

Universal Just Action Society / Seemant Lok Sangathan

Organization Profile

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BRIEF OVERVIEW

In 1999, Mr. Hindu Singh Sodha founded the community-based organization Pak Visthapit Sangh, “Displaced Pakistanis’ Organization,” (PVS) to address the previously unrecognized needs of Hindu-Pakistani refugees living in India.

In 2005, Mr. Sodha expanded the organization by creating Seemant Lok Sangathan, “Border Area Peoples’ Union,” (SLS). SLS replaced PVS and built upon its efforts, not only aiming to help refugees gain Indian citizenship, but also to engage with wider issues encompassing the refugee and border communities, such as communal harmony, livelihood, public awareness, and policy advocacy.

In 2008, Seemant Lok Sangathan was registered as a non-governmental organization under the name Universal Just Action Society (UJAS). SLS and UJAS are synonymous; UJAS serves as an NGO with international recognition, while refugee communities most commonly refer to the organization as Seemant Lok Sangathan.

OUR MISSION

Universal Just Action Society (UJAS) advocates for Hindu-Pakistani immigrants in India who are fleeing religious persecution. Despite escaping dangers in Pakistan, they are still denied basic human rights in India. Among these are the rights to citizenship, rehabilitation, livelihood, and education. UJAS’ mission is to aid Pakistani refugees in obtaining justice by raising awareness, empowering refugee communities, and pressuring the government to provide them with legal rights.

Regarding Refugee Status:

According to the 1951 Refugee Convention establishing the UNHCR, a refugee is identified as someone who “owing to a well-founded fear of being persecuted for reasons of race, **religion**, nationality, membership of a particular social group or political opinion, is outside the country of his nationality, and is unable to, or owing to such fear, is unwilling to avail himself of the protection of that country.” Despite the Government of India denying Pakistani immigrants official refugee status, UJAS recognizes them as “refugees” with the intention of promoting the title and protection they deserve.

Our Name:

In Hindi, *ujas* means “brightness” or “light coming out of darkness.” Universal Just Action Society (UJAS) aims to shed light on a dark issue, one that is often not addressed without our presence in this field. We demand justice for persecuted Pakistani refugees by taking action through public hearings, empowerment of refugee communities, and lobbying at local, state and national levels.

OUR OBJECTIVES

UJAS' objectives are to:

- Raise public awareness on issues facing post-1965 Pakistani refugees in India through documentation and publication;
- Organize and empower refugee communities to improve their living conditions and provide a more secure future for their children;
- Promote communal harmony in border areas by highlighting shared traditions and encouraging collaboration in the preservation of culture;
- Provide a platform from which oppressed refugee communities can air their grievances and seek their basic human rights; and
- Draft policies demanding regular and fair treatment of refugees living in India and put pressure on the government to observe these policies, particularly in the form of granting Indian citizenship.

OUR APPROACH

UJAS works with migrant and border communities and government officials to help provide Pakistani refugees with Indian citizenship and basic human rights. We approach this goal in the following ways:

1. **Raising Awareness of Issues Confronting Pakistani Refugees:** One of UJAS' core aims is raising the visibility of Pakistani refugee populations living in India in order to garner public support. UJAS continues to do so by meeting with refugee communities to discuss issues and experiences, documenting and publicizing these issues locally and nationally, and attracting media attention to public events and hearings.
2. **Empowering Refugee Communities:** UJAS appoints voluntary refugee leaders at a block level who are in charge of networking with all of the refugee communities in the assigned area. These leaders hold regular meetings with the inhabitants of each settlement in which ideas and problems are discussed and strategies developed for addressing them.
3. **Promoting Harmony in Border Areas:** Because the scope of problems facing refugee populations is not limited to government and legal issues, UJAS also works to improve relations and living conditions in border areas shared by refugee and non-refugee populations of both Hindu and Muslim faiths. UJAS seeks to encourage communal harmony in these areas by promoting shared traditions, cross-border peace initiatives, economic development opportunities, and cultural preservation.

4. **Hosting Public Hearings and Conferences:** In order to carry the messages of refugee communities to public forums and sensitize important government policymakers about the struggles of these communities, UJAS organizes large public hearings in Rajasthan and Gujarat, inviting refugees, journalists, local leaders and high-profile government figures such as the Principal Secretaries and Chief Ministers of the state. In this forum, refugees are given an opportunity to air their grievances and demand action from government agents who have the power to deliver these messages to national-level policymakers.
5. **Lobbying at State and National Levels:** UJAS dedicates itself to giving refugees a voice through wide networking with local leaders and regular meetings with and consistent pressurizing of local and state government figures. Through these methods, UJAS has successfully pushed demands for refugee rights all the way up to national policymakers.

OUR HISTORY

Pak Visthapit Sangh

In 1999, Mr. Hindu Singh Sodha founded the community-based organization Pak Visthapit Sangh, “Displaced Pakistanis’ Organization,” (PVS) to address the previously unrecognized needs of Hindu-Pakistani refugees living in Rajasthan, India.

Prior to Mr. Sodha’s efforts, Pakistani immigrants lacked a united front from which they could air their grievances and coordinate action. PVS created coordination between settlements scattered across the states, helping refugees promote a sense of identity and a common goal of securing their basic human rights.

PVS’ original objectives as an organization were to demand the Government of India 1) reformulate its rehabilitation package for refugees who migrated to Rajasthan between 1965 and 1971, 2) grant Indian citizenship to post-1971 refugees (and provide them with proper rehabilitation packages), and 3) delegate the power to grant citizenship to the District Magistrates in the districts of Rajasthan and Gujarat.

In order to achieve these goals, PVS organized numerous public hearings and demonstrations, held meetings with government officials and bureaucrats, and met with leaders of various political parties to encourage political consensus on this issue. Over 400 volunteers and local leaders from within the refugee communities worked with PVS to take part in bettering their own lives and securing justice for their futures.

Previously in 1978, the Government of India had announced the implementation of a rehabilitation package intended to provide relief to Pakistani refugees who had

migrated to India in 1971. Through working with these refugees, PVS discovered and publicized many discrepancies in the package, drawing the attention of both policy makers and news media to this issue.

In 2005, due to PVS' efforts, the Government of India agreed to delegate the power to grant citizenship to the District Magistrates in Rajasthan. This made the application process more accessible to thousands of refugees; 13,000 refugees were granted Indian citizenship.

Seemant Lok Sangathan

Shortly after the critical juncture of achieving citizenship for 13,000 refugees, PVS organized a strategic planning workshop, conducted in Jodhpur in April of 2005. Mr. Hindu Singh Sodha, volunteers from five districts in Rajasthan, and representatives from Haryana and Gujarat were present. All participants of the workshop agreed that PVS provided the unity and recognition that Pakistani refugees needed, but that there were also more issues to be addressed in addition to citizenship and rehabilitation.

Therefore in 2005, Mr. Sodha replaced and expanded PVS by creating the community-based organization Seemant Lok Sangathan, "Border Area Peoples' Union," (SLS). SLS was formed to build upon the efforts of PVS, with the following objectives in mind:

- Even if refugees are granted citizenship, they still face hardships related to social assimilation and livelihood that SLS can address.
- Following the Partition of 1947, migrants were not the only ones plagued with difficulties. The local people living along the India-Pakistan border, both Hindus and Muslims, are threatened by insecurity and violence. SLS can serve as a means of creating harmony between border communities.
- Since the issues related to forced migration and displaced refugees have policy level ramifications, national and international level intervention is required. It is in this context that SLS needs to become the centre of collaboration with similar organizations within India and South Asia, in order to provide a platform for policy advocacy and public education at the national and international levels.

Since it's founding, SLS has created dialogue between border communities that were once a part of Undivided India and that have also recently experienced an influx of refugee settlers. In 2006 and 2010, SLS conducted national seminars to gather representative of all migrant groups from South Asia living in India. The representatives discussed problems faced in their respective areas, collaborating with other communities to create a forum designed to discuss both grievances and solutions.

SLS has expanded from only Rajasthan to work with refugees living in settlements around the India-Pakistan border and throughout Rajasthan, Gujarat, Haryana, Delhi, and Madhya Pradesh.

Universal Just Action Society

In 2008, Seemant Lok Sangathan was registered as a non-governmental organization under the name Universal Just Action Society (UJAS). SLS and UJAS are synonymous. UJAS serves as an NGO with international recognition, while refugee communities most commonly refer to the organization as Seemant Lok Sangathan.

UJAS/SLS continues to promote and accomplish the original objectives of SLS and PVS at their founding. At the heart of the organization lie the direct efforts of Mr. Hindu Singh Sodha, who has dedicated his life to this issue and to aiding Pakistani refugees in whatever way he can.

OUR FOUNDER: HINDU SINGH SODHA

Mr. Hindu Singh Sodha is an activist for Pakistani minorities living in India. Being a Pakistani immigrant himself, he gained Indian citizenship while attending law school in Jodhpur, Rajasthan in 1977, and has been advocating for other Pakistani immigrants ever since. He has founded two community-based organizations, Pak Visthapit Sangh and Seemant Lok Sangathan, and one non-governmental organization, Universal Just Action Society, since he first began his advocacy work. One of Mr. Sodha's greatest accomplishments was in 2005, when he successfully pressured the government to grant 13,000 Pakistani refugees citizenship. He advocates for all Pakistani minorities, working primarily with Hindu-Pakistanis living in settlements around the India-Pakistan border and throughout Rajasthan, Gujarat, Haryana, Delhi, and Madhya Pradesh.

Background

Mr. Hindu Singh Sodha was born on May 2nd, 1956. His family lived in Pakistan, as his mother was Indian and his father Pakistani. According to tradition, when the first child is born, the mother returns to her family to give birth. Thus Mr. Sodha was born in India, in Village Chelawas in District Pali, Rajasthan. His siblings were all born in Pakistan, and he lived and studied in school in the city of Chachro in Tharparkar, within the Sindh province, until Class 10.

Just ten months before the Indo-Pak War of 1971, Mr. Sodha's family migrated to India on February 8th, settling in Jodhpur, Rajasthan. Mr. Sodha completed his education in the Chopasni School in Jodhpur, and continued to earn a degree from Jodhpur University in 1976. While pursuing Law at Jodhpur University, he gained Indian citizenship in 1977. He graduated with a law degree in 1979.

Social and Political Life

In college, Mr. Sodha was a renowned student leader and founder and president of the student body organization *Chhatra Sangharash Smiti*. Through his efforts, the campus became a platform for debates on relevant issues. He is accredited with the evolution of students' mindsets from caste-based politics to ideology-based politics.

Mr. Sodha was a leader of the Trade Union movement in Rajasthan. During the *Bharat Bandh* agitation in Jodhpur in 1981, Mr. Sodha was the first person arrested for voicing his opinions. Even though he was arrested, the agitation was successful. Furthermore, with Mr. Sodha's encouragement, all major Trade Unions participated in the Darbi Strike, the longest strike in the history of western Rajasthan. Mr. Sodha continued to participate in other social movements, including the Right to Information (RTI) movement in Rajasthan.

In 1986, Mr. Sodha published a fortnightly, *Jan Pataaka* ("Peoples' Flag"). He was the sole editor and publisher of this forward-thinking newspaper.

In 1991, Mr. Sodha formally began working for the NGO *Urmul*. He worked exclusively with refugees from Pakistan living in the Bikaner area of Rajasthan. After some time, Mr. Sodha left *Urmul* to work on his own, wanting to give his undivided attention and efforts to this issue. For years he traveled throughout the border in the refugee settlements in Rajasthan. In 1998, he staged a *dharna* ("peaceful demonstration") in front of the Rajasthan State Assembly. The then Chief Minister, Shri Bhairon Singh Shekhawat, agreed to take up the cause of Pakistani refugees.

Founding His Own Organization

In 1999, Mr. Sodha founded the community-based organization Pak Visthapit Singh, "Displaced Pakistanis' Organization," to address the pressing needs of citizenship and rehabilitation for Pakistani refugees in India. Since then, the organization has expanded with the creation of Seemant Lok Sangathan, "Border Area Peoples' Union," and the registration of the non-governmental organization, Universal Just Action Society.

WHERE WE WORK

UJAS advocated for all Pakistani minorities living in India. UJAS primarily works with refugees living in settlements around the India-Pakistan border and throughout Rajasthan, Gujarat, Haryana, Delhi, and Madhya Pradesh.

The conditions of each settlement vary based on location and resources. Some are equipped with electricity, running water, and access to education, while others are not.

Below is a list of the settlements in various districts of Rajasthan. The data was collected in 2005, so it does not include the increasing number of refugees who have migrated and settled in Rajasthan post-2005.

Number of Settlements in Rajasthan as of 2005:

District	Tehsil	Number
Barmer	Shiv	27
Barmer	Chohtan	30
Barmer Total		57
Jaisalmer	Jaisalmer	10
Jaisalmer	Fatehgarh	11
Jaisalmer	Sam	3
Jaisalmer Total		24
Bikaner	Pugal	29
Bikaner	Kolayat	20
Bikaner Total		49
Jodhpur	Jodhpur City	6
Jodhpur Total		6
Rajasthan Total		136

THE ISSUE OF PAKISTANI REFUGEES IN INDIA

History of the Issue

In 1947, the Partition of India created a border between India and Pakistan, drawing a line that divided families and livelihood. Although Islam dominated as the religious majority in Pakistan, Muslims and minority groups initially lived in peace. It wasn't until the Indo-Pak war in 1965, along with the construction of a fence along the border, that tension formed between Muslims and Hindus.

Hindu-Pakistanis originally migrated to India in waves, following the Partition in 1947, and the two Indo-Pak wars in 1965 and 1971. Since 1971 however, there has been a constant flow of migration into India.

Hindus living in Pakistan are persecuted on a daily basis, receiving no protection from the Pakistani government. They are abducted, blackmailed, and kidnapped for

ransom; the women are raped and forcibly converted to Islam. Their shrines and temples are destroyed, properties taken, and businesses and schools shut down.

It is not only this violence against Hindus that has caused constant migration, but also the growing sense of insecurity in the country. In 1992, for example, the Babri Masjid demolition created backlash against Hindus in Pakistan. Hindu temples were burned and some Hindus were killed.

These persecuted people have no one to turn to for help in Pakistan. Hindus do not serve in the police force, so there is clear corruption in a system that is built to protect. The court system also fails to hold fair trials. A famous example is the Rinkle Kumari Case, in which seventeen-year old Rinkle Kumari was kidnapped, married to her kidnapper, and converted to Islam. In court, she was slapped in front of the judge, forced to make official statements behind closed doors, and threatened by her abductors. The case fell short of the established process of law, with cross-examinations being dismissed and politicians influencing the judges. It is no wonder Hindu-Pakistanis feel their only chance to a just life is by fleeing Pakistan.

Legal Framework

In 1951, the Office of the United Nations High Commissioner for Refugees (UNHCR) was founded to facilitate and manage refugee protection globally. The 1951 Convention relating to the Status of Refugees identifies a refugee as anyone who:

*Owing to a well founded fear of being persecuted for reasons of race, **religion**, nationality, membership of a particular social group or political opinion is outside of the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.*

It can be assumed that Hindu-Pakistanis immigrating to India would fall under this definition. However, India is not a signatory of the Refugee Convention of 1951 or its Protocol of 1967. Since the Government of India has no international obligation to create refugee legislation, it has no uniform, national law regulating the status of refugees. Therefore, Pakistani immigrants are not granted official refugee status and do not receive the protection or benefits they deserve.

India's national laws governing immigrants are the Foreigners Act of 1946 and the accompanying Registration of Foreigners Order of 1939. This legislation is problematic because it makes no distinction between "refugees" and other types of foreigners. Most refugees in India are treated on par with illegal immigrants and tourists. The Government of India also possesses the power to detain and deport foreigners, restrict movement of foreigners inside India, and prevent foreigners from leaving India (as it requires an exit permit).

Current Status

Indian Citizenship:

Without refugee status, Indian citizenship is the only viable option for Pakistani immigrants to access legal rights and services. Unfortunately, the process of gaining citizenship is complex, expensive, and inconsistent. Certain refugee groups are treated differently than others, depending on the political interests of the government at that time. It is true that some immigrants have been granted citizenship and caste certificates, but the majority has been denied basic rights and access to government schemes, such as healthcare, education, and employment.

Benefits of Citizenship:

One of the primary benefits of gaining citizenship is the ability to move freely around the country. Separated families can be reunited, and immigrants seeking greater livelihood opportunities can travel to cities with more consistent agricultural work or better markets for selling their handicrafts. With citizenship also comes access to various government schemes, including healthcare, education, housing, employment, social security, and pensions. Citizens can then further apply for Below Poverty Line (BPL) Cards, Ration Cards, Schedule Caste or Schedule Tribe Certificates, and Bonafide Certificates, each which grants the holder greater opportunities in education, employment, and access to subsidized food ration and subsidized housing or land grants. Citizenship documents are also necessary when applying for a driver's license, bank account, or insurance.

Challenges in Obtaining Citizenship:

Although gaining citizenship is an excellent solution for Pakistani immigrants in theory, it does not become a reality for the majority. Most immigrants cannot pay the rising citizenship fees, which have been inflated by the government over the past several years to discourage migration from Pakistan. The average fee for citizenship is approximately 10,000 INR per passport.

Furthermore, an immigrant must live in India for a minimum of seven years before being permitted to apply for citizenship. The average timeframe of an Indian visa is three to six months, requiring the immigrant to renew his visa multiple times. Non-citizens are also required to ensure that their registration permit from the Foreigner Regional Registration Office (FRRO) is up to date so that they are permitted to reside in India for as long as it takes to get citizenship. Even with proper Indian documents, an immigrant must also hold an un-expired Pakistani passport, which can only be obtained at the Pakistani embassy.

Most Indian visas limit the visa-holder to a certain city in India, not allowing them to travel outside of the designated area. However, the Central Government in Delhi is the only one with the power to renew visas, issue travel permits, and receive

applications for citizenship. In order to submit applications, immigrants must *illegally* travel to Delhi, hoping while traveling that they are not caught and charged with being in violation of their visa (which validates deportation).

In addition to this corrupt process, many immigrants are illiterate, creating more vulnerability to deceit and exploitation by government officials.

The Realities of the Situation:

Even Pakistani immigrants who have been successful in gaining citizenship still face daily struggles. The application process for Ration Cards and Caste Certificates is just as complex and discriminatory as that of citizenship.

Immigrants who were promised rehabilitation packages from the government have yet to receive them. For example, some immigrants were promised 25 bighas of irrigated land or 50 bighas of non-irrigated land; they either received no land, part of their land, or their land was included in national parks or given away to local people.

Many immigrants who apply for visas with their family members are all given visas with different assigned cities. This forces them to either separate from their families or illegally live in a different region than what is assigned on their visa.

With or without citizenship and Caste Certificates, education for children is highly unlikely as it is expensive and controlled by corrupt government officials.

The end result of these factors is that Pakistani refugees are left without a supportive government or reliable legislation, keeping them trapped in a cycle of unrecognized poverty and vulnerability.

Primary Source: Alkoraishi, Zaineb, Anna Keyes and Danielle Scaramellino. *Caught In Between: The State of Hindu-Pakistani Refugees Living in Jodhpur*. 11 July 2010. (A report prepared for UJAS by three American graduate students.)

PAST ACHIEVEMENTS

Since 1999, Mr. Sodha has made great strides in raising awareness and pressuring the Government of India to grant justice and basic human rights to Pakistani refugees. Some of these accomplishments are listed below.

- In 2005, due to the efforts of Mr. Sodha, 13,000 Pakistani refugees were granted **Indian citizenship** in Rajasthan.
- In 2006, Mr. Sodha was the pioneer champion in encouraging railways to resume running between Sindh and Rajasthan. The culmination of his efforts created the **Thar Express**, where Mr. Sodha was present to witness the first train arrive

from Pakistan. He and several volunteers greeted the arrivals and distributed pamphlets welcoming them to India. Dignitaries, including Mr. Lalu Parsad Yadav, former Railway Minister, and Vasudhra Raje Scidhia, former Chief Minister of Rajasthan, were also present and thanked Mr. Sodha for his initiative.

- In 2007, Mr. Sodha was **appointed a member of the High Power Committee** under the Chairmanship of Additional Chief Secretary Development. He is still a representative in the state committee, and also a member in both of the committees under the Chairmanship of the Divisional Commissioners in Jodhpur and Bikaner.
- In 2008, due to Mr. Sodha's participation and persuasion, the issue of refugees was included in the agenda of the **People's SAARC Conference** held in Kathmandu.
- In 2009, Mr. Sodha was the only person who met with the Honorable Justice of the Supreme Court of Pakistan, Mr. Aslam Nasir Zahid, at the Indo-Pak Joint Judicial Committee. Mr. Sodha demanded the release of prisoners who were caught for petty offenses, had finished their sentence, or had been waiting years for a judicial trial. The committee gave recommendations to both governments, including all of the points raised by Mr. Sodha. In effect immediately, **nine prisoners were released** from Rajasthan.
- In 2012, due to Mr. Sodha's continuous efforts and organization of a demonstration in front of the State Assembly, serious debates in both of the Houses of Parliament resulted in all **political parties favoring the cause** of Pakistani refugees.

CHALLENGES AHEAD

Although UJAS has had several successes, its efforts continue on a daily basis. There are still several refugees fleeing Pakistan and arriving in India knowing no one, having nowhere to live, and needing guidance to ensure their legal rights. UJAS' objectives on a broad spectrum are clear, with the goals of obtaining justice and creating easier assimilation. Some of the specific objectives and demands for the government UJAS is working to implement are listed below.

Regarding Legal Issues

- The Government of India must create permanent legislation and policies for refugees in India, granting them official "refugee status."
- As was the case in 2004 and 2005, when 13,000 refugees were granted citizenship, 1) refugees should not be required to renew their passports in order

to apply for citizenship, and 2) the power to grant citizenship should be delegated to the District Magistrates.

- The requirement of living in India for seven years before applying for citizenship should be shortened.
- The power to renew visas should be delegated from the Central Government to state governments, and the entire visa process should be simplified.
- Once refugees submit the valid documents necessary for permanent settlement, they should be permitted to travel to other cities outside of their visa-assigned area for the purposes of work, marriage, death, or any other important event.
- Refugees should not be forcibly deported, as they are fleeing religious persecution and traveling for purposes of livelihood and family union.
- The rehabilitation packages provided by the government should be implemented properly and actually play a role in assisting the refugees.

Regarding Social Issues

- Refugees should benefit from various government schemes, including healthcare, education, housing, employment, social security, and pensions.
- Professionals with Pakistani degrees in Medicine, Engineering, Law, etc. should have the right to practice their profession in India.
- Children living in settlements (both with and without citizenship) should have the opportunity to study and get a proper education.
- The government should make specific efforts to preserve the ethnogeographic history and culture of refugee and border area communities. Their language, traditions, music, and heritage are unique and should be documented and archived to support the cultural rights of these people.
- Cross-border peace initiatives should be created to ensure peace in the region, as the majority of victims of such disturbances are the people residing in the border areas of India and Pakistan.
- Efforts should be made through dialogue to promote communal harmony and conflict resolution, because as witnessed in the past, any incident of communal discord in one country leads to repercussion in the neighboring countries as well.
- The South Asian Association for Regional Cooperation (SAARC) countries need to collaborate with one another to address and support the issue of refugees, as it is present in all of these countries.