



## Study on Rise of Crime rate with Population growth in Assam (India) with special reference to Illegal Migrants

Saikia Plabita

P.G. Dept. of Law, Gauhati University, Guwahati, Assam- 781014 INDIA

Available online at: [www.isca.in](http://www.isca.in), [www.isca.me](http://www.isca.me)

Received 11<sup>th</sup> September 2014, revised 22<sup>nd</sup> November 2014, accepted 20<sup>th</sup> December 2014

### Abstract

*The most disturbing development in the 21<sup>st</sup> Century Assam (India) is the population explosion, which has been more intensified by large scale influx of illegal immigrants to Assam and has created an explosive situation upsetting the demographic balance in Assam as well as aggression of security threat. In the present context, it has been ongoing claim that illegal International immigration taking place especially from the neighbouring country Bangladesh fetch more criminals to Assam and thereby increasing crime rate in the region. Mass media, public opinion, political opinion of many parties and academicians strongly support this claim. The link between the increased International immigration to India and crime rates has been subjected to debates in Indian contemporary society. The present study has been conducted keeping in view to examine the relationship between population growth rate, illegal migration and rise of crime rate; to develop effective policies in response to the ongoing political debates on the link between illegal migrants and rise of crime rate and to provide recommendations to combat with the situation observed in the light of present study. In this present study, there is sincere hope to present a vivid, realistic and analytical discussion of essential facts related to illegal migrants, their aggression and rise of crime rate in all districts of Assam along with average rate of population and density growth - in a lucid manner; to avoid a priori theorizing and ponderous, sterile abstract ideas and to provide a logical and systematic treatment of the present problem.*

**Keywords:** Illegal migrants, population growth, crime rate, correlation, Assam.

### Introduction

International migration is a process rich in potentials and opportunities, but also in contradictions and problems. This is true for governments, societies, and migrants in both destination countries and origin countries. Why is migration now more and more concerned as a security threat? Why is illegal migration expanding despite all the counteracting efforts? There are a number of other questions that do not have definite answers: Is economy of receiving countries indeed so much dependent on inflow of migrants, including illegal migrants? How can it be that in contemporary societies based on liberal principles of human rights respect, such a disgracing phenomenon as trafficking in human beings is expanding? Why the societies remain tolerant towards contemporary slavery?

These questions are not merely of academic character. They can be addressed to governments, policy-makers, and international organizations as well. Continued disparity in incomes and economic opportunities for people in different countries replenishes international migration flows.

The work of checking of illegal migrants is quite constitutional. It has been passing different Acts and orders since pre-independence period for restraining infiltration problem. But due to political benefit, political confliction, defective provisions of Acts and defective administration etc. immigration checking in

different parts of India particularly in Assam is not running well. In this context, we refer the Foreigner's Act, 1864; the Indian Passport Act, 1920; the Emigration Act, 1922; the Registration of Foreigners Act, 1939; the Foreigner's Act, 1946 and different orders under this Act; the Passport (Entry into India) Act, 1920; the Passport Act, 1967; the Immigrants (Expulsion from Assam) Act, 1950; the Citizenship Act, 1955; the Assam Accord, 1985; Citizenship (section 6-A; Amendment) Act, 1985; the IM(DT) Act, 1983 etc.

Crime is an inevitable part of human society. The human nature is selfish which comes in conflict with the general welfare of the people and some of the acts which come in conflict with societal norms are labeled as crimes. It is generally believed that the criminal is not born but the circumstances and social surroundings make a man criminal. Crime exists and increasing in every society. The crimes at international level are posing new dangers to the health, wealth and security of the society. No country alone can effectively control these crimes. Criminals involved in smuggling, drug and human trafficking, cross-border terrorism etc. have established their wide network in many countries and operate in very clandestine manner.

"Aggression" as normally discussed in this context is not equivalent to "War". United Nation Organization (UNO) in its General Assembly Resolution 3314 adopted the definition of 'Aggression' for a limited purpose where the Security Council or

the UNO could interfere and adopt measures in the event of aggression by a Nation against another and the act enumerated therein which may amount to aggression. "In case of Assam", it is bloodless aggression of millions of illegal migrants, the incessant flow from neighbouring countries especially from Bangladesh to Assam (India)<sup>1,2</sup>. Presence of illegal migrants contributed to International disturbance including insurgency making the life of people of Assam insecure with the fear psychosis. The Central Government has miserably failed to give protection from slow aimed external aggression and internal disturbance, mainly on vote bank politics in spite of forming Unified command and keeping in possession a large number of paramilitary forces including the Army. Article 13 of the International Convent of 1966 on Civil and Political Rights would apply provided an alien lawfully enters India with valid passport, visa etc. but not applicable to those Bangladeshi nationals who entered Assam and other parts of the country illegally and unlawfully are liable to be deported from the country. The need of the hour is that the Foreigners Tribunals already constituted must be provided with all infra-structure and employees by the Governance to run the Tribunal (of course with proper manpower) for the speedy disposal of the pending and new cases for the ends of justice.

The State Government of Assam might use every opportunity to repeat its assurance to bring peace and development, but the harsh fact is crimes in different categories are on an upward curve since last couple of years. Figures maintained by the National Crime Records Bureau (NCRB) point out that Assam figures high in the list of states, with violent crime rate significantly higher than the national average and this reveal a disturbing situation in Assam. Police and civil society can no longer overlook occurrence of various serious crimes which are regularly increasing in the society. According to NCRB the State of Assam is among those with high incidence of offences targeting women, including young girls and trafficking of women has spread its tentacles across the State. Shockingly, the State has also been witness to a rise in rape cases in the last couple of years<sup>3</sup>. The efforts by the unscrupulous elements to smuggle in fake currency notes to Bangladesh is another major area of concern. The seizures of fake Indian currency notes by the BSF also registered sharp increase in the last decade. Cattle smuggling to Bangladesh has increased sharply in recent times and within the last two and half years alone, personnel of the BSF managed to apprehend cattle worth around Rs. 50 crore from near the International border in Assam-Meghalaya sector<sup>3</sup>.

**Problem to be addressed:** Many of the most violent criminals apprehended now a days are suspected illegal aliens. Due to their immigration status and undocumented nature of their residence and any other information, the police cannot use the most obvious tool to apprehend them yet in places where the crime these aliens commit is highest. There has been an annual increase in illegal immigrants and there has been an annual increase in violent crime which is well observable in regular media reports. Some criminologists believe that the increase in Violent Crime is linked

to the Illegal Immigrants who come into the State with a criminal background<sup>4</sup>.

A number of empirical studies conducted to relate ethnicity and immigration with crime suggested that sufficient evidence is lacking to conclude that higher crime rate is resulted due to higher number of immigration<sup>5-8</sup>. However, most of these studies are based on different case studies on specific ethnic groups of immigrants in specific locations and also, have not been based on comprehensive data to cover a large location or population. Hitherto, there is no any empirical study which uses statistical analysis to examine the correlation between increasing Bangladeshi immigrants, population growth and crime rates in Assam.

Observers and researchers working on the issue are well aware that widespread concern over crime committed by immigrants may break out into hate crimes committed against them and are rarely hesitate to note that the majority of immigrants are law-abiding individuals. Even, some further studies suggested that immigrants commit fewer crimes than the native-born. This view is epitomized by a study<sup>9</sup> conducted in 1997 and sponsored by the Carnegie Endowment for International Peace and the Urban Institute. This is quite normal in such situation, but the present day rise of crime in Assam have touched a sensitive level of concern and the news of involvement of illegal migrants particularly from Bangladesh is very frequently focused. This fact is evidenced by various news agencies as they published such news upon verification of the police sources. The district police administration has recorded many cases of registered and non registered crime committed or suspected to be committed by the illegal migrants of the area. This picture is very common now-a-days in most part of Assam. The border districts (Dhubri, Cachar, etc.) have faced more such incidents along with major economic regions of the State as for example the Guwahati city situated in the heart of the state of Assam.

In the present context, it has been ongoing claim that illegal International immigration taking place especially from the neighbouring country Bangladesh fetch more criminals to Assam and thereby increasing crime rate in the region. Mass media, public opinion, political opinion of many parties and academicians strongly support this claim. Many creepy stories and reports on the crime activities carried by such migrants are regularly published in local news papers. The link or correlation between the increased illegal migrants and crime rates has been subjected to discussion in Indian present-day society particularly in Northeast and eastern part of the country. The present study reviews the literature on the links between Illegal migration to India, ethnicity and crime, in particular; the link between Bangladeshi immigration and rise of crime in India, in general and particularly in Assam. The study has been conducted keeping in view to examine the relationship between population growth rate, illegal migration and rise of crime rate; to study the impact of illegal migrants on the socio-economic condition of the prevailing society, to develop effective policies in response to the

ongoing political debates on the link between illegal migrants and rise of crime rate and to provide recommendations to combat with the situation observed in the light of present study.

**Area of Study:** Assam is situated in an important geographic location of North-East India between 89°5'-96°1' East Longitude and 24°3'-27°58' North Latitude. Assam is bordered in the North and East by the Kingdom of Bhutan and state of Arunachal Pradesh. Along the South lie Nagaland, Manipur and Mizoram of India. Meghalaya lies to her South-West, West Bengal and Bangladesh to her West<sup>10</sup>. Assam has many valley region of the Brahmaputra River which has always attracted by many foreigners to settle here due to climatic and natural favourability of lifestyles. The position of Assam within North eastern part of India has been shown in Figure 1 where its position nearer international borders can be viewed easily.



Figure-1

Position of Assam within North eastern part of India showing nearer international borders

**Material and Methods**

In this study, firstly, review work on various aspects of illegal migration, the concerned history and present scenario were done. Secondly, collection of data on crime rate over the years (last

decade) has been carried out from Assam Police sources and collection of Census data (last century) to calculate the magnitude of migration. Thirdly, the problem is addressed with statistical data on crime rate and its analysis to link between rise of illegal influx and rise of crime rate in Assam.

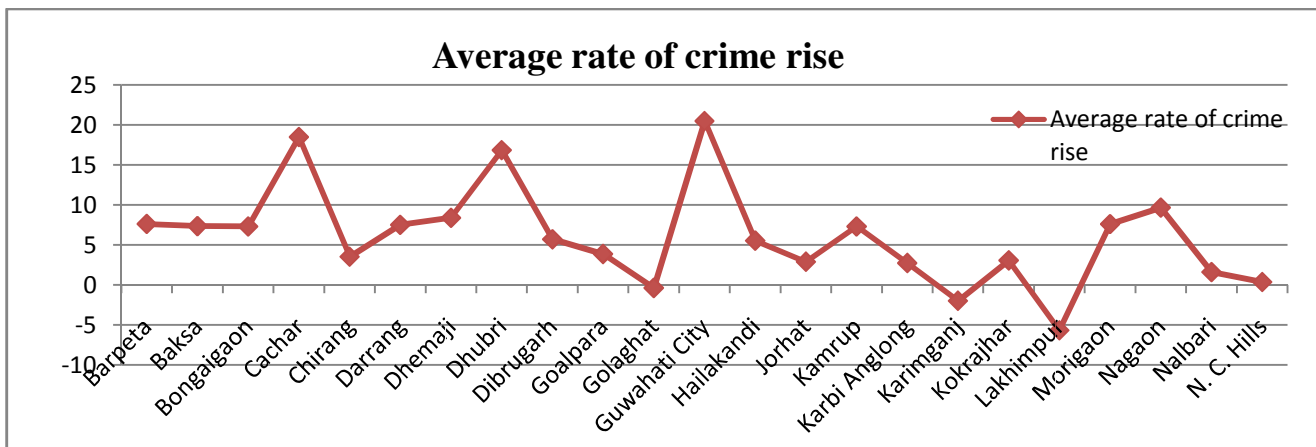
Different district Police administration under Assam Police was consulted for collection of data on the number of cases registered for the last decade (which include number of cases suspected and committed by any illegal migrant or migrant group migrated to the region). These data are placed in the following table and the average rate of growth of crime is calculated by the following formulas:

$$\text{Rate of growth of crime} = \frac{\text{Difference of no. of crime in given time}}{\text{Period of given time for crime calculation}}$$

$$\text{Average rate of crime rise} = \frac{\text{Total of rate of growth of crime}}{\text{Number of incidence (years)}}$$

As the study is conducted keeping in view to link “rise of illegal migration with rise of Crime rate” and for this, a correlation study had been undertaken to correlate Average rate of Crime Rise in Assam with: i. Average Rate of growth in population in different districts of Assam and ii. Density of population of the districts of Assam.

**Result of the study:** Result of the study are shown in figure 2, showing District wise average rate of crime rise according to the records of Assam Police; table 1, showing correlation between growth of crime rate (last decade), population growth (last century) and density in all districts of Assam; figure 3, showing Correlation between growth of crime rate and population growth and figure 4, showing Correlation between growth of crime rate and population density of the districts of Assam. The results are clearly observed in the Graphs and Tables.



(Curtsey: Assam Police sources)

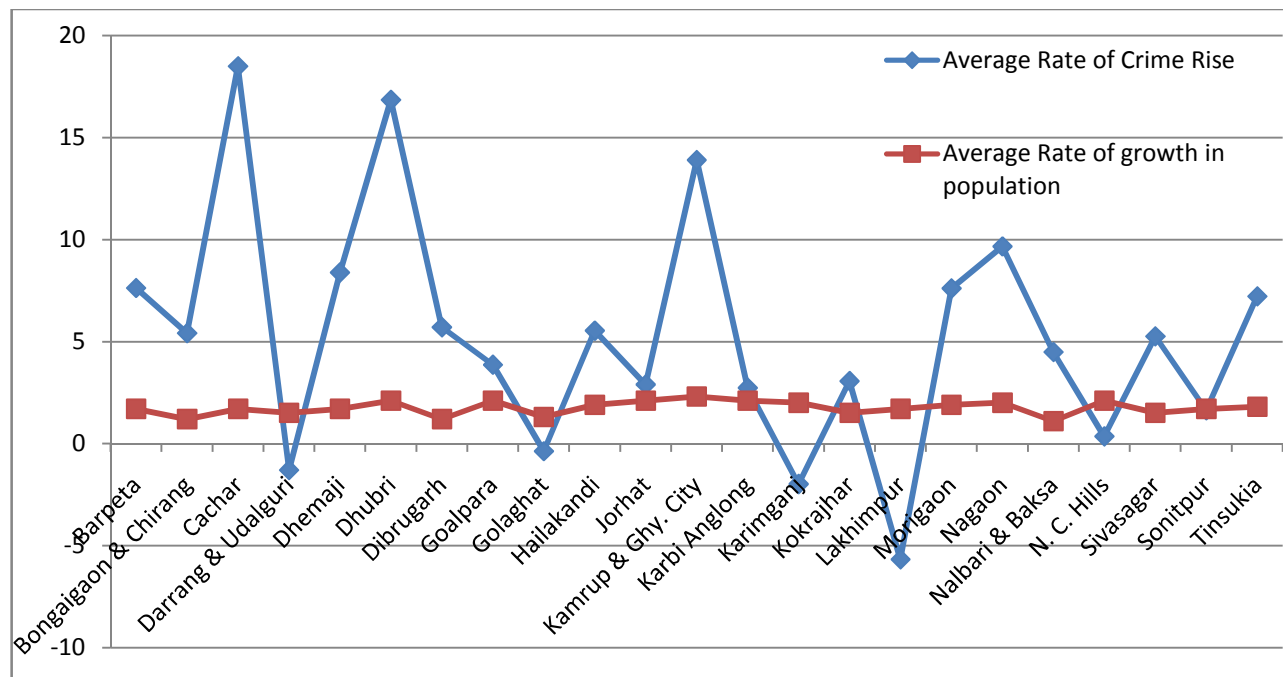
Figure-2

District wise average rate of crime rise according to Assam Police

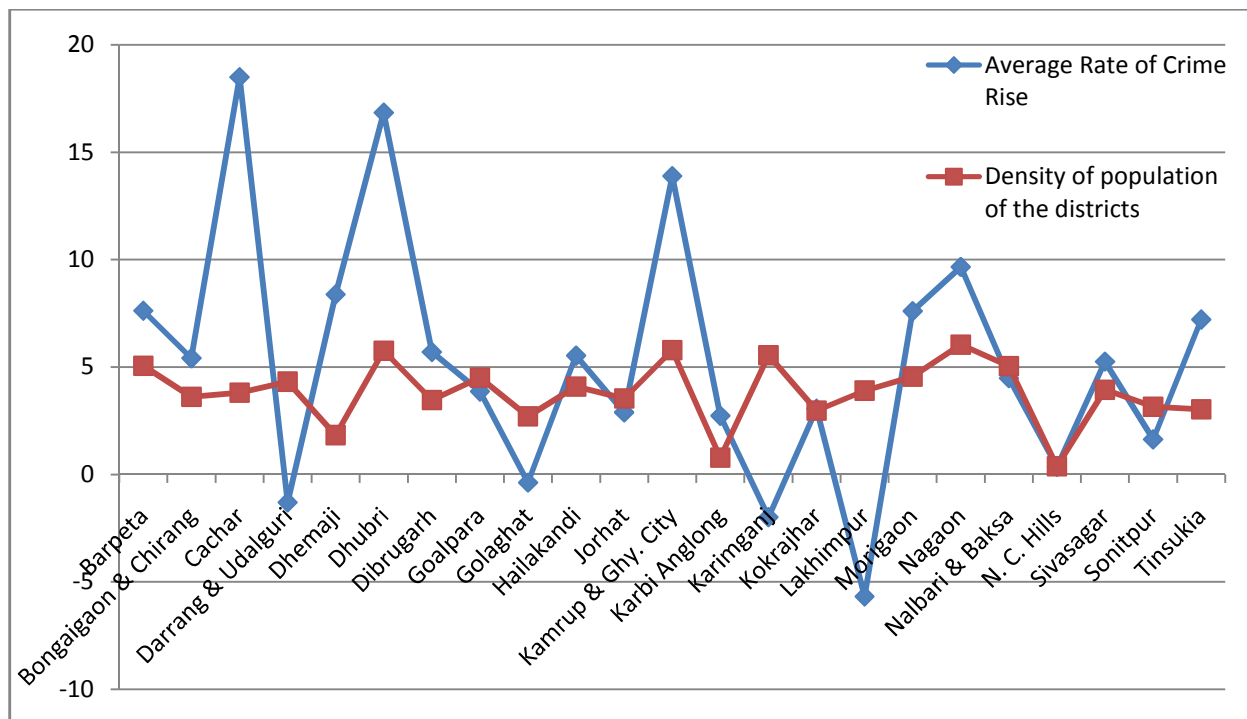
**Table-1**  
 Showing correlation between growth of crime rate (last decade), population growth (last century) and density in all districts of Assam

Districts of Assam	Average Rate of Crime Rise	Average Rate of growth in population	Correlation rating with growth of population	Density of population of the districts (in decimal)	Correlation with Density of population
Barpeta	7.62	1.7	High	5.0601	High
Bongaigaon and Chirang	5.41	1.2	High	3.6096	Moderate
Cachar	18.49	1.7	Very High	3.8088	Very High
Darrang and Udalguri	-1.30	1.5	Low	4.3206	Low
Dhemaji	8.38	1.7	High	1.8309	Moderate
Dhubri	16.84	2.1	Very High	5.7611	Very High
Dibrugarh	5.70	1.2	High	3.4664	Moderate
Goalpara	3.86	2.1	Moderate	4.5066	Moderate
Golaghat	-0.38	1.3	Low	2.7013	Low
Hailakandi	5.53	1.9	High	4.0919	Moderate
Jorhat	2.89	2.1	Moderate	3.5391	Moderate
Kamrup and Ghy. City	13.89	2.3	Very High	5.7883	Very High
Karbi Anglong	2.73	2.1	Moderate	0.7782	Moderate
Karimganj	-1.99	2.0	Low	5.5500	Low
Kokrajhar	3.06	1.5	Moderate	2.9722	Moderate
Lakhimpur	-5.68	1.7	Low	3.9043	Low
Morigaon	7.60	1.9	High	4.5540	High
Nagaon	9.66	2.0	High	6.0428	Very High
Nalbari and Baksa	4.48	1.1	Moderate	5.0420	Moderate
N. C. Hills	0.35	2.1	Low	0.3805	Moderate
Sivasagar	5.25	1.5	High	3.9468	Moderate
Sonitpur	1.63	1.7	Moderate	3.1518	Moderate
Tinsukia	7.21	1.8	High	3.0343	Moderate

Source of Crime data: Assam Police website and Population data: Census of India, 1991 - 2011



**Figure-3**  
 Correlation between growth of crime rate and population growth



**Figure-4**  
**Correlation between growth of crime rate and population density of the districts**

**Discussion on the correlation study:** On the results observed in the Graphs and Tables for District wise average rate of crime rise according to the records of Assam Police, Correlation study between growth of crime rate (last decade), population growth (last century) and density in all districts of Assam, Correlation study between growth of crime rate and population growth and Correlation study between growth of crime rate and population density of the districts of Assam respectively, the following discussion is presented.

Very high correlation between growth of crime rate and population growth can be seen in – Cachar, Dhubri and Kamrup districts of Assam where both the districts of Dhubri and Cachar are border districts and Kamrup is the district which includes political and economic capital of Assam. This high correlation in the linkage of crime rate and population growth indicates the influence of high population growth in the growth of crime rate.

Whereas some districts (viz, Barpeta, Bongaigaon, Dhemaji, Dibrugarh, Hailakandi, Morigaon, Nagaon, Sivasagar and Tinsukia) have shown high correlation in this regard, which are in the verge of future problem if not tackled such inflow and the growing crime rate at the earliest.

Very high correlation between growth of crime rate and population density of the districts can be seen again in – Cachar, Dhubri, Kamrup and Nagaon districts of Assam where both the districts of Dhubri and Cachar are border districts; Kamrup is the district which include political and economic capital of Assam and Nagaon is one of the agriculturally rich district of

Assam. This high correlation in the linkage of crime rate and population growth indicates the influence of high population growth in the growth of crime rate.

Whereas some other districts (viz, Barpeta and Morigaon) have shown high correlation in this regard, which are in the verge of future problem if not tackled such inflow and the growing crime rate at the earliest.

**Conclusion**

The present communication tries to establish an understanding of the difficulties in identifying and combating crimes committed by suspected immigrants. The purpose of the study is not to create terror for immigrants. Immigrants may be crime victims as well as criminals. There is a shameful tradition of violence in many nations toward newcomer. In recent years more than ever immigrants who enter India illegally are at the mercy of fraudulent and vicious smugglers, and many die in transit before arriving to the host country. Others, in order to "work off" their debt to their smugglers, become slaves all but in name, and are subject to extortion, forced prostitution, and sweatshop jobs, often tricked by their ethnic compatriots into doing so.

But at the same time, this reality should not be overlooked that there is an increasing concern over the crimes immigrants commit particularly by illegal and undocumented immigrants. States with large immigrant populations within India, such as Assam and West Bengal, have had to devote a massive part of

their law enforcement and criminal justice budgets to investigating, apprehending, and incarcerating immigrants to ensure safety for the law-abiding citizens and for legal immigrants.

Here, we would like to add some suggestions in the form of recommendations:

With the increase of complexities in the Crime situations the need of specialized staff to effectively detect, investigate and prevent Crime cannot be over emphasised. The training imparted to police personnel is quite general in nature. Police personnel revealed that they are not imparted with specialised training in investigations, which cover a part of training. The training imparted is quite heterogeneous in character. Functions should be differentiated and defined in the training period. It is suggested that in the existing set up of police, at least two different wings to be created: i. One entirely dealing with the law and order and ii. The other with investigation.

The basic responsibility for maintaining the honesty of the task force and wedding out the corrupt officials is the duty of the supervising officers. His power to punish the dishonest officers should not be diluted. There should be a provision for removal of corrupt police official by imposing retirement.

The professional efficiency of police has to be increase in the prevention and detention of crimes and criminals which will enhance their reputation in the eyes of the public. The popular impressions like unwillingness for registration and minimization of crime, improper method and delay of investigations, involvement with under world, indiscriminate arrest of persons etc. have to be removed from the minds of public for better acceptance.

Constant contracts and dealing with the criminals tend to affect the attitudes and outlook of the police personnel. They generate pressure of the psychological complexes governed by various situations often faced. This might be relieved to some extent if the policeman could be made to feel more involved in the socio-economic and cultural life of the community they serve and among whom they live. Public participation in police stations, i.e., parades, sports etc. should also be encouraged, which will help bring the public and police close to each other.

The police should observe strict neutrality for a clean image on strike and agitational situations and make it patently clear that the police are present on the sense to prevent any breach of peace, to prevent violence and not to side with any bias. Such attitude of mind should be developed that any situation can be tackled without use of force and harassing general public.

The press and other media always wants to discover the facts to keep public informed of what is happening and to build or shape public opinion and at the same time police seek to establish the same facts to enforce law and order by placing them as evidence

before the courts of law. This involves an obvious clash of interests, yet there is everything to be gained by an understanding between the police and the public and sustained efforts should be made to develop such an understanding among all.

The study discerns that police officers have to work under political and public pressures. A police officer free from public and political pressure can be more effective in investigations and in detection and detention of culprit. It will not be out of place to suggest that if police made an autonomous body it can be kept free from various pressures. It will decrease the political interference, dominance and discriminating police efficiency.

The delay in reporting proves fatal to the case, which should be avoided. Delay leads to distortion of evidence; it delays and hampers the investigation process. The delay in reporting can be checked by educating the masses through periodic contact between public and police by social organizations and audio visual media.

The duty of the police is to ensure that recidivists, who could often be seen in case of illegal migrants, should get enhanced punishment, which can only be ensured if the records are properly maintained in District police offices and in various police stations. As and when the recidivists commit an offence the court should be informed while filling charge sheets.

Strong laws needed by police to tackle militancy. The Assam Police report, 2008<sup>11</sup> stated that there have been numerous instances where the militants rejoined the outfits and indulge in acts of violence after their release on Bail. Such cases can be controlled only by maintaining a criminal database and proper monitoring and follow-up of cases.

Therefore, to make police reliable and duty bound, to establish rule of law in society, laws should be strong; Government should be concern and the public must be conscious and ever ready to help the police.

The legal machinery in India under presently enforceable Law have been rendering yeoman service to the citizens of the nation but lack of strong political will keeps the problem alive even after regular prime concern of media reports. If proper steps are not taken in political level to detect, deport and bound Bangladesh to accept their citizens in India and hold the flow of further immigration to Assam, in not so distant future, it will finally alter, as many believe, the demographic pattern of Assam as well as we lose our identity as an Indian.

### **Acknowledgement**

The author is thankful to Dr. S. Rajkhowa, Former HOD and Associate Professor, P. G. Dept. of Law, Gauhati University, Guwahati (Assam), Dr. A. K. Sinha, Director, Forensic Science Laboratory, Kahilipara, Guwahati (Assam) and Dr. B. K.

Baishya (Supervisor of Ph.D. research), University Law College, Gauhati University, Guwahati (Assam) for their suggestions during preparation of the manuscript.

## References

1. Mahapatra D., How illegal immigrants morphed into an invaluable vote-bank. TNN, Aug 13 (2012) available at <http://timesofindia.indiatimes.com>
2. Guest N., Illegal immigration from Bangladesh has turned Assam explosive. Published on Oct 31 (2012) available on <http://www.niticentral.com/2012>
3. NCRB. National Crime Records Bureau data (2010) available in [www.ncrb.gov.in](http://www.ncrb.gov.in); accessed in 20/02/2011
4. Haecus. Illegal Aliens Linked to Rise in Crime Statistics, June 23 (2006) <http://www.nowpublic.com>
5. Hazelhurst K. and Kerley M., 'Migrants and the Criminal Justice System'. In J. Jupp (ed.) *The Challenge of Diversity*, Australian Government Publishing Service, Canberra, Australia, (1989)
6. Mukherjee S., 'Ethnicity and Crime', Trends and Issues in Crime and Criminal Justice, Australian Institute of Criminology, Number 117 (1999) available at [www.aic.gov.au](http://www.aic.gov.au); retrieved on 10/09/2005
7. Martinez R., Jr. and Lee M., On Immigration and Crime. *Criminal and Justice*, 2000(1), 485-524 (2000)
8. Shloenhardt A., 'Migrant Trafficking an Regional Security', Forum for Applied Research and Public Policy, Summer 2001, 16(2), 83-88 (2001)
9. Anonymous, Immigration and the Justice System: Research Perspectives on Migration, Carnegie Endowment for International Peace and the Urban Institute, Washington, D.C July/August 1997, 1(5), 2 (1997)
10. Deka B. Assam, Land, and People K.C., Das Commerce College (2009)
11. Assam Police Report. (2008) available in <http://www.assampolice.gov.in>; accessed in 11/02/2010