

Causes and Consequences of Cross-border Migration of Nepalese People to India

Laxman Singh Kunwar, PhD*

Abstract

Nepal and India share an open border as per the agreements of a bilateral treaty signed in 1950. According to the treaty, people of both countries can travel and work across the border and are to be treated at par with the native citizens. Due to its poor economic condition, Nepal has been supplying labour to India since Nepalese were recruited as 'Gorkhas' in the British Indian army after the Anglo-Nepal war of 1814-16. The 1991 and 2001 Censuses of Nepal recorded that absentee population from Nepal towards India constituted 89.2 and 79 per cent of the total migrants respectively, though this phenomenon has changed over the recent years. There has been increasing a trend of migration to Gulf countries, Asian Tiger States, American and European countries. This article is based on secondary data sources. People who are not that much skilled and have not enough resources are going to south East Asian countries, mainly to Malaysia, and Middle East. Nearly more than four-fifths of per cent absenteeism from Nepal remained in India. The similar socio-cultural, religious patterns, historical and geographical setting favor in participating on cross-border migration between two countries.

Key Words: Nepal, India, Cross-border migration, causes and consequences

Introduction

International migration is not a new phenomenon in much of the world. A process of movement of persons is across international borders (IOM, 2004). Cross-border human flows is largely a post-Cold War phenomenon and are posing a serious challenge to the host societies' collective identity, social order, political agenda, and even national security. Human flows have been defined broadly to include not only migrants in the conventional sense but also individuals who have permanently settled in a country other than their country of origin but also short-term migrant workers, traders, tourists, businesspeople, educators, students, and entertainers, including sex workers. Each type of cross-border movement raises human security issues and presents challenges to host countries. In addition, migration is the result of the complex socio-economic and political processes where the individuals and families have to make decisions examining the choices available against the background of the socio-political structures and the compulsions therein. On the other hand, the political masters of the day might decide for them. According to Siddle (2000), people take or make opportunities, make mistakes, react either to private whims or to growing desperation. They strike out alone or using an

*Dr. Kunwar is an Associate professor of Population Studies, Patan Multiple Campus, TU, Nepal

unseen network of kin and acquaintances to make what otherwise appear to be random shifts.

Patel (2001:148) argues, there is the need and scope to understand the constitution of migration as a social process. According to Spellman (2002), individual calculations about a better lifestyle, household decisions to allow certain members to migrate with a goal of assisting those back home (a form of insurance in countries where there are no state-backed unemployment and insurance schemes), fear or direct experience of persecution at the hands of intolerant regimes, response to famine, and capitalist market penetration into previously stable agricultural societies – all undoubtedly play some role in the current complicated migration phenomenon. Socio-cultural linkages in the region and ease in crossing borders due to geographical contiguity have accelerated the pace of movement of population from one country to another. War, political, religious as well as racial persecutions within a state, economic backwardness or natural calamities have been some of the reasons for migration. In fact, the movement of population between India and Nepal is unique because people from both countries can legitimately move freely into each other's territory without any documents. Monbiot (2003:117) says, if democracy is not self-establishing, it is not democracy. The problem what Nepalese society and the state are facing today is due to the absence of such type of self-established democracy. Therefore, the migrants who aspire for freedom should either go home and participate in the movement to establish it or have to wait staying away and working here until that has been established there.

The history of foreign employment in Nepal dates back almost 200 years, when Britain began recruiting men from the hillsides of Nepal, into the British armed forces. After India's independence in 1947, the Indian military also began enlisting Nepali men. Currently, about 3,500 Nepali soldiers serve in the British army and more than 50,000 Nepalese are enlisted in the Indian military. India was the first country to attract civilian migrants from Nepal. The inflow of working migrants to India has increased sharply since the 1950s and 1960s, and India now represents the largest market for migration to foreign countries in Nepal (Sheddon, 2005). The Foreign Employment Act of 1985 was the first legislative document to officially recognize the benefits of international migration (Jha, 1999).

History of Cross-border Migration of Nepalese People to India

The Geographical topography has not favored easy movement of population between Nepal and China. Extreme climate and rough terrain make its northern region difficult for human habitation. Nepal has no access to the sea from its north; hence, its trade was limited to Tibet only. However, geographical realities forced Nepal to look towards India for transit purposes not only for accessing the sea route to reach third countries. History shows that the movement of population between India and Nepal was continuous and unrestricted. There was no clear demarcation of the territories and, in fact, till 1815 AD, under various rulers, the territorial boundaries kept on changing. It was the Treaty of Sugauli, signed on December 2, 1815, between Nepal and the East India Company, which

formally demarcated the boundaries between the two countries (Pandey, 1995). The British policy to encourage Nepalese settlers in the tea plantations of the north-east of India led to colonies of Nepalese in these regions. In certain areas, the Nepalese outnumbered the local population, resulting in autonomous administrative units: Darjeeling has an autonomous hill council. Nepal's reluctance to send Gurkhas to join the British India Army led to the East India Company encouraging Gurkhas to settle in the hills of India (Rose, 1971).

The Treaty of Peace and Friendship was signed between the Indian representative Chandreshwar Prasad Narain Singh and Nepalese Prime Minister Mohan Shumsher Jung Bahadur Rana on June 31, 1950. To strengthen socio-economic relations between the two countries, the treaty provided for open border facilities and continuous movement of people in each other's territory. According to the Article VI of the treaty each government undertakes, in token of the neighborly friendship between India and Nepal, to give to the nationals of the 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 relating to such development. Likewise, the article VII of the treaty agreed to grant, on a reciprocal basis, to the nationals of one country in the territories of the other, the same privileges in the matters of residence, ownership of property, participation in trade and commerce movement and other privileges of a similar nature. Migrants of both countries could take up jobs anywhere, except in the administrative and foreign Service.

The number of total Nepalese migrants in India is highly debatable. GEFONT (1998) has estimated that there are 2.8 million. Another estimate is 1.3 million (Seddon et al, 2002) and the lowest is that of the Nepalese government which is 589050 as stated in the census report of 2001(CBS, 2002: 54). Subedi (2000) has estimated the number of migrants who have been in India in search of employment to manage their livelihood could be more than 6 million. Poudel (2003) has estimated that there are 2.4 million Nepalese migrant workers.

Objective

The objective of this paper to find out major causes, consequences and problems faced by migrants during their migration process to India and returning back from India.

Methodology

This article is based on secondary sources of information which were published on various publications.

Discussions and Findings

There is a long history of cross border migration of Nepalese people to India. There is no enough research on causes, consequences and problems faced by cross border migrants during their migration process. In addition, due to open border and no need of passport and visa provision there is lacking on exact number of cross border migrants to India.

Causes of Cross-border Migration of Nepalese to India

People living on both sides of the border, who can enter each other's territory daily for basic needs, are the main beneficiaries of an open border. In fact, it is said that there are houses situated on the border where one door opens towards Nepal and the other towards India. There are some who have settled permanently in India in places like Darjeeling, Sikkim, Dharamsala, Dehradun, etc where colonies of Nepalese have sprung up. Another category of Nepalese migrants is semi-permanent in nature, whose stay varies from six months to 10 years, mainly in the urban areas of India. The third category is of the seasonal migrants who migrate for three months during the winters (Jha, 1995). The movement of population towards India acts as a safety valve, in the absence of which there would have been social tension in Nepal. It not only provides employment to Nepal's rising population, but also helps in looking after the families back at home by remittance of money.

The history of foreign employment in Nepal dates back almost 200 years, when Britain began recruiting men from the hillsides of Nepal, into the British armed forces. After India's independence in 1947, the Indian military also began enlisting Nepali men. Currently, about 3,500 Nepali soldiers serve in the British army and more than 50,000 Nepalese are enlisted in the Indian military. India was the first country to attract civilian migrants from Nepal. The inflow of working migrants to India has increased sharply since the 1950s and 1960s, and India now represents the largest market for migration to foreign countries in Nepal (Shedden, 2005). The Foreign Employment Act of 1985 was the first legislative document to officially recognize the benefits of international migration (Jha, 1999).

Similarly, the movement of people from India to Nepal is not a new phenomenon. Similar geographical conditions, easy accessibility and employment opportunities have attracted Indians to move into the Terai. The impact of the flow of Indian laborers has been maximum in the Terai which is the most fertile and developed region of Nepal. The Terai has only 17 per cent of Nepal's total land but accounts more than 50 per cent of the population of Nepal (CBS, 2011). In Nepal, migration has not only been accelerated due to push factors which make people moving outside of Nepal but also there are historical processes related to pull factors from outside.

Consequences of cross-border migration of Nepalese to India

In August 1983, the Task Force on Migration presented its recommendations to His Majesty's Government on the impact of internal and international migration in Nepal. The study, under the chairmanship of Harka Gurung, suggested that the people from India were mostly skilled or semi-skilled workers who had displaced local labourers or native workers. The study came out with recommendations on the management of the border. It prescribed registration of names of the people crossing the border and multi-entry permit system to those residing within 10 km range of the border, and issuing of regular passports to the people of the two countries (Gurung et al 1983). The provision of free movement of people between the two countries has not been properly by migrants' workers of both countries against the interests of the countries. The unrestricted movement of people has

been misused for trafficking of women and children. Large numbers of girls are trafficked from Nepal to India which acts as a receiving country and a transit route to the Gulf countries and Europe. The efficient management of the border seems to be the answer to check the movement of disreputable criminals. Rimal (1997) states, "Evidences show that Nepalese working as domestic help abroad have been the victims of under-payment. Even if we overlook the cases in East Asia and Middle East, the large numbers of domestic helps in India are under extremely exploitative conditions.

Seddon et al (2004) have estimated that in 1997, the Nepalese migrants to European countries sent back home around Nepali Rs. 4.4 billion. Of this amount, Rs. 4.1 billion came from Britain, most of it by those serving in the British army. The estimated total amount was Rs 50 million from North America, Rs.1.5 billion from the Gulf countries and Rs. 720 million from Saudi Arabia. Similarly, Rs. 360 million each came from Qatar and the United Arab Emirates and Rs.18 million each from Kuwait and Oman. East and South East Asia accounted for Rs. 23 billion and India Rs. 6 billion. That year, the estimated total remittance was Nepali Rs. 35 billion from 350,000 Nepalese. In addition, they say the number of Nepalese working abroad could be as high as 1.1 million and the estimated remittance could be as much as Rs. 69 billion.

According to the data furnished by Nepal Rastra Bank, the central bank of Nepal, five non-banking units, meaning the money transfers such as Western Union, remitted US\$ 21.26 million in 2002. In 2003, it was US\$ 56.23 million through nine non-banking agencies. However, these figures are low. In 2003, it was estimated that US\$ 1 billion was remitted into the country (Gorkhapatra, 2004). Thieme (2003) has stated that Nepalese migrants in Delhi do not have access to commercial banking. They have established two kinds of savings and credit associations – chits and societies. These two types of informal cooperatives or savings credit schemes are basically designed for safe-keeping of money, saving and getting credit when there is any emergency or they go home.

Problems related with Cross-border Migration

While crossing the border, Nepalese migrants have to face lots of problems because of their ignorance of the laws and rules regarding the borders. The custom authority and police at the border trouble these people in different ways can collect bribe from the migrants. The problem they mainly face is harassment from the police and paying bribe. They have to pay bribe to cross even their used household things at the border. Tax and customs invasion, illegal trade and human trafficking are other existing problems related with open border between two countries. In addition, sometimes the relationship between Nepal and India has not been normal due to entry and exit of third countries citizens with having bad intention. Security, fake currency, Bhutanese refugees to Nepal and Tibetan refugees to India, rubbery, citizenship issue are the remarkable and burning problems.

Conclusion

Nepalese migrants are acquiring new skills through experience. They go home back and start utilizing that skill by opening a small income earning activity. Most of them know

many Nepalese associations associated with politics. However, many of the workers see them not so credible. Although most of the migration from Nepal to India is of the unskilled labour class, who work in unorganized sector as watchmen or restaurant workers but there are second generation Nepalese migrants to India who are well settled economically. This second generation of migrants treat themselves almost as Indian citizens.

Historical evidence and treaties, similar socio-cultural patterns and existing open border are creating favorable environment to go and return in full filling the basic needs of people of both countries. Disputes and misunderstanding due to open border are pertinent negative dimensions and those should be solved on the ground of benefits of both countries and their people. Finally, the process of cross-border migration of Nepalese people to India is providing employment opportunities even to illiterate and unskilled Nepalese and India is receiving cheap labor from Nepal. No doubt, in the long run the economic dependency of Nepal would further increase.

References:

- Central Bureau of Statistics (2003) **Population Monograph of Nepal**, Vol. (II), Kathmandu: National Planning Commission Secretariat
- Central Bureau of Statistics (2011) **Preliminary Report of 2011 Census of Nepal**, Kathmandu: National Planning Commission Secretariat.
- GEFONT (1998) **GEFONT and the Migrant Workers**, Article prepared for AMC regional consultation, 16-20 Dec. 1998 , General Federation of Nepalese Trade Unions, Kathmandu. (www.gefont.org/views/1998/migrant_workers.htm).
- Gorkhapatra (2004) *Remittance Reality: Sqreandering Money on Luxuries*. (www.gorkhapatra.org.np/pageloader.php?file=2004/02/16/topstories/main4)
- Gurung, Harka, Bal kumar KC; C. B. Shrestha; Chaitanya Mshra; D. P. Ojha; P.P. Timilsina;; S. B. Gurung and V.V. S Kansakar (*Task Force*) (1983) **Internal and International Migration in Nepal** (4 Volumes in Nepali) Kathmandu: National Commission on Population.
- International Organization on Migration (IOM) (2004). IOM Glossary for Migration, 2nd Edition (Geneva: IOM).
- Jha, H.(1999) **Status of informal sector: The other side of economy in Nepal**, Kathmandu.
- Jha, N.N.(1995) "Minorities, Immigrants and Refugee Issues in the Context of Indo-Nepal Relations" **New Perspectives on India-Nepal Relations**, in Kalim Bahadur, Mahendra P. Lama,(eds). New Delhi: Har-Anand Publication.
- Monbiot, George (2003) **The Age of Consent: A Manifesto for A New World Order**, Flaming, London: an imprint of Harper Collins Publishers).
- Pandey, Ram Niwas (1995) "Historical Perspectives of Nepal-India Border Relations", **Nepal-India Border Relations**, in Hari Bansh Jha (ed) Kathmandu: Modern Printing Press.
- Patel, Tulsi (2001) **Women and Migration in Structure and Transformation: Theory and Society in India**, in Susan Visvanathan(ed), New Delhi: Oxford University Press,
- Poudel, Keshav (2003) **Migration: Boon or Bane**, Spotlight, fortnightly, Vol. 22, No. 37, March 28-April 03 2003, Kathmandu.
- Rimal, Bishnu (1997) *GEFONT and Migrant Workers*, (www.gefont.org/views/1997/migrant_workers.htm)

- Rose, Leo-E (1971), **Nepal: Strategy Survival**, Bombay: Oxford University Press.
- Sheddon, D. (2005), “*Nepal’s Dependence on Exporting Labor*”, Migration Policy Institute, Washington D.C.
- Seddon, D; Adhikari, J and Gurung G (2002), *The New Lahures: Foreign employment and remittance economy in Nepal*, Kathmandu: Nepal Institute of Development.
- Siddle, David J. (2002), “Introduction”, **Migration, Mobility and Modernization** in David J. Siddle (ed). Liverpool: Liverpool University Press,
- Spellman, W. M., (2002): **The Global Community: Migration and the Making of the Modern World**, Phoenix Mill: Sutton Publishing Limited, UK
- Subedi, Navaraj (2000), Gata dui dashakko Nepalko janandolan tatha Bharatsthit Nepaliharuko antarsambandha, (Nepalese People’s movement of the last two decades and the concerns and contributions of Nepalese migrants in India), **Nepali Ekta** New Delhi: Akhil Bharat Nepali Ekta Samaj
- Theime, Susan (2003), “*Savings and Credit Associations and Remittances: The Case of Far west Nepalese Labor Migrants in Delhi, India*”, **Working Paper** #. 39, Employment Sector, Geneva: International Labour Office.