely enough, anyone who hoists the 'Christian Flag' and pays a sum of money to the Mission is saved from the marauding bands of the authorities.

From the aforesaid, it can be concluded that such atrocities could not have been perpetrated for enforcing "Law and Order"? The authorities have illegally destroyed about 100 houses, looted at least Rs. 50, 000 worth of movable as well as hundreds of maunds of paddies. The Military Police have wounded at least 80 persons, outraged modesty of at least 20 peasant women and killed 4 men and women.

Therefore, we are forced to come to the conclusion that there must be some other motive than the much publicized role of 'keeping the peace.' This brutalities and

inhuman torture without even the least show of justice are carried on, firstly, for suppressing a legitimate movement for the betterment of the poor peasants. Secondly, we suspect, there is a deeper political motive. It is to create a Separate Province of the so called aboriginal tribes at the border of Bengal and Assam. It was for this, we presume, that the Governor of Bengal paid a visit to Susang in November, 1946 and Mr. Bastin, who is known a tribal expert, was brought as the District Magistrate of Mymensingh in December, 1946. The Military Police assault against the Hajangs, who are a people with general political consciousness, began in January, 1947.

It is for this political purpose that Missionaries are being used to carry on the propaganda amongst the Hajangs telling them to keep aloof from all political parties and be loyal to the Missions and authorities.

CALCUTTA,

Dated, 1st March, 1947

(Report to PANDIT NEHRU ends here)

POSTSCRIPT:: MARCH 8, 1947.

Since the Non-Official Enquiry Committee's visit to the Hajang belt, the police atrocities have been greatly intensified. Fresh detachments of the Eastern Frontier Rifles have been drafted there and new police camps have also been set up.

Nagerpara, Kumurgati, Bagaitala, Dumnikura, Ghoshgaon, Munshirhat and Haluaghat seven villages within Haluaghat Police Station have been simply made 'over to the Eastern Frontier Rifles. In each of these seven villages, there exists at least one armed camp of the special armed police.

Systematic raids on the homes of the kisans are taking place every day. The police are looting the properties of the poor villagers. They are forcibly removing food grains from the Kisan homes with the deliberate object of serving the kisans into total surrender. As a result of this plunder; the villagers have now begun to starve *en masse*. The price of rice and paddy is appallingly rising almost in all places. The village markets are also subjected to police raids. So, most of them appear to be deserted. The normal village life has been totally shattered and the people live in constant panic and fear. Ordinary law and order has been replaced by a regime of unchecked atrocities and terror. There is none who is safe in the hands of these armed legions; there is nothing that is too sacred for these vile marauders.

But the worst feature of all is the outrage against the kisan women. The armed police have begun, as is very usual with them under such circumstances, to molest and dishonor the village women. They are found to chase our mothers and sisters definitely with a view to defiling their honour. In one place, reports *Bharat* (Calcutta Daily) dated March 7, certain armed policemen stripped a village woman naked on the plea of searching her person. This was done in the presence of the District Magistrate Bastin. In Jigatala, three young women were forcibly taken into a nearby police camp and detained there overnight.

So, the honour of mothers and sisters is in grave danger so long as these barbarians are allowed to remain there.

Christian Missionaries are working overtime. They play upon the fears of the people and take the fullest advantage of their hunger just to seduce the helpless villagers into their fold.

Relief activities have practically banned. Doctors and relief workers are not allowed to enter the affected area. Yet, the people are in desperate need of succour and sympathy.

Mr. Bastin has cut off the whole Hajang belt from its intercourse with the world outside. He wants to crush the people and their spirit to further his dastardly political ends. Bastin is going ahead with his dark plans to create a separate tribal province out of all this devastation and ruin. He wants to push the brave Hajang kisan back into abyss of degradation and servitude.

It appears on all accounts that Bastin will not rest until he has smashed the Hajang and blasted all their noble aspirations.

But whether this tyrant Magistrate shall have the last word depends on our patriotic people Hindus and Muslims.

Hajang Kisans are holding out against overwhelming odds. They are fighting a battle that affects the future of the entire freedom loving Bengalee people. After all, these poor, starving but unconquerable Hajang Kisan men and women are on the first line of resistance against the Imperialist plan for a tribal puppet regime. They are so magnificently bearing the burnt because they know the patriotic people shall rise to the occasion as they have never risen before. They know that out of their trial of blood and fire, their cause which is, indeed, the cause of us all shall triumph. Let our patriots both Hindus and Muslims, come forward and stay the hands of these assassins and scoundrels who dare to defile our mothers and sisters.

Bastin must never never pass!

Appendix-IV

An Important Event

Manoranjan Roy Hajong

An account of demand for amalgamation of the Tribal Belt of Mymensing District with Garo Hills made during partition of the country in 1947.

Apart from Karaibari and Loar Porganas in the foot hills, Goalpara and Sylhet Districts of the then undivided Assam, the main habitat of the Hajongs was confined in the plains lying along the border of Garo Hills under Mymensing District of the present Bangladesh. This habit of the Hajongs was then divided into three Porganas namely (1) Doskahania, (2) Susang and (3) Bongshikunda. These three Porganas were then falling within five thanas viz. (1) Shribordy, (2) Nolitabari, (3) Haluaghat, (4) Susang-Durgapur and (5) Kalmakanda.

Though the above Poraganas were largely inhabited by the Hajongs, Garos, Banais, Dalus, Hudis etc. etc.; Bengali Hindus and Muslims were also not rare in the above five thanas under which these three Porganas were then lying. According to the report of both 1931 and 1941 census, the population figure of these five thanas was overwhelmingly non-Muslim majority. In view of this fact and considering the backward condition of the major inhabitants mainly the Hajongs, Garos, Banais, Dalus and Hudis these five thanas (and the Chittagong Hill Tracts inhabited largely by the Chakmas, Maghs and Tipperahps) were declared as “Partially Excluded Area” in the India Act of 1935. The Governor of Bengal was exclusively responsible for the administration of these two “Partially Excluded Areas.”

Now, with the background stated above let me attempt to record one of the most important historical or so to say political events that took place on the eve of partition of the country in 1947. It is considered necessary because out of the five members of the Hajong delegations who played the active role during that fateful event, three of them namely, (1) Rohini Madhab Joardar of Laochapara, (2) Moni Sarkar of Daodhara and (3) Narendra Chandra Sarkar of Manapara had already died (let their soul rest in eternal place in the heaven) only two are still alive. The one is the humble author of the present article and the other is Shri Dharendra Chandra Sarkar of Kouakora who is now residing in Tangabari gaon near Garobandha on retirement after a long successful service as Agriculture Inspector under the then Govt. of Assam. Due to his eye-trouble it may not

be possible on his part to produce in written the details of that momentous event, I myself feel liable and duty-bound to do the job for the information of the present and next generations of our own Hajang community.

It was in the month of June and July of 1947, the most hectic and tumultuous days in the history of our country when the long and arduous struggle for freedom had reached at its zenith with the acceptance of the proposal of the “Cripps Mission” made at Simla on 3rd June, 1947 to attain Independence at the cost of partition of the country. Sylhet being a Muslim majority District of Assam was already placed for referendum to apt by its people either to Pakistan or India. Two Boundary Commissions one for Punjab and the other with Cyril Radcliffe as chairman for both the Commissions, were constituted to accord the final award for the people of these two Provinces. During these days it was our demand for amalgamation of those five i.e. the “Partially Excluded Area” with Garo Hills (then in Assam) on the ground that this Tribal belt of Bengal was predominantly a non-Muslim majority area. (Similar demand from the Chakma for amalgamation of the Chittagong Hill Tracts with Tripura was already made). However, our demand, which could no way be ignored or neglected if natural justice was desired to be done was most, timely one had it been materialized, the fate of the entire population of that area had been today altogether a different one. The person who actively guided us in this regard, was Surendra Mohan Ghosh, the then President of Bengal Provincial Congress Committee. A telegram sent by him from Delhi on 11th June, 1947 asking to sent a team of representatives comprising one each from the Hajangs, Garos, Banais, Dalus and Hudis to report to him via Delhi on 14th June, 1947, was received on 12th June, 1947 by the Secretary Mymensing District Congress Committee. The time was too short to collect such a team. Having no other alternative, Shri Dinesh Chandra Cham-bugorg (now Sangma and practicing as an eminent advocate at Tura) and I myself, being representatives from the Garos and the Hajongs were selected as both of them readily available at Mymensing, the Head Quarters of Mymensing District. However, inspite of all arrangements made, Shri Cham-bugorg was late by one day to leave for Delhi, I had to go alone to Calcutta and from there to Delhi under the care of Kalipada Mukherjee, the then General Secretary, Bengal Provincial Congress Committee. A memorandum for submission to the then Congress President, Acharya J. B. Kripalani, was kept ready. In the morning of 15th June, 1947, before commencement of the All India Congress Committee Conference in the constituent Assembly Hall, our memorandum was submitted for admission and inclusion in the National demand in the AICC Conference. Our second memorandum presented by our five Hajong representatives mentioned in the foregoing para led by Prof. Khirod Prasad Sanyal, a veteran congress worker deputed by Surendra Mohan Ghosh, was the most important one. It was read out before Mahatma Gandhi for his blessings and submitted to no one but Jawaharlal Nehru. It was on 7th July, 1947. as per appointment made earlier, we were taken to Bhangi Colony at 12-30 p. m. to have ‘Darshan’ of Mahatmaji. During our darsan Rajkumari Amrit Kour and Maulana

Abul Kalam Azad were present. The father of the Nation was so generous that he had given a patience hearing for full forty five minutes and lastly blessed us with an advice to submit memorandum to Jawaharlal Nehru for action. Before I record our meeting with Jawaharlal Nehru, I may mention here some interesting remarks made by Mahatmaji in his kind response to our few questions. The first one was; whether the partition of the country was for good. The father of the Nation had sharply uttered with a mystique smile in his lips that the partition was nor for good, but for a long period. The second one was; how would he like to respond his life after partition of the country which he never dreamt. He raised his eyes wide at us and said that he would go on shutting between two Pakistans across India till his mission was fulfilled. By then our pilgrimage to the most pious apostle of truth and non-violence appeared in our age had ended and with our hearts heavily filled with his words we left for our next destination.

At 11 A.M. on 10th July, 1947 we were waiting in the chamber of Tarlok Singh, ICS, the then private Secretary to Jawaharlal Nehru in the South Block of the Central Secretariat. The moment in the bell rag we were led to Nehruji before we got ourselves composed to his sharpness reequipped with his poker-nose if we were ready for referendum. Our prompt reply was that the question of referendum did no way arise because the area we demanded for amalgamation with Garo Hills was overwhelmingly non-Muslim majority according to 1941 census, it was supported by Tarlok Singh, ICS who had already gone through our memorandum before he led us in. And when the similar demand made by Chakmas for Chittagong Hill Tracts was pointed out by Tarlok Singh, he assured us that both the cases would be referred the boundary Commission for Bengal at its Head Quarters in Calcutta. He also assured that attempt would be made to ensure that the will of the people of both the areas was met. We then left for our journey to uncertain destiny. On the way I was left alone in Calcutta. The other members had left for home to raise as much public voice as possible.


The boundary Commission for Bengal was comprised of four Judges from Calcutta High Court, two from the Hindu and two from the Muslim Communities. Names of only two Judges are still in my memory. They were (1) Justice Charu Chandra Bhandari and (2) Justice Akram Zaman. Barrister Mazumder (regret his surname is now forgotten) for the Congress and Fazhal Haque for the Muslim League had pleadel, for the claims and counter claims of both the parties placed before the commission. I had a privilege to witness for more than a fortnight the proceedings of the commission held in Belvaderia Building, built for the use as royal abode during the visit of the Prince of Wales (later George V) in 1910. However, when the award accorded by Radcliffe, the Chairman of both the Commissions was announced on 15th August, 1947, the entire deal of both the commissions was found to be a mere show and frankly to speak, all those were simply a farce. The historic award wilily known as “Radcliffe’s Award” was solely a one-man job. The Boundary line drawn by Radcliffe had done no justice, --- not to

speaking to India, even to Pakistan, for which Mahammed Ali Jinnah, the founding father of Pakistan had to acclaim that the land given to him as Pakistan was a “moth-eater,” one however, act only to the Chakmas alone, to our utter surprise, our demand was left unfulfilled. Thus, in spite of having done a good deal the fate of all the tribes and other non-Muslim inhabitants of that area was sealed for good into an abysmal” darkness.

APPENDIX-V

Refugee Relief Certificate

GOVERNMENT OF INDIA
MINISTRY OF REHABILITATION



RELIEF ELIGIBILITY CERTIFICATE
সরকারী অনুদান পাওয়ার যোগ্যতামূলক সার্টিফিকেট

Particulars of persons migrating from East Pakistan on or after 1-1-1964
who seek assistance from Government.

১লা জানুয়ারী, ১৯৬৪ সাল এবং তাহার পর পূর্বে পাকিস্তান হইতে আগত সরকারী অনুদানের প্রত্যাশী ব্যক্তিদের বিবরণ।

1. Name of the Head of Family. *Binoy Hajong*
পৃথককার নাম

2. Father's/Husband's name, *Binod Hajong*
পিতা/স্বামীর নাম।
Hindu
Religion
community
language *Hajong*

3. Whether migrating? *Hajong*
কি ভাবে আনিয়াছেন?

(i) With Migration Certificate. If so, No. and date of migration certificate. *No*
মাইগ্রেশন সার্টিফিকেট লইয়া কি? তাহা হইলে
সার্টিফিকেট নং ও তারিখ।

(ii) With Passport. If so, No. and date of Passport. *No*
পাসপোর্ট লইয়া কি? তাহা হইলে পাসপোর্ট নং ও
তারিখ।

(iii) Without any document. *No*
কোন পাকিস্তান ড্যাগের প্রমাণ পত্র না লইয়া
কি?

(iv) Reasons for migrating without documents. *Due to muslim attack*
কোন প্রমাণ পত্র না লইয়া আসার কারণ।

4. Place from where migrating.
কোন স্থান হইতে আনিয়াছেন?

Village/Town গ্রাম/শহর	Police Station থানা	District জিলা
<i>Ramekura</i>	<i>Atalibari</i>	<i>Dhymansing</i>

5. Date of arrival in India and place where entry was first reported.
ভারতে পৌঁছানোর তারিখ এবং পৌঁছে সরকারকে প্রথম
কোথায় সংবাদ দিয়াছেন?

24th Aug 1964 *BDR*

6. Route followed during migration.
কোন পথের অধিকারিত?

7. Particulars of the members of the family migrating (including the head of the family).
পরিবারের সর্বত্র আগত ব্যক্তিদের বিবরণ (গৃহকর্তাও ইহার মধ্যে অন্তর্ভুক্ত হইবে)

Name নাম	Relationship with head of family গৃহকর্তার সহিত সখ্য	Age/Sex বয়স পুরুষ/মহিলা	Educational and other qualifications of adult members প্রাপ্তবয়স্ক ব্যক্তিদের শিক্ষা এবং যোগ্যতা	Previous occupation in Pakistan পাকিস্তানে কি পেশা ছিল?	
				(a) Primary occupation মুখ্য	(b) Secondary occupation স্বল্প
1	2	3	4	5	

1. Binay Hajoor H/family 18yrs (M) M. Cultivation.
2. Mrs. Chandrabati " wife 40yrs (F) do dependent
3. Bidut hula " brother 10yrs (M) do
4. Mrs. Basumat " sister 9yrs (F) do
5. Malali " wife 21yrs

8. Particulars of the members of the family migrated into India before 1-1-64.
১লা জানুয়ারী, ১৯৬৪ সালের পূর্বে আগত পরিবারের ব্যক্তিদের বিবরণ

Name নাম	Relationship with head of family গৃহকর্তার সহিত সখ্য	Age/Sex বয়স পুরুষ/মহিলা	Address ঠিকানা	Occupation পেশা	Rehabilitation assistance already received
					পুনর্বাসনের জন্য এ পর্যন্ত সরকারী সাহায্য বাহা পাইয়াছেন
1	2	3	4	5	6

- 1.
- 2.
- 3.
- 4.
- 5.

9. (a) Particulars of the members of the family remaining behind in Pakistan.

পাকিস্তানে রহিয়া গিয়াছেন এরূপ পরিবারস্থ ব্যক্তিদের বিবরণ

Name	Relationship with head of family	Age/Sex	Address	Occupation
নাম	গৃহস্বত্বার সাহিত্য গবন্ধ	বয়স পুরুষ/মহিলা	ঠিকানা	পেশা
1	2	3	4	5

1.
2.
3.
4.

(b) Why is only part of the family migrating ?
পরিবারের শুধু এক অংশ কেন আসিতেছেন ?

(c) If any able-bodied male member has been left behind in Pakistan, what he is doing in Pakistan ?

পরিবারের যদি কোন শক্ষম পুরুষ পাকিস্তানে থাকিয়া প্রিয়াছেন তাহা হইলে তিনি সেখানে কি করিতেছেন ?

Note : If the information furnished by the migrant is false in any material respect he will be disqualified for any relief or rehabilitation assistance. This will be without prejudice to any further action which the Government may deem fit to take.

টীকা : যদি প্রদত্ত বিবরণ মিথ্যা বলিয়া প্রমাণিত হয় তাহা হইলে আশ্রিত উন্নয়ন কোন সরকারী অনুদান বা পুনর্বাসনের জন্য সাহায্য প্রাপ্তির অযোগ্য বলিয়া বিবেচিত হইবে। ইহা ছাড়াও সরকার তাঁহার বিরুদ্ধে এ বিষয়ে অন্যান্য উপযুক্ত ব্যবস্থা অবলম্বন করিতে পারিবেন।

I hereby solemnly declare that the statements made above are true to the best of my knowledge and belief

I further declare that :-

- I shall abide by camp discipline.
- I am willing to do manual work.
- I am willing to settle outside West Bengal, Tripura, and
- I am willing to settle in non-agricultural occupation.

ইহা আমি হৃদয় করিয়া জানতেছি যে আমি যতদূর জানি ও বিশ্ব উপরোক্ত বর্ণিত তথ্যাদি সত্য।

আমি আরও জানাইতেছি যে

- আমি ক্যাম্পের নিয়ম ও শৃঙ্খলা মানিয়া চলিব।
- আমি কায়িক পরিশ্রম করিতে রাজী আছি।
- আমি পশ্চিম বাংলা বা ত্রিপুরা রাজ্যের বাহিরে পুনর্বাসিত হইতে রাজী আছি।
- আমি কৃষি ছাড়া অন্য পেশা গ্রহণ করিতে রাজী আছি।

Date: 22.8.53
তারিখ:

Signature and thumb impression
of the Head of family.
গৃহস্বত্বার স্বাক্ষর এবং মূদ্রা

CERTIFICATE

4

Certified that I am satisfied on the basis of the above information and further enquires made by me that the family referred to herein has migrated from East Pakistan to India after 31st December 1963.

P.L.
Camp Commandant

Camp No. 3
(To be signed by a Gazetted Officer authorised in this behalf.)

FOR OFFICIAL USE

1. Relief Eligibility Certificate No. *588 (VII)*

2. Date on which migrated.....

3. Date on which mobilised.....

4. Paid Rs..... for journey expenses.

5. No. and date of Railway Warrant issued—
Date.....

6. Date of mobilisation to.....

7. Details of other relief assistance given before disposal to a transit/relief camp.

- (i) Cash done *Rs 57/50*
- (ii) Clothes *3*
- (iii) Utensils *2*
- (iv) Blankets *2*
- (v) Any other relief assistance *Medical relief*

Appendix-VI

GOVERNMENT OF ASSAM

REVENUE (SETTLEMENT) DEPARTMENT:: SETTLEMENT BRANCH.

NO. RSD. 13/64/260

Dated, Shillong, the 28th December/64

From- Shri U. C. Nampui. I. A. S.

Jt. Secretary to the Govt. of Assam.

To,

The Deputy Commissioner, Nowgong/Cachar/Darang

The Sub-Divisional Officer, Barpeta/Goalpara

From- Allotment of Land of Rehabilitation of East Pakistan Refugees in Assam.

Sir,

I am directed to say that after careful consideration, Govt. in the Revenue Deptt. have agreed to make available lands as per list enclosed to the Relief and Rehabn. Deptt. for rehabilitation of the East Pakistan Refugees. Particular care should therefore be taken to prevent encroachment on the lands earmarked for the Relief and Rehabilitation Dept.

2. You are now requested to keep everything ready for handing over of the lands as soon as the Relief and Rehabilitation Dept. want to take delivery of possession thereof.

3. I am, also to say that in making allotment of lands in question the allottees will not be given ordinary annual or Periodic Pattas but some kind of an allotment paper, the terms of which are under consideration of Govt. and that the land allotted to the refugees will be assessed to Touzi Bahir Revenue.

This may be accorded top priority.

Yours faithfully
Sd/- U.C. Nampui, I.A.S.
Jt. Secy. To the Govt. of Assam

Memo. No. RSD.13/64/260A, Dt. Shillong, the 28th December/64

Copy forwarded to the Secretary to the Govt. of Assam, Relief and Rehabn. Dept. with the request to expedite reply to this Dept. U/O endorsement dt. 7.11.64 in their File No. RHH.30/64 and to issue necessary instruction to the Deputy Commissioner/ Sub-Divisional Officers concerned, and also to the Officers of Relief and Rehabilitation Dept. for taking delivery of the possession of lands.

Sd/- U.C. Nampui, I.A.S.
Jt. Secy. To the Govt of ASSAM

Appendix-VII

IN THE SUPREME COURT OF INDIA
(CIVIL JURISDICTION)

WRIT PETITION CIVIL NO. 720 OF 1995

NATIONAL HUMAN RIGHTS COMMISSIONPetitioner

vs.

State of Arunachal Pradesh and Another ... Respondents

Counter- Affidavit on behalf of Union of India

A. I, J.S. Burjia, working as Director (Assam) in the Government of India, Ministry of Home Affairs, North Block Central Secretarial, New Delhi, do hereby solemnly affirm and state as follows:

B. That I am conversant with the facts of the case as borne out by the official's records available with the Ministry of Home Affairs and I am as such competent and authorized to swear this affidavit.

C. That I have read and understood the contents of the above Writ Petition and the following para-wise reply on behalf of Union of India is submitted.

PARA 1: No reply is required.

PARA 2: It is submitted that following large scale communal violence in the then East Pakistan, in early 1964, a sizeable number of people belonging to various communities, namely Buddhist, Hindu and Christian including the Chakmas/Hajongs who are of Buddhist and Hindu faith respectively started filling into Assam, Arunachal Pradesh (which was a part of Assam as Union Territory of NEFA), Tripura and West Bengal. By the middle of July 1964, at least 1, 40,000 persons including Chakmas/Hajongs consisting of 2902 families (14,888 persons) had migrated in to Assam. The then Govt. of Assam expressed their inability to settle such a large number of migrants in the State and consequently requested for their shifting. A suggestion was also made that a substantial number of families could be accommodated in NEFA as some surplus land was available there. Consultations were held between NEFA administrations, Govt. of Assam and the Ministry re habitation, Govt. of India for resettlement of some of these new migrants NEFA. Prior to these in late 1963, a scheme for settlement of vacant land in the Trip Frontier Division by agrarian families had been formulated by the NEFA administration. In the meantime, the influx of refugees from NEFA took place. NEFA agreed to accommodate some new migrants including the Chakmas and Hajongs under the already approved scheme. It was in this sequence that during 1964 – 1968 2902 families of Chakma/Hajong families were settled in NEFA (Arunachal Pradesh) in three districts namely Lohit, Tirap and Subansiri District. Plots of lands varying from 5 to 10 acres per family (including approximately 3 to 5 acres of land on an average for cultivation) depending upon the size of the family was allotted to be 2902 Chakma/Hajong refugee families under a centrally sponsored re habitation scheme. A

cash grant for each family was also sanctioned by the re habitation Ministry as re habitation grant. It is to be mentioned that in addition to 2902 families settled in Arunachal Pradesh at that time, about 31,770 agricultural families were also settled in various other parts of the country. In addition, over 15,000 non-agricultural families were also settled in some of the states of the country.

As to the number of Chakma/Hajong refugees in Arunachal Pradesh, as per of report of February 1995 from the Govt. of Arunachal Pradesh the Chakma refugee population was 34,493. One current estimate, however, indicates that there number may be larger and in range of 46,000 to 50,000. In a memorandum submitted by people Referendum Rally, for removal of Chakmas/Hajong refugees, in September 1995, it is indicated that the number has swelled to over 60,000. The census figure for Chakma and Hajong resettlement in Arunachal Pradesh indicate that in 1981, 24,083 Chakma and 1,433 Hajongs and in 1991 census, 30,062 Chakmas and 2,134 Hajongs were recorded. The decadal growth rate of Chakmas, according to census figures, has been 25%, compared 36.83% being the rate of growth of population for the whole state of Arunachal Pradesh.

PARA 3-5 It is submitted that the Government of India has been of the view that in the settlement of refugees who came to India in the wake of communal disturbances in East Pakistan in 1964, Arunachal Pradesh should also share the responsibility and burden. The Govt. of India has settled the Chakma/Hajong refugees after due consultations with the NEFA administration. The State Govt. of Arunachal Pradesh has reiterated their stand that Chakma/Hajong refugees should be shifted from Arunachal Pradesh. This matter has been receiving examination in the Central Govt. It has been found that the refugees from erstwhile East Pakistan were among those who were seeking refuge in India in the aftermath of the communal disturbances and did not come as infiltrators. The refugees were settled in various parts of the country after due deliberation and under specific scheme of re habitation. This re habitation scheme was formed for all refugees who came from the then East Pakistan during this period including those settled in Arunachal Pradesh. In view of the large number of refugees, it was felt that Arunachal Pradesh should also share the national responsibility in resettling them. These refugees have been in Arunachal Pradesh for about three decades. They are tribal's and have greater affinity with the people of Arunachal Pradesh than they would have with the people of other parts of the country. It will not be humane to once again uproot these refugees who made Arunachal Pradesh there abode for about 30 years. The Chakma refugees are Buddhist and some of the locals are also Buddhist. Most of the areas where these refugees were originally settled were not under the occupation of the local tribal people. It is also impracticable to shift such a large number of refugees. It has also been had been any actions to remove these people will have serious repercussions all over the country because as refugees have been settled in various parts of the country. It will also have serious effects in other state of North East.

As regards those people from the erstwhile East Pakistan (now Bangladesh) , who had migrated to India, a joint statement was issued by the Prime Minister of India and Bangladesh after detailed talks at New Delhi in February 1972. The statement mentions that the Prime Minister of Bangladesh reaffirmed his resolves to insure the return of all the refugees who had taken shelter in India since March 25, 1971. Accordingly, this Ministry had issued instruction to the Chief Secretaries of all the states and Union Territories on 30 September, 1992 starting, inter alia, that as a part of the understanding with the Govt. of Bangladesh, all those refugees who came to India before 25 March, 1971 would not be sent back to Bangladesh.

In the above background the central govt. had conveyed to the state Govt. that it is of the opinion that citizenships should be granted to this refugees to which they are entitled under the citizenships Act, 1955. The citizenships can be considered in accordance with the provision under section 5(1)(a) of the citizenship Act 1955. Further under this Act children of these refugees who were born in India prior the amendment of the Act in 1987 have claims to Indian citizenship. The Govt of Arunachal Pradesh has, however, been expressing reservations and has been pressing have their removal from the state. Further the deputy Commissioner and the State Govt. have not been forwarding the application of the refugee along with their recommendations/report for grant of citizenship as is required under the citizenships rules. Accordingly no considerations could be given by the Central Govt. to individual cases/applications for grant of citizenship.

PARAS 6-9 It is submitted that the presence of Chakma/Hajong refugees in Arunachal Pradesh is also evoking resentment from the local. All the Arunachal Pradesh Students Unions (AAPSU) started agitational programmes which demanded, inter-alia, eviction/dispersal Chakma refugees from Arunachal Pradesh. Encroachments of land by Chakmas and alleged involvement in criminal activities have been cited among other a reason in support of the agitation. In August 1994, the AAPSU demanded the expulsion of all foreigners including the Chakma/Hajong refugees from the Arunachal Pradesh. They had initially serve a “Quite Arunachal” notice with a deadlines of 30-9-94 public rallies, mostly Chakma areas, were organized.

The Central Government has been advising the State Government to take all necessary step providing security to all residents including Chakmas/Hajong and to take step to control the explosive and worsening situation. Concern of the Central Government was conveyed on the developing situation advising that while a final decision regarding their status can be taken separately, it was imperative for the State Government to ensure safety and security in the meantime. It was advised that the State Government may assert its authority to maintain law and order and ensure safety and protection of all residents. Two additional Bns of CRPF were placed at the disposal of the State administration for providing protection to the Chakma/Hajong refugee settlements. After the expiry of the 30-9-94 deadline, the AAPSU and other tribal students’ organizations continued to agitate and press for all foreigners including the Chakma/Hajon and Tibetan refugees. It

was reported that AAPSU started enforcing economic blockade of the refugee camps resulting in adverse effects on supply of rations, medical and other facilities to the refugees. After reports regarding lack of medical facilities and spread of malaria and dysentery in the Chakma settlement were received, the State Government was advised by the Central Government to ensure normal supplies of essential commodities to the Chakma/Hajong settlements and proper medical facilities.

The issue has been agitated by AAPSU once again after February 1995. A joint rally has been held on 20 September 1995 which demanded expulsion of all Chakma/Hajong refugees from Arunachal Pradesh before 31st December, 1995.

PARA 10-14 It is submitted that the Chairman of the National Human Rights Commission, in a communication dated 7-12-94 addressed to the Home Minister refer to the necessity of steps required to be taken by the Government for providing adequate protection to the members of the Chakma and Hajong communities. Following receipt of this communication, and also the complaint from committee for citizenship Rights of the Chakmas alleging violation of human rights, the Ministry of Home Affairs has been regularly pursuing with the State Government to furnish a report to the National Human Rights Commission and also to the Ministry. The Union Home Minister addressed a letter to the Chief Minister of Arunachal on 8-9-1995 requesting for long awaited comment of the State government, highlighting also that steps be taken for protection of life and property of these two communities to instill a sense of safety and security in the mind of the affected people and also for protecting the image of the State Government. The Home Minister also apprised the Chairman NHRC of steps taken by the central Government following the reference from the NHRC. The response in this matter was received from the State Government on 3rd November 1995 in which the State stated that they had already reported in the matter to the National Human Rights Commission and proposed to furnish supplementary report by 16.11.1995.

The State Government has been advised at various times to keep a strict watch on the law and order situation and make necessary security arrangements to ensure protection to all residents including the Chakma, Hajong and other refugees. The Union Home Minister wrote to the Chief Minister of Arunachal Pradesh on 8-9-1995 emphasizing the need for ensuring the safety and security of all the residents of the State by the State administration. The State Government was also advised to ensure normal supply of essential commodities and proper medical facilities in the refugee camps.

PARA 15: No reply is required.

PARA 16: It is submitted that as would be seen from the above, this Ministry is of the view that these refugees entered India in the aftermath of communal disturbance in the then East Pakistan. They have not been infiltrators. They were settled as a part of consensus decision under the rehabilitation scheme for the refugees. They have lived in the State for nearly 30 years. The issue of the grant of citizenship is under examination and consideration. In the meantime, it has been the firm view of the Central Government that

live, safety and security of all residents in the State including the Chakma/Hajong refugees in the State must be fully provided. The State has been advised accordingly on regular and repeated basis. In the light of the reports of the hardships faced by them, the Central Government has also advised the State Government to provide normal supply of essential commodities and adical facilities. Also the Central Government has been advising the State Government that any action is to be in accordance with the law of the land and private bodies and associations should not be allowed to take the law into their hands. To assist the state Govt. the Central para military forces have also been made available for deployment in the Chakma/Hajong settlement areas. It is the view of the Central Government that there should be no atmosphere of terror of fear.

The Central Government is also aware that this is a highly emotive issue in the state of Arunachal Pradesh and is agitating the attention of various sections of the local people. It is, therefore felt that various aspects of grant of citizenship to the Chakma/Hajong refugees in Arunachal Pradesh and the modalities thereto should be considered through fair and impartial mechanisms for resolution of the matter. The Central Government is also in favour of a dialogue with the State Government and all concerned in the State. Any genuine grievances of the local population regarding encroachment, illegal acquisition of land etc. by the Chakmas/ Hajongs could also be looked into. Further efforts need also be made to allay the fears of the local population on account of the presence/settlement of the Chakma and Hajong refugees.

On the receipt of the direction of the Hon'ble Supreme Court in their order dated 2 November, 1995 the State Government were immediately apprised for compliance with the direction of the Hon'ble Supreme Court. They were also advised to take necessary steps to file the State Government's Counter Affidavit. The State Government has since confirmed vide their message that the direction of the Hon'ble Supreme Court have been immediately complies with and instruction have also been issued to the District Administration for strict compliance of the Hon'ble Supreme Court's direction. They have also informed that the reply to the writ petition will be submitted in time.

D. I crave leave of this Hon'ble Court to add, alter or amend the submission made herein above if considered and advised to be necessary.

Sd/

Deponent

Verification

I, above the named deponent, do hereby verify the contents of the above affidavit, as true and correct, based upon the official records available with Ministry of Home Affairs and that no part of it is false and nothing material is concealed therefrom.

Verified at New Delhi on 1-12-1995

Sd/

Deponent

The CCRCAP shall be grateful if the National Human Rights Commission could take the following initiatives to ensure that those Chakmas and Hajongs who are born between 1964 and 1 July 1986 could enjoy their fundamental right to franchise in the forthcoming Parliamentary General Elections.

1. Direct the Union Home Minister to issue a notification stating that those Chakmas and Hajong who are born between 1964 and 1 July 1986 are citizens by birth under the Citizenship Act 1955 and eligible for enrollment in the voter lists if they have completed 18 year and that the Union Home Ministry coordinates with the Election Commission of India in this regard.
2. Direct the Union Home Ministry to take necessary steps to process citizenship applications submitted by the migrant Chakmas and Hajongs under the Supreme Court judgment to enable them to participate in the forthcoming general elections.
3. Direct the Election commission of India take necessary measures to enroll these eligible Chakma and Hajong voters who are citizen by birth under the Citizenship Act 1955;
4. Direct the Union Government of India to provide adequate Central Security Force to maintain law and order situation during enrollment of these voters.
5. Direct the Election Commission of India to make on the spot assessment of other measures that may be necessary ensure a free and fair poll in all Chakma and Hajong inhabited areas of Arunachal Pradesh.

With respectful regards,
Yours sincerely
Subimal Bikash Chakma
President
