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# The 2015 India-Bangladesh Land Boundary Agreement: Identifying Constraints and Exploring Possibilities in Cooch Behar

## ABSTRACT

The border between India and Bangladesh is crucial to the bilateral relationship between the two countries. However, this border has always been difficult to manage given, for one, its sheer length. The most important bilateral initiative between Bangladesh and India has been the attempt to resolve the longstanding border dispute that arose after the Partition of 1947, by means of the 2015 Land Boundary Agreement (LBA) and the exchange of enclaves (*chhitmahal*) and adverse possessions between the two countries. Yet the question remains: How far can this agreement and exchange of enclaves and adverse possessions pave the way to resolving other unsettled border-related issues, which remain highly crucial? This paper makes an assessment of the present situation following the exchange of enclaves and adverse possessions between India and Bangladesh.

## INTRODUCTION

India shares a land boundary of 4,096.7 km with Bangladesh, the longest border it has with any of its neighbours. This has trapped the two countries, for decades, in a peculiar situation—where a few tracts of land

belonging to the territory of either India or Bangladesh have come to be surrounded by the territory of the other. Such tracts or patches of land, called *chhits/chhitmahal* (a localised Bengali term) or enclaves, have become virtual islands embedded in foreign territory. Given the complexity of the situation, for which no political solution could be found for decades, it was remarkable that a Land Boundary Agreement (LBA) was finally ratified in 2015. Before this, there had been an LBA in 1974, wherein both sides had reached an understanding to exchange these enclaves and adverse possessions. However, only Bangladesh ratified the 1974 Agreement; India did not. The assassination of Sheikh Mujibur Rahman had an adverse impact on bilateral relations, and India put the implementation of the 1974 Agreement in cold storage.

The 2015 LBA was signed on 6 June 2015 in Bangladesh.<sup>1</sup> The historic agreement facilitated the transfer of 111 enclaves, adding up to 17,160.63 acres, from India to Bangladesh. Conversely, India received 51 enclaves, adding up to 7,110.02 acres, which were in Bangladesh (See Annexures 1 and 2). Prior to this historic agreement, the 2011 Protocol signed between Manmohan Singh of India and Sheikh Hasina of Bangladesh agreed to maintain the status quo in addressing the issue of adverse possessions of land, whereby India will receive 2,777.038 acres of land (See Annexure 3) from Bangladesh and in turn transfer 2,267.682 acres of land to Bangladesh (See Annexure 4).<sup>2</sup> The 2011 Protocol was made in an accord with the state governments of Assam, Meghalaya, Tripura and West Bengal but could not be implemented due to adverse political circumstances. Thus, the 2015 LBA implements the unresolved issues stemming from the un-demarcated land boundary—approximately 6.1-km long—in three sectors viz. Daikhata-56 (West Bengal), Muhuri River–Belonia (Tripura) and Lathitila–Dumabari (Assam); exchange of enclaves; and adverse possessions, which were first addressed in the 2011 Protocol.<sup>3</sup> It is important to note that in the land swap, Bangladesh gained more territory than did India.

Despite being a positive step towards initiating an exchange of territories, there is agreement amongst scholars and analysts that the LBA does not denote a complete break with the pre-LBA situation.<sup>4</sup> There are

marked continuities in the problems that existed in the pre-LBA years, although the nature and context of the problems have perceptibly changed. On India's part, the spotlight has now shifted from the identity crisis faced by erstwhile enclave dwellers in the pre-LBA situation, to issues of poor governance, as well as conflict of interest between the Centre and the state in the post-LBA years. The intractable discord regarding the implementation of the measures as promised to the new citizens, coupled with lack of coordination between the Centre and the state in India, has apparently transformed the enclaves into hotbeds of local politics.

This paper aims to delineate the contours of the post-LBA situation in the erstwhile Bangladeshi enclaves located in the Cooch Behar district of India. What has been the approach of the Centre and the states towards rehabilitating the so-called 'new citizens' and 'new entrants' in India following the ratification of the LBA in 2015? Has there been any clear and stated rehabilitation policy for resettlement of the enclave dwellers and the camp dwellers? What are the perceptions of these dwellers towards the rehabilitation policy? Are they receiving the expected benefits from the same, on time as promised? What challenges do the central and the state governments face in implementing rehabilitation? While raising these questions, the paper attempts to arrive at a nuanced understanding of the issues that loom large in the post-LBA situation and recommends ways in which the issues can be best addressed.

### Map 1: Dinhata



*Source: Report on the Indo-Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar*

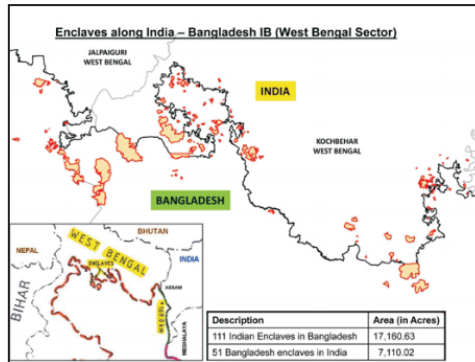
The paper focuses primarily on two sets of population. One is the erstwhile Bangladeshi enclave dwellers who, in the post-LBA period, have chosen Indian citizenship and are thus regarded as new citizens of India, located in the Cooch Behar district. They are referred to in this paper as “enclave dwellers.” The other is the population residing in erstwhile Indian enclaves in Bangladesh who, in the post-LBA period, have retained Indian citizenships and are thus new entrants of India. They currently reside in the temporary rehabilitation camps at Dinhata, Mekhliganj and Haldibari in Cooch Behar, established by the state government of West Bengal. They are referred to in this paper as “camp dwellers.” Dinhata Block (See Annexure 5) in Cooch Behar has been chosen as the field for this paper, as the concentration of enclaves has been the highest in these locales since the 2015 LBA. The Dinhata rehabilitation camp, which falls under this locale, was also chosen for the same purpose.

## **I. A HISTORY OF THE LBA AND THE IMPORTANCE OF THE TIN BIGHA CORRIDOR**

Popular belief suggests that chhits/enclaves—or, in other words, fragments of land—were created when the Maharaja of Cooch Behar and the Foujdar of Rangpur, while playing chess, staked each other's villages. The partition of India in 1947 gave rise to a sensitive situation among the inhabitants of these scattered plots of lands; they were paying revenues to one state but were surrounded by the territory of another. The boundary line drawn by Sir Radcliffe, based on some loose maps, dictated the fate of millions of people, who unknowingly became enclave dwellers.<sup>5</sup> This resulted in the creation of the enclaves that belonged to Cooch Behar but were surrounded by East Pakistan; these subsequently became Indian territory. Correspondingly, the enclaves belonging to the Rangpur zamindars, but surrounded by Cooch Behar, became Pakistani territory.

For decades since Independence, the enclave dwellers were excluded from any infrastructure benefits. There were no schools, markets, medical facilities; no electricity, no police station. Roads were not repaired and proper drinking water was unavailable. The enclaves slowly became a hideout for criminals as they had no systems of law and order.

## Map 2: Enclaves of India and Bangladesh



Source: Report on the Indo–Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar, N.D.

The people living in these enclaves for decades had one recurrent problem: that of identity crisis. This in turn resulted in illegal migration, with the dearth of reliable data adding to the complexity of the problem. Since Census had never been conducted in these areas, many created false voter ID cards to work and to “avoid becoming an illegal migrant.”<sup>6</sup> Students have been registered under false names in schools or colleges to obtain educational qualification. During their visit to Cooch Behar, the researchers were informed by some of the residents that sometimes, identity proofs were bought from their relatives or neighbours to decriminalise their travelling, either to work in other states or to gain admission in schools or colleges.<sup>7</sup>

## Map 3: Tin Bigha Corridor



Source: Report on the Indo–Bangladesh Enclaves (Chhitmahals), Office of the District Magistrate, Cooch Behar, N.D.



**Fig. 1: Tin Bigha Corridor: Rickshaw Van Entering Tin Bigha from Patgram, Bangladesh**



*Photo by Research Team*

Prior to the successful initiative of the exchange of territories in 2015, many agreements had been made to facilitate the exchange. However, none could be implemented due to adverse political circumstances (See Annexure 6). The first positive initiative was taken in 1982 through a separate settlement, where India agreed to lease Tin Bigha Corridor to connect Dahagram and Angarpota of Cooch Behar to Bangladesh during the day. In 2011, the Tin Bigha corridor was transformed from a part-time enclave into a “pene enclave,”<sup>8</sup> meaning it remained open for the whole day. However, according to the Border Security Force (BSF) guards on duty,<sup>9</sup> at present, the gates remain open till 8:30 p.m.

Bangladeshi nationals from Patgram, Rangpur, and Lalmonirhat trickle continuously to Dahagram–Angarpota through Tin Bigha. Cycles, vans, rickshaws and small vehicles ply throughout the day. It has become virtually a tourist spot. Indian citizens walk the stretch till the zero point of the Bangladeshi border, take photographs and then return to the mainland.

The international boundaries are clearly demarcated at Tin Bigha, with high fences along the corridor. But a few metres away, the land on each side mingles with that on the other, paving the way for smuggling of goods and trafficking of animals, especially cattle. It is known that despite this entire stretch being guarded by the BSF as well as surveillance cameras, such

illegal activities continue, and many people in this area thrive on them.<sup>10</sup> Indeed, it has been difficult to obtain adequate information on such activities precisely because of their clandestine nature. The government officials at the District Magistrate Office (DMO), Cooch Behar, maintained that such crimes have reduced and security has been strengthened. They refrained from discussing the issue in detail when probed further by the researchers.<sup>11</sup>

### **Movement of Population from Indian Enclaves inside Bangladesh for New Identity: Government Responses**

The new government formed under Prime Minister Narendra Modi in 2014 gave significant push to the enhancement of bilateral relations with Bangladesh. Ironically, the same political parties that previously opposed the LBA changed their position in the current scenario under the pretext of controlling illegal immigration.<sup>12</sup> Thus, the 100th Bill on the LBA was unanimously passed in India by both houses of Parliament in June 2015.<sup>13</sup> This act operationalised the provisions made in the 1974 LBA as well as in the 2011 Protocol.<sup>14</sup>

The exchange of letters between the two governments in 2015 specified the entry and exit routes at Haldibari, Changrabandha and Sahebganj on the international border of India, and Chilahati, Burimari and Bagbandar, on the international border of Bangladesh for all those who chose either Indian or Bangladeshi citizenship. It was decided that officials from both the governments would conduct a joint visit to the enclaves to inform them about the provisions listed in the 1974 Agreement and the 2011 Protocol. The implementation process was initially prepared in three phases. First, the date set for the Agreement and the Protocol to come into effect was from midnight of 31 July 2015. Second, other procedures related to the transfer of territorial jurisdiction, exchange of strip maps and ground demarcation of the boundary were sought to be completed by 30 June 2016. Finally, the physical movement was supposed to begin after 31 July 2015 and conclude by 30 November 2015.<sup>15</sup>

Though the expected number of people opting for Indian citizenship from the 111 Indian enclaves in Bangladesh was estimated to be around 13,000,<sup>16</sup> only 987 people actually chose to retain their Indian citizenship (see Table 1).<sup>17</sup> This was unexpected, given the attraction to Indian citizenship among Bangladeshi citizens. It was observed that people crossing over to the Indian territory had left behind some members of their family or property in Bangladesh, hoping to return or commute, as and when necessary. However, as stated by the government officials at the DMO, Cooch Behar, such free movements across the border between India and Bangladesh have been curbed. Currently, all return routes are under strict surveillance to control illegal immigration.<sup>18</sup>

**Table 1: Population of ‘New Entrants’ from Erstwhile Indian Enclaves**

Entry Point	Population			Religious Composition		
	Male	Female	Total	Hindu	Muslim	Christian
Sahebganj–Bagbandar	159	146	305	159	146	–
Changrabandha–Birimari	97	98	195	191	4	–
Haldibari–Chilahati	253	234	487	466	–	21
<b>Total</b>	509	478	987	816	150	21

*Source: Report on Entry and Settlement of People from Erstwhile Indian Enclave, Government of West Bengal, Cooch Behar, acquired from the Office of Cooch Behar District Magistrate, N.D.*

## Rehabilitation Package

The LBA’s objective was to improve the lives of the people residing in these enclaves, who had been rendered virtually stateless since 1947. They were denied, for decades, the basic rights to education and health, and other services. Thus, the LBA brings with it fresh hopes to address these issues. However, there has been no rehabilitation policy by either Bangladesh or India till date. For those inhabitants of Indian enclaves in Bangladesh who opted for Indian citizenship and crossed over to the Cooch Behar district in search of a new identity, the Centre has provided a rehabilitation package to the state, and the state government must initiate steps to rehabilitate

these new entrants. It has been decided that those erstwhile Indian enclave dwellers in Bangladesh who retain their Indian citizenship would be kept in temporary houses or camps for the first two years, after which they will be accommodated in permanent settlements, following the construction of either apartments or houses. The development has been envisaged in three ways as revealed by the government officials at the DMO, Cooch Behar—development of camp dwellers who have travelled from Bangladesh to India; development of erstwhile Bangladeshi enclaves in India; and overall development of the district of Cooch Behar.<sup>19</sup>

**Table 2: Details of Rehabilitation Package**

Rehabilitation Package (INR Crore)	
Temporary rehabilitation in relief camps	101.26
One time lump-sum rehabilitation grant	373.65
Permanent rehabilitation in clusters	1759.00
Upgrade of infrastructure in Bangladeshi enclaves	174.98
Upgrade of infrastructure in affected areas	600.00
<b>TOTAL</b>	<b>3008.89</b>

*Source: Report on Indo-Bangladesh Enclaves (Chhitmahals), Office of the District Magistrate, Cooch Behar, N.D.*

**Box 1: State Government Initiatives**

**Temporary Rehabilitation (INR 474.91 crore)**

- Relief camps and feeding through gruel kitchen for one month, and ration support for the first two years (as per State Disaster Response Fund norms)
- Rehabilitation grant of INR 5 lakh per family in fixed deposit for a two-year period or longer

**Permanent Rehabilitation (INR 1759 crore)**

- 10 clusters having 469 buildings to be constructed on 230 acres of land to be purchased (750 sq. ft per family)
- Common facilities for all

### **Infrastructural Development in Affected Areas (INR 600 crore)**

- Bridge over Teesta connecting Haldibari to Mekhliganj
- Upgrade of hospitals at Haldibari, Matabhanga and Dinhata
- Bus terminals at Haldibari, Matabhanga, Mekhliganj and Dinhata
- Upgrade of Police Infrastructure

*Source: Report on the Indo-Bangladesh Enclaves (Chitmahals), Office of the District Magistrate, Cooch Behar, N.D.*

### **Box 2: State Government Aid for New Entrants**

- Quarantine and immunisation centre
- Citizenship registration
- Electoral roll registration and electors' photo identity card
- AADHAR enrolment
- National Food Security Act card distribution
- Bank account opening under Pradhan Mantri Jan-Dhan Yojana
- Job card for Mahatma Gandhi National Rural Employment Guarantee Act

*Source: Report on the Indo-Bangladesh Enclaves (Chhitmahals), Office of the District Magistrate, Cooch Behar, N.D.*

### **Box 3: State Government Schemes for New Entrants**

- Enrolment for Nijo Griho, Nijo Bhumi Patta
- Enrolment in Kishan credit card
- Enrolment in Kanyashree Prakalpa
- Enrolment in Yubashree and Shikhashree Prakalpa
- Enrolment in various pensions (old, disability, widow, SC, ST, fisheries, agriculture, artisans and folk artists)
- Enrolment for minority scholarships
- Caste certificate
- Gatidhara (purchase of small vehicles as a means of income)
- SVSKP loans and vocational training under SHG and self-employment

- Enrolment in National Rural Livelihood Mission
- Special enrolment provision in educational institutions
- Enrolment in health scheme

*Source: Report on the Indo–Bangladesh Enclaves (Chhitmahals), Office of the District Magistrate, Cooch Behar, N.D.*

An amount of INR 3,008.89 crore (see Table 2) was initially agreed upon, but the cost remained a variable, depending upon the number of residents opting to reside in India. Based on the joint survey conducted in July 2015, only 987 out of 37,369<sup>20</sup> residents from the Indian enclaves in Bangladesh opted to retain Indian citizenship. On the other hand, 14,221<sup>21</sup> residents in the Bangladeshi enclaves in India opted for Indian citizenship, making the total 15,208. Based on these estimates, a final compensation package of INR 1005.99 crore was allotted by the Centre to the state for the rehabilitation of the new entrants and for the upgrade of the infrastructure of the former enclaves in India.<sup>22</sup>

As a part of the temporary rehabilitation measure (See Box 1), the state government agreed to grant INR 5 lakh per family in fixed deposits. However, the DMO, Cooch Behar, informed this research team that individual families could not be allotted the amount of INR 5 lakh as had been stated in the official report published by the DMO, Cooch Behar. The main reason cited was the fear of possible social unrest as Cooch Behar has a large number of people who fall below the poverty line. Thus, the government is hesitant to provide such differential benefits to the so-called new entrants over the existing residents of Cooch Behar. Instead, it was proposed that social benefits would be distributed, such as 300 solar pumps installed for agricultural use, and Kisan cards. The process for both has begun. However, the enclave and camp dwellers are not aware of this change in plans and the beneficiaries are still expecting the lump-sum amount of INR 5 lakh.<sup>23</sup> The government needs to inform the new entrants about this change in policy and the alternative benefit schemes the government has introduced for them. Although such government benefit

schemes (see Box 3) are still in the implementation phase, the new entrants have not been sufficiently informed about them.<sup>24</sup>

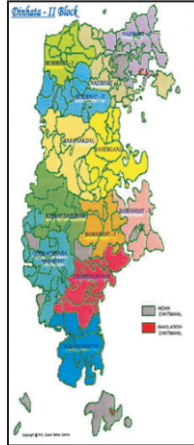
Thus, despite being comprehensive in nature, such programmes have failed to satisfy the aspirations of the camp dwellers. The behaviour of local politicians has worsened the situation, as they have banked on the suppressed resentment of the camp dwellers for their own political benefit. While some of the facilities provided by the government are indeed inadequate to fulfil everyday needs of the camp dwellers, they have raised other issues that are not justifiable. There are certain areas where careful manoeuvring by local politicians has caused the camp dwellers to rebel for what might appear to a neutral observer, an ‘unjust’ cause. Consequently, the simmering discontent amongst camp dwellers has turned these makeshift camps into hotbeds of politics, with little benefit to the camp dwellers and their rights.

### **Establishment of Camps: Resentment Amongst Camp Dwellers**

Following the LBA, on the Indian side, the entire movement of people took place from mid-November 2015 till the end of November 2015. Temporary rehabilitation camps have been set up at three places, namely, Mekhliganj, Haldibari and Dinhata in Cooch Behar for the enclave dwellers coming from the erstwhile Indian enclaves in Bangladesh. The 987 new entrants were transported in buses hired by the Indian High Commission, Bangladesh. The buses, duly escorted with security detail, plied till the settlement camps. The Indian High Commission, Bangladesh, issued temporary travel and identity passes to facilitate the exchange process.<sup>25</sup> The new entrants were welcomed with much fanfare on the first day, 19 November 2015, by Members of Parliament (MP), Members of Legislative Assembly (MLA), District Magistrate (DM) and Superintendent of Police (SP), Cooch Behar, at the Changrabandha entry point. Each entry point was accompanied by the minister-in-charge of the Government of West Bengal, MP, MLA, DM as well as SP, Cooch Behar, who received and welcomed the new entrants. The rehabilitation camps have been set up near the villages in the surrounding

areas to facilitate the social integration of the new entrants. Yet, feelings of marginalisation continue to plague the camp dwellers even after one-and-a-half years of their settlement in India. These feelings are the outcome of unsatisfactory measures by the government as will be highlighted while discussing the provision of ration and health facilities in this report.

#### Map 4: Dinhata Block



*Source: Report on the Indo-Bangladesh Enclaves (Chitmahals), Office of the District Magistrate, Cooch Behar, N.D.*

After the crossing over of the citizens from Bangladesh to Cooch Behar, immigration camps were set up at the entry points to facilitate the immigration process. The camp dwellers were provided with basic amenities, and the new entrants with first aid and immediate medical attention. An immunisation counter was set up. Critical patients were shifted to nearby hospitals; newborns were kept in Sick Newborn Stabilisation Unit and were monitored. Newborn babies and children under the age of five were given milk powder, biscuits and fruits. However, these facilities have since been discontinued, as reported by the camp dwellers. They have had to buy biscuits and fruits from the local market.<sup>26</sup> Medical camps were organised as well, which are still in operation. These citizens were given smart cards for identification and facilitation in the gruel kitchen, as well as for ration. Residential certificates were issued, bank accounts were opened, and spot school and college admission for children



was introduced (see Table 3). The new entrants were registered through biometrics to enable them to obtain Aadhar and voter ID cards.<sup>27</sup>

**Table 3: Benefits for Camp Dwellers**

Camp	Families	Persons	Bank accounts opened	Students admitted in school	College students admitted	SHGs formed	Job cards issued
Dinhata	58	245	41	46	1	4(41)	53
Mekhliganj	47	197	54	46	1	4(48)	61
Haldibari	96	478	145	135	16	6 (64)	72
<b>Total</b>	<b>201</b>	<b>920</b>	<b>240</b>	<b>227</b>	<b>18</b>	<b>14 (153)</b>	<b>186</b>

*Source: Report on Entry and Settlement of People from Erstwhile Indian Enclave, Government of West Bengal, Cooch Behar, acquired from the Office of Cooch Behar District Magistrate, N.D.*

Currencies were changed from Bangladeshi rupee to Indian rupee and were transferred via banks. Relief kits were provided, which consisted of clothes, utensils, tarpaulins, stoves, blankets, mattresses, pillows and hygiene kits for females in the camps (see Table 4). Each elder member of the family was given the house allotment letter along with the house keys.<sup>28</sup>

**Table 4: Relief Materials**

Camps	Relief Materials Distributed					
	Relief Kits	Dignity kits	Bed rolls	Blankets	Mosquito nets	Children garments
Dinhata	61	65	61	240	61	40
Mekhliganj	47	90	47	94	47	94
Haldibari	97	194	97	194	97	194
<b>Total</b>	<b>205</b>	<b>349</b>	<b>205</b>	<b>528</b>	<b>205</b>	<b>328</b>

- *Relief Kit: Bucket, jug, mug, plate, glass, handi with lid, kadai, spoon, tumbler, bowl, stove, tarpaulin sheet*
- *Bed Roll: Bed sheets, mattress, pillow, pillow cover, mosquito net, dignity kit for women*

*Source: Report on Entry and Settlement of People from Erstwhile Indian Enclave, Government of West Bengal, Cooch Behar, acquired from the Office of Cooch Behar District Magistrate, N.D.*

## Resettlement in Camps

**Fig. 2: Rehabilitation Camp at Dinhata**



*Photo by Research Team*

**Fig. 3: Toilets for Men and Women**



*Photo by Research team*

**Fig. 4: Kitchen at Dinhata Camp**

*Photo by Research team*

According to the official report published by the DMO, Cooch Behar, it was indeed striking to observe that the Mekhliganj, Haldibari and Dinhata temporary camps have all the essential facilities. The houses are made of tin (walls and roof), measuring 380 sq. ft, with two rooms, one kitchen and a concrete platform.

Moreover, families consisting of more than 7 to 10 members have been given extra space or house. A dining hall is set up adjacent to the gruel kitchen to accommodate them comfortably. The dining room has a television set, along with cable service. Keeping in mind safety and sanitation, separate toilets have been constructed for males and females, with piped water supply. Drinking water supply is ensured and the quality is maintained using iron filtration facilities. Each house is equipped with a fan and lights, and electricity is available for all households.<sup>29</sup> Table 5 provides the full composition of camp dwellers based in Dinhata, Haldibari and Mekhliganj.

**Table 5: Camp Composition**

Camp	Family	Persons			Children			Children <5yrs
		Male	Female	Total	Male	Female	Total	
Dinhata	58	127	118	245	12	16	28	28
Mekhliganj	47	97	100	197	29	39	68	18
Haldibari	96	247	231	478	64	73	137	58
<b>Total</b>	<b>201</b>	<b>471</b>	<b>449</b>	<b>920</b>	<b>105</b>	<b>128</b>	<b>233</b>	<b>104</b>

*Source: Report on Entry and Settlement of People from Erstwhile Indian Enclave, Government of West Bengal, Cooch Behar, acquired from the Office of Cooch Behar District Magistrate, N.D.*

An Integrated Child Development Services (ICDS) Centre, in line with Early Care and Child Education, has been provided for the children. Table 6 gives the statistical details of children and parents deriving welfare facilities from the anganwadi centres. So that children can play, kids' corners have been set up, equipped with swings, slides, among others.

**Table 6: ICDS Centres**

S. No.	Name of Anganwadi Centre	0-3 yrs	3-6 yrs	Pregnant	Lactating	Total No. of Beneficiaries
1	Dinhata Relief Camp	16	18	0	0	34
2	Mekhliganj Relief Camp	15	11	4	3	32
3	Haldibari Relief Camp	31	38	1	6	76

*Source: Report on Entry and Settlement of People from Erstwhile Indian Enclave, Government of West Bengal, Cooch Behar, acquired from the Office of Cooch Behar District Magistrate, N.D.*

The state government has also created occupational opportunities for these citizens, mainly in jute mills. Each family has been given a 100 days' work card. To maintain the security of the camps, a fence has been constructed. Some camps even have security officers posted for added

safety; the Mekhliganj and Haldibari camps have been provided officers, but not the Dinhata rehabilitation camp, as recounted by the camp dwellers.

The official report states that a complaint register is maintained for speedy disposal of grievances. However, during the visit, the researchers did not come across any such register. Markets have been set up in the surrounding areas for easy access by the camp dwellers. As per the official report, cattle sheds have been constructed, each of which can accommodate 25 cattle along with fodder and veterinary doctors.<sup>30</sup> The camp dwellers, however, reported that they do not receive any animal fodder and have to buy them from the local market.<sup>31</sup>

## II. ISSUES OF GOVERNANCE

Though many positive changes have taken place, there remain pressing issues that need to be addressed immediately.

### Insufficient Rations

#### **Box 4: Major Grievances of Camp Dwellers**

- Insufficient ration
- Unsuitable occupation
- Health and Education
- Intense politicisation

*Source: Compiled by researchers from the field.*

A canteen was constructed, which provided cooked food to the new entrants. However, after a month, the canteen was discontinued and ration was distributed among the citizens on a monthly basis. The items included in the dry dole are listed in Table 7. These items fail to meet the everyday requirements of the camp dwellers. This grievance has been voiced by the civil organisations working with the camp as well as the enclave dwellers—MASUM and Bharat Bangladesh Enclave Exchange

Coordination Committee.<sup>32</sup> The camp dwellers are not given vegetables, egg, chicken or fish, or even spices. Contrary to the published official report, lactating mothers in the camp report that they have not been provided with baby food.<sup>33</sup> While they are presently eking out an existence by creating small kitchen gardens where pumpkins, gourds, beans and other vegetables are grown, the rice shortage has caused grievances.

**Table 7: Dry Dole**

S. No	Item	Quantity
1	Rice	30 kg
2	Mustard oil	5 litres
3	Kerosene oil	5 litres
4	Salt	1 kg
5	Powder milk	1 kg
6	Lentil	5 kg

*Source: Compiled by researchers from the field.*

The average family in the Dinhata rehabilitation camp has about five members. The average five-member household in the urban areas of Bengal consumes about 20–30 kg rice every month. However, in rural areas in the Cooch Behar district, and the adjoining areas in Rangpur in Bangladesh, rice is consumed four times a day. Thus, the camp dwellers have a higher requirement of rice. The camp dwellers informed the researchers that after sustained demand for more rice for consumption, little has been done. An extra 5 kg of rice is now provided, but only to households with more than five members.

Owing to lack of employment and the gradual depletion of the personal resources, the camp dwellers continue to grapple with food shortage and are often compelled to buy everyday food items from the local markets with their little cash. There has been also a general dissatisfaction with the quality and quantity of clothes, food, utensils, being supplied by the state. The researchers found out that the clothes provided by the government

were of coarse material, unfit for wearing. Similarly, the utensils were of crude quality. Consequently, the camp dwellers had to rely on the utensils and clothes they had brought from their villages in Bangladesh.<sup>34</sup>

**Fig. 5: Camp Dweller Cultivating Vegetables at Dinhata**



*Photo by Research Team*

## Health and Education

The camp dwellers are dissatisfied with the health facilities provided by the state government. Initially, it was announced that there would be one doctor who would be present at all hours in the camp. But currently, doctors visit the camp dwellers once a week. The camp dwellers report that they are provided with paracetamol for a wide variety of diseases. There is no attempt on the doctor's part to diagnose properly and prescribe treatment accordingly. Despite having access to local hospitals, they mostly rely on doctors who visit on a weekly basis.<sup>35</sup>

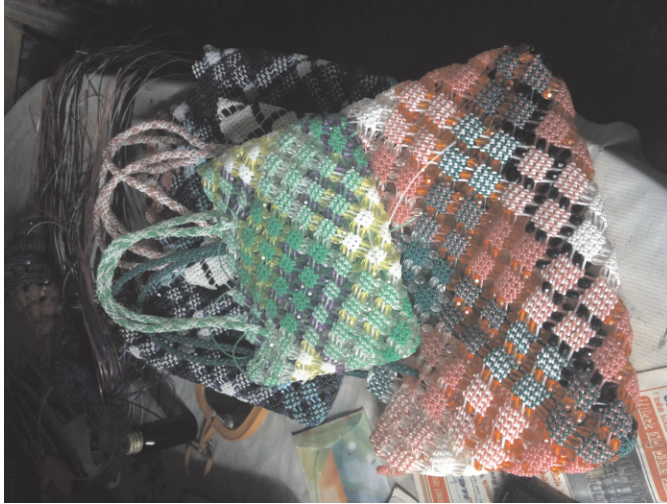
The children go to government schools nearby and are given midday meals. The camp dwellers in Dinhata rehabilitation camps told the

researchers that the state government awarded five children with bicycles, for achieving good results in classes IX and X. This is a noteworthy step to recognise the camp dwellers and help them integrate with the local population.

### Unsuitable Occupations

The state government has offered 100 days' work cards to each family along with jobs in jute mills. This step, as per the government officials at DMO, Cooch Behar, is intended to be a temporary measure. It is meant to provide the camp dwellers with a source of income for the time being and help them acquire skills in this sector. At the same time, it enables them to find other jobs in West Bengal or in other parts of India in any sector that suits them.<sup>36</sup> However, the camp dwellers are reluctant to accept this opportunity provided by the government, often under the influence of the civil society organisations, which are backed by rival political parties as well as local leaders, who have convinced them of the futility of accepting job offers made by the state government.<sup>37</sup> Male camp dwellers, under the influence of local leaders, believe that the jobs offered to them in jute mills do not satisfy their aspirations for a decent salary. While living in Bangladesh, they had been engaged in a variety of professions such as teaching, business, farming, carpentry.<sup>38</sup> They wish to be immediately placed in jobs that are commensurate with their skills and qualifications. Lack of proper occupational opportunities has compelled them to seek work in the land of local villagers, which has further contributed to their resentment and sense of marginalisation. They are reportedly paid less than their co-workers while working in other people's lands. While in Bangladesh they earned BDT 15,000 (~INR 12,000) a month, in India, they currently are unable to earn even INR 3,000 a month. The 100 days' work accessed by people per family has fetched them INR 18,000. But once they exhausted the 100 days' work card, they were not given any new one.<sup>39</sup>



**Fig. 6: Handbags Made by Female Camp Dwellers at Dinhata**

*Photo by Research team*

Women have no outside work, which they previously had while living in Bangladesh. Though they have skills in making bags and other crafts, the state government has been unable to tap into their potential. Many of them are reporting that they regret their decision to retain their Indian citizenship.<sup>40</sup>

The visions of the state government continue to be at variance with the aspirations of the camp dwellers. For instance, the government had promised to provide permanent settlements to the camp dwellers after two years. According to government officials, while the state government has been planning to build apartments consisting of a ground floor and a first floor—under the government scheme of Nijo Griho, Nijo Bhumi Patta for the camp dwellers—the latter want houses that would keep them grounded to the land.<sup>41</sup> Under the influence of the local politicians of rival parties, the camp dwellers are now convinced that the government’s idea of providing them with apartments is unlikely to meet their requirements and expectations. A newspaper report published recently stated that they have written to Prime Minister Modi, and most are actively submitting memoranda to the local district officials of Cooch Behar to voice their discontent.<sup>42</sup> Protests are also happening.<sup>43</sup>

This paper argues that instead of focusing on restoring stability in the region and devoting the creative energies of the people towards promoting development, the local political leaders would seemingly prefer to perpetuate political turmoil in the region.

### **Box 5: Grievances of Enclave Dwellers**

- Problem of land acquisition
- Lack of proper occupation
- Lack of basic infrastructure such as electricity, proper roads
- Intense politicisation

*Source: Compiled by researchers from the field.*

## **III. ENCLAVE DWELLERS AND PROBLEMS OF LAND ACQUISITION**

With the implementation of LBA, the only gain for the enclave dwellers turned citizens is, perhaps, the right of citizenship and the freedom to move around freely throughout India without being detained by the police, as happened previously under the Foreigners Act, 1946, Sections 14A and B. Under this Act, any person who is not a citizen of India is prohibited to enter or stay in the country without formal documents, passport or forged ID documents.<sup>44</sup> While visiting the former Bangladeshi enclaves in Cooch Behar, it is interesting to observe that these enclaves and Indian villages are contiguous in nature. There is no definite marker to identify the place as enclave except for a pillar/post with BP (Border Post) inscribed on it.

Though these people are currently Indian citizens on paper, they often struggle to claim their status. They feel that they are subjected to unequal treatment in terms of the provisions of basic infrastructures such as electricity, potable water, land papers and proper roads. One of these immediate distinctions was patent during the visit to Madhya Mashaldanga enclave, Dinhata Block. Previously a Bangladeshi enclave, it had an Indian enclave enclosed within it, namely, Mancheshaoraguri. One year after the historic exchange, the dwellers at Madhya Madhaldanga

have become Indian citizens, but they still lack electricity, land papers as well as voter ID cards, whereas Manchshaoraguri, which consists of only one family, is equipped with all these facilities. Currently, this is the situation in all the enclaves in Cooch Behar. Another major issue voiced by all the new citizens interviewed is land acquisition.

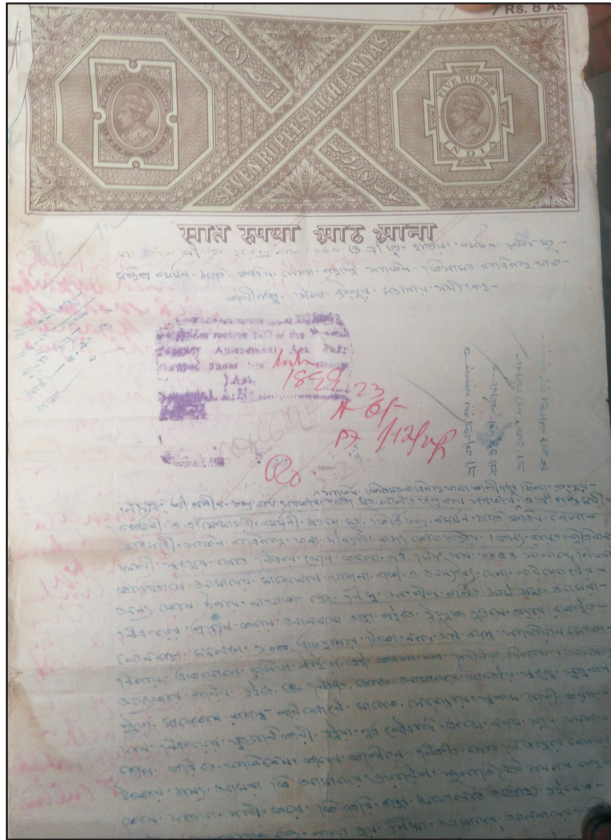
**Fig. 7: Post with BP Inscribed on it, Distinguishing Chhits from Villages**



*Photo by Research Team*

Land remains one of the major issues of contention. Due to laxity of law in the enclave areas earlier, the buying or selling of land in some instances was done without requiring any legal document or registration. In other instances, the documents have either been misplaced or lost or are of no value. For instance, a big enclave like Garati,<sup>45</sup> an Indian enclave in Bangladesh, used to have its own mechanisms of registration of land, but the documents now hold no importance in the larger society.

**Fig. 8: Documents of Land Provided by Zamindar of Rangpur**



*Photo by Research Team*

With the ratification of the LBA, legal documents are now required for immovable property owned by an enclave dweller. According to MASUM, the land automatically becomes property of the state in the absence of such documents.<sup>46</sup> This has caused fear among the people as the only proof of

ownership they have is either the old document provided by the zamindars of Rangpur or their word.

The state has taken the initiative to redistribute the land among the enclave dwellers and, thus, the land survey has begun, whereby the state has started measuring the land as proclaimed by the enclave dwellers as their own. This leaves the enclave in discontent as legal documents proving land ownership has not yet been handed to them.

**Fig. 9: Road Construction Work at Poaturkuthi**



*Photo by Research Team*

Moreover, with the commencement of the infrastructure work, such as building of roads in the enclave areas, the enclave dwellers are faced with a complex situation. Due to absence of valid documents, the demarcation of privately owned property remains unclear. People living in the enclaves have raised questions regarding this. Most of the developmental initiatives have taken place without giving due importance to the consent of the enclave dwellers on their un-demarcated land.<sup>47</sup>

The researchers were informed by the government officials that the land-survey process would be time consuming, since it was being undertaken for the first time. After the process is over, legal documents would be drafted and circulated among the enclave dwellers. The issue of compensation for the damage to their property due the construction of new roads, however, remains tricky. The officials could not give any clear idea about the government's position on this.<sup>48</sup>

It is a catch-22 situation, whereby the enclave dwellers want compensation for damage to their land to which they have no legal documents or rights per say. Yet, the land is their source of livelihood and sustenance. For now, the government needs to accelerate the land-survey process.

### **Lack of Proper Occupation**

Cooch Behar being a non-industrial belt has less scope for occupational opportunities. It is primarily for this reason that both men and women are seasonal workers and migrate to Delhi or Dehradun for eight months. They trace their way back during the harvest seasons. Elders are left behind with the young ones. But in different circumstances, where such arrangements cannot be worked out, the children are taken along with their parents, to be engaged in brick work at construction sites.

After the 2015 LBA was signed, among provisions created by the government with regard to work was the issuance of 100 days' work card and an offer to the erstwhile enclave dwellers to work in a jute mill nearby. The 100 days' work card has been distributed among individual families, but it is important to note that, unlike the camp dwellers, the enclave dwellers have not received any remuneration against their 100 days' work. They have

been working as seasonal labourers in other states, which fetches them good compensation. With this money, they are able to repair their houses, build toilets and buy television.<sup>49</sup> The flip side is that it hampers the education of the children, since they leave school and join only eight months later. They are also being introduced into the labour market at a very young age. The state officials do recognise the gravity of the current job situation. Yet, they were unable to provide any viable solutions for the time being.<sup>50</sup> Thus, proper occupational opportunities need to be chalked out by the state government.

Amidst these existing issues, the right to vote issued to the new citizens with the Election Laws (Amendment) Act, 2016, coming into effect from 4 March 2016, was a welcome step. It was introduced by Law Minister D.V. Sadananda Gowda, to amend Section 11 of the Delimitation Act, 2002 and Section 9 of the Representation of the People Act, 1950.<sup>51</sup> It was proclaimed that the 15,208 new citizens would be given the right to vote for the first time.<sup>52</sup> In West Bengal, in the month of April–May 2016, state elections were conducted and, for the first time, voter identity cards were issued to the enclave dwellers. Out of a total population of 15,208 (number of voters unknown), only 9,778 enclave dwellers of Cooch Behar cast their votes (see Table 8). Ranging from senior citizens, including 103-year-old residents of Maddhya Mashaldanga chitmahal, to women and young men, voting rights have given them a sense of identity and belonging.

**Table 8: Total Voting Population**

Area	No. of Voters
Dinhata	5,486
Mekhliganj	576
Sitalkuchi	1,898
Sitai	1,241
Char Balabhoot	8
Rehabilitation camps at Mekhliganj, Dinhata and Haldibari	569
<b>Total</b>	<b>9,778</b>

*Source: "Surprise visitor for 8 first-time voters," The Telegraph, 29 April 2016, [http://www.telegraphindia.com/1160429/jsp/siliguri/story\\_82817.jsp#.Vyxo6tJ961s](http://www.telegraphindia.com/1160429/jsp/siliguri/story_82817.jsp#.Vyxo6tJ961s).*

Despite this, there are some residents who have still not received their voter ID cards. For instance, in Madhya Mashaldanga, there are eight families without voter ID cards.<sup>53</sup> Thus, they still fall under the category of illegal foreigners while travelling to places outside their enclave. They are waiting for their voter ID and ration cards.

**Fig. 10: Some of the Madhya Mashaldanga Enclave Dwellers Without Voter ID Cards**



*Photo by Research Team*

The rushed process of producing voter ID cards and ration cards has resulted in cards filled with discrepancies regarding the age of citizens, their names, their sex; for instance, men have been listed as women, wife as mothers and vice versa.

The ration offered by the state government remains insufficient, with the provision of only rice and wheat. A recent newspaper report stated that six new ration shops will be opened and the enclave dwellers will receive rice and wheat at INR 2/kg. They will be entitled to 35 kg of rice and 15 kg of wheat per month. It has also been decided that families consisting of more than five members will get 1 kg additional rice.<sup>54</sup>



**Fig. 11: Discrepancy in Names of the Same Person in Ration and Voter ID Card**



*Photo Credit: Research Team*

Indeed, the changes are slowly taking place. Conditions among enclave dwellers are improving. Electricity is now available in some of the chits.<sup>55</sup> However, the situation in camps remains unstable due to the ongoing agitations. More efforts are required by the Centre and the state to address these problems.

## V. IMPERATIVES THAT NEED GREATER ATTENTION

There are certain existing issues that affect the development of both the enclaves and camps. The politicisation within enclaves, and conflict between the state and the Centre form the base of the current scenario post-LBA.

### Politicisation of enclaves and camps

Following the LBA, intense politicisation is being provoked among the enclave and camp dwellers by the local political leaders.<sup>56</sup> The right to vote is

making the enclave and camp dwellers the target of political parties, which are campaigning for their mobilisation and politicisation.

Some areas are affected significantly due to this: for instance, the Poaturkuthi area in Dinhat Block. According to the inhabitants of Poaturkuthi enclave, the ruling party has harassed citizens and forced them to cast their votes in its favour. Properties have been damaged; individuals harassed both physically and verbally. According to Ashada Bibi, who resides in Poaturkuthi, her daughter has been unable to get admission to school due to the requirement of birth certificate. The government has not issued them one as they support the rival party.

The opposition party, on the other hand, has not been doing much to help these people deal with their present situation. Even the civil society organisations have been backed by the rival parties and, thus, the camp or enclave dwellers have been motivated to create agitations, which in turn has created disharmony among them.<sup>57</sup>

Thus, the disillusioned enclaves as well as camp dwellers are supporting local parties in the hope of achieving a better life. On the other hand, socio-economic deprivations have become the matters of wrestling for power between the rival political fractions. This tends to divert from the urgent issues of development.

### **Discord between the Centre and State**

The lack of coordination between the Centre and the state poses a serious challenge to development projects in the erstwhile enclaves and their surrounding villages. The prevailing perception that the Centre has fulfilled their needs by making LBA a reality — and thus it is now the sole responsibility of the state to take up every issue of the enclave and camp dwellers — remains a thorny issue. The delay in the infrastructure work has been due to the blame game between the two. For instance, the Centre has raised questions regarding the delay in the development work relating to the construction of a 14-km bridge between Haldibari and Mekhliganj,

which would reduce the travel time to 30 minutes from around 2 hours. The delay in the work to widen the road from Dinhata to Cooch Behar, which would help in the reduction of travel time and traffic congestion, also raises questions. State officials have maintained that the delay is because they are waiting for more disbursements from the Centre.<sup>58</sup> The Centre is supposed to disburse the compensation package of INR 1005.99 crore to the state for the rehabilitation of the new citizens and the upgrade of the infrastructure of the enclaves in India, as well as for the development of the district of Cooch Behar. But according to the state government officials at the DMO, Cooch Behar, only INR 40 crore has been received by the Cooch Behar district, sufficient only till December 2016. The rest of the package is yet to be received from the Centre.<sup>59</sup>

The Centre has been promoting Swachh Bharat Abhiyan, whereby the central government is to construct toilets for the villagers to promote health, hygiene and sanitation. But no such vision or initiative could be seen during the visit to the enclaves in the Cooch Behar district. The researchers were informed by the officials that the state government would not build toilets as they end up being used as storage space by the enclave dwellers and villagers.<sup>60</sup>

Thus, the state and the Centre are at variance with each other; proper coordination and communication between the two is crucial to curb the influence of local leaders and prevent misuse of funds.

## VI. RECOMMENDATIONS

The ratification of the 2015 LBA has been a major step in strengthening the bilateral relations between India and Bangladesh. Indeed, it has provided political identity to the people in the enclaves, who had been rendered stateless for years. However, it is interesting to note that on the Bangladeshi side, the development of these enclaves has been more remarkable as compared to the Indian side. The Bangladeshi newspaper reports published after one year of this ratification has been filled with praises regarding the accomplishment, viz. availability of electricity, roads,

medical facilities and schools in the enclave area.<sup>61</sup> Indian news reports, on the other hand, have been filled with the statements of disappointed enclave or camp dwellers regarding the lack of infrastructural improvements.<sup>62</sup> Nevertheless, the current situation has changed in a somewhat positive direction, though the pace of development is slow.

1. Coordination between the Centre and the state is essential for the prompt execution of policies.
2. Political parties should behave in a more responsible manner for the development of the region.
3. The state government may think of early implementation of already planned skill development programmes for the new citizens.
4. It is important to expedite the land-survey process.
5. There is a need for dialogues involving all stakeholders.
6. NGOs and social workers and/or citizens groups working on livelihood issues should be encouraged.
7. The PPP model can also be considered.


Given the complexity and sensitivity of the issues involved, the requirement for a proper and resilient rehabilitation policy for these people needs to be chalked out soon by both the Central and state governments. The issues in relation to good governance should be addressed with the sole purpose of providing these people a better quality of life.

- **Synergy between the Centre and state needed:** Coordination between the Centre and the state is integral to the smooth implementation of the rehabilitation programme. This will reduce the delay in infrastructure development.
- **Inter-party competition for influence:** Local parties competing for political influence among the people tend to ignore the needs of urgent development. Therefore, the camps and the enclaves within Indian territory have emerged as places for contestation of power.

Under the circumstances, it is essential that the parties should behave in a more responsible manner for the development of the region.

- **Occupational opportunities required for new citizens:** The state government may think of early implementation of already planned skill-development programmes for the new citizens, since they have not been given proper opportunity for enhancing their skills. For instance, they can be given an opportunity to exhibit their skills in handicrafts in the local business markets or *melas*. Such a step will be vital in boosting both their confidence and business. It will also enhance the process of social assimilation. Work opportunities can be created in the tourism sector, since North Bengal is a famous tourist destination. Additionally, the role of self-help groups needs to be strengthened.
- **Pro-active involvement of the state government needed for redistribution of land:** As has been discussed in the paper, land remains one of the major issues of contention and, without proper documentation, the enclave dwellers are not in a position to claim possession of land as their own, which is their source of sustenance and livelihood. Therefore, it is important to expedite the land-survey process. This will further facilitate their socio-economic development and will reduce pressure in the job market.
- **Need for timely execution of planned projects:** The state should firm up the implementation process of the various government schemes as mentioned in Box 3. For instance, enrolment in “gatidhara,” caste certificates as well as various pension schemes for old, disabled citizens, widows, SC, ST, and others. Though these schemes have been mentioned in rehabilitation packages by the state government, they are yet to be implemented. On a different note, under the Nijo Griho, Nijo Bhumi Patta scheme, the state has bought land for constructing apartments to rehabilitate camp dwellers into permanent settlement.<sup>63</sup> However, under the

influence of local parties, the camp dwellers are now convinced that the government's idea of providing them with apartment is unlikely to meet their requirements and expectations. The dwellers, thus, now want houses. The state government needs to play a proactive role by conducting awareness programmes for the new citizens, so that they become conversant with the current measures as are being adopted by the government for their benefit.

- **Need for dialogues:** Dialogues involving all stakeholders along with state government officials need to be conducted on a regular basis. This will help in speedy disposal of grievances. It will also strengthen the relationship between the stakeholders and the state government.
- **Need for citizen's initiatives and participation of non-government organisations (NGOs):** NGOs and social workers and/or citizens groups working on livelihood issues should be encouraged to initiate constructive programmes for the erstwhile enclave dwellers and camp dwellers, encompassing such areas as education, skill development and health. It will help increase social awareness among the new citizens and can potentially contribute to the social integration of the new citizens with the mainstream. These groups, with their critical views, may emerge as pressure groups to expedite the process of development. The public-private partnership (PPP) model can also be utilised in this context. 

## ANNEXURES

**Annexure 1****Details of Enclaves in India**

S. No	Sub-division	No. of Enclaves	Prominent Enclaves	Total Area	No. of families	Male	female
1	Mekhliganj	11	Chhit Kuchlibari, Nalgram	1205.47	197	449	416
2	Matabhanga	18	Nalgram, Falnapur, Mashimari	2395.00	615	1496	1542
3	Dinhata	19	Poaterkuthi, Bhatrigachhi, Dakshin Mashaldanga, Karala	3355.73	2538	5328	4975
4	Tufanganj	3	Chhat Tilai	153.82	5	5	10
<b>Total</b>		<b>51</b>		<b>7110.02</b>	<b>3355</b>	<b>7278</b>	<b>6943</b>

Source: Report on Indo – Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar, N.D.

**Annexure 2****Details of Enclaves in Bangladesh**

S. No	Sub-division	No. of Enclaves	Total Area	No. of families	male	female
1	Panchagarh	36	11932.78	3830	9755	9101
2	Nilfamari	4	108.48	119	258	248
3	Lalmonirhat	59	3238.72	2070	4968	4704
4	Kurigram	12	1880.65	396	4358	3942
<b>Total</b>		<b>111</b>	<b>17160.63</b>	<b>6415</b>	<b>19339</b>	<b>17995</b>

Source: Report on Indo – Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar, N.D.

**Annexure 3**

<b>Adverse Possession</b>	
<b>Territory transferred to India as per 2011 Protocol</b>	
<b>West Bengal</b>	
Berubari and Singhpara- Khudipara (Panchagarh - Jalpaiguri)	1374.99
Pakuria (Khustia-Nadia)	576.36
Char Mahishkundi	393.33
Haripal/ LNpur (Patari)	53.37
<b>Total</b>	<b>2398.05</b>
<b>Meghayala</b>	
Pyrdiwah	193.516
Lyngkhat I	4.793
Lyngkhat II	0.758
Lyngkhat III	6.94
Dawki/Tamabil	1.557
Naljuri I	6.156
Naljuri II	26.858
<b>Total</b>	<b>240.578</b>
<b>Tripura</b>	
Chandannagar (Moulvi Bazar – Uttar Tripura)	138.41
<b>Total</b>	<b>138.41</b>
<b>Grand Total (Aps)</b>	<b>2777.038</b>

Source: India and Bangladesh Land Boundary Agreement Booklet', Public Diplomacy Division, Ministry of External affairs, Government of India, 2011, [http://www.mea.gov.in/Uploads/PublicationDocs/24529\\_LBA\\_MEA\\_Booklet\\_final.pdf](http://www.mea.gov.in/Uploads/PublicationDocs/24529_LBA_MEA_Booklet_final.pdf)



**Annexure 4**

<b>Adverse Possession</b>	
<b>Territory transferred to Bangladesh as per 2011 Protocol</b>	
<b>West Bengal</b>	
Bousmari – Madhugari (Khustia - Nãdia <sup>36</sup> )	1358.25
Andharkota	338.79
Berubari (Panchagarh - Jalpaiguri)	260.55
<b>Total</b>	<b>1957.59</b>
<b>Meghayala</b>	
Lobachera - Nuncherra	41.702
<b>Total</b>	<b>41.702</b>
<b>Assam</b>	
Thakurani Bari – Kalabari (Boroibari)(Kurigram – Dubri)	193.85
Pallathal (Moulvi Bazar - Karimganj)	74.54
<b>Total</b>	<b>268.39</b>
<b>Grand Total (Aps)</b>	<b>2267.682</b>

*Source: India and Bangladesh Land Boundary Agreement Booklet', Public Diplomacy Division, Ministry of External affairs, Government of India, 2011, [http://www.mea.gov.in/Uploads/PublicationDocs/24529\\_LBA\\_MEA\\_Booklet\\_final.pdf](http://www.mea.gov.in/Uploads/PublicationDocs/24529_LBA_MEA_Booklet_final.pdf)*

**Annexure 5**  
**Dinhata Block**

Chhit No.	Name	Male	Female	Total	No. of family
20	Chhitland of Dhabalguri No. 5	0	0	0	0
21	Chhitland of Dhabalguri No. 6	0	0	0	0
22	Chhitland of Dhabalguri No. 1	12	14	26	6
23	Chhitland of Dhabalguri No. 2	0	0	0	0
24	Mahishmari	120	106	226	48
26	Falnapur	320	274	594	137
42	Nalgram Fragment	794	870	1664	305
43	Chhit Nalgram Fragment	82	90	172	36
25	Bura Baradubi	0	0	0	0
27	Amjhol	0	0	0	0
28	Kismat Batrigachi	330	278	608	130
29	Durgapur	0	0	0	0
44	Batrigatchi fragment	778	731	1509	360
30	Bansua Khamar Citaldaha	0	0	0	0
31	Poaturkuthi	1291	1220	2511	628
32	Pashchim Bakalir Chhara	408	369	777	194
33	Madhya Bakalir Chhara	87	78	165	41
34	Purba Bakalir Chhara	36	25	61	15
35	Madhya Masaldanga	222	235	457	114

*Source: Report on the Indo – Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar, N.D.*

## Annexure 6

### Chronology of Agreements

Agreements	Details
Nehru-Noon Agreement 1958	<ul style="list-style-type: none"> <li>• Signed between Jawaharlal Nehru, the then Prime Minister of India and Malik Sir Feroz Khan Noon, the then Prime Minister of Pakistan emphasising on the clause about the exchange of Coochbehar enclaves of Pakistan and Pakistani enclaves in India without claiming any compensation for the extra land going to Pakistan.</li> <li>• But the agreement never materialized</li> </ul>
The Land Boundary Agreement 1974	<ul style="list-style-type: none"> <li>• Signed between Prime Minister Indira Gandhi, India and Prime Minister Sheikh Mujibur Rahman, Bangladesh providing clear demarcation of boundary with maps in order to finalize the transfer of areas between India and Bangladesh by the end of 1975.</li> <li>• India had agreed to lease Tin or Teen Bigha Corridor to connect Dahagram and Angarpota, to Bangladesh.</li> <li>• The agreement was again shelved due to political differences.</li> </ul>
Indira - Ershad Agreement 1982	<ul style="list-style-type: none"> <li>• The Tin or Teen Bigha Corridor was accepted through a separate settlement by stating that the corridor could be accessed during the day by the Bangladeshi population but remained closed at night making it the first 'part-time enclave' in the world.</li> </ul>

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Agreements	Details
Protocol to the Agreement between India and Bangladesh concerning the demarcation of the land boundary between India and Bangladesh and related matters 2011	<ul style="list-style-type: none"><li>• Signed between Premier Sheikh Hasina's, Prime Minister, Bangladesh Manmohan Singh, former Prime Minister. But the agreement could not be implemented as it was opposed by the then major opposition parties in Parliament, on the ground that it would lead to India receiving 10,000 acres of land less than Bangladesh.</li></ul>

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*Source: Report on the Indo – Bangladesh Enclaves (Chhitmahal), Office of the District Magistrate, Cooch Behar, N.D.*

## ENDNOTES

1. “India, Bangladesh sign historic land boundary agreement.” The Hindu Business Line, 6 June 2015. <http://www.thehindubusinessline.com/economy/india-bangladesh-sign-historic-land-boundary-agreement/article7289332.ece>.
2. “India and Bangladesh Land Boundary Agreement Booklet.” Public Diplomacy Division, Ministry of External Affairs, Government of India, New Delhi, 2011. [http://www.mea.gov.in/Uploads/PublicationDocs/24529\\_LBA\\_MEA\\_Booklet\\_final.pdf](http://www.mea.gov.in/Uploads/PublicationDocs/24529_LBA_MEA_Booklet_final.pdf).
3. Ibid.
4. Please note that “Pre-LBA situation” signifies the period before the ratification of LBA 2015. “Post-LBA situation” refers to the period after the ratification of LBA 2015.
5. Brendan R. Whyte, *Waiting for the Esquimo: A Historical and Documentary Study of Cooch Behar Enclaves of India and Bangladesh*. Research Paper no. 8. School of Anthropology, Geography and Environmental Studies, The University of Melbourne, 2004.
6. Ibid.
7. Interview held with the enclave dwellers at Bhatrigacchi on 5 November 2016.
8. Atig Ghosh, “Words of law, worlds of loss: the stateless people of the Indo-Bangladeshi enclaves”, In *The State of Being Stateless: An account of South Asia*, edited by Paula Banerjee, Anasua Basu Ray Chaudhury and Atig Ghosh, New Delhi: Orient Blackswan Publication, 2015, pp.20–49.
9. Interview held with the BSF guards at Tin Bigha Corridor on 7 November 2016.
10. Interview held with the local political leaders at Cooch Behar on 5 November 2016.
11. Interview held with the government officials at DMO, Cooch Behar on 8 November 2016.
12. “Land swap: can a deal be clinched?” The Hindu, 26 March 2015. <http://www.thehindu.com/opinion/op-ed/land-swap-can-a-deal-be-clinched/article7032651.ece?ref=relatedNews>. BJP and Trinamool had

vehemently opposed this agreement in earlier instances. The state of Assam too was fiercely against the deal till April 2015, but agreed to control illegal migration.

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14. The Constitution 100th Act, 2015, Ministry of Law and Justice, Government of India, New Delhi, 29 May 2015. <http://www.indiacode.nic.in/acts-in-pdf/2015/CONST100.pdf>.
15. Press Release, "Text of Exchange of Letters on Modalities for Implementation of India – Bangladesh Land Boundary 1974 and Protocol of 2011 to the Land Boundary Agreement' between India and Bangladesh", Ministry of External Affairs, Government of India, New Delhi, 6 June 2015. <https://www.hcidhaka.gov.in/pdf/PR-I.pdf>.
16. Saumitra Mohan, "India-Bangladesh: Reviewing the Enclave Exchange." *Mainstream Weekly*, 17 October 2015. <http://www.mainstreamweekly.net/article6012.html>.
17. Report on Entry and Settlement of People from erstwhile Indian Enclave, Government of West Bengal, Cooch Behar. Acquired from the Office of Cooch Behar District Magistrate, N.D.
18. Interview held with the government officials at the DMO, Cooch Behar on 8 November 2016.
19. Ibid.
20. Report on Indo–Bangladesh Enclaves (Chhitmalas), Office of the District Magistrate, Cooch Behar, N.D.
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23. Interview held with the political leader at Cooch Behar on 4 and 5 November 2016.

24. Interview held with the political leaders on 4 and 5 November 2016 as well as the government officials at the DMO, Cooch Behar on 8 November 2016; Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
25. Report on *Entry and Settlement of People from Erstwhile Indian Enclave*, Government of West Bengal, Cooch Behar. Acquired from the Office of Cooch Behar District Magistrate, N.D.
26. Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
27. Report on *Entry and Settlement of People from Erstwhile Indian Enclave*, Government of West Bengal, Cooch Behar. Acquired from the Office of Cooch Behar District Magistrate, N.D.
28. Ibid.
29. Ibid.
30. Ibid.
31. Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
32. Interview held with the NGO personnel at MASUM head office at Srirampur, Hoogly District on June 2016 and interview held with the president of Bharat Bangladesh Enclave Exchange Coordination Committee on 4 Nov 2016
33. Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
34. Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
35. Interview held with the camp dwellers at Dinhata rehabilitation camp on 4 November 2016.
36. Interview held with the government officials at the DMO, Cooch Behar on 8 November 2016.
37. Interview held with the president of Bharat Bangladesh Enclave Exchange Coordination Committee currently member of the majority party on 4 and 5 November 2016.

38. Interview held with the camp dwellers at Dinhata rehabilitation camp on 5 November 2016.
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40. Ibid.
41. Ibid.
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48. Interview held with the government officials at the DMO, Cooch Behar on 8 November 2016.
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