

Nepal-India Relation: Migration Perspective

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Abstract

People of Nepal and India share similar civilization having open border through which citizens of both countries easily migrate in each-others' countries with no obstacles for lawful work. Mostly, people of both countries migrate for job but Nepalese people migrate to join in British – Indian regiments too and some people migrate for long term settlement and some are for illegal flesh trade. This article has dealt about Nepalese and Indian migrants in both countries and its scenario in an analytical ways on the basis of qualitative research method being centralized to the objectives of this research work. This study also focuses on economic, social, cultural and political prospects and impact of migration in both the countries.

Keyword: Nepal-India relation, open-border, Gorkha-recruitment, seasonal migration, lean agricultural period

Background

Nepal is a beautiful Himalayan landlocked country which is located between India and China in South Asian region. It is extended between 26° 22' N to 30° 27' N from the equator and 80° 4' E to 88° 12' E from the prime Meridian and is spread in the area of 147,516 km² (56,956 sq mi)¹. Likewise, the immediate friendly nation lying in the East, West and South of Nepal is India. India lies on the Indian Plate, the northern portion of the Indo – Australian Plate, whose continental crust forms the Indian Sub Continent. It is situated North of the equator between 8° 04' N to 37° 06' N latitude and 68° 07' to 97° 25' East longitude. It is crowned by the great Himalayas in the northern east and surrounded by huge oceans on the other three sides. While the Arabian Sea borders the South west side, the South east is lullied by the Bay of Bengal and the Southern tip, and *Kanya Kumari* (Cape Cameron) is washed by the wave of Indian Ocean. It measures 3214 km from north to south and 2933 km from east to west. It has a land frontier of 15,200 km and coastline of 177365 km. (www.anglefire.com). Nepal shares its political borders with India in three (E, W and S) sides and with China in North.

1* (<https://www.google.com/search?q=present+area+of+nepal&oq=present+area&aqs=chrome.1.69i57j0i20i263i512j0i512i3j46i512j0i512i4.11753j0j7&sourceid=chrome&ie=UTF-8>) Accessed on January, 2022.

The tie between two dissimilar territory and population point of view, South Asian Nations has wide, history, culture, trade; commerce and people to people relation are immemorial. It is not a relation of recent – time and which have been nursing by a rich and deeply pervading inheritance of historic evolution, geographical proximity and socio-cultural identities. The evolution of Nepal – India relations has been made by the geographical proximity. Since it's more than 1700 km of accessible border with India make the peoples of both countries easy for their movement from one side to another.

Nepal is a country constitutes people having differences in ethnicity. The ethnic diversity is the most characteristic of the hills, which have been the protective sanctuaries for the ethnic groups of the Indian origin fleeing from the powerful enemies and political persecution and for the ethnic groups of the Tibetan origin, coming from harsh climate; the Nepalese hills became a pleasant habitat. The first settlers in the valley of Nepal (Kathmandu Valley) seem to be the people from the north (Legend about Manjushree). Migration of the people from the North was of voluntary nature in search of best land for cultivation and grazing, while that from the south was involuntary or forced nature in search of secured place for shelter.

The migration between Nepal and India has been easy because the compact geographical nature, socio-cultural continuity and open border have made it so. It is believed that the course of migration between Nepal and India started in the ancient time. At that time the much flow was believed to be from India to Nepal. After the *Mugual* intervention in India, lots of the ruling class Hindus fled away to the hills of Nepal and even some established the resign. But Nepalese migration to India is recorded only after *Gorkha* recruitment. Nepal migrants in India are working in inferior sectors as watchmen, porters, gate-men, and some as sex workers but Indian are in trade and businesses as well as some of them are in very inferior works too.

Objectives

The objective of this article is to assess the perspective of Nepal-India migration. Besides, this article has made its objectives as:

- a) To find out the migration issue between Nepal and India.
- b) To give some recommendations to accept each other's reality based on similar civilization.

Methodology

This study has followed descriptive, analytical and explorative research design to meet the stated objectives. Descriptive research is used to describe a situation, subject,

behaviour, or phenomenon. It is used to answer questions of who, what, when, where, and how the things are associated with a particular research question or problem. Descriptive studies are often described as studies that are concerned with finding out "what is". It attempts to gather quantitative information that can be used statistically to analyze a target audience or a particular subject. It is used to observe and describe a research subject or problem without influencing or manipulating the variables.

Nepal – India Migration

Talking about migration perspective between Nepal – India, it is not a new phenomenon but historical one. Nepal has been experiencing internal as well as international migrations. The tide of migration has surged across Nepal from Indian Territory since the dawn of civilization ([http://www.nepjol.info>article>viewpdf](http://www.nepjol.info/article/viewpdf)).

The issue of migration between Nepal and India is historical as well as contemporary reality where an individual from one country have worked and lived in the other without hindrance. But, despite the regular high levels of movement back and forth, this cross border travel has generally received specific attention at the state level. There are expectations when either side tightness state boundaries to suit their respective purposes, but in general the unregulated two-way flow of people across the border continues unabated.

After the formation of the Nepali state in 1768 - 69, the migration of Nepalese people to India and vice-versa was started with the recruitment of Nepali into the Sikh ruler's armies of Ranjit Singh and in the early years of the 19th Century, other hill states of Punjab in North Western Indian. Anglo – Nepal war (1814 – 1816) ended by Sugauli Treaty 1816 that allowed Nepalese to join the British army. But formal recruitment of Nepali youth in British army started only after 1885. While recruitment of Nepali youth into the Indian army began after the independence of India or after the end of British rule in India in 1947.

The very remarkable thing between Nepal – India migration is an open border, which means that citizens of both countries can move freely without even being recorded across the land border. Census of Nepal (1991) recorded that 89.2 percent absentee population of the total migrants were in India. This population of Nepal is remained in four states of India i.e. Uttar Pradesh, Uttaranchal, Bihar, Assam, and West Bengal (<http://www.unescocogym.org>).

During the liberation movement of subsequent independence of Bangladesh the hostility between the indigenous Bengali speaking population and the Urdu speaking population, Muslims from Bihar, resulted in the suppression of the later and as a result a large

number of *Bihari* Muslims took refuge in Nepal (more than 10000). So far only a few thousands of them have been repatriated to Pakistan and most of the remaining refugees are concentrated in Kathmandu valley. Whereas politically exiled people's number from Nepal was large during the rule of *Ranas*. Migration of the Nepalese farther East in Burma started at the beginning of the present Century when they were recruited in the Burmese Military Policy for World War I and II large numbers of Nepali youth Lilly people were recruited in the British Indian army (Nearly 20% male population of the Country falls here).

Nepalese migration in an international level had started with the recruitment of physically strong youth in the British army after Sugauli Treaty. But at the beginning of this twenty first century, Nepal has observed a rapid increase of absent population over census periods i.e. 762181 persons .This figure became triple i.e. 1921494 in 2011. The emigration rate for 2011 is estimated at 10.77 per thousand populations, whereas the immigration rate for the same period stands at 0.46 per thousand populations.

The first civil code of Nepal in 1862, declared by Junga Bahadur Rana, put a provision in place that foreigners residing in Nepal could purchase and sell land, which resulted in large – scale migration of Indian businessmen and entrepreneurs to Nepal and was followed by migration of tillers as well. Likewise, in 1942 during World War II, a large number of Nepalese settled in Myanmar fled into India and Nepal. Many of them lost their lives on the way, very few came back to their place of origin and a few settled underground. There are still settlements of Nepalese inhabitants in Myanmar and the nearby country of Thailand as well. Various migrations related policies, laws and coercive measures are responsible for the lack of appropriate migration management. Due to this migrant, especially those who settled in more remote areas of Nepal have deprived the Nepali people of various socio – economic and development opportunities. For example, in the 19th century, the Nepalese government deliberately invited Indian immigrants to the Terai for agricultural colonization. This encouraged Indian immigrants to extend their business and influence over the Nepalese territory.

Nepal and India share an 'open border' as per the agreements of a bilateral treaty signed in 1950. According to the provision of the treaty, Nepali and Indian citizens can travel and work across the border and are to be treated as native citizens. This has been made easy and legal by the provision of the Peace and Friendship Treaty, 1950.

Article 6: Each Government undertakes, in token of the neighborly friendship between India and Nepal to give the national of other, in its territory national treatment with regard to participation in industrial and economic development of

such territory and to the grant of concessions and contracts to such development (Upreti, 2009).

This is one of the major factors for Nepalese population migrating to India. It may seem like the migration only takes place that way. But the process of migration is not one-way traffic. People are also migrating from India to Nepal since long time as the Nepalese do to India. The process and factors determining migration may be different for migrating from the two countries, but it does take place.

Article 7 of the Treaty states “The Governments of India and Nepal agreed to grant, on a reciprocal basis, to the nationals of one Country in the territories of the other, the same privileges in the matter of residence, ownership of property, participation in trade and commerce, movement that privileges of a similar nature” (Upreti, 2009).

Though this provision is unjust to Nepal, this factor for migration of Nepalese people in India has made easy. But the process of migration is not only way traffic but also two ways. People are also migrating from India to Nepal since long time as the Nepalese do to India. The process and factors determining Migration may be difficult for migrating from the two countries, but it does take place.

The census of 1991 revealed that the number of emigrants increased to 658,337 between the periods of 1981 – 1991. This amounts to 3.6% of the total population of the country. Nearly 9 out of 11 of their emigrants went to India. If the 3.6% population of India came in Nepal as per the provision of article 7 of 1950’s treaty what would be our condition? (<http://ceslam.org>).

Since long, Nepalese have worked for the Indian state as a part of Gorkha regiments and the civil service; security guards; as domestic workers; and as manual laborers in mines, tea estates and dairy farms. Recently, a large number of student migrants from Nepal to India have also been the twin phenomena and of second - generation Nepali migrants in India taking up various white -collar jobs too. The next side of Nepali migrants (women/ female) in India is highly involved in unsafe sex profession, circuses and mines. They go to India through major five points.² * 22 trade and transit routes; and numerous unguarded border transits.

²Note:*(Kakadbhitta – Siliguri, Biratnagar – Joghani, Bhanabawa – Sunauli, Nepalgunj – Rupediya and Dhagadhi Gauriphanta are the five major entry points for Nepali to India).

It is difficult to say the exact number of Nepali living in India for a number of reasons but, cross- border marriages; seasonal migration across the international boundary; and the long history of Nepalese settling permanently in India as outlined earlier, it has mainly to do with the porous nature of the Nepal -India border; largely unknown is the where about of many Nepalese in India, the sectors they work in and the conditions they work under.

There is no official figure of how many Nepalese cross the border between Nepal and India, or of how many Nepalese work in India and Vice Versa. In fact, apart from statistical data in the form of absentee population in various Surveys, including the census, the Nepali state has largely ignored its migrant population in India.

Seasonal Migration

Simply, seasonal migration covers labor migration aspect between Nepal and India migration. From rural Nepal, male people go to India for work during the off season in agricultural. This number is higher than 1 million annually. There is no official record of the People from far-western Nepal migrating to India. But news has shown the upsetting condition that they are found involving in unsafe sex which is increasing STD and HIV/AIDS. This sort of migration is not only from hill but also from terai too. The census 2001 shows that 30% of Nepali migrants were from terai (<http://www.indianembassy.org.np>).

Nepalese migrants in India are in vulnerable because neither they have official record nor they are aware about their rights or the Indian security personnel's (Police at border) protects them honestly. For example, the hue and cry about the 'pervasive criminality' among Nepalese working in India has been a critical part of Nepal government. The News regarding, in 1996, the circular asking Indians not to hire Nepali as domestic helpers of New Delhi police dragged the big anxiety. This issue was neglected by the both countries concerned authorities.

With the end of British rule in India in 1947, the ten *Gurkha* regiments in India were shared between Britain and India, with four going to Britain and six remaining in India.). The agreement, commonly called the Britain – India – Nepal Tripartite Agreement, or the TPA, thus paved the way for India also to directly recruit Nepali in to its army. A large number of Nepali have served in the Indian army since, and tens of thousands of Nepali are currently in the Indian Army's Gorkha regiments and other security wings of the Indian government.

In 1950, Nepal and India signed the Treaty of Peace and Friendship, in recognition of the ancient ties which have happily existed between the two countries through its Article 7,

the treaty provides reciprocal rights to the nationals of India and Nepal in the matter of residence, ownership of property, participation in trade and commerce, movement and other similar privileges. In effect, this creates full freedom of movement between the countries. After its signature, Nepalese started immigrating further into India, to the cities of Delhi, Mumbai and Bangalore in search of employment.⁷⁵ From the mid-1980s, Nepalese started also to migrate to the Gulf States and Malaysia for work. The Gulf States were experiencing rapid economic growth, while Nepal's agricultural production and economic opportunities were declining. The growth in the number and accessibility of labor recruitment agencies and the decentralization of passport issuance in Nepal contributed to outmigration of unskilled and semi-skilled Nepalese to the Gulf States, particularly to the construction and service sectors.⁷⁶ The historic trend for Nepali youth to move abroad in search of work, and the continuation of cross-border movements with India, have become defining characteristics of Nepal's migration context.

The Nepal census gathers data on the "absentee" population. Nepal has observed a significant increase of absent population over the two most recent census periods. In the 2001 census, 762,181 persons were reported to be "absent", meaning not residing in Nepal. The figure more than doubled to 1,921,494 in 2011 which was 7.3 per cent of the population. Of the total absentees, 87.6 per cent were male and 12.4 per cent female. According to the census, one in every four households had a family member abroad. Table 5 shows how the absent population has increased from 1.4 per cent of the population in 1942 (when this question started to be included in the census) to 7.3 per cent of the population in 2011.

There is no universal acceptance on what sources of data should be used when calculating net migration rates. The Nepal CBS uses the recorded absent population from the census to determine the emigration rate and the recorded foreign-born population to calculate the immigration rate. Nepal's emigration rate for 2011 is estimated at 10.77 per 1,000 populations. The immigration rate from NPHC 2011 data stands at 0.46 per 1,000 populations. Together, these make the gross migration rate which, for Nepal is estimated at 11.23 per 1,000 populations. The net migration rate is calculated by subtracting the emigration rate from the immigration rate and stands at -10.32 in Nepal.

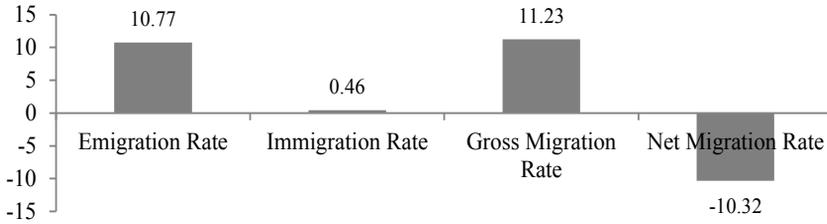


Figure 1. Migration rates as per CBS 2018

India has historically been the principal destination for Nepal’s absent population; however that trend has been decreasing over time. While 93 per cent of the absent population was in India for the 1981 census, that figure decreased to 77 per cent in 2001. The 2011 census shows that figure continuing to decline, with India being the destination for 37.5 per cent of the absent population in 2011.⁷⁸ This decline is due to the increase of absentees in other countries, such as Malaysia and the Gulf countries. The 2011 census further shows the absent population to be overwhelmingly young. More than 76 per cent are between 15 and 34 years of age. Figure 8 shows the breakdown of the absent population, by age.

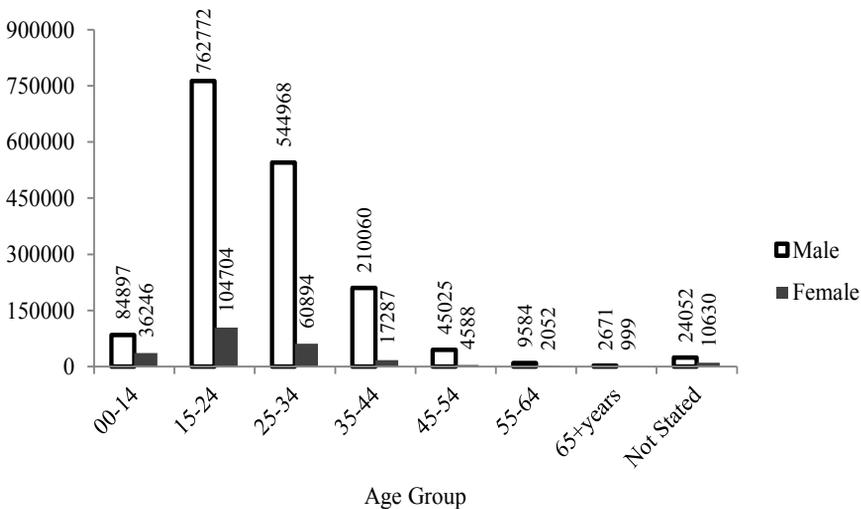


Figure 2. Total number of absent population by age as per census 2011

Cross-border movements along the 1,870 km-long open border with India are common. The countries have long had social, cultural, ethnic and religious ties and historically, India was the main destination for Nepalese migrating abroad. The 2011 census showed that of the total absentee population, 37.6 per cent had left for India. In terms of actual numbers, it is still a more popular destination for Nepalese than any other single country. As stated above, migration of Nepalese to India is not restricted or regulated, making it cheaper and administratively and logistically easier than travelling further afield. The census showed that Nepali households with the least financial resources were more likely to have a migrant family member in India than elsewhere. In other words: India as a destination choice declines as the wealth status of the household improves, with households from the higher wealth quintiles likely to have migrants in countries other than India.⁸⁶ The 2011 NDHS showed that while men largely migrate to India for employment (87% of those who had gone to India) the reason for the migration was different for women who mostly migrated to India as dependents or for marriage. Women were more likely to travel to other destinations for work. As mentioned above, the NDHS defines migration to be for a period of more than 6 months. Apart from this data on absentees from past surveys, there is very little recorded data which shows how many Nepalese migrate to India. The border is long and porous, and without border data it is difficult to track movements, including seasonal migration. There are also no records kept on how many Nepalese work in India or where they are. It is however generally accepted that there are frequent movements across the border, long-term, short-term, seasonal and even more frequent with some workers living near the border crossing for work on a daily or weekly basis.

As can be seen in Figure 3, there is variation in the official figures. The censuses in 2001 in India and Nepal were the most similar as to numbers, but widely divergent as to gender. Nepal's census put the proportion of women migrants at 12 per cent in 2001, whereas the Indian census indicated that it was 55 per cent. This wide divergence indicates that the figures cannot be relied upon. Unofficial estimates also vary widely, from 3 to 4 million at one end of the scale, to under one million at the other. The variations may be attributable to the large number of Nepalese working in the informal sector or who have been trafficked, or who migrate seasonally or even more frequently. It is also worth noting that if whole families migrate to India, they will not be shown at all on the Nepali population census. Additionally, if people leave on a seasonal basis for only a few months at a time, they will not be counted as absentees.

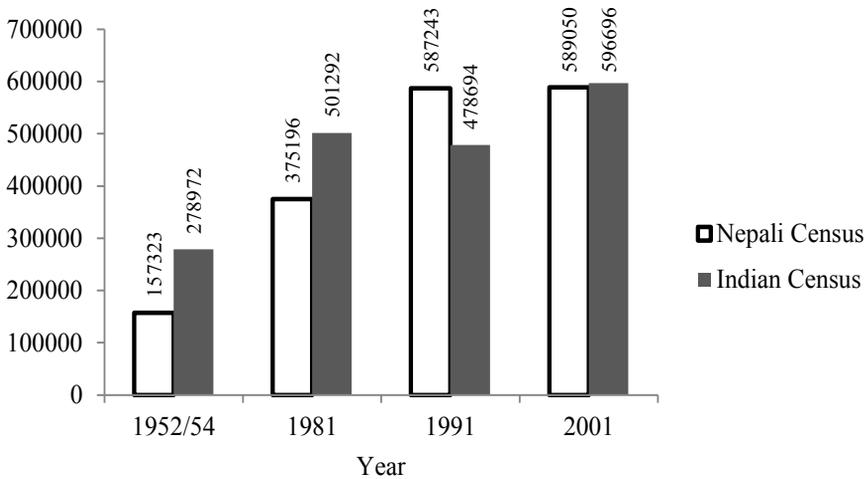


Figure 3. Nepalese in India as per Indian and Nepali censuses

Passport Act, 2004 B.S. section 3 states; a Nepali citizen may make journey abroad only upon receiving a valid passport issued in his/her name however, it will not be necessary to receive a passport to visit any country if a treaty and agreement concluded between the Government of Nepal and the foreign government does not make processing passports mandatory. But the lawful ways to send their income in Nepal is not identified yet which is causing great threat to Nepali workers working in India while coming back to Nepal, they bring the earned money but looting, theft and robbery etc are causing tensions.

Indian's Migration to Nepal

There are a large number of Indian immigrants in Nepal, consisting of recent migrants from India to Nepal. There are currently estimated over 4 million Indian origin immigrants living in Nepal. The migrants from India to Nepal are both *Madhesis* having origins from Bihar, up and other states and *Pahadis* from Assam, Darjeeling, etc. Indian citizens who have come to Nepal because of open border and are working here, then their number is not huge, maybe few lakhs at the maximum. If we look to Indian immigrant's refereeing to Madhesi population of Nepal who do have similar culture and language with some Indians the population represents 25% of Nepal's total population (<http://www.quora.com>).

Around 6,00,000 Indians are domiciled in Nepal. These include businessmen and traders who have been living in Nepal for a long time, professionals (doctors, engineers, IT

personnel) and laborers (including seasonal/migratory in the construction sector) (<https://www.google.com>).

Indian Nepali, Indian Nepalese or Indo Nepalese are Nepalese (Nepali people) who have Indian heritage. The Marwari people have lived in Nepal for several hundred years. They came to Nepal from Rajasthan as traders and flourished in Nepal where there was very little trade activity then, and now control a majority of the top businesses of Nepal. There are also a few Punjabis and Bengalis in major cities of Nepal. A plenty of Muslims have also emigrated from India to Nepal. A majority of them are involved in low profile works like rickshaw pullers, cobblers, tailors, scavengers etc. Some run small businesses also. In 2001, it was estimated that around 4 million Indians had migrated to Nepal over the previous 35 to 40 years while an estimated 7 million migrated from Nepal to India mostly for work. Indian immigrants called Madhesis are not Indians, though India due to various reasons does have strong influence inside Nepal but it's not as huge as before.

Conclusion

Nepal has faced a long history of poverty, unemployment, insurgency (Maoists), and backwardness. Due to several simple and uneducated Nepalese temptation of earning migrations number is alarmingly increasing. The extension of on Indian railway to the Nepalese border by the last decade of the 19th century brought Indian trades and businessmen.

Indian immigrants occupied most of the main markets leaving the Nepalese behind. With the establishment of joint industrial ventures in terai in the 1930, more Indian industrial labors came to Nepal for work in factories. This discouraged and deprived Nepalese of employment in these factories, who were treated as less efficient and skilled personnel to be employed in factories. Article 6 and 7 of the 1950's peace and Amity treaty held between Nepal and Indian has facilitated for Indian immigrations in large numbers.

Deprivations large number of Nepali people has migrated to India in search of Job and better earning. The neighbors have had an ancient flow of migration but in the past there was greater migration from India to Nepal which has changed now. According to the report (2004), 200 Nepalese cross the border to India every hour. Nepalese travel to other Countries as well but India remains their primary destination mostly to seasonal migrants from rural areas (<http://www.youthkiawaaz.com>).

But Nepali migrants working India are treated as right less noncitizen and face several discriminations at the herds of unscrupulous Indian authorities. Nepali migrant workers are taken as cheap labor in India. The lower level Job holder's *Indian are also facing problem in Nepal. They are called DOTHI/ MARSYA, BHAJYA* and other humiliating

words are used. Indian migrants in Nepal are working as *Kawadi Collector*, *Tarkariwala*, *Aalu Pyajwala* and so on. Looking to the intimate tie and long history of Nepal–India migration, we must respect each other’s people who are migrated in course of seeking Job and for other purpose under humanitarian grounds not only but also as people sharing similar civilization and easy cross boarder access having no visa, no restriction, no document but common access to each other countries.

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