SPRAWY NARODOWOŚCIOWE Seria nowa / *NATIONALITIES AFFAIRS* New series, 51/2019
DOI: 10.11649/sn.1912
Article No. 1912

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'STRANDED PAKISTANIS' IN BANGLADESH—VICTIMS OF POLITICAL DIVISIONS OF 70 YEARS AGO

Abstract

Nearly 300,000 Urdu-speaking Muslims, coming mostly from India's Bihar, live today in Bangladesh, half of them in the makeshift camps maintained by the Bangladeshi government. After the division of the Subcontinent in 1947 they migrated to East Bengal (from 1955 known as East Pakistan), despite stronger cultural and linguistic ties (they were Urdu, not Bengali, speakers) connecting them with West Pakistan. In 1971, after East Pakistan became independent and Bangladesh was formed, these so-called 'Biharis' were placed by the authorities of the newly formed republic in the camps, from which they were supposed—and they hoped—to be relocated to Pakistan. However, over the next 20 years, only a small number of these people has actually been transferred. The rest of them are still inhabiting slum-like camps in former East Bengal, deprived of any citizenship and all related rights (to work, education, health care, insurance, etc.). The governments of Pakistan and Bangladesh consistently refuse to take responsibility for their fate, incapable of making any steps that would eventually solve the complex problem of these people, also known as 'stranded Pakistanis.' The article explains historical and political factors that were responsible for the fate of 'Biharis' and presents their current legal situation in Bangladesh.

Key words: Biharis; stranded Pakistanis; South Asia; Bangladesh-Pakistan relations

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CITATION: Kuczkiewicz-Fraś, A. (2019). 'Stranded Pakistanis' in Bangladesh – victims of political divisions of 70 years ago. *Sprawy Narodowościowe. Seria nowa*, *2019*(51). https://doi.org/10.11649/sn.1912

This work was supported by the author's own resources.
No competing interests have been declared.

Publisher: Institute of Slavic Studies, Polish Academy of Sciences

„OPUSZCZENI PAKISTAŃCZYCY" W BANGLADESZU – OFIARY PODZIAŁÓW POLITYCZNYCH SPRZED 70 LAT

W prowizorycznych obozach utrzymywanych przez rząd Bangladeszu żyje do dziś blisko pół miliona muzułmanów z indyjskiego Biharu, którzy po podziale subkontynentu w 1947 roku wyemigrowali do Bengalu Wschodniego (później: Pakistanu Wschodniego), pomimo silniejszych więzi kulturowych i językowych (posługują się językiem urdu) łączących ich z Pakistanem Zachodnim. W 1971 roku po uniezależnieniu się Pakistanu Wschodniego i utworzeniu Bangladeszu, około 300-tysięczna grupa Biharczyków została zamknięta przez władze nowo powstałej republiki w obozach, z których następnie miała zostać relokowana do Pakistanu. Jednak w kolejnych 20 latach zaledwie część tych osób została rzeczywiście przesiedlona. Pozostali, pozbawieni obywatelstwa i wszystkich wiążących się z tym uprawnień (np. do pracy, edukacji, ochrony zdrowia, ubezpieczenia itd.), wciąż zamieszkują przypominające slumsy obozy na terenie byłego Bengalu Wschodniego, zaś rządy Pakistanu, Indii i Bangladeszu wzajemnie przerzucają na siebie odpowiedzialność za ich losy, niezdolne do poczynienia jakichkolwiek kroków, które pozwoliłyby ostatecznie rozwiązać skomplikowany problem tzw. opuszczonych Pakistańczyków (ang. stranded Pakistanis). Artykuł wyjaśnia czynniki historyczne i polityczne, które były odpowiedzialne za los „Biharczyków", oraz przedstawia ich obecną sytuację prawną w Bangladeszu.

S ł o w a k l u c z o w e: Biharczycy; „opuszczeni Pakistańczycy"; Azja Południowa; relacje Bangladesz–Pakistan

The second half of 1947 and first half of 1948 witnessed a massive population transfer in the Indian Subcontinent. Migrations resulting from the partition of India and creation of Pakistan affected, according to census data, about 14.5 million people, causing their transfer across the borders of the newly established countries to, what they hoped, was a relative safety destination of their religious majority.[1] Even though most of those mass migrations took place in the west, especially in Punjab, still more than 3 million people moved from then East Bengal (which in 1947 became the eastern wing of Pakistan) to India and vice versa (Hill, Seltzer, Leaning, Malik, & Russell, 2005, p. 14f). The 1951 census in Pakistan recorded 699,000 Muhajirs[2] in East Bengal (Office of the Census Commissioner, Government of Pakistan, Ministry of the Interior, 1953, p. ii), the majority of which came from West Bengal, Bihar and the former Princely State of Kuch Behar (see Fig. 1).

A considerable group of the newcomers were non-Bengali Muslims, culturally and linguistically different from their Bengali brothers in faith. They spoke Urdu and very soon became termed as 'Biharis,'[3] although they did not come from the state of Bihar alone.

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1 The 1951 Census of Pakistan identified the number of displaced persons in Pakistan at 7,226,600. They were Muslims who had entered Pakistan from India after the Partition. The 1951 Census of India enumerated 7,295,870 displaced persons, presumably all Hindus and Sikhs who had moved to India from Pakistan at the same time. Cf. Kosinski & Elahi, 1985, p. 6 (Tab. 1.3).

2 Muhajirs (from Ar. *muhājir* 'immigrant')—a name given in Pakistan to Muslim emigrants who fled from India after the Partition in 1947. Sometimes, the term applies also to the descendants of these people.

3 Apart from Urdu, some of them spoke also Hindi or Bhojpuri, but by the state of Pakistan they were classified, regardless of their origin or language, as one group and identified as Muhajirs. In the eastern wing they became known as 'Biharis' after 1954 elections, when they supported the Pakistan state elite against the regional forces advocated by the Bengalis. The term took an offensive overtone especially during and after the war of 1971, when the newly established Bangladeshi government used it to indicate those, who sided with the Pakistani Army and refused to accept Bangladeshi citizenship. Cf. Rahman & van Schendel, 2003, p. 567.

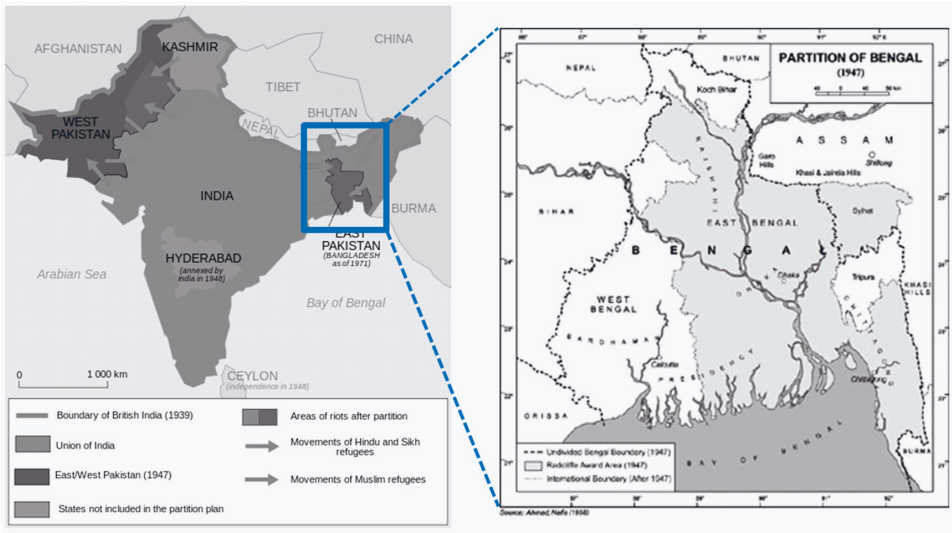

Fig. 1. The partition of Bengal in 1947. Muslims fled to eastern wing of Pakistan mostly from West Bengal and nearby areas. (Source of maps: public domain.)

There were among them Muslims from different districts of United Provinces (corresponding approximately to the combined regions of the present-day Indian states of Uttar Pradesh and Uttarakhand), Orissa, or even more distant regions like Punjab, Rajasthan and Delhi. During the first three decades after the Partition their number had more than tripled, from 118,000 in 1951, to 430,000 in 1979[4] (cf. Kamaluddin, 1985, pp. 224–226). The increase in the number of migrants was caused by communal tensions between Hindus and Muslims, especially in border areas, and episodic riots that resulted in intensified cross-border movements (cf. Rahman & van Schendel, 2003, p. 570f). On the other hand, Pakistani government strongly encouraged migration of Urdu speaking Muhajirs to East Pakistan. The intention of state authorities was to make them a counterweight to smouldering Bengali regionalism, and indeed, since the Urdu-speaking migrants came from various backgrounds and were not connected with any specific "own" region in the whole of Pakistan, they "had no option but to support the «ideology of Pakistan» which meant a strong federal government to oppose regional autonomy" (Ilias, 2003, p. xiii). At the same time, the Bengali speaking newcomers, or those bilinguals who knew Bengali, merged relatively easily with the local communities and became integrated therein (Rahman & van Schendel, 2003, p. 567).

The non-Bengali migrants flowing from India into East Pakistan represented diverse economic and occupational positions and came from different social strata. Many of them were employees of the former Indian Departments of Railways or Post and Telegraphs, who in 1947 opted for service in Pakistan.[5] They settled mainly in urban areas and were given the status of the employees of the Pakistani central government.[6] How-

[4] According to other sources, in the late sixties the refugee population in East Pakistan was estimated at 8 million, with 2 million Urdu speakers among them. See Ilias, 2003, p. xii.

[5] After the Partition, the government servants were given six months to decide whether to continue their service in India, or in Pakistan. Understandably, most Muslims opted for Pakistan, while Hindus rather preferred India.

[6] According to the census data, there were nearly 15,000 such persons in 1951 (cf. Rahman, 2003, p. 86).

ever, most professionals and influential businessmen from educated upper and middle classes moved to West Pakistan in search of a better life and business opportunities (cf. Kamaluddin, 1985, p. 224). The majority of the migrants consisted of illiterate masses, farmers, unskilled workers, artisans and petty merchants,[7] who mostly concentrated in ethnic enclaves and hardly assimilated with local population, which left them little chance for improving their job situation. Those 'Biharis' who migrated from India to Pakistan before 13 March 1951 were automatically granted the citizenship of Pakistan.[8] The government in Karachi treated them with special concern, and they enjoyed privileges, both in social and economic fields, that were often not available to the Bengali immigrants, like favourable loans for small and cottage industry, or restarting of factories and businesses abandoned by Hindus who fled to India (Rahman, 2003, p. 55f; Rahman & van Schendel, 2003, p. 567). That obviously aroused jealousy and antipathy towards them among the Bengalis, and contributed to even greater separation of the both communities.

During the period of united Pakistan (1947-1971) the 'Biharis' identified themselves with the West Pakistan and supported its governing elites, also in the process of their taking economic and political control over the eastern wing of the country. They never supported the Bengali Language Movement[9] and sided with the Muslim League, rather than the Awami Party,[10] in the 1970 general elections, convinced that this was the only way to survive as a community in politically disturbed East Pakistan. Finally, during the liberation war of 1971, many of them cooperated actively with the western Pakistani forces in the actions against the Bengalis.[11] Numerous clashes between the 'Bihari loyalists' and 'Bengali nationalists' broke out in early March 1971, and on 25 March 1971, on the pretext of counteracting the anti-Bihari violence, the Pakistani Army started the planned military pacification, known as "Operation Searchlight," aimed at repressing the Bengali National Movement. Killings and atrocities carried out on the Bengalis caused a rising wave of hostility and hatred towards the 'Biharis,' that burst with force immediately after the end of the war and the surrender of the Pakistani Army on 16 December 1971 (cf. Ilias, 2003, p. 124f). The Urdu speaking minority was collectively condemned and accused of being "traitors" who associated with the enemy and acted to the detriment of newly born Bangladeshi nation. About 10,000 of them managed to escape to India together with the wave of (mainly Hindu) refugees[12] or, were taken as prisoners of war across the border by the withdrawing Indian Army. Others were not allowed to continue their jobs in the offices, banks or factories, and several thousands were arrested as collaborators and put in prisons, or disappeared in unclear circumstances (cf. Ilias, 2003, p. 131; Sen, 1999, p. 633).

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7 In 1951 the 'Biharis' in East Bengal found occupation mainly in agriculture—104,430 people (51.63%), manufacturing—17,411 people (8.61%) and commerce—16,682 people (8.25%). See Chowdhury, 1987, p. 224.

8 Cf. The Pakistan Citizenship Act, 1951, Art. 3:
"At the commencement of this Act [i.e., 13th April 1951] every person shall be deemed to be a citizen of Pakistan […] (d) Who before the commencement of this Act migrated to the territories now included in Pakistan from any territory in the Indo-Pakistan sub-continent outside those territories with the intention of residing permanently in those territories."

9 The Bengali Language Movement began in 1948 and reached its climax in the killing of students in Dhaka on 21 February 1952. The movement ultimately achieved its goal in 1956, by forcing the Pakistan Constituent Assembly to adopt both Bengali and Urdu as the state languages of Pakistan.

10 In the 1950s/1960s, the National Awami Party, founded in Dhaka in 1957, was the major opposition party to Pakistani military regimes, supported by the Muslim League.

11 They constituted a vital part of the paramilitary East Pakistan Civil Armed Forces (EPCAF) known as Razakar (from Urdu *razākār* 'volunteer'), Al-Badr and Al-Shams, organized and equipped by the Pakistan Army (more see: Rahman, 2003, p. 105f).

12 According to estimations, 10 million people, mostly Hindus, fled East Pakistan during the Bangladesh liberation war, and took refuge in northern and north-eastern states of India (cf. Zahed, 2013, p. 430).

Economic hardship, persecutions and fear for their lives forced 'Biharis' to abandon their homes and properties and seek shelter in provisional camps, organized for them by the International Committee of the Red Cross (ICRC), and protected by the Indian Army. However, after the departure of the Indian troops, those who stayed in the camps also became the target of attack and harassment due to the lack of State security (cf. "Report 1972", n.d., pp. 8–9). The living conditions in the camps were extremely difficult, with very limited access to power and water and insufficient food supplies delivered by charities. The Bangladeshi government promulgated a set of laws—among them the Abandoned Property Order—that were intended to take over residential, as well as commercial and movable properties that belonged to the 'Biharis.'[13] Deprived of jobs and possessions,[14] often forced to sign documents transferring the ownership of houses, shops and factories to the government, left without livelihoods in the makeshift camps, they found themselves in a hopeless situation and with strong belief—shared by the ruling Bengali majority—that in the newly created country there was no room for non-Bengalis.

In 1972, an estimated 1,000,000 'Biharis' were living in settlements throughout Bangladesh (Sen, 1999, p. 635). After Bangladesh adopted the Citizenship Order (1972),[15] they were offered Bangladeshi citizenship, which most of them denied,[16] refusing in this way to submit to the new authorities of the State. They started calling themselves 'stranded Pakistanis,' thus implying their belonging to the Pakistani nation, and soon this term have become to be used alternatively to the former 'Biharis.' The community, however, was not homogeneous, and comprised of three categories of people:

– the employees of the Central Government of Pakistan living with their families and working in the former eastern part of the state;

– western Pakistanis, settled permanently in West Pakistan but temporarily residing in East Pakistan (now Bangladesh);

– the largest group consisting of non-Bengalis who had opted for Pakistani citizenship at the invitation of the ICRC.

On the basis of tripartite agreements between Pakistan, Bangladesh and India in 1973 and 1974,[17] the cross-border exchange of people started. The process, which appeared to be the largest planned, simultaneous and controlled mass migration in history (Datta,

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[13] The Order defined "abandoned property" not only in its literal sense, but also as "any property owned by any person who is a citizen of a State which at any time after the 25th day of March, 1971, was at war with or engaged in military operations against the People's Republic of Bangladesh" (Abandoned Property (Control, Management and Disposal) Order, 1972, Art. 2, cl. (1)(i)). This regulation was clearly directed against the 'Biharis,' who retained the Pakistani citizenship.

[14] Cf. facts reported by the mission concerned with the situation of non-Bengalis in Bangladesh that took place in May 1972: "Biharis in Government or private services have been out of employment since December 1971. They are unable to draw their bank accounts. Their savings and possessions have been looted. Many had a large saving at home in the form of R.50 notes which were demonetized. They deposited those in the bank through operation omega and when they went to the bank to get the money back they were attacked by local miscreants. They therefore could not draw the money." ("Report 1972", n.d., p. 29).

[15] By adopting this law, the government introduced the so-called zero-option citizenship law, characteristic for the newly formed states consisting of their own ethno-national majority (Bengali in this case), according to which the citizenship is granted to all people that lived on the state's territory at the moment of establishment of the independence. Cf. Bangladesh Citizenship (Temporary Provisions) Order, 1972, Art. 2:
"(…) every person shall be deemed to be a citizen of Bangladesh: (i) who or whose father or grandfather was born in the territories now comprised in Bangladesh and who was a permanent resident of such territories on the 25th day of March, 1971, and continues to be so resident; or (ii) who was a permanent resident of the territories now comprised in Bangladesh on the 25th day of March, 1971, and continues to be so resident and is not otherwise disqualified for being a citizen by or under any law for the time being in force."

[16] According to government records, nearly 600,000 'Biharis' accepted Bangladeshi citizenship, but this number is probably greatly exaggerated. However, 539,669 persons registered with the ICRC opting for repatriation to their country of nationality (Sen, 1999, p. 640).

[17] So-called Delhi Agreement, signed by the foreign ministers of Bangladesh, Pakistan and India on 28 August 1973, provided for the repatriation of Pakistani prisoners of war and civilian internees in India, of Bengalis

2011, p. 61), was conducted by the UN Refugee Agency (UNHCR), with assistance of the ICRC and significant international material and financial support.[18] However, the government of Pakistan was reluctant to accept all those 'Biharis' who opted for repatriation, therefore, strongly restricted criteria were introduced, according to which only three categories were given clearance for movement to Pakistan: "those non-Bengalis who were either domiciled in former West Pakistan, were employees of the Central Government and their families or were members of the divided families, irrespective of their original domicile." In addition to that, "25,000 persons who constitute hardship cases" were also permitted to move to Pakistan.[19] In result, only about 178,000 persons, out of nearly 540,000 who had registered with the ICRC for repatriation, have been repatriated from Bangladesh to Pakistan after 1973 (Sen, 2000, p. 41).[20] The question what to do with the others has remained, in the following decades, one of the most controversial issue in the bilateral relations between Pakistan and Bangladesh. Both the countries tried to push responsibility for 'stranded Pakistanis' to the opposite party. Between the 1970s and 2000s, successive Pakistani governments promised repatriation and rehabilitation of 'stranded Pakistanis' in Pakistan (Al-Ghamdi, 2013), but that promise came to reality only in the case of 323 persons, transferred in January 1993 to the houses constructed for them near Okara in Punjab. Then the project, which assumed the transfer of all the 'Biharis' from Bangladesh to special settlements in Punjab and Sindh, was halted due largely to the opposition both from within the ranks of the governments and from the local population. There were fears that the admission of such a large group of people, linguistically and culturally separate and of distinct ideological and political convictions, could generate tensions in Punjab as well as aggravate already existing divisions in the urban Sindh.

Meantime, the position of the 'Biharis' living in Bangladesh deteriorated even more: having denied them the clearance for moving to Pakistan, the Pakistani government in fact denationalized them and, in 1978, formally stripped them of their Pakistani citizenship, which most 'Biharis' had acquired in 1951.[21] Bangladesh, on the other hand, also enacted an amendment to its citizenship law (Ordinance No. VII of 1978), according to which "a person shall not […] qualify himself to be a citizen of Bangladesh if he owes, affirms or acknowledges, expressly or by conduct, allegiance to a foreign state."[22] On the basis of this regulation, Bangladeshi authorities strictly refused to extend citizenship to 'stranded Pakistanis,' treating them as strangers who declared belonging to another country. Thus, since 1978, the 'Biharis' have formally become stateless people, difficult to qualify to any category of migrants recognized by international law: they were neither refugees (having acquired citizenship in the country of refuge, i.e. Pakistan), nor internally displaced persons (after 1971 they did not stay in the same country), nor asylum seekers

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from Pakistan to Bangladesh and of 'Biharis' (or non-Bengalis) from Bangladesh who have opted for repatriation to Pakistan; it was followed by a second Agreement, signed in New Delhi on 9 April 1974.

18 For more details see: Addendum to the Report of the United Nations High Commissioner for Refugees, A/9612/Add.2, 1975 (UNHCR The UN Refugee Agency, 1975).

19 Cf. the Tripartite Agreement signed in New Delhi on 9 April 1974, Art. 11 and 12 ("Text of the tri-patriate agreement of Bangladesh-Pakistan-India", 2008).

20 Other estimations indicate even a smaller number of less than 150,000 repatriated 'Biharis,' cf. Datta, 2011, p. 70.

21 Cf. the Amendment of 18 March 1978 to Pakistan Citizenship Act, 1951, Art. 16-A: "(1) All persons who, at any time before the sixteenth day of December 1971, were citizens of Pakistan domiciled in the territories which before the said day constituted the Province of East Pakistan and who- (i) Were residing in those territories on that day and are residing therein since that day voluntarily or otherwise shall cease to be citizens of Pakistan." See also discussion in Sen, 1999, pp. 639–642.

22 The Bangladesh Citizenship (Temporary Provisions) Order, 1972, Art. 2B, cl. (1)(i). See also discussion in Hoque, 2016, *passim*.

(they did not come to Pakistan to seek asylum but to settle permanently).[23] As stateless persons, they have been deprived of basic political, economic and social rights—they could not vote, work legally,[24] own land or move freely, they did not have access to education, health care or insurance system. According to UNHCR estimates, in 2009 there were still about 250,000 'Biharis' in Bangladesh, with over 151,000 residing in 116 open camps and settlements.[25] Over the years, most of them abandoned the hope for repatriation to Pakistan and, at present, more than half (generally, younger generation) identify themselves as Bangladeshis (cf. Abrar, 1998, p. 4). Supported by various organizations, since the early 2000s, they have taken up their fight for granting of the civil rights by Bangladesh and for permanent rehabilitation in the country in which they have been living for several decades and which they regard as their home.

The breakthrough in the legal situation of 'stranded Pakistanis' came in 2003, when the Bangladeshi Supreme Court in Dhaka admitted the right to vote to ten Urdu-speaking residents of Camp Geneva (the biggest concentration of 'Biharis' located in Mohammadpur in Dhaka) who challenged the election commission's refusal to include them on the voters' lists. (*Abid Khan and others v. Government of Bangladesh and others*, Writ Petition No. 3831 of 2001, Bangladesh: Supreme Court, 5 March 2003, 2003) The Court ruled that all the ten petitioners, who in 1971 were minors (two of them) or were born after 1971, were Bangladeshi nationals pursuant to the Citizenship Act, 1951, and the Bangladesh Citizenship (Temporary Provisions) Order, 1972, and directed the government to register them as voters, arguing that "the mere fact that a person opts to migrate to another country cannot take away his citizenship." Even though the case was limited only to ten persons, and the Court's verdict did not cause any change in the unclear legal situation of other 'Biharis,' it created the precedent that ultimately led to the 2008 Supreme Court ruling that opened up citizenship to all those, who were minors at the time when the war ended (i.e., 16 December 1971) and to those, who were born afterwards. (*Md. Sadaqat Khan (Fakku) and Others v. Chief Election Commissioner, Bangladesh Election Commission*, Writ Petition No. 10129 of 2007, Bangladesh: Supreme Court, 18 May 2008, 2008).[26] With this decision, the Urdu-speaking 'Biharis' have acquired not only the right to vote, but—above all—the right to be given a national identity card, a basic document entitling them to apply for administrative and judicial remedies, in accordance with the laws of Bangladesh, in the same manner as any other Bangladeshi citizen.

But despite that legal advance, the situation of the 'Biharis,' particularly those living in camps, has not improved. "We got citizenship but not rights, so it's nothing but increasing the vote bank"—they say. They continue to survive in appalling and degrading living conditions with inadequate resources, poor sanitation, poor level of hygiene and lack of education or schooling. They are facing intolerance, social exclusion and severe discrimination in every aspect of life, still constituting one of the most backward minorities in the

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[23] More on the identity of 'Biharis' and their legal status see: Rahman, 2003, pp. 71–80 and Sen, 1999, pp. 642–645.

[24] Due to marginalization and discrimination in the job market, vast majority of Biharis are pushed into the informal sector, working as rickshaw-pullers, drivers, butchers, barbers, mechanics and craft workers (Hussain, 2009).

[25] *Note on the nationality status of the Urdu-speaking community in Bangladesh* (UNHCR The UN Refugee Agency, 2009). No exact or newer data concerning the number of the Urdu-speaking population in Bangladesh, especially those who live outside the camps and settlements, are available.

[26] The decision, however, did not extend citizenship to those who in the past formally opted for Pakistani citizenship and for taking up the residence in Pakistan, cf.: "Those who are termed and still call them to be 'Stranded Pakistanis' by owing affirming and acknowledging, expressly or by conduct allegiance to a foreign state, say, Pakistan, they may belong to a class and cease to be citizens of Bangladesh. Those who have renounced their citizenship and/or waiting to leave for Pakistan may be left to their fate."

whole region of South Asia. In 2009, a petition was filed to the Supreme Court of Pakistan by the Stranded Pakistanis General Repatriation Committee of Bangladesh regarding the repatriation of at least 300,000 Pakistanis stranded in Bangladesh. Six years later, the plea was rejected by the Pakistan Supreme Court on the grounds of having no *locus standi* and the claim that as per government policies, these residents of Bangladesh are not essentially Pakistanis. Moreover, on 30 March 2015, the Ministry of Foreign Affairs of Pakistan published a report which stated that the remaining 'stranded Pakistanis' in Bangladesh are not the responsibility of Pakistan, as the country has already repatriated a large number of non-Bengalis, and many of those who at present live in Bangladesh have obtained Bangladeshi citizenship and do not want to be repatriated to Pakistan (Malik, 2015). Such unequivocal *désintéressement* of Pakistani authorities is a clear indication that for the 'Biharis' there is only one option for the future, and this is to be mainstreamed in the Bangladeshi society on equal terms. But in this process, their efforts will need both strong support and good will from the Bengali majority.

BIBLIOGRAPHY

Abandoned Property (Control, Management and Disposal) Order, 1972, Bangladesh (President's Order No. 16 of 1972). (1972, February 28). Retrieved March 2, 2019, from http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=373

Abid Khan and others v. Government of Bangladesh and others, Writ Petition No. 3831 of 2001, Bangladesh: Supreme Court, 5 March 2003. (2003). Retrieved March 2, 2019, from http://www.refworld.org/cases,BAN_SC,4a54bbcf0.html

Abrar, C. R. (1998). *Issues and constraints in the repatriation/rehabilitation of the Rohingya and Chakma refugees and the Biharis*. Paper presented to the Conference of Scholars and other Professionals Working on Refugees and the Displaced Persons in South Asia, Rajendrapur, Dhaka, Bangladesh, Feb. 9-11, 1998. Retrieved March 2, 2019, from http://repository.forcedmigration.org/show_metadata.jsp?pid=fmo:1808

Al-Ghamdi, A. (2013, December 31). Renewed hopes for stranded Pakistanis in Bangladesh. *South Asian Pulse*. Retrieved March 2, 2019, from http://www.sapulse.com/new_comments.php?id=A7348_0_1_0_M

Bangladesh Citizenship (Temporary Provisions) Order, 1972 (President's Order no. 149 of 1972). (1972). Retrieved March 2, 2019, from http://bdlaws.minlaw.gov.bd/print_sections_all.php?id=423

Chatterji, J. (2007). *The spoils of partition: Bengal and India, 1947-1967*. Cambridge: Cambridge University Press. (Cambridge Studies in Indian History and Society, 15). https://doi.org/10.1017/CBO9780511497384

Chowdhury, E. H. (1987). Non-Bengali refugees in Bangladesh: Patterns, policies, and consequences. In J. R. Rogge (Ed.), *Refugees: A third world dilemma* (pp. 217–226). Totowa, NJ: Rowman & Littlefield.

Datta, A. (2011). The repatriation of 1973 and the re-making of modern South Asia. *Contemporary South Asia*, *19*(1), 61–74. https://doi.org/10.1080/09584935.2010.549556

Elahee, S. M. A. (2013, March 9). The livelihood pattern and plight of Bihari People: A study on Bihari camp at Khalishpur in Khulna City, Bangladesh. https://doi.org/10.2139/ssrn.2230830

Hashmi, T. (1996). *The 'Bihari' minorities in Bangladesh: Victims of nationalisms*. Paper presented at the 20th Anniversary Conference of the Asian Studies Association of Australia (ASAA), Melbourne, 8-11 July 1996. Retrieved from http://www.statelesspeopleinbangladesh.net/uploaded_files/articles/TheBihariMinoritiesInBangladesh.pdf

Hill, K., Seltzer, W., Leaning, J., Malik, S. J., & Russell, S. S. (2005). *The demographic impact of partition: Bengal in 1947*. Presented in International Union for the Scientific Study of Population (July 18-23, 2005). Retrieved March 2, 2019, from http://iussp2005.princeton.edu/papers/52236

Hoque, R. (2016, December). *Report on citizenship law: Bangladesh*. Country Report 2016/14. EUDO Citizenship Observatory and Robert Schumann Centre for Advanced Studies. Retrieved March 2, 2019, from http://cadmus.eui.eu/bitstream/handle/1814/44545/EudoCit_2016_14Bangladesh.pdf

Hussain, K. (2009). *Khalid Hussain, an Urdu-speaking Bihari in Bangladesh*. Public speaking at "Voices—Everyone affected by racism has a story that should be heard" event, organized by the Office of the High Commissioner for Human Rights, Durban Review Conference, 20-24 April 2009. Retrieved March 2, 2019, from http://www.un.org/en/letsfightracism/hussain.shtml

Ilias, A. (2003). *Biharis: The Indian émigrés in Bangladesh: An objective analysis*. Dhaka: Shamsul Huque Foundation.

Kamaluddin, A. F. M. (1985). Refugee problems in Bangladesh. In L. A. Kosinski & K. M. Elahi (Eds.), *Population redistribution and development in South Asia* (pp. 221–236). Dodrecht: D. Reidel Publishing Company. https://doi.org/10.1007/978-94-009-5309-3_14

Kosinski, L. A., & Elahi, K. M. (1985). Introduction. In L. A. Kosinski & K. M. Elahi (Eds.), *Population redistribution and development in South Asia*. Dodrecht: D. Reidel Publishing Company. (The GeoJurnal Library.). https://doi.org/10.1007/978-94-009-5309-3_1

Malik, H. (2015, March 30). Stranded Pakistanis in Bangladesh not Pakistan's responsibility, FO tells SC. *The Express Tribune*. Retrieved March 2, 2019, from https://tribune.com.pk/story/861364/stranded-pakistanis-in-bangladesh-not-pakistans-responsibility-fo-tells-sc/

Md. Sadaqat Khan (Fakku) and Others v. Chief Election Commissioner, Bangladesh Election Commission, Writ Petition No. 10129 of 2007, Bangladesh: Supreme Court, 18 May 2008. (2008). Retrieved March 5, 2019, from http://www.refworld.org/cases,BAN_SC,4a7c0c352.html

Office of the Census Commissioner, Government of Pakistan, Ministry of the Interior. (1953, March). *Census of Pakistan, 1951: Census Bulletin no. 4*. Karachi. Retrieved March 2, 2019, from http://www.irispunjab.gov.pk/StatisticalReport/Population%20Census/1951/Census%20of%20Pakistan%201951%20Population%20According%20to%20Economic%20Status.pdf

Pakistan Citizenship Act, 1951. (1951). Retrieved March 2, 2019, from http://www.refworld.org/pdfid/3ae6b4ffa.pdf

Rahman, M. (Ed.). (2003). *A community in transition: The* Biharis *in Bangladesh*. Dhaka: ELCOP.

Rahman, M., & van Schendel, H. W. (2003). 'I am *not* a refugee': Rethinking partition migration. *Modern Asian Studies*, *37*(3), 551–584. https://doi.org/10.1017/S0026749X03003020

Report 1972, Friends of Bangladesh Conciliation Mission. (n.d.). Ekattor Bangladesh. Retrieved from http://71bangladesh.com/wp/report-prepared-by-the-friends-of-bangladesh-conciliation-mission/

Sen, S. (1999). Stateless refugees and the right to return: The Bihari refugees of South Asia: Part 1. *International Journal of Refugee Law, 11*(4), 625–645. https://doi.org/10.1093/ijrl/11.4.625

Sen, S. (2000). Stateless refugees and the right to return: The Bihari refugees of South Asia: Part 2. *International Journal of Refugee Law, 12*(1), 41–70. https://doi.org/10.1093/ijrl/12.1.41

Text of the tri-patriate agreement of Bangladesh-Pakistan-India. (2008, March 2). Retrieved March 3, 2019, from http://www.genocidebangladesh.org/text-of-the-tri-patriate-agreement-of-bangladesh-pakistan-india/

UNHCR The UN Refugee Agency. (1975, January 1). Addendum to the Report of the United Nations High Commissioner for Refugees, A/9612/Add.2. Retrieved March 2, 2019, from http://www.unhcr.org/print/3ae68c6f0.html

UNHCR The UN Refugee Agency. (2009, December). *Note on the nationality status of the Urdu-speaking community in Bangladesh*. Retrieved March 2, 2019, from http://www.refworld.org/pdfid/4b2b90c32.pdf

Zahed, I. U. (2013). A theoretical analysis of stranded Biharis in Bangladesh: Seeking for nationality since four decades. *International Journal of Advanced Research*, *1*(6), 429–435.