

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:3342  
ANSWERED ON:17.03.2015  
ENCROACHMENT ALONG BORDERS  
Ajmal Shri Sirajuddin

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether there are reports of inter country/ intra-country encroachment along various borders of the country;
- (b) if so, the number of cases reported and the area of encroachment during the last three years and the current year, border and State-wise; and
- (c) the measures taken by the Government to check incidents of encroachment along the borders of the country?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI KIREN RIJU)

(a) & (b): There is no encroachment of territory by the foreign countries along the Indo-Bangladesh, Indo-Myanmar and Indo-Bhutan Borders, though in the case of Indo-Bangladesh border there have been pockets along the India-Bangladesh border that have traditionally been under the possession of people of one country in the territory of another country. These are known as "Adverse Possessions". The India-Nepal border is an open border which allows free movement of nationals of both the countries. Due to the existence of this open border, there have been incidents of encroachments across the India-Nepal Border. These individual cases of encroachments have been taken up by the Ministry of External Affairs with the Government of Nepal, though the details of all such incidents are not available with that Ministry. However, Pakistan is in illegal and forcible occupation of approximately 78,000 sq. kms. of Indian territory in the State of Jammu & Kashmir since 1948. Under the so-called China-Pakistan "Boundary Agreement" of 1963, Pakistan illegally ceded 5,180 sq. kms. of Indian territory in Pakistan Occupied Kashmir to China. As regards the Indo-China Border, there is no commonly delineated Line of Actual Control (LAC) in the border areas between India and China. From time to time, on account of differences in the perception of the LAC, situations have arisen on the ground that could have been avoided had there been a common perception of the LAC.

(c): As regards the Indo-Bangladesh Border, the "Agreement between the Government of India and the Government of Bangladesh Concerning the Demarcation of the Land Boundary Between India and Bangladesh and Related Matters" (LBA) was signed with Bangladesh in 1974 and the Protocol to the LBA was signed in September 2011. It settles the long outstanding land boundary issues including the territories in adverse possession, among others. The Constitution (119th Amendment) Bill for implementing the India-Bangladesh LBA and the 2011 Protocol was introduced in Rajya Sabha in December 2013. The Bill was examined by the Standing Committee on External Affairs which tabled its report in the Parliament on December 01, 2014. As regards the Indo-Pakistan Border, under the Shimla Agreement of 1972 India is committed to resolve all outstanding issues with Pakistan including the issues of Pakistan's forcible and illegal occupation of Jammu and Kashmir through a peaceful bilateral dialogue. Government remains continually vigilant and is firm in its resolve to take all necessary steps to effectively safeguard India's security and territorial integrity. As regards the Indo-China Border Government regularly takes up any transgression along the LAC with the Chinese side through established mechanisms including border personnel meetings, flag meetings, meetings of Working Mechanism for Consultation & Coordination on India-China Border Affairs and diplomatic channels. The two sides agree that peace and tranquility on the border is the basis for the continued expansion of India-China relations.

As regards the Indo-Nepal Border, the issue of border encroachments is being regularly raised and discussed by the Government of India with the Government of Nepal at meetings of the bilateral mechanisms including Home Secretary-level talks, Joint Working Group meetings on Border Management, and meetings of Director General, Sashastra Seema Bal (SSB), and Inspector General, Armed Police Force of Nepal, which are held annually. This issue is also being discussed during meetings of the Border District Coordination Committees. A joint working group- India Nepal Boundary Working Group (BWS) for maintenance and reconstruction of damaged and missing border pillars has been constituted and held its first meeting in Kathmandu in September 2014. The Government of Nepal has cooperated and positively responded to our concerns in this area. The Government of India jointly with the Government of Nepal has undertaken the task of demarcation of the boundary in a scientific and technical manner through a Joint Technical Committee (JTC). This exercise has been completed for almost 98% of the India-Nepal boundary. The two sides have also agreed to establish a Boundary Working Group for the maintenance of border pillars in the identified sectors and to identify the India-Nepal boundary in the remaining sectors.