

# **A Place Called Home: The Sense of Belonging of the Afghan Hindu and Sikh Diaspora in India**

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## **Abstract**

The Taliban takeover of Afghanistan in August 2021 caused a humanitarian catastrophe in the country that triggered *en masse* exodus of a new wave of Afghan refugees desperate to flee the clutches of the Taliban. Although Pakistan and Iran had traditionally been the two main destinations of refuge for Afghans, yet for some Afghans—especially for the non-Muslim minority communities of Afghanistan, namely the Afghan Hindus and Sikhs—India has always been the foremost destination for refuge. The article aims to understand the experiences of the mentioned communities, as they moved from pre-conflict, to conflict, displacement and finally to the settlement phase in India. Thus, the article throws light on the experiences of Afghan Hindus and Sikhs both in their home and host countries and, in the process, engages with various aspects of the negotiations and marginalisation endured by them. It then strives to explore their sense of belonging at the scales of state, individual and community by discussing the significance and impact of the Citizenship (Amendment) Act, 2019, specifically for the members of Afghan Hindu and Sikh diaspora in India. A plethora of research has been produced that focuses on various aspects of India's relation with Afghanistan, but the issues of the Afghan religious minorities in India remained a neglected topic of scholarly research. This article attempts to remedy this lack of literature by examining the unexplored dimension of India's engagement and support for Afghan Sikhs and Hindus.

## **Keywords**

Afghan Hindus and Sikhs, India, conflict, exodus, refugee, diaspora, CAA

## **Introduction**

The Taliban takeover of Afghanistan in August 2021 paved the way for a humanitarian catastrophe in Afghanistan that triggered *en masse* exodus of a new wave of Afghan refugees desperate to flee the clutches of the Taliban. Among those who

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were forced to leave Afghanistan were the remaining Hindus and Sikhs of Afghanistan. The image of the last Afghan Sikhs carrying their Holy scripture *Guru Granth Sahib*, boarding the Indian Air Force plane at the Kabul Airport—as part of an evacuation efforts by Indian government—at the immediate aftermath of the Taliban takeover of Kabul, will remain an enduring image that would haunt the members of the community for many years to come. It is important to look at the flights of these last Afghan Hindus and Sikhs within the context of Afghanistan's long-standing displacement crisis.

Afghans have witnessed only conflict and instability, courtesy the over 40-year-old situation, watching it metamorphose into various forms of violence, from actual war to the ferocity of minefields, destruction of livelihoods and human rights abuses. Repeated cycles of violence profoundly shook the Afghan society and forced millions of Afghans to flee their homeland. Estimates suggest that up to 5 million Afghans sought refuge abroad from the mid-1980s to the mid-1990s (Cronin, 1989; Dunbar, 1987, p. 128; Dunbar, 1988; Eliot, 1990, 1991; Khalilzad, 1995; Tarzi, 1993). Although Pakistan and Iran had traditionally been the two main destinations of refuge for Afghans, where they could feel closer to home for reasons ranging from geographical proximity to ethnical ties and religious affiliation. Yet, for some Afghans, especially for the non-Muslim minorities of Afghanistan, namely Afghan Hindus and Sikhs, India has always been the foremost destination of refuge.

Conflict has been one of the primary causes of most diasporic movements, and this is most true for Afghan diaspora globally. Recurrent displacements created constant disruptions in the uniform understanding of 'home', and different complexities of foreign environment impacted upon the manner they defined and redefined their roots. What happens when certain social groups no longer have access to spaces that that are generally perceived as 'naturally given' and when they construct their social identities from a plethora of other factors, social constructions and hierarchies (Jenkins, 1997)? Diaspora define themselves through relationships with the homeland, international entities and host country government and societies and thereby influence various dynamics (Orozco, 2008). Members of the diasporic group try to maintain their ethno-national identity and their contacts with their homeland and other dispersed segments to other countries through various organisations in an attempt to protect the right of the members and encourage participation in the cultural, political, social and economic spheres which are the presumed basis of continued solidarity (Singh, 2010). Members of Afghan Hindu and Sikh Diaspora have formed several such organisations which act as a bridge of communication between diasporic groups and host nations. In India, the Khalsa Diwan Welfare Society (KDWS) and the Afghan Sikh and Hindu Welfare Society are two such groups. The Delhi Sikh Gurudwara Management Committee, although not a diasporic group, has played crucial role in the rehabilitation of the most recent wave of Afghan Hindus and Sikhs in India. The article is based on a qualitative participatory research that draws upon the authors association, interaction and interviews with several members of the above-mentioned organisation in India between 2014 and 2021. It is an approach that incorporates oral history discourse, making it easier for the members of Afghan diaspora in India to share their experiences.

One of the foremost objectives of this article is to understand the experiences of Afghan Hindu and Sikh communities across various stages of life as they moved from pre-conflict to conflict, displacement and finally to the settlement phase in India. It is important to recognise what such relentless escapes from home as a consequence of conflict have meant for the studied population. A plethora of research has been produced that focuses on various aspects of India's relation with Afghanistan, but the issues of the Afghan religious minorities in India remained a neglected topic of scholarly research. This article attempts to remedy this lack of literature by examining the unexplored dimension of India's engagement and support for Afghan Sikhs and Hindus. It situates these two communities in several contexts, starting with their experiences of being religious minority in their home country and then being refugees in a country that did not recognise them as 'refugees' and, in the process, engage with various aspects of the negotiations and marginalisation endured by them both in their home and host countries. The article then strives to explore their quest for 'home' in India and a sense of belonging at the scales of state, individual and community by discussing the significance and impact of the Citizenship (Amendment) Act (CAA), 2019, specifically for the members of Afghan Hindus and Sikhs in India. Especially in the context of minority communities, the experiences in the home country often influence their expectations and aspirations from the host country and thus this article would begin by tracing their journeys and experiences across various stages (pre-conflict, conflict and displacement) of life, before focusing on their experiences in India.

### **Life During Pre-Conflict, Conflict, Displacement Period: A Community Perspective**

Afghanistan used to be a safe and secure country. My father would say, 'nothing can go wrong with me here and even if it does, I know I can go to my king Zahir Shah and ask him, how is it possible that something wrong could happen to your subject under your rule'. That was the amount of trust and confidence that people had on their ruler; it truly was a peaceful life. (Personal communication with Mr Sham Lal Bhatija, Afghanistan's first Hindu Ambassador, 2012)<sup>1</sup>

Sikhs and Hindus have lived in Afghanistan for centuries. Reliable data on religious demography is difficult to locate in a country that has experienced war for over four decades. It is believed that in the early 1970s, the number of Hindu nationals residing in Afghanistan was estimated to be 20,000–30,000 and that of Sikh nationals was 15,000; however, there are unverified claims that the number of Hindus in 1990 was around 200,000 and those of Sikhs was 80,000, with some 30,000 residing in Kabul. For generations, Hindus, Sikhs and Jews lived in harmony with Muslim Afghans (UNHCR, 2011). Most Afghan Sikhs and Hindus in India remembered the pre-conflict days nostalgically, as 'the peaceful life', 'the relaxed life' or 'the happy times', one filled with family, close friends, financial stability, prosperity and security. For most of them, Afghanistan meant a country

of their forefathers, a country where they were born, a 'beautiful country' with rich culture and proud people. The Hindus and Sikhs were spread across the country; Kabul, Logar, Parwan, Qunduz, Paktika, Kandahar, Ghazni, Khost, Nangarhar, Jalalabad, Charikar provinces were among the most important centres (Ghosh, 2019). An interesting feature about the geographic distribution of the Sikhs and Hindus of Afghanistan was that they were spread across South and East of Afghanistan, regions where Pashtuns were in majority.

Members of these communities were mostly involved in trade and businesses and played a crucial role in the socio-economic life of Afghanistan. After the Second World War, Afghanistan experienced a period of political stability which enabled Afghan Sikhs and Hindus to expand their businesses. They ventured into commercial and banking sectors to an extent that at one point they were in charge of most banking activities in the country and operated currency exchange centres that facilitated the operation of informal value transfer system known as *hawala* (Ballard, 2003).

It was not for no reason that these two communities of Afghanistan were called 'the backbone of Afghanistan's economy'. One cannot give a generalised statement for entire community, but it is true that most of our people were into trade, businesses or banking and were quite well to do. (Personal communication with Mohinder Singh, Treasurer, Afghan Sikh Gurudwara GK II, 2015)

Even in the pre-conflict years, Afghanistan was not an industrialised economy and thus was dependent on the export and import of the goods, which to a large extent was controlled by the members of these communities.

After coming to India, I saw people use the term 'trader' for even small shop owners. In Afghanistan that was not the case. The people who were into big businesses, buying and selling goods in several countries were only called 'traders'. They were extremely prosperous. Most had multiple properties in Afghanistan. The moderate businesses comprised of three things: (a) textile, (b) ration shops and (c) stationary stores. (Personal communication with Kartar Singh, Afghan Sikh, New Delhi, 2015)

During the reign of Amanullah Khan (1919–1929), Hindus and Sikhs were granted full citizenship status which also enabled them to be part of military and civil services (UNHCR, 2011). Inclusive policies by the state enabled them to play an active role in country's polity. Their rights were respected, and they regarded themselves to be Afghans much as the Hazaras, Pashtuns, Tajiks or Uzbeks born and raised in the country (UNHCR, 2011). Their elected representatives were members of the provincial councils in Qandahar, Ghazni and Jalalabad and at the Kabul Educational Association (Ghubar, 1995). In the 1969 and 1988 elections, Jai Singh Fani and Gajinder Singh (Afghan Sikhs) were elected as Members of Parliament. Their social status prior to the 1990s had also enabled them to be a part of the military and civil services, and some even took up high positions in banking.

Yet, even during the best of times in Afghanistan, a section of the majority population refused to accept members of these communities as fellow 'Afghans', instead looked down upon them and treated them as second-class citizens (Ghosh,

2016). Although the Sikhs and Hindus were drafted in the army as regular soldiers, they were initially not allowed to attend military schools or become army officers. The situation changed in 1955 after Pawan Shikharपुरi, a high school graduate, successfully lobbied for the rights of Hindus and Sikhs serving in the army to become officers; he himself was appointed commissioned officer in the army (Ghosh, 2019). Even during 1980s and 1990s, the army failed to give them the status of combatants (Singh, 2019). Hindu and Sikh boys were harassed and bullied by miscreant Muslim boys and, whenever they came across them, they sarcastically shouted '*kalima at ra bikhān*' [recite the confession of your faith]; confession of faith for Muslim reads, 'There is no God but God, and Muhammad is the messenger of God' (Ballard, 2011). Minority communities in Afghanistan encountered systematic repression and targeting as the civil war erupted in the 1990s and were among the first to make their way into India amidst the turmoil.

Soviet intervention, Afghanistan *ke liye Zakhm-e-Nasoor sabit hua* [Soviet intervention proved to be cancerous for Afghanistan.]. (Personal communication with Khajinder Singh Khurana, Secretary, Afghan-Sikh and Hindu Welfare Society in India, 2016)

Four decades of incessant armed conflict that has gripped Afghanistan has in turn propelled Afghans into the league of 'the largest protracted refugee population in Asia, and the second largest refugee population in the world' (UNHCR, 2022). Large-scale population displacement that ensued in the wake of armed conflict in Afghanistan can broadly be divided into four phases. The first phase lasted from 1978 to the collapse of the Soviet-supported Najibullah regime in April 1992. Pakistan and Iran hosted a bulk of refugees, an estimated 6.2 million. India, in contrast, hosted a much smaller population of approximately 10,000 refugees from Afghanistan (UNHCR, n.d.; Colville, 1997). Second phase was during the high-intensity conflict period of Civil War (1992–1996) and the Taliban period (1996–2001). The collapse of the Taliban and US-led intervention regime generated a great sense of excitement and optimism among Afghans and millions returned to rebuild their country; however, the deterioration of the security situation post 2005 forced many to leave Afghanistan and that constituted the third phase. The collapse of the Afghan Republic in 2021 triggered the fourth phase of mass exodus from Afghanistan.

Unquestionably, the political turmoil in Afghanistan has adversely impacted the lives of every Afghan irrespective of their religion or ethnicity; nonetheless, the religious minorities were particularly vulnerable. As the scourge of ethnic violence raged throughout the country, the Hindus and Sikhs believed they would not be targeted as they were not part of any of the warring factions. They paid a heavy price for their naivety. A combination of structural failures and the rise of fundamentalist ideology in post-Soviet Afghanistan led to a wave of ethnic friction and conflict as fundamentalists suffered a crisis of legitimation and resorted to violence to establish their authority (Emadi, 2013). In the midst of political turmoil that gripped Afghanistan, Afghan Hindus and Sikhs found themselves rendered particularly vulnerable as religious and sociocultural minority often at the receiving end of systematic violence whipped up by a rising tide of reactionary political Islam (*Dawn*, 1992;

Singh, 2019, pp. 193–199). This systemic victimisation and discrimination, in addition to unlawful grabbing of businesses and properties, paved the way for the *en masse* exodus of Afghan Sikhs and Hindus since early 1990s.

An escape, whether it was from Kabul or a town or village under massive rocket attacks and bombardment in the early 1990s or the death threat from the resurgent Taliban in 2007–2008, was seldom a voluntary decision. Based on the experiences and thought process that respondents shared about what went behind the decision of their escapes, one could feel that in the 1990s, somewhere they had the hope that their escapes were temporary, for a short period of time and that they would eventually return to their ‘homes’, once things are normalised. However, when people fled Afghanistan in the later years, they didn’t expect to return again. While narrating ‘his escape from death’ in 1992, an Afghan Hindu lady posed a pertinent question: ‘What can you take from your house when you are running for life?’ (Ghosh, 2019).

My husband entered the room and said, ‘*Isi waqt nikalna hain* [have to leave this very moment]’. We grabbed and put a few things in a bag and left. (Personal communication with Anonymous, New Delhi, 2018)

Because of their ethno-religious commonality with a section of the Indian population, many from these communities decided to seek asylum in India. Afghans Hindus and Sikhs, who had escaped Afghanistan during the civil wars by land route, reached India via Pakistan. The escape for most meant leaving Kabul in a truck with a few other families mostly late at night when the shelling would be relatively less. They collectively hired a truck that would take them up to Hasan Abdal in Pakistan, where Gurudwara Panja Sahib is located. From there, they went to Lahore by hiring another truck or a Matador. From Lahore, they hired another vehicle (mostly small trucks), which took them to the India–Pakistan border at Attari. From Attari, they mostly took train to reach Amritsar and, after staying there for some time, they moved to the capital of India (Ghosh, 2019). Many Afghan Hindus and Sikhs interviewed in Delhi mentioned that Pakistan had relaxed its border control with India which made their escape to India feasible. They also mentioned that getting the visa from both the Indian and Pakistani embassies in Kabul was not very difficult in those days (Ghosh, 2019). For the relatively affluent members of the communities, with established businesses or relatives in India, the logistical part of the escape was relatively smoother. They got visas and bought flight tickets to go to India. New Delhi’s warm relations with the Soviet-backed regime in Kabul prevented it from explicitly adopting an asylum policy for Afghans, a large majority of whom comprised of Afghan Hindus and Sikhs as well as Muslims, the latter primarily being supporters of the opposition Mujahideen alliance (Sharma, 2022).

We came here (India) in 1978. Slowly as the fighting spread and conflict intensified, people started taking refuge in India. The mass movement to India began when Mujahideen started attacking Afghanistan’s villages from 1988–1989 onwards ... a mass influx (in India) was seen between 1990–1992. (Sharma, 2022)



When the Taliban seized power for the first time in 1996, they adopted a repressive policy towards these minority communities (Goodson, 2004). They suppressed and marginalised Hindus and Sikhs and urged people to avoid buying items from their shops and efforts were also made to convert them to Islam (Emadi, 2013). The Taliban ordered male members of the community to wear yellow tags to separate them from the Muslim population and female members of the community had to cover their faces like other women in Afghanistan and wear veils instead of headscarves (Ballard, 2011). Although the international community condemned the Taliban's harsh measures as a violation of religious freedom and Taliban's brazen action of destroying the Buddhas of Bamiyan in February 2001, they failed to effectively protect religious minorities against rising Islamic orthodoxy.

Members of these communities welcomed the downfall of the Taliban in 2001, and a number of Afghan Hindu and Sikh refugees from India returned to Afghanistan to participate in the rebuilding of their homeland (Singh, 2019). However, this would prove to be a fleeting affair as the country slipped back into conflict by 2005–2006. Over the next few years, their disenchantment with the government grew, which triggered another wave of refugee movement that continued down to this day. Over the years, nearly 99% of Sikhs and Hindus had escaped, and the remaining were left with a choice between 'converting to Islam or run away' (Tolo News, 2016). After the Taliban seized power in 2021, majority of the remaining Afghan Sikh and Hindu families were brought to New Delhi.

## The Stranded Existence: Experiences During the Settlement Phase in India

Whenever we go to Afghanistan, they ask us: '*Oh, have you returned from your country?*' And when we are in India, we are asked, '*When are you returning to your country?*' *We neither belong to India nor Afghanistan—what can be more pathetic than this?* (Personal communication with Narinder Singh, Khalsa Diwan Trust, 2015)<sup>3</sup>

Due to the paucity of available data, it is difficult to estimate the exact number of Afghans living in India at different points in time. According to a study carried in the late 1990s, there were approximately 60,000 Afghans living in India of which about 16,000 possessed certificates from the UNHCR (Human Rights Law Network, 2007). UNHCR reports have consistently indicated that Afghan 'refugees' residing in India are principally Hindus and Sikhs, who regard India as their ancestral homeland and claim that their ancestors were originally from Punjab; they supposedly came to Afghanistan either in the early nineteenth century, when Ranjit Singh was fighting the Afghans, first in Afghan-occupied Punjab, then well into what is currently Afghan territory, or in some cases in 1947, during Partition, when they believed it was unsafe for them to go back to India (UNHCR, 2005, 2007). In 2019, UNHCR India assisted 10,395 refugees and 1,305 asylum seekers from Afghanistan of which 7,346 refugees and 79 asylum seekers belonged to Sikh and Hindu communities of Afghanistan (UNHCR,

2019). As per recent data, more than 46,000 refugees and asylum seekers are registered with UNHCR India since January 2022; among them, 15,559 refugees and asylum seekers are from Afghanistan (UNHCR, 2022). From 1 August until 11 September, 736 Afghans were recorded by UNHCR for new registration. Before the departure of the US troops on 31 August, India had evacuated some Afghan nationals, including 67 Afghan Sikhs and Hindus (Chabba, 2021) and, over the next few months, majority of the remaining Afghan Sikhs and Hindus were evacuated by India (Goyal, 2021). The Afghan Sikhs and Hindus who were evacuated after the Taliban seized power in Kabul on 15 August 2021 were also brought to the Indian capital. Majority of Afghan refugees have been spread across Old Delhi, particularly in the areas around Ballimaran (Kessler, 2002), South and West Delhi and Faridabad (Ghosh, 2019).

Drawing attention to the category of non-registered refugees, Manohar Singh, incumbent President of KDWS, an organisation run by the Afghan Sikhs and Hindus in India, estimates that there were about 35,000 Afghan Sikhs and Hindus in Delhi, but not all of them are registered with the UNHCR (Personal communication with Manohar Singh, 2019). Like Narinder Singh (quoted above), most Afghan Hindus and Sikhs in India over the years felt the agony of not being accepted both in Afghanistan or India and thus, their quest for a place that they could call 'home' continued even after living in India for decades.

Like most South Asian countries, India is not a signatory to either the 1951 Refugee Convention or its 1967 Protocol—the two major international instruments regulating the status and treatment of refugees. The Indian government does not officially recognise the Afghan community as 'refugees'. An overarching refugee legislation is absent in India, which theoretically leaves New Delhi to deal with asylum issues on a country-specific basis. Certain groups such as the Tibetans and Sri Lankans were treated as 'refugees' in the past, while others like the Afghans were not. UNHCR recognises and offers protection to certain communities such as the Afghans, Burmese and Somali refugees and asylum seekers in India. The communities protected under the UNHCR mandate are provided Stay Visas by the Foreigner Regional Registration Office (FRRO) under the Ministry of Home Affairs to attest their legal stay in India. UNHCR recognised refugee communities have access to identity cards which entitles them to access certain basic services such as healthcare, education and assistance in the naturalisation process. This certainly puts the UNHCR recognised refugees in a slightly better position than their unrecognised counterparts. This article does not aim to deal with the deficiencies of UN agency; however, available literature on the issue attributes UNHCR's inadequate scope to factors ranging from lack of sufficient funding for their India office to restricted awareness and resources of asylum seekers that would allow them to avail offered facilities for themselves. Moreover, there have been shifts in UNHCR India's policies in the past and currently its assistance is directed largely towards 'ethnic Afghans', even though the Afghan Sikhs and Hindus may form a bulk of Afghan refugees in India. UNHCR's official position on Afghan Sikhs and Hindus was summarised as:



The Sikhs and Hindus face much less problems because of the ethno-religious and linguistic similarity with the host population and are more or less integrated in India ... We acknowledge their presence, but over the past few years the focus of the organisation has shifted from the Afghan Sikhs and Hindus to ethnic Afghans. (Personal communication with Suchita Mehta, UNHCR India, 2015)<sup>2</sup>

India, by and large, has followed a generous approach towards refugees and opened its borders to people who have come looking for safety and sanctuary. India is signatory to several international instruments whose provisions are applicable to both citizens and non-citizens, hence to refugees as well. Increased globalisation and interdependence have led to the creation of a range of new international institutions, principally to deal with travel and labour migration, and with human rights, development and security issues. The fate of individual refugee in India is essentially determined by protections that are made available under the Indian Constitution. The Foreigners Act, 1946 is a crucial legislation that is applicable to refugees as well. However, even this legislation fails to recognise asylum seekers and refugees as a special category of non-citizens who should be governed differently on account of their special circumstances. Entry into India is theoretically only possible with proper documentation, which is obviously problematic for refugees. The Extradition Act, 1962 is intended to provide some protection to refugees facing extradition, but more often than not refugees' removal falls under the category of 'expulsion' rather than 'extradition'. The principle of non-refoulement—a customary international law—applies to India as well, and India has respected its provisions in substance even if not party to the international legal regimes that govern this principle. That enables India to remain legally non-committed or obliged on refugee matters.

The Indian government did permit displaced people from Afghanistan to avail Stay Visas, but the assistance extended to other refugee groups, for example, the Tibetans and the Sri Lankan, were not extended to them. Even UNHCR recognised 'refugees' are not allowed to legally work in India, and therefore many find it extremely difficult to make a living. Afghans had two options—either rely on scarce and limited 'subsistence allowance' from UNHCR and/or, like those who have no legal status in India, work in the country's parallel economy. Currently, less than 5% of total refugees under UNHCR protection get the allowance; mostly people with major disabilities are considered for this (Ghosh, 2019). Some Afghan Hindus and Sikhs developed successful business ventures with Indian partners; they have informally employed other members of their communities, but mostly the majority of them held jobs in the country's parallel economy. The flow of conflict displaced Afghans since 1980s have fostered new social networks that have lent an air of familiarity for more recent arrivals, helping them navigate the legal as well as sociocultural complexities of refugee life in India. Afghan Sikhs from the Khost Baradari [brotherhood] Gurudwara in Delhi's Tilak Nagar recall:

When we came, it was very difficult: The lack of general guidance to cope with the new circumstances in a foreign land was a big problem. There was hardly any assistance from any quarters. We struggled at every step, be it language, work or finding a roof over our heads. (Personal communication with Khost Baradari, 2015)

Many families lived in Amritsar for the early part of refuge in India and later moved in and around Delhi after they got to know about the UNHCR mission in Delhi and also for better livelihood opportunities. Majority of Afghan Sikhs and Hindus spoke Kabuli Punjabi (apart from Pashto and Dari), which was different from the Punjabi spoken in northern India. Those who came from Kandahar spoke Riasti, Sindhi and Pashto, and the Sahajdhari Sikhs of the Khost Baradari in particular spoke mostly Pashto; therefore, communication became a problem for many of them. For Afghans living in India, the FRRO has been the only contact point between them and the Government of India. In studies conducted with Afghan refugees, the majority, irrespective of their religion, ethnicity, legal and economic statuses, expressed disappointment over the experiences they had with the FRRO Delhi (Ghosh, 2019; Nair, 1999). The few newspaper articles that have appeared on the situation of Afghan (or other) refugees in India in the last few years have indicated that Afghan refugees often had a difficult life in the country. On rare occasions, Afghan refugees in India have mobilised themselves, for example, a sit-in protest was held in 1999 in front of the New Delhi Bureau of UNHCR, denouncing the refugees' situation in India, in particular, the mass denial of residence permits by India since the beginning of 1999 and the lack of assistance provided by UNHCR for refugees seeking resettlement abroad (Nair, 1999).

While there can be little doubt that non-recognition from the government as refugees meant lack of access to rights and privileges, it also implied that the members of these communities were not required to carry the 'refugee' tag—an identity which is seldom viewed positively by the host population. Although their lives in India were punctuated with difficulty, yet their adaptation and acculturation experiences at certain level might have been benefited in a long-term sense from the existing order. Moreover, since assistance was not forthcoming, the Afghan Sikhs and Hindus in India demonstrated strength, unity and resilience to deal with the challenges of their settlement phase in India and to a large extent succeeded in coping with those issues (Ghosh, 2016). Over the years, the members of these communities have also felt that UNHCR undermined their cases for third country resettlement on the premise that sociocultural integration in India is relatively easier for them. While there could be some strength in that assumption, the fact remains without access to rights and privileges 'integration' in a foreign land for the Afghan Sikh and Hindu diaspora became complex (Ghosh, 2020).

## **Being and 'Belonging': Afghan Hindus and Sikhs in India Post CAA**

Citizenship is a political and sociological concept that encompasses what it means for individuals and groups to belong to or be a member of a political and/or a sociocultural community: It decides the civil, political and social rights and duties of all those who are granted citizenship. At the second level, it helps create the political and sociocultural identities of those who are considered citizens and is deeply connected to the politics of

the feeling of belonging (Sharma, 2019). Over the years, many Afghans of Sikhs and Hindu faith have got accustomed to the Indian way of life both culturally and socially; as a result, naturalisation came to be seen by all relevant actors concerned (Afghan refugees themselves, UNHCR, the host government) as the best long-term solution.

In India, the path to gaining full protection is only possible through citizenship. Foreigners lack access to basic rights which Indian citizens are entitled to by virtue of the Indian Constitution (such as the right to public employment, and protection against arrest and detention in certain cases). Desire for Indian citizenship among the mentioned groups increased in the mid-2000s and the first naturalisation dates to March 2006 (UNHCR, 2019). In India, citizenship is regulated by Citizenship Act, 1955. The Act specifies that citizenship may be acquired in India through five ways: 'by birth in India, by descent, through registration, by naturalisation (extended residence in India), and by incorporation of territory into India'. The CAA 2005 states that 'citizenship can only be acquired by those who have ordinarily (legally) been resident in India for 11 years'; however, due to factors such as lack of governmental initiative and bureaucratic bottlenecks, only a few Afghan Sikhs and Hindus could be naturalised. Establishing legalised residence can prove difficult for people who entered India irregularly, especially those fleeing persecutions in their home country. Children born in India to foreigner parents also must satisfy the residence time frame as Indian nationality law largely follows the *jus sanguinis* (citizenship by right of blood) principle (Bentz, 2013).

It must be mentioned here that in the immediate aftermath of the fall of the Taliban in late 2001, a dramatic surge of refugee repatriate was witnessed, with a staggering 1.2 million Afghan refugees returning by July 2002 from Pakistan alone (Kessler, 2002). That initial enthusiasm didn't leave Afghanistan's religious and sociocultural minorities in India untouched. Twenty-five Afghan Hindu and Sikh men and five families returned to Afghanistan from India (Sharma, 2022). While lack of employment opportunities and delay in the naturalisation process in India were largely the triggers behind their decision, many also felt optimistic and hopeful about the democratic regimes in post-2001 Afghanistan. Former President Hamid Karzai involved Ganga Ram and Awtar Singh, two representatives from Afghan Hindu and Sikh communities, to the *Loya Jirga* in 2002 and later appointed them as the Members of Parliament. In the first parliamentary elections after the fall of Taliban in 2010, Anarkali Kaur Honaryar, a young Sikh woman, was appointed to the Wolesi Jirga for a 5-year term. Shankar Lal, 63 years old, who lived in India for two decades returned to reclaim the community's historic property known as Prem Nagar, House of Love, in Khost and petitioned the government to help him in regaining ownership of the property occupied by powerful men in the 1990s (Emadi, 2013). However, their disillusionment with the Afghan government for not protecting their rights and helping them to regain their properties continued to grow. They encounter hostilities and were not allowed to cremate their dead according to their traditions because of dogmatic neighbours living next to cremation sites. Requests that the government provide them alternative sites are repeatedly ignored by authorities (IAGCI, 2018).

Hindus and Sikhs could not pursue legal recourse in regaining their land or seeking restitution fearing retaliation and threats by powerful individuals who

occupied their properties. They encountered a cold reception and sometimes outright discrimination by Islamic fundamentalists in positions of authority when they requested state services. They have only one seat in *Shura-e-Milli*, the National Assembly, even though they lobbied with the government for two seats, one for each community. Conservatives and Islamic fundamentalists opposed Hindu and Sikh involvement in the country's polity. Abdurrah Rasoul Sayyaf, a member of the former National Assembly, expressed his views regarding Hindus and Sikhs stating:

The Sikhs and Hindus of Afghanistan are considered part of the dhimmi in line with Sharia law. The government has an obligation to protect them but they are required to pay a poll tax. They can hold civilian occupations, such as doctors, but they cannot be in charge of a governmental body or office. Upon meeting a Muslim, a Hindu is required to greet the Muslim first. If a Muslim is standing and there is a chair, the Hindu is not allowed to sit down on the chair. (Mohammadi, 2009)

Afghan Hindus and Sikhs avoided sending their children to public schools because of pervasive abuse and harassment by fellow students and send them to private schools sponsored by their own communities. Although Hindus and Sikhs are allowed to practice their faith and work, they continue to encounter obstacles that include seeking employment opportunities in the bureaucracy and being harassed by fundamentalists when they celebrate their religious festivals. Disenchanted with the government in Afghanistan, the Hindu and Sikh community turned to the Indian Prime Minister Manmohan Singh when he visited Kabul in May 2011 and appealed to him to grant Indian citizenship to Sikhs and Hindus as they encounter threats to their way of life in Afghanistan. Additionally, the security situation started deteriorating with the increase in Taliban insurgency post 2005, and many of the later attacks targeted these communities. If the Jalalabad attack in 2018 (that killed nearly the entire Afghan Sikh leadership) shook the members of these communities; the massacre of the Sikh Gurudwara by the Taliban in March 2020 convinced majority of remaining Afghan Sikhs to leave (Ghosh, 2022). Interestingly, just a few days before Citizenship Amendment Bill 2019 was passed, the Afghan government decided to issue 'national identity card' or '*Tazkera*' to 3,500 Afghan Sikhs and Hindu refugees living in India under a special decree. It was recognised that Afghan Sikhs and Hindus have been living in India for many years, 'some of whom also have children who are born here, needs ID cards for many official reasons such as passport and others' (Basu, 2016).

CAA came as a relief to these religious minorities of Afghanistan who welcomed the decision ever since the Indian government sought cabinet's endorsement 'to initiate the process to grant citizenship to persecuted religious minorities of Afghanistan, Pakistan and Bangladesh in 2016' (Tripathi, 2016). This development can be viewed as a significant step towards developing a structured policy for asylum seekers in India, which has been missing for years. It comes as the sixth amendment to the Citizenship Act of 1955, demonstrating what some scholars have described as complete turn towards an ethnic notion of citizenship in India (Chako, 2018; Singh, 2005). CAA marks an attempt to create the figure of 'preferred potential citizens' (Saxena, 2022). Under the current Act, the Union Government has allowed people of

certain religious denomination to seek formal, legal residence and subsequently citizenship of India. In the process, it has created a shorter and easier route for acquiring Indian citizenship for the members of Hindu, Sikh, Buddhist, Jain, Parsi or Christian religious communities, hailing from neighbouring 'Islamic' countries of Bangladesh, Pakistan and Afghanistan, who came to India on or before 31 December 2014. The legislation applies to those who were 'forced or compelled to seek shelter in India due to persecution on the ground of religion' (*The Economic Times*, 2019). At one level, it legalises the 'illegal' stay of members of these communities, if any, thereby granting them the right to apply for citizenship in India; at another, it reduces the number of years (from 'not less than eleven years' to 'no less than five years') it takes to naturalise into Indian citizenship. This has come to create a pecking order of sorts in which certain communities of alien have been given preference to become citizens of India over other alien communities and thus has been subject to extensive criticism. A holistic focus on the merits and demerits of the CAA is beyond the scope of this article and thus would focus on the implications of this particular legislation only with respect to the member of the Afghan Hindus and Sikhs in India.

Apart from access to right and a dignified way of life, CAA gave the members of these communities the chance to get rid of their stranded existence and finally 'belong' to a country. It is, therefore, not surprising that they welcomed the policy shift wholeheartedly. For decades, they had to negotiate and renegotiate with various identities as a survival strategy in their home and host countries; CAA brought a closure to that. For Puja, a 26-year-old Afghan Hindu girl, 'Indian citizenship is not just an official status for me, it is an "identity", which I have been missing all my life' (Ghosh, 2016). Afghan Hindus and Sikhs for the longest time have been looking for a place that they could call their 'home' and a place that would embrace them wholeheartedly. After CAA, the naturalisation process was accelerated and majority became India citizen. An Afghan Sikh gentleman who was accorded citizenship in 2020 (after living in India for 22 years) said:

CAA is monumental for members of my community as it will give us an opportunity to lead a dignified life. (Personal communication with Narinder Singh, 2020)

Although, the Hindus and Sikhs have been extremely proud of their 'Afghan' identity, the experiences of the past 40 years in Afghanistan have made them realise that the doors will remain closed for them. In the absence of Indian citizenship, they did not feel wholly accepted in India either. For decades, they have had a 'stranded existence': In Afghanistan, they were pushed aside because of their Indian origin; in India, despite their cultural and religious similarities, in the absence of legal status, they were never accepted as Indians.

For the longest time, we have been negotiating our Afghan and Indian identities with the hope of being accepted in these countries ... but we were unable to 'belong' to either. CAA has brought a closure to that negotiation. Today, majority of the Afghan Hindus and Sikhs who came in the 1990s have been accorded citizenship. Finally, we can say we have a 'home', and no one can throw us out of India; we belong here. (Personal communication with Raj Kaur, 2019)

Due to the lack of capacity and willingness, both the Afghan government and the international community have failed in their moral (and arguably legal) obligation to defend the rights of Afghanistan's oppressed religious minorities. As a result, some of the last Hindus and Sikhs of Afghanistan had to be evacuated from Afghanistan by India after the Taliban takeover of Afghanistan in August 2021. The diasporic organisations have made necessary arrangements to rehabilitate the new arrivals in India. Because of CAA, today they feel hopeful that unlike their predecessor, the process of naturalisation will be much smoother for them and they will also be able to integrate and eventually 'belong' to India.

## Conclusion

The Afghan Hindus and Sikhs who escaped war and persecution and reached India saw it as their natural homeland. But, after reaching India, they got entangled in red tape and bureaucratic hurdles for years and felt let-down by both their home and host countries. Unlike their counterparts in other countries, Afghan diaspora in India failed to mobilise themselves as a group and could never emerge as a 'factor' in Indo-Afghanistan Bilateral relations. An interplay of factors have been responsible in shaping the experiences of Afghan Hindus and Sikhs in India: the small proportion of the Afghan refugees in India, the failure on the part of various refuge seeking factions from Afghanistan to mobilise themselves as one group, and the lack of structured domestic legislation for asylum seekers in India are a few among them. India has been concerned about the plight of Hindus and Sikh minorities of Afghanistan and have spoken about the protection of the rights of these minority communities at various international platforms. India's commitment and support for these Afghan religious minorities was particularly evident in the way India evacuated them after Taliban recaptured Afghanistan. The Hindus and Sikhs of Afghanistan over the years have negotiated with various identities as a survival tactic to find acceptance in both their home and host countries. CAA, in a way, brought a finality to that negotiation. While the criticisms of CAA (which is at variance with established international norms and ideas of secular citizenship) are not misplaced, it is important to underline that for the persecuted Hindus and Sikhs of Afghanistan it came as a beacon of hope that provided them with a sense of belonging, identity and brought a finality to their search for a place that they could finally call their 'home'.

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1. Mr. Sham Lal Bhatija was the first Afghan Hindu Diplomat. He served as Afghanistan's Ambassador to Canada.
2. Interviews with Suchita Mehta (Senior Communication/Public Information Assistant, UNHCR India) was conducted by the author in 2015 and 2016 as part of her doctoral research.
3. The Khalsa Diwan Trust, Afghanistan was founded in 1922 in the city of Jalalabad by community elders with the view to increase unity and solidarity among members of these religious minority communities in an Islamic State. When they migrated to India since they did not find much support for the Indian government, they decided to establish KDWS in New Delhi to help the members of their community (Personal communication with Manohar Singh, Chief, Khalsa Diwan Trust, 2016).

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