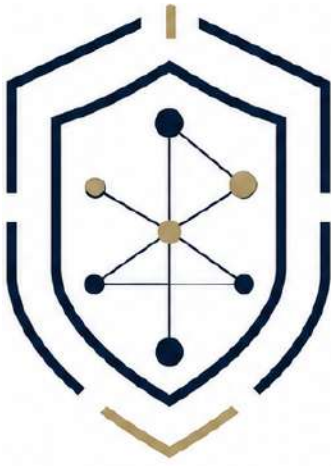




ANSDT

APPLIED NATIONAL SECURITY AND
DEFENCE TECHNOLOGY PROGRAMME

Bridging Strategy, Technology and National Security Practice

POLICY BRIEF

Fencing the Longest Border: West Bengal's Borderland Handover to the BSF

*Examining the administrative, legal and federal dimension of
Indo-Bangladesh Border*

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Bridging Strategy, Technology and National Security Practice

01 EXECUTIVE SUMMARY

India shares a border of 4096km with Bangladesh, and the state of West Bengal alone accounts for 2,216 km of the frontier. Out of this stretch 456.224km of feasible and unfenced border had created various issues like cross-border infiltration, smuggling, narcotic drugs, human trafficking, and others. In May 2026, data submitted to the Calcutta High Court shows that the IBB in West Bengal is witnessing a consistent rise in the rate of cross-border criminal activity.

The principal administrative conclusion of this brief comes from judicial sources. As in January 2026, the Calcutta High court in W.P.A.(P) 450 out of 2025, found that despite several decisions have been made since 2016 and receiving compensation from the Centre for the acquired land the former state government had been handed over 70.925kms to the BSF out of 198.252kms, resulting in 127.327kms yet to be transferred. A compliance review done by the court in April 2026 also shows that in spite of the court's order in January, only 7.8km land had been handed over to the BSF for fencing in all nine districts.

Following the BJP's control in the state in May 2026, the new government under Chief Minister Suvendhu Adhikari transferred 142.79 acres of land to the BSF for fencing within a month and approved the transfer of 600 acres of land with a completion deadline of 45days.

This brief argues that while the change of pace is constant, the real test lies ahead as to whether the remaining land will be transferred to the force within the prescribed schedule and whether the BSF complete its construction on the allotted land in time. A parallel federal dispute over the Centre government's 2021 decision to expand BSF jurisdiction from 15km to 50km inside the Indian Territory should also be addressed through the Centre-State dialogue for smooth functioning.

Key Recommendations

1. The state government has to complete the full transfer of 600 acres of land to the BSF within the deadline of 45 days and submit a district-wise Compliance report to the Calcutta High Court.
2. Border Security Force has to submit a district-wise progress report to the Ministry of Home Affairs as well as to the Calcutta High Court.
3. Ministry of Home Affairs have to initiate a structured dialogue between the Centre and the state to resolve the issue of jurisdiction.
4. Ministry of Home Affairs and BSF have to take major steps for the management of the 112.780 km non-feasible terrain where conventional fencing is impractical.

02 POLICY PROBLEM

Of West Bengal's 2216.70km frontier, 1647.696 km has been covered by fence. Out of balance stretch of 569.004 km, which is yet to be covered by fence and other border infrastructure works, 112.780 km is classified as non-feasible (riverine, char and ecologically sensitive region) and 456.224 km is feasible. Within this feasible unfenced land, the centre had already been paid compensation to the former state government for 198.252 km of land, but only 70.952 km had been handed over to the BSF by that government for fencing.

The core issue in policy is therefore not the traditional notion of land acquisition but a failure of land transfer: a recorded administrative gap between acquisition, compensation and the actual handover to the BSF. This gap is validated in the state's own high court affidavit that the BSF was unable to start the fencing on the stretches for which legal and financial processes were completed years ago. The decision required is one of administrative responsibility and execution rather than design of any new policy.

03 WHY THIS MATTERS NOW

The urgency of the redress of this issue is evidenced by the data presented before the division bench of the Calcutta High Court, comprising of Chief Justice Sujoy Paul and Justice Parth Sarthi Sen while hearing a Public Interest Litigation (PIL) filed by a former deputy Chief of Army Staff Lt. Gen. (Retd.) Subrata Sahu, claiming that the persistent failure of the state to handover the land to BSF for fencing had aggravated the crimes like smuggling, infiltration, narcotic drugs, human trafficking, and other crimes.

S. no.	Year	2023	2024	2025(till 31 st July)
1.	Incoming Apprehensions in Number	1547	1694	723
2.	Seizure of Narcotics Item (in Kgs)	4988.282	3145.606	5729.340
3.	Seizure of Cattle	8614	8648	2886
4.	Seizure of Phensedyl (in Nos)	214407	303480	210606
5.	Seizure of Yaba tablets (in Nos)	51882	86747	36440
6.	Seizure of Gold (in Kgs)	166.810	188.412	20.876
7.	Seizure of FICN (in Rs.)	1586000	3245700	745000

Source: (Dutta et al., n.d.) (*Chart 1, Crimes near IBB in the state of West Bengal*)

These trends have emerged during a period when the 1647.696 km of the terrain was already fenced; suggesting that the 456.224km of unfenced stretch signifies a disproportionate risk to the border. The January 2026 order of the state's high court and its April 2026 findings of a mere 7.8kms land transfer to the BSF out of 127.327km, coupled with new government's land handover in the first month- make July 2026 a pivotal point to evaluate whether the administrative deadlock is truly being addressed or not.

04 BACKGROUND AND CONTEXT

The Indo-Bangladesh border fence has always been a priority of the Government of India. The project has advanced at varying rates on the national level by state. This is because West Bengal has the longest border and has always been lagging behind.

The West Bengal government has adopted a direct purchase policy for the acquisition of border land (dated 25.02.2016), bypassing the more formal process laid down in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. This policy led to a number of cabinet decisions being made in the following years to purchase and convey land to the BSF. The Centre had compensated to the state for the purchase of land under this policy. But, as the Calcutta High Court

determined in January 2026, a large chunk of this land, 127.327 km spread among nine districts, was yet to be handed over to the state due to the financial transaction.

One of the important developments, which happened parallel to it, was the notification issued by the Centre in 2021 to extend BSF's operational reach from 15 km to 50 km within Indian Territory in West Bengal, Assam and Punjab. The previous government headed by Chief Minister Mamata Banerjee had opposed this extension in the open as it came with an apparent jurisdictional overreach, which made the rollback of the extension a condition for cooperation on border land between the state and central government.

Following the 2026 West Bengal Assembly election, where the BJP formed its government with the leadership of Suvendu Adhikari. The land transfer issue became an immediate priority for the administration.

05 EVIDENCE AND ANALYSIS

The primary base of this brief is the judicial record of W.P.A. (P) 450 of 2025 (Lt. Gen. Dr Subrata Saha Vs. The Union of India & Ors.) chaired by the Chief Justice Sujoy Paul and Justice Parth Sarthi Sen on January 27, 2026, along with its follow-up hearing on 22nd April, 2026. Secondary sources include the official Akashwani news reports of 20th and 28th May.

Response of Former and Current Government

In his very first cabinet meeting on May 11, 2026, the Chief Minister of ruling government Suvendu Adhikari approved the transfer of 600 acres border land to the BSF for fencing with a completion deadline of 45 days. On May 20, 2026, he formally initiated the process in the presence of BSF officials by handing over 27 km land to the BSF, out of which 18 km is for fencing and 9 km for BSF outposts and infrastructure. By May 28, the total area handed over reached to 142.79 acres.

CM Adhikari publicly blamed the former Trinamool Congress (TMC) government for 'non-cooperation' in border security, connecting the fencing delays to various issues backed by evidence on cross-border illegal activities.

On the other hand, the stance of the previous government, as expressed by the former CM Mamata Banerjee, was distinct. Her consistent assertion was that the state had never opposed the transfer of the land. According to her, the land had already been transferred in multiple prior phases, and the actual unresolved issue is the Centre government's 2021 decision of expanding BSF jurisdiction from 15 km to 50 km inside the Indian territory; a decision she is repeatedly urging to be overturned. She additionally highlighted the pace of construction on the previously assigned plots as a separate issue linked to the central agency itself.

Table-1 Evidence Matrix

Claim/ Finding	Evidence	Source	Confidence/ Limitation
Rising of cross-border crime in spite of partial fencing	Chart I – IV of state's own affidavit	W.P.A. (P) 450 of 2025	-

127.327km of acquired and compensated land had not been transferred to the BSF	Chart V of state's own affidavit	W.P.A. (P) 450 of 2025	-
Only 7.8kms land had been handed over to the BSF after HC's March 2026 deadline	HC compliance review finding, 22 nd April, 2026	Lt. Gen. (Retd.) Subrata Sahu v/s Union of India, April, 2026 hearing	-
142.79 acres transferred by new government to the BSF by May 28, 2026	Official government statement	Akashwani news report 28may, 2026	-
Expanding jurisdiction of BSF from 15km to 50km	Gazette Notirfication of India, October 11, 2021	Press Information Bureau	-

Table 2, Land yet to be transfer (Dutta et al., n.d.)

S. no.	District	Handed over to BSF	Yet to Handed over	Time for Handing over
1.	Nadia	10.18km	7.981km	March, 26
2.	Musrshidabad	8.21km	5.366km	June, 26
3.	Malda	1.2km	31.85 km	May, 26
4.	Dakshin Dinajpur	3.401 km	14.50km	May, 26
5.	Darjeeling		0.71km	
6.	Jalpaiguri		2.4km	June, 26
7.	Cooch Bihar	9,7k	41.9km	
8.	North 24 Parganas	37.084km	21.53km	June, 26
9.	Uttar Dinajpur	1.15km	1.10 km	May, 26
	TOTAL	70925km	127.327km	

06 POLICY OPTIONS

This policy brief recommends three policy options to the Central and State governments to resolve the fencing issue and address related border security issues.

Option	Benefits	Costs / Risks	Feasibility	Assessment
Complete the current trajectory of full transfer of 600 acres of land and BSF construction	Judicial backing, Politically viable and the fastest route for the physical fencing	Construction pace of BSF (an issue raised by former government) and the difficult terrain	High	Base of the project.

Option	Benefits	Costs / Risks	Feasibility	Assessment
Resolution of BSF jurisdiction issue	Redress of federal governance fundamental tension, Builds Centre-State cooperation	Risk of misunderstanding of two separate issue, Centre is unlikely to reverse its 2021 notification	low	Can consider as a parallel option.
Technology for non-feasible terrain	Address 112.780kms of region, reduces the dependency on physical fencing alone, sustainable long	Time and Cost effective	Medium	For the Non-feasible zones

07 RECOMMENDATIONS

1. Complete the transfer of 600 acres of land on time

State government has to complete the full transfer of the mentioned land of 600 acres to the BSF within the deadline of 45 days and submit a district-wise compliance report before the Calcutta High Court.

Intended Outcome: For the smooth and fast functioning of the assigned work.

2. Submission of a district-wise progress report by BSF

BSF need to submit a district-wise monthly detailed progress report about land received, construction immense and fencing done to the Calcutta High Court and the Ministry of Home Affairs.

Intended outcome: To ensure the pace of the construction work with the land handover speed and bridging the gap between land transfer and physical fencing.

3. Structured dialogue between Centre and State on BSF jurisdiction

The Centre and State both have to initiate a dedicated dialogue forum to resolve the jurisdiction issue (15 km to 50 km), keeping the fencing process aside to speed up the progress.

Intended Outcome: To avoid federal tension from obstructing border security execution.

4. Technological border management for non-feasible terrain

Ministry of Home Affairs and BSF need to commission a pilot project of Sensors, Manpower, Assets, Reconnaissance and Technology (SMART), a solution for the 112.780km of non-feasible terrain.

Intended outcome: To ensure comprehensive border coverage that extends beyond physical fencing.

09 CONCLUSION

The speed at which the new government initiated the land handover is remarkable. Transitioning from a cabinet decision on May 11 to an official ceremony on May 20, along with the transfer of 142.79 acres land within that month, represents a notably different pace compared to what happened before.

Now the question is whether this momentum will continue across the complete transfer of 600 acres or will the BSF actually complete the construction on the transferred land within the allotted time – a concern raised by the previous government.

The land handover issue has revealed a fundamental tension in federal governance over time and across government: the real conflict is between the central security and the state's authority over land acquisition, between the BSF wanting operational freedom and a state government concern about jurisdictional encroachment, between the immediacy of national security and the deliberate pace of democratic management. These conflicts are unlikely to resolve with any one land transfer. What changes or change to fails to change in the coming months will reveal much more than the announcements made.

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12 AUTHOR AND DISCLOSURE



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