

Resolving boundary dispute with Bangladesh

*305. SHRIMATI SHOBHANA BHARTIA: Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the boundary dispute between India and Bangladesh is continuing since past few decades;
- (b) if so, whether to resolve the vexed boundary dispute between both the countries, any new approach has been developed;
- (c) if so, the details thereof; and
- (d) the time by when boundary dispute with Bangladesh is likely to be resolved permanently?

THE MINISTER OF HOME AFFAIRS (SHRI P. CHIDAMBARAM): (a) to (d) A Statement is laid on the Table of the Sabha.

Statement

(a) Issues related to land boundary between India and Bangladesh, including un-demarcated stretches of about 6.1 km., exchange of enclaves, and territories in adverse possession, are being negotiated between the two countries. The maritime boundary between India and Bangladesh is pending arbitration.

(b) to (d) In January, 2010, during the visit of the Prime Minister of Bangladesh to India, both the Prime Ministers of India and Bangladesh agreed to comprehensively address all outstanding issues keeping in view the spirit of the 1974 Land Boundary Agreement (LBA). They had also agreed to convene the India-Bangladesh Joint Boundary Working Group (JBWG) to take the process forward. Both Prime Ministers agreed upon the need to amicably demarcate the maritime boundary between India and Bangladesh. They noted the initiation of proceedings under Annex VII of the United Nations Convention on the Law of the Sea (UNCLOS). The 4th meeting of the JBWG was held in New Delhi on November 10-11, 2010. The two sides, *inter-alia*, discussed the long pending issues related to the land boundary. Both sides agreed to work constructively towards resolving differences to demarcate the land boundary; jointly take steps necessary to facilitate the process of exchange of enclaves; and to jointly access the areas of adverse possession. Joint headcount of the enclaves was completed from July 14-17, 2011.

SHRIMATI SHOBHANA BHARTIA: I would like to put one question to the hon. Minister. What is the time-frame that is being envisaged for trying to resolve both the land and the maritime dispute which is under arbitration? Since there has been some progress in demarcating the land borders, I want to know from the hon. Minister whether there is any possibility of this announcement coming to coincide with the hon. Prime Minister's forthcoming visit. And, also,

would the resolution of this border dispute require the transfer of only territory or territory and people?

MR. CHAIRMAN: Please put one question only.

SHRI P. CHIDAMBARAM: Sir, on the maritime boundary, it would not be possible for the Government to give any time-line. On October 8, 2009, Bangladesh had given notice and the matter is now before the International Arbitration Tribunal. India has time to submit its counter memorial. After that the Tribunal will have to take up the matter. Therefore, it is not possible to indicate a time-line.

On the land issues, I think, there is a good possibility that the matters will be resolved when the Prime Minister visits Bangladesh later next month. I think, it may not be appropriate for me to make any announcement as such.

SHRIMATI SHOBHANA BHARTIA: Sir, as regards the joint headcount of the enclaves, what is the total number after the joint headcount and what is the nature of compensation that is being provided to any enclave resident who wishes to be settled in India if his or her enclave is absorbed by Bangladesh?

SHRI P. CHIDAMBARAM: Sir, the enclaves have been identified. Bangladesh has 51 enclaves inside the Indian territory and India has 111 enclaves inside the Bangladesh territory. Under article 3 of the 1974 Agreement, after the enclaves are mutually transferred as per whatever agreement is reached, the people in the area shall be given the right of staying on where they are as nationals of the State to which the areas are transferred. That option is given to the people.

Now, as far as the number of people is concerned, the number in both categories of enclaves is not very large. In fact, there is a popular misconception that the numbers are large. The total number in all the enclaves put together is only 51,590.

SHRI KUMAR DEEPAK DAS: Sir, we have many disputed lands on the Indo-Bangladesh border, such as Lathitilla-Dumabari. We hope that this dispute would be resolved when the delegation led by the hon. Prime Minister visits the region. I would like to know about some 50 acres of land, including a tea garden, that has been given to Bangladesh for construction of the Bhongir line in the Karimganj area. The hon. Minister of State had issued a Press Note on the issue. Something has been happening on the South Samba and other regions also. So, land has been given away to Bangladesh. I would like to know from the hon. Minister whether he has made any inquiry into this matter, and if not, then, I would like to request the hon. Minister to make an inquiry into the matter and let us know what action has been taken against illegal works being carried out by construction companies like the NBCC.

SHRI P. CHIDAMBARAM: Sir, I am not aware of the case that the hon. Member is referring to. He has given brief particulars and has mentioned the name of a company. I would certainly look into it and reply to him.

श्री विनय कटियार : सभापति महोदय, भारत और बंगलादेश की सीमा पर बाढ़ लगाने का काम काफी हद तक पूरा हो चुका है, लेकिन फिर भी बहुत से स्थानों पर भूसीमा का सीमांकन न होने के कारण वह भाग खुला हुआ है। वहां पर नदियों में बाढ़ लगाने की व्यवस्था और उनका सीमांकन ठीक ढंग से नहीं हो पाया है। मैं पिछले दिनों कई सीमावर्ती क्षेत्रों में गया हूं और मैंने वहां के अधिकारियों से जानकारी भी प्राप्त की है। मैं आप से यह जानना चाहता हूं कि इस भूसीमा के सीमांकन का हल न होने के कारण, अभी तक इस देश के अंदर कितने बंगलादेशी घुसपैटिए आ गए हैं, उनकी कितनी संख्या है और उनको यहां से निकालने की क्या व्यवस्था है?

श्री सभापति : आप सिर्फ सवाल पूछिए।

श्री विनय कटियार : सभापति जी, मैंने सवाल ही पूछा है। मैंने यह सवाल पूछा है कि कहीं पर जो भूसीमांकन नहीं हो पाया है और जो नदियां खाली पड़ी हैं...। उसके कारण से भारत के अंदर बंगलादेशी घुसपैटिए चले आ रहे हैं। जो बंगलादेशी घुसपैटिए चले आ रहे हैं, उनकी देश के अंदर कितनी संख्या है और इनको निकालने के लिए आपने क्या व्यवस्था सोची है?

SHRI P. CHIDAMBARAM: Sir, I don't think it is correct to link the undemarcated border with the influx of immigrants from Bangladesh, and I submit with respect that to call an immigrant as an infiltrator also may not be correct because infiltration is used in a very different context in connection with militancy.

Now, the undemarcated border is only 6.1 kilometre. The 6.1 kilometre border lies in three segments. As I said, there is a good possibility that these matters will be resolved when the Prime Minister visits Bangladesh, and I think, whatever announcement is to be made should be made by the External Affairs Minister or the Prime Minister. It may not be appropriate for me...(Interruptions). Just a minute; I am answering. As far as illegal immigration from Bangladesh is concerned, yes, that is a problem. People from Bangladesh cross over and enter into India. While large numbers come on Visas, a small number does come illegally...(Interruptions).

MR. CHAIRMAN: Please, allow the Minister to complete the answer.

SHRI P. CHIDAMBARAM: We apprehend them on the international border. I have the numbers that are apprehended at international border — in 2008 - 3,175; in 2009 - 2,460; in 2010 - 1,600; in 2011 up to July - 453. But, I readily concede that a large number of people have come across the border and they have not been apprehended. I concede that. This is a very long border. It is a difficult border. We have a large number of BOPs. We are increasing the number

of BOPs by almost 50 per cent. We are trying to strengthen the border, but given the nature of the terrain, the fact that people on either side of the border belong to the same racial and language group, there are great difficulties in identifying illegal immigrants. The problem of illegal immigration from Bangladesh has been with us for many years. There are no easy solutions, but we are doing our very best to stop illegal immigration.

SHRI THOMAS SANGMA: Sir, I represent the State of Meghalaya which shares a large part of its border with Bangladesh. The whole southern part of our State has border with Bangladesh. Sir, I am given to understand that the border fencing is done with a setback of 150 yards from the border pillars. The border fencing is being done with a setback of 150 yards in many parts. But, due to the difficulty of the terrain, in many places, the fencing is being undertaken even beyond the setback of 150 yards. In some places, it is almost 500 metres; almost a kilometre. As a result, we are losing a lot of land to Bangladesh and Bangladesh is not constructing any border from their side.

MR. CHAIRMAN: What is the question?

SHRI THOMAS SANGMA: So, in one way, Bangladesh is gaining more land and we are losing lot of land. Why are there different sets of guidelines in respect of border fencing at different places? At Chinese border, in Sikkim, we have seen that fencing is done at zero point. But, at Bangladesh border, we have a setback of 150 yards. Why do we have separate set of systems for border fencing in regard to China, Pakistan, or, Bangladesh? Will the hon. Minister assure this House that we will have same set of rules?

SHRI P. CHIDAMBARAM: There are no different standards. Between India and Bangladesh, when we started this fencing project, the agreement was that fencing will be constructed beyond 150 yards from the international border. Now, in some places, we have asked that we should be allowed to erect the fencing within 150 yards. It is wrong to say, and, I think, this misconception should be corrected, that if the fence is erected at 150 yards, the land on the other side of the fence belongs to Bangladesh. It is completely wrong. That land is Indian land. There are gates, there are BOPs, there are BOPs, and, people ...*(Interruptions)*...

MR. CHAIRMAN: Please listen to the answer. ...*(Interruptions)*...

SHRI P. CHIDAMBARAM: Given the good and friendly relations, and, the improving relations between the two countries, let us not say or do anything which will harm the relations between the two countries. If there is a specific doubt, I am willing to clarify it. My learned friend, the External Affairs Minister will clarify it. That land belongs to India. The same thing applies to the Punjab border. I am aware of the fencing work in Punjab. It was started in 1986 when I was

the Minister of State. The land on the other side of the fence up to the international border is as much Indian land as the land on this side of the fence. There are gates; the gates are regulated. Access is provided and cultivation takes place.

Now, as far as the cases where we want to build the fence within 150 yards, we have identified a certain number of patches where we want to do that. Sir, 46 patches have been prioritized. In 34 patches, joint inspection between India and Bangladesh has been completed. Work has commenced in 27 cases, and, in the remaining cases, work will commence. Wherever we want to build fence within 150 yards, we go through a procedure. It is a slow procedure. It is a procedure that requires negotiations with Bangladesh but we are addressing those problems where the fence has to be put up within 150 yards of the IBB.

MR. CHAIRMAN: Question No. 306. ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA: Sir, the Minister has not replied. ...*(Interruptions)*...

MR. CHAIRMAN: No, Mr. Baishya. ...*(Interruptions)*... Please. ...*(Interruptions)*... We are running out of time. Please.

SHRI BIRENDRA PRASAD BAISHYA: Sir, the question was about the border dispute between India and Bangladesh. The reply has been given only for the land dispute between Bangladesh and India. ...*(Interruptions)*...

MR. CHAIRMAN: Mr. Baishya, please sit down. ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA: *

MR. CHAIRMAN: This will not go on record. ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA: *

MR. CHAIRMAN: You are taking precious time of the House. ...*(Interruptions)*... This is not going on record. ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA: Sir, there should be a half-an-hour Discussion. ...*(Interruptions)*...

MR. CHAIRMAN: Please raise the question with the Minister separately. ...*(Interruptions)*...

SHRI KUMAR DEEPAK DAS: Sir, this is an important issue. ...*(Interruptions)*...

SHRI BIRENDRA PRASAD BAISHYA: Sir, please have a half-an-hour discussion. ...*(Interruptions)*...

MR. CHAIRMAN: Okay. Give notice for it. ...*(Interruptions)*... Please take your seats. Now, Shri Mysura Reddy.

*Not recorded.