

SECURITY CHALLENGES IN BORDER AREAS

The evolution of boundaries in the Indian subcontinent has a long historical legacy, which often has been a source of tension and conflict between neighbours. Before 1947, the Indian subcontinent was a single geographical unit comprising present day India, Pakistan, Nepal, Myanmar, Bangladesh and Sri Lanka, and marked by political, social and economic unity. People and goods were free to move anywhere in the subcontinent unhindered by barriers. However, political and administrative compulsions led to the division of the subcontinent and the eventual break-up of its social and economic unity as well. States based on religious and ethnic identities were carved out from this single geographical unit. Boundaries hastily drawn to give shape to the new political entities did not follow any distinct physical feature. These superimposed lines cut across ethnic, social and economic communities, severing social and economic ties among the people straddling these new borders. Consequently, people of the same village often found themselves citizens of two different countries separated by a line. Their livelihoods were severely threatened by the disruption of trade as barriers were erected in the way of the smooth flow of cargo and passengers.

Like all boundaries in South Asia, India's boundaries are also man-made. India shares 14,880 kilometres of boundary with Pakistan (3323 km), China (3488 km), Nepal (1751 km), Bhutan (699 km), Myanmar (1643 km), and Bangladesh (4096.7 km). India's boundary with each of its neighbours runs through a variety of ecological milieus, each with its own unique setting and associated problems. For example, India-Pakistan border areas are spread across extreme climatic conditions given that the boundary runs from the hot Thar Desert in Rajasthan to the cold Himalayas in Jammu and Kashmir. Similarly, in the north, the India-China boundary runs along one of the loftiest mountain ranges covered with snow all through the year. The India-Myanmar boundary is draped with lush tropical forests with its myriad undergrowths. The Indo-Bangladesh boundary has to cope up with the ever-shifting riverbeds in the region. These diverse ecological and climatic conditions create immense hurdles for extending the security and administrative reach in these border areas. Coupled with this, the man-made nature of these boundaries also throws up serious issues such as border disputes, porous borders, continuance of trans-border ethnic and social ties, etc. Together, they pose a serious challenge to the effective management of the borders.

Challenges to Border Management

Each of India's borders has its own specific problems. Following is a brief description of the problem which afflicts various borders.

- **Indo-Bangladesh Border**

To begin with, the India-Bangladesh (formerly East Pakistan) border was drawn by the Bengal Boundary Commission chaired by Sir Cyril Radcliffe. The commission submitted its report to the Governor General on August 12, 1947. While delineating the India-East Bengal boundary, Cyril Radcliff noted that the province of Bengal provided very few, if any, satisfactory natural boundaries. The border was thus drawn on the basis of old district maps. This made the boundary circuitous. Instead of following natural barriers, it meanders through villages, agricultural lands, and rivers, rendering the border extremely porous with many disputed pockets. Undemarcated stretches, existence of enclaves (chhit-mohols), and adverse possessions have been causing constant friction between the border guarding forces of India and Bangladesh.

Shortly after the Radcliffe award, disputes arose during the interpretation and implementation of the award. These were relating to the boundary between Rajsahi and Murshidabad, Daulatpur and Karimpur, the Patharia

Hill Reserve Forest, and the course of the Kusiya river. For adjudication and final settlement of these disputes the Indo-Pakistan Boundary Disputes Tribunal was set up in December 1949 under the chairmanship of Algot Bagge. Interestingly, in most of the cases such as the Kusiya River boundary and the Patharia Forest boundary, the Tribunal upheld the Radcliffe award. Regarding the boundary between Rajsahi and Murshidabad, the Tribunal decided that the district boundary should constitute the land boundary and for the riverine boundary, the mid-stream of the main channel of the Ganges as it was during the Radcliffe award, should be considered. Regarding the Karimpur-Daulatpur boundary, the Tribunal stated that the boundary line should follow the mid-channel of the Mathabhanga River.

However, because of the nature of the boundary some old disputes persisted and new disputes arose leading to renewed tensions between India and Pakistan. Prominent among them were the Hilli, Berubari Union No. 12, 24-Parganas-Khulna and 24-Parganas-Jessore boundary, Bholaganj, Piyain and Surma rivers, Feni river and Cooch-Bihar enclaves. To address the boundary disputes and to reduce tensions between the two countries, the Nehru-Noon Agreement on India-East Pakistan Border was signed in New Delhi on September 10, 1958. This was followed by a series of other agreements. The disputes were, however, far from settled. In 1974, three years after the liberation of Bangladesh, the then prime ministers of India and Bangladesh, Indira Gandhi and Sheikh Mujib-ur-Rahman, inked an agreement to settle the land boundary issue. Inter alia, the Indira-Mujib Agreement laid down the methods for demarcating various disputed stretches of the India-Bangladesh boundary. Under the agreement, India retained the southern half of South Berubari Union No.12 and the adjacent enclaves and Bangladesh retained Dahagram and Angorpota enclaves. India also promised to lease in perpetuity a 178 metres x 85 metres corridor, "Tin Bigha" to Bangladesh to connect Dahagram with Panbari Mouza. According to the agreement, the adverse possessions in areas already demarcated were to be exchanged within six months of the agreement.

But even after so many years, the enclaves and adverse possessions have not been exchanged. At present, there are 111 Indian enclaves in Bangladesh and 51 enclaves of Bangladesh in India. India does not have access to these enclaves in Bangladesh, and hence, no administrative set-up to provide facilities like police stations, courts, schools, roads, hospitals, banks, markets, etc. to their residents could be established. The residents of these Indian enclaves are also excluded from periodic Census surveys and elections. In many instances, anti-social elements and insurgents misuse the absence of police forces and take shelter in these enclaves. As regards adverse possessions, 38 patches of Indian land measuring 2953.72 acres and 4.5 bighas are in adverse possession of Bangladesh and 50 patches of Bangladeshi land measuring 3340.5 acres are in adverse possession of India. Under the Land Boundary Agreement of 1974 between India and Bangladesh, both the countries are committed to exchange the enclaves and cede the adverse possessions.

A major consequence of a porous border is the ease with which it is crossed illegally. The trend of illegal migration from Bangladesh into India has continued since independence. Various "push" factors such as political upheavals, religious persecution, demographic pressures, environmental crises and "pull" factors such as availability of land, employment opportunities, medical care, and education have contributed to the large-scale influx of Bangladeshis into India. Although there is an acknowledgement of this fact, there are no authoritative estimates of the number of such illegal migrants. Estimates vary from between 4 and 5 million to 10 and 14 million. The Task Force on Border Management headed by Shri Madhav Godbole, which submitted its report in 2001, put the figure at 15 million, with 300,000 Bangladeshis entering India illegally every month. This illegal migration has changed the demographic profile of many border states, which has resulted in separatist movements. A former Governor of Assam had highlighted the problem of illegal migration in his Report on illegal migration, submitted to the President of India on November 8, 1997.

The porosity of the border also allows Indian insurgents to cross over to Bangladesh and other neighbouring countries for asylum. Presently, the United Liberation Front of Assam (ULFA), the All Tripura Tiger Force (ATTF), the National Liberation Front of Tripura (NLFT), and the National Democratic Front of Bodoland (NDFB) as well as several other insurgent outfits from the Northeast have bases in the Chittagong, Khagrachari,

and Sylhet districts of Bangladesh. According to reports, there are 97 hideouts/camps of Indian insurgent groups in Bangladesh. It is also reported that as many as 77 Indian insurgents/criminals figuring in Interpol Red Corner Notice are being harboured by Bangladesh. Porous border, lack of economic opportunities, poverty and underdevelopment, attitude of the people towards petty crimes, laxity in vigilance, nexus between criminals and police and border guarding forces all contribute to escalating transborder crimes.

Smuggling of cattle has become a serious concern. Truckloads of cattle from Haryana, Rajasthan, Uttar Pradesh and Madhya Pradesh are shipped to the India-Bangladesh border everyday ostensibly for grazing purposes. From here, these cattle are smuggled into Bangladesh. Generally, average price of a buffalo is Rs. 2000, but once it crosses the international border, its price increases to Rs. 5000. Interestingly, the Bangladesh government levies custom duties on these smuggled cattle at the rate of Rs. 420 per cattle. Thus, a buffalo which would normally cost Rs. 2000 in India would cost Rs. 5420 after it is smuggled. No doubt, cattle smuggling has become so lucrative for the smugglers and Bangladesh government. The Border Security Force (BSF) on an average seizes about 1, 00,000 cattle per year. And it is estimated that the Indian government is losing Rs. 10560 crores to cattle smugglers. Along with cattle, smuggling of arms, and other essential items such as sugar, salt and diesel, human and narcotics trafficking, counterfeit Indian currency, kidnapping, and thefts are quite rampant along the India-Bangladesh border.

- **Indo-Nepal Border**

India and Nepal have shared an open border since 1950. The conception of such a border can be found in the Treaty of Peace and Friendship that the two countries signed that year. Provisions in the treaty, wherein citizens of both countries are given equal rights in matters of residence, acquisition of property, employment and movement in each other's territory, provide for an open border between the two countries. Although there is a general perception that the Indo-Nepal border has always allowed unrestricted movement, it has been argued that the concept of an open border started only after signing of the Treaty of Sugauli in 1815. Under the Treaty of Sugauli, Nepal ceded Sikkim, along with territory west of river Kali and east of river Teesta. However, some territory in Terai was restored to Nepal after the revision of the treaty in 1816. Further in 1865, the British India government returned additional territory to Nepal in recognition of its support to the British government during the 1857 revolt. After the restoration of Naya Muluk to Nepal, the India-Nepal border was finally settled.

During colonial times, the British had an interest in keeping the border open for two reasons. Firstly, impressed by the fighting skills of the Gurkhas, the British wanted to recruit them into the Indian Army. Secondly, Nepal was seen as a market for finished goods from India. To achieve these objectives, it was necessary to provide unrestricted cross border movement for both goods and people, and hence the idea of an open border. Independent India also followed the British tradition of an open border with Nepal. The open border between the two countries has facilitated close social, cultural, and economic exchanges and led to a special relationship between the two countries. People from both countries are free to enter the other's territory from any point on the border, while the movement of goods is allowed along 22 designated transit points. The unrestricted movement of people across the border over the centuries has led to the development of well-entrenched socio-cultural linkages. These linkages have, in turn, facilitated greater economic interdependence and political ties. There is no denying the fact that an open border has been a great facilitator of strong and unique bilateral relations. At the same time, it has given rise to many irritants and problems that raise serious concerns.

There are many points of dispute along the Indo-Nepal border, mostly a result of the constantly shifting courses of the turbulent Himalayan rivers. Prominent among these are the ones relating to Kalapani and Susta. The submergence, destruction and removal of border pillars and encroachment into no-man's land by people from either side add to the problem. Allegations of excesses such as intimidation, and forcible grabbing of land by either side along the disputed border also surface from time to time. The disputed border has created lots of unease not only between the two countries but also among their local populations.

An open border allows easy egress to terrorists and insurgents. In the late 1980s, Sikh and Kashmiri terrorists sneaked into India via Nepal. In later years, many insurgent groups from the North East, such as the United Liberation Front of Asom (ULFA), the National Democratic Front of Bodoland (NDFB), and the Kamtapur Liberation Organization (KLO), also misused the open border. In recent years, it has been reported that many terrorists have sneaked into India through the porous and poorly guarded Indo-Nepal border. Earlier, Maoists reportedly often escaped into India when pursued by Nepalese security agencies.

Apart from insurgents and terrorists, many hard-core criminals pursued by Indian and Nepalese security forces escape across the open border. These anti-national elements indulge in illegal activities, such as smuggling of essential items and fake Indian currency, gun-running, and drugs and human trafficking. Unrestricted migration over the years has produced territorial pockets dominated by people originating from the other country. The net effect of such migration, in extreme cases, is the clamour for a 'homeland', as was witnessed in the hill district of Darjeeling adjoining the Indo-Nepal border. A similar situation might arise in Madhesh region of Nepal. These adverse consequences of an open border have led from time to time to demands for its closure.

- **Indo-Bhutan Border**

India and Bhutan share a 669 km long boundary. The boundary is demarcated except along the tri-junction with China. The process of demarcation of the India-Bhutan border started in 1961 and was completed in 2006. Like with Nepal, India's boundary with Bhutan is also an open boundary.

The border was peaceful till Indian insurgent groups such as the Kamtapur Liberation Organisation (KLO), United Liberation Front of Asom (ULFA) and National Democratic Front of Bodoland (NDFB) established camps in the southern districts of Bhutan. Taking advantage of the open border, these insurgents would sneak into Bhutan after carrying out extortions, killings and bomb blasts. This problem has been effectively dealt with during the Bhutanese government's 'Operation All Clear', which saw the destruction and uprooting of all insurgent camps in Bhutanese territory. However, stray insurgent incidents such as extortion and killings are still carried out by the surviving members of ULFA along the border areas. Smuggling and trafficking are also rampant along the border. Chinese made goods, Bhutanese cannabis, liquor and forest products are major items smuggled into India. Livestock, grocery items and fruits are smuggled out of India to Bhutan.

- **Indo-Myanmar Border**

India-Myanmar boundary stretches for 1643 km. The boundary was demarcated in 1967 under an agreement signed by both countries. However, numerous earlier treaties and acts had affected the alignment of portions of the boundary and formed much of the basis of the new agreement. To begin with, the Treaty of Yandaboo of 1826 negated Myamarese influence on Assam, Cachar, Jaintia and Manipur and pronounced the Arakan mountain range as the boundary between British India and Myanmar. An Agreement was negotiated in 1834, which returned Kubaw valley to Myanmar. In 1837, the Paktai Range was accepted as the boundary between Assam and Myanmar. In 1894, the Manipur - Chin Hills boundary was demarcated, and in 1896 Col. Maxwell redemarcated the Pemberton - Johnstone line, placing thirty-eight pillars on the ground. These pillars were referred to in the 1967 agreement. The Lushai Hills- Chin Hills boundary was demarcated in 1901 with minor alterations in 1921 and 1922. Under the Government of India Act of 1935, Myanmar was separated from India, but the resolution of the border between them was left to the newly independent governments. At the time of independence, the boundary between India and Myanmar was partially disputed, particularly the position of Moreh along with a few villages. Since relations between the two countries were extremely cordial, the disputed nature of the boundary did not cause major concern to either of them. However, the rise of insurgency and subsequent violation of the boundary by both insurgents and security forces of both countries forced India and Myanmar to negotiate a settlement of the boundary on 10 March 1967.

The location of the Indo-Myanmar boundary throws up many challenges for the effective management of the boundary. Though the boundary is properly demarcated, there are a few pockets that are disputed. The rugged terrain makes movement and the overall development of the area difficult. The internal dynamics of the region

in terms of the clan loyalties of the tribal people, inter-tribal clashes, insurgency, transborder ethnic ties also adversely affect the security of the border areas. There is practically no physical barrier along the border either in the form of fences or border outposts and roads to ensure strict vigil. Insurgents make use of the poorly guarded border and flee across when pursued by Indian security forces. Close ethnic ties among the tribes such as Nagas, Kukis, Chin, etc., who live astride the border help these insurgents in finding safe haven in Myanmar. These cross-border ethnic ties have facilitated in creation of safe havens for various northeast insurgent groups in Myanmar. As a result, various insurgent groups such as the National Socialist Council of Nagaland (NSCN), the United National Liberation Front (UNLF), the Peoples Liberation Army (PLA), and others have established bases in Myanmar. When pursued by the Indian security forces, these insurgents cross the poorly guarded border and take shelter in these bases. The Indian government has been requesting the Myanmar government to take action against the Indian insurgents, but the Myanmar government appears either unwilling or incapable of flushing them out of its territory.

The location of the boundary at the edge of the "golden triangle" facilitates the unrestricted illegal flows of drugs into Indian territory. Heroin is the main item of drug trafficking. The bulk of heroin enters India through the border town of Moreh in Manipur. It is reported that the local insurgent groups are actively involved in drugs and arms trafficking. The smuggling of arms and ammunition, precious stones and Chinese made consumer items finds its way into India illegally. Red Sanders, ATS (amphetamine type stimulant), grocery items, bicycle parts, etc. are smuggled from India. Human trafficking is also rampant along the border. The provision of allowing the tribal communities of both countries to travel up to 40 km across the border without any passport or visa has also contributed to increased smuggling in the region.

- **Indo-Pakistan Border**

India shares 3323 km long and complicated boundary with Pakistan. The India-Pakistan boundary is categorised under three different heads. The first is the international boundary also known as the 'Radcliff line'. It is 2308 km long and stretches from Gujarat to parts of Jammu district in Jammu and Kashmir. The second is the line of control (LoC), or the Cease Fire Line, which came into existence after the 1948 and 1971 wars between India and Pakistan. This line is 776 km long, and runs along the districts of Jammu (some parts), Rajouri, Poonch, Baramulla, Kupwara, Kargil and some portions of Leh. And the third is the actual ground position line (AGPL), which is 110 km long and extends from NJ 9842 to Indira Col in the North. The LoC and the AGPL has been a scene of constant tensions with border skirmishes and firing between the armies and border guarding forces of both countries. The LoC has been vulnerable to constant infiltration by foreign terrorists, Kashmiri separatists and Pakistani army regulars for long.

Like the Bangladesh boundary, the India-Pakistan boundary also does not follow any geographical barrier. It runs through diverse terrain like deserts, marshes, plains, snow clad mountains, and winds its way through villages, houses and agricultural lands making it extremely porous. Porosity of this border has facilitated various illegal activities such as smuggling, drugs and arms trafficking, and infiltration. Heroin and fake Indian currency are the two predominant items of smuggling along this border. Other items include saffron, textile, mercury, which are smuggled from Pakistan. The villagers adjacent to the border are alleged to be involved in smuggling in a big way. Money laundering is also quite rampant along the border. A large scale hawala network is flourishing in Punjab, especially in Ludhiana. In addition, the border population has also been subjected to hostile propaganda by Pakistan designed to mislead and sway their loyalties. The Sir Creek area, due to its peculiar terrain, makes the movement of border guarding forces very difficult and thus, provides scope for illegal fishing in the creeks.

- **India-China Border**

India and China share a 3,488 km long boundary. Unfortunately, the entire boundary is disputed. The line, which delineates the boundary between the two countries, is popularly called the McMahon line, after its author Sir Henry McMahon. In 1913, the British-India government had called a tripartite conference, in which the boundary between India and Tibet was formalized after a discussion between the Indian and the Tibetan

plenipotentiaries. A Convention was adopted on April 27, 1914, which resulted in the delimitation of the Indo-Tibetan boundary. This boundary is, however, disputed by China which terms it as illegal.

India and China had never shared a common boundary till, China "liberated" Tibet in 1950. It was then that the hitherto India- Tibet boundary was transformed into an India-China boundary. Since 1954, China started claiming large tracts of territory along the entire border such as Aksai Chin in Jammu and Kashmir, Bara Hoti, Sanchamala and Laphthal in Uttarakhand and the entire Arunachal Pradesh. In 1957, China occupied Aksai Chin and built a road through it. This episode was followed by intermittent clashes along the border, which finally culminated in the border war of 1962. The boundary, which came into existence after the war, came to be known as Line of Actual Control (LAC). It is a military held line.

The rapprochement between the two countries in 1976 enabled India and China to initiate High Level border talks in 1981 to find a solution to the vexed problem. After eight rounds, the talks broke down in 1987 because of the Sumdorong Chu incident. In 1988, following Prime Minister Rajiv Gandhi's visit to China, the Joint Working Group (JWG) was set up to look into the border problem. In 1993, the Agreement on the Maintenance of Peace and Tranquillity along the Line of Actual Control (LAC) was signed and the India-China Expert Group of Diplomatic and Military Officers was set up to assist the JWG. In 1996, the Agreement on Confidence Building Measures (CBMs) in the Military Field along the LAC was signed. The JWG has held 14 rounds of talks between 1988 and 2003. In 2003, two special representatives (one each from India and China) were appointed to find a political solution to the border dispute. Till 2009, these two special representatives had held 13 rounds of talks, but it seems they have not made much headway. Meanwhile, China has hardened its position on the border issue and has started laying claims on areas which were thought to be settled as for example the finger area in Sikkim.

Issues faced in Border management

1. Lack of coordination

The employment of multiple forces results in problems of command and control as well as the lack of accountability for encroachments, poor intelligence and inept handling of local sensitivities.

The term border management must be interpreted in its widest sense and should imply co-ordination and concerted action by political leadership and administrative, diplomatic, security, intelligence, legal, regulatory and economic agencies of the country to secure our frontiers and subserve the best interests of the country.

The Line of Actual Control (LAC) with China offers an illustrative example of the lack of co-ordination in border management. The western sector of the LAC in Ladakh and Himachal Pradesh and the central sector along the Utrakhand border are manned by some Vikas battalions of the Special Frontier Force that reports to the Cabinet Secretariat and the Indo-Tibetan Border Police that is a Ministry of Home Affairs police force, respectively. Infantry battalions of the Indian Army man the Sikkim border and units of the Assam Rifles (AR) man the Arunachal Pradesh, Nagaland, Manipur and Mizoram borders. The AR is a para-military force under the Ministry of Home Affairs that is officered mostly by regular army officers. Its battalions have been placed under 'operational control' of local army formation commanders. Though the responsibility is that of the army, the AR battalions given to the army for border manning operations are not directly under its command. This arrangement is not conducive to fostering a professional relationship between the commanders and their subordinates.

Operationally, the Northern and Western Commands are responsible for military operations along the LAC in portions of the Western Sector. The Middle Sector on the Utrakahnd border is under the operational jurisdiction of the Central Command, while the Eastern Sector along the Sikkim and Arunachal Pradesh borders comes under the operational control of Eastern Command.⁴ On the other hand, on the Tibetan side, the entire LAC is managed by Border Guards divisions of the Chinese People's Liberation Army (PLA) under a single PLA commander of the Tibet Autonomous Region.