



# Special Report

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## India-Bangladesh Border Management: The Challenge of Cattle Smuggling



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### Executive Summary

India and Bangladesh share proximity of culture, history, language and geography. In spite of this intimate relationship, ties between the two countries have remained problematic. Among the many challenges facing the relationship are river water sharing, trade and transit, illegal migration and border management. One recent source of tension has been violence on the border. Even though there have been attempts on both sides to bring peace and tranquility to the border, success has been elusive. One of the reasons for this failure is the disinterest shown by both India and Bangladesh in tackling the problem of rampant cattle smuggling which has made the Indo-Bangladesh border a

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dangerous place for ordinary people. This paper examines the magnitude of cattle-smuggling across the Indo-Bangla border, the negative consequences for Indian security and the steps needed to regulate cattle trade from India to Bangladesh, reportedly worth \$500 million annually.

## Introduction

India and Bangladesh are separated by a 4098-km border passing through flat and hilly terrain, rivers and jungles. In some parts, the border passes through heavily populated areas with cultivation extending to the very edge of the border. Border pillars remain the only identification of the international boundary. What makes the areas abutting the border both interesting and complex is that the communities who straddle the political boundary are of the same ethnic stock, with common language, traditions and culture. Since there are countless streams and rivulets, it is not easy to establish and maintain border pillars on these river islands or *chars*. Varying seasons make it even more difficult to identify where Bangladesh begins. Many of these islands, clearly visible during the dry seasons, disappear when the monsoons arrive with thunderclaps. This makes effective patrolling difficult in these areas. It however encourages smugglers of all kinds—trading in contraband and cattle.

The matter of cattle smuggling would have remained a law and order problem but for the incidents of firing by the Indian security forces in which Bangladeshis have died. Bangladesh has accused the Indian Border Security Force (BSF), the paramilitary unit tasked with manning the International Boundary, of killing its citizens. The Indian authorities have strongly refuted these allegations, justifying the firing as preventive action to stop smugglers and other criminals from trespassing into India. The Indian authorities assert that the attacks on the border personnel by the smugglers have increased in recent years, forcing the soldiers to resort to firing. In 2010, they state, 32 intruders were killed while 64 BSF personnel were injured in the incidents. When the BSF, on the request of the Bangladesh government in 2012, resorted to non-lethal weapons like rubber bullets and pump action guns, the number of Bangladeshis killed on the border fell to 11 while the number of BSF personnel injured in the attacks rose to 150. India contends that the security forces resort to the use of lethal weapons in self-defence.

The demand-supply equation keeps the price of cattle quite high in Bangladesh. A cattle head which usually fetches Rs 500 to 3000 in India gets as much as Rs 20,000 to Rs 40,000 in Bangladesh.

These accusations and counter-accusations have further deepened suspicion and bitterness between the two neighbours. Although there are no official statistics either from Bangladesh or India about the number of people killed or their nationalities, NGOs in Bangladesh claim that over 1000 Bangladeshis have been killed on the border between 2001 and 2010. This figure could be exaggerated but it has led to a great deal of resentment in

Bangladesh. There is no denying that deaths do take place on the border and one of the main reasons is the rampant smuggling of cattle.

## Cattle Smuggling

The cattle trade on the India-Bangladesh border is worth \$500 million annually.<sup>1</sup> A major reason for the flourishing trade is the export ban imposed by India. The demand for beef in Bangladesh is quite high but the supply is limited. On the other hand, India is a cattle surplus country and the demand for beef is fairly low. Estimates suggest that about 20,000 to 25,000 cattle heads worth \$81,000 from India are smuggled daily into Bangladesh.<sup>2</sup> The primary motivation is of course profit. The demand-supply equation keeps the price of cattle quite high in Bangladesh. A cattle head which fetches Rs 500 to 3000 in India gets as much as Rs 20,000 to Rs 40,000 in Bangladesh.<sup>3</sup>

### Cattle smuggling

Year	No. of Cattle Seized	Persons Arrested
2010	101381	287
2011	135291	411
2012	120724	395
2013 (Jan-Feb)	22627	55

Source: Ministry of Home Affairs, March 2013.

The smuggling mainly takes place through North and South Bengal, Tripura, Assam and Meghalaya frontiers. A significant portion of the trade takes place in Murshidabad district of West Bengal. Cattle are brought from far-off places like Rajasthan, Punjab, Himachal Pradesh, Haryana, Uttarakhand, Madhya Pradesh, Utter Pradesh and Bihar.<sup>4</sup> The price per cattle head is cheaper in these states and the cattle owners get good money in the border areas where smuggling takes place. For instance, an unproductive or old cow costs Rs 500 in Haryana but it can fetch five times the price in West Bengal. On the border, the price of the same cattle head could be as high as Rs 5000.

The smugglers also take advantage of loopholes in Indian laws. The law does not ban movement of cattle from one state to another. This is exploited by the smuggling networks to transport cattle from distant states in trucks and by rail to West Bengal. The cattle are transported purportedly for 'agricultural purposes'. Rules for transportation of cattle are violated often but rarely is action taken against offenders. According to Article 55 of the Transportation of Animal Rules (TAR), 1978: "an ordinary goods wagon shall carry not more than ten adult cattle or fifteen calves on broad gauge and not more than four adult cattle or six calves on narrow gauge".<sup>5</sup> In reality, however, as many as 300 animals are loaded in each wagon. This trend clearly highlights the country-wide network of cattle smugglers.

The policy of auctioning the seized cattle at the border by the BSF does not help the situation. Often, the highest bidders are the smugglers who happily shell out around Rs 700 for a couple of cows knowing fully well that they can get a far higher price for the same in Bangladesh.<sup>6</sup>

People of different religious backgrounds are involved in this trade. Most of the traders are Muslims while the drivers and handlers are Hindus.<sup>7</sup> The kingpins are more difficult to identify. Most of the transshipment of the cattle across the border is carried out by low key handlers, mostly living in border areas. These handlers have a good knowledge of the border and are aware of easier routes into Bangladesh. There are 68 smuggling corridors and 149 sensitive villages on the West Bengal border alone.<sup>8</sup> Besides, the riverine borders, the *char* areas, are ideal transit points for smugglers—especially during the rainy season when it becomes extremely difficult to patrol these areas. Since rivers and streams change course often, vast patches of dry land also become convenient conduits for smuggling. Perhaps the only place where the smugglers face any resistance from the security agencies is at the border itself. In many cases, these confrontations end up in the killing of low level handlers. These killings do not deter other smugglers or disrupt the network but they certainly harm the bilateral relationship.

## Criminal Enterprise

Since the stakes are quite high, cattle smuggling over the years has become a criminal enterprise with several networks involved in the trade. There is no credible information about the number of kingpins or their identity. There is also no doubt about the involvement of the transport mafia from both India and Bangladesh as well as some police personnel. There is evidence that cattle smuggling is part of a much bigger smuggling racket that includes human trafficking, guns and other contraband. The smugglers obviously use the hawala route to transfer money and their activities have raised concerns about flow of fake currency and funding of terrorists.

Recent arrests and seizures have confirmed a link between cattle-smuggling and the smuggling of fake currency. Reportedly, as against a market price of Rs 4000 for a smuggled cattle head, Indian smugglers are paid Rs 10,000 in fake currency to be circulated in India.

Moreover, what has alarmed Indian security and intelligence agencies is the link between cattle smuggling and terrorist groups operating out of Bangladesh. A Harkat-ul Jihad al Islami (HuJI) cadre arrested in UP in 2008<sup>9</sup> confessed to being a cattle smuggler as well as to smuggling guns and ammunition for terrorist groups.<sup>10</sup> In the same year, a letter written by the Animal Welfare Department of Ministry of Environment and Forest to the Ministry of Home Affairs stated the possibility of money generated from cattle smuggling being used to fund terror organisations and their sleeper cells operating in India.<sup>11</sup> In April 2013, the National Investigating Agency (NIA), set up to investigate terrorism-related cases, filed a charge-sheet against a group of persons smuggling fake currency to

fund Hizb-ul Mujahideen (HuM), a Kashmir-based terrorist outfit. One of those charge-sheeted was a Bangladeshi involved in cattle smuggling.<sup>12</sup>

The cattle trade is also linked to the problem of illegal migration. There are reports that the smugglers drug the cattle, damage the barbed wire fencing and allow people to sneak through. These points have become an easy way to enter into India.

## Legal Issues

The ban on export of cattle follows the Directive Principles of State Policy set down in Article 48 of the Constitution—“the state shall endeavour to organise agriculture and animal husbandry on modern and scientific lines and shall, in particular, take steps for preserving and improving the breeds, and prohibiting the slaughter, of cows and calves and other milch and draught cattle”. The ban on cow slaughter has social and cultural roots as well. The cow occupies a holy position in Hinduism. Besides faith, there are simple economic reasons for protecting cows. Cows have been used for tilling and other farming activities. Cows have also been, in many parts of the country, the only source of milk and dung (used both as a fertiliser and fuel).<sup>13</sup> In keeping with Article 48, several Indian states enacted laws banning slaughter of cattle. Assam was the first state to do so.<sup>14</sup> Cow slaughter is permitted only in two states: West Bengal and Kerala.

As India industrialised and mechanised its agriculture after 1947, the utility of cattle in the everyday life of a farmer gradually declined. This, along with the ban on slaughter, led to a surplus of cattle heads—resulting in the reduction of availability of fodder and grazing areas. The problem of ‘plenty’ became acute with rapid improvement in the country’s veterinary facilities.<sup>15</sup>

Since the export of cattle is a politically sensitive issue, successive governments have steered clear of reviewing the ban. Consequently, illegal slaughter of cattle has become rampant in different parts of the country.

When Bangladesh came into existence in 1971, a new avenue opened up. The new nation was in urgent need of cattle to till its arable land and since the cattle stock in erstwhile East Pakistan was inadequate, the Bangladesh government turned to India for help. But, officially, there was not much that India could do because of the ban on exporting cattle. Instead it chose to ignore the issue as cattle heads began making their way to Bangladesh, first as 'farm hands' and then as beef. This stand underwent a dramatic shift when the regime of General H.M. Ershad, considered unfriendly towards

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India, came to power. It was then that India ordered a crackdown on cattle smuggling. Thus, India has not followed a consistent policy in containing the smuggling.

## **Bangladesh's Position**

Bangladesh does not treat cattle smuggling from India as a crime. In 1993, it gave the cattle trade a legal status by making it a source of revenue. A cattle “smuggler” becomes a “trader” once he is in Bangladesh and pays Taka 500 (Rs. 383) as Customs charges. He only needs to state that he found the cattle “roaming near the border”.<sup>16</sup> This convenient arrangement has enabled Bangladesh to earn substantial revenue from cattle smuggling.

The Customs levy is not the only source of revenue for Dhaka. The bone and leather collected from the slaughtered cattle are used by the leather and ceramic industries. Ceramic is a major industry in Bangladesh: it exports bone china tableware to over 50 countries that fetches substantial foreign exchange. In 2009-2010, the country received \$30.78 million from export of bone china items.<sup>17</sup> The abundance of leather has also helped Bangladesh become a major leather producing country in the world. In 2008-09, leather exports were to the tune of \$381.14 million.<sup>18</sup> Above all, the direct product from the slaughtered cattle, beef, is a major export item. In 2011, the export earnings from beef were over \$3.4 million.

It is, therefore, natural that Bangladesh would not be keen on taking any steps to prevent cattle smuggling. Dhaka fears that any changes in Indian laws could adversely affect its domestic beef industry, reduce revenues and create problems of food security.<sup>19</sup>

## **Review Ban or Maintain Status Quo?**

This situation presents an acute dilemma for policy makers in India. Any steps by India to curb cattle smuggling could be interpreted as being anti-Bangladesh and further vitiate the atmosphere. Moreover, if India fails to resolve the issue, more border killings could occur in the future.

There are several reasons why India must take a decision on this issue sooner than later. The most important is to deny criminals and terrorists an easy source of funding and transit mode. Both India and Bangladesh have been working together in containing terrorism as the link between terrorist groups and cattle smugglers has been evident for some time.

The most effective, and pragmatic, step would be to lift the export ban. This would make the trade legal, facilitate health check-ups of animals and generate revenue. It would also stop needless deaths on the border. Bangladesh may bristle at the decision initially but can be convinced about the long term benefits of legalising the trade. As an initial step, cattle trade can be allowed in specially organised

'haats' or markets on the West Bengal-Bangladesh border. The bigger problem, however, would be at home: cattle trade is a highly emotive and sensitive issue. It would be difficult for any government to take the risk, especially in an era of coalitions and regional compulsions. However, it is in India's own interest to review the current approach to cattle trade across the border and build the much needed political consensus by aligning national policy with ground realities.

#### ABOUT THE AUTHOR

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