

A Note on the Enclaves (*Chhitmahals*) and Enclave Settlement Camps in the State of West Bengal

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ABSTRACT: India and Bangladesh (erstwhile East Pakistan) have many enclaves (locally named as *Chhitmahals*) which have created a lot of social, economic and human rights problems to the peoples residing there since the partition of the subcontinent into India and Pakistan. These enclave dwellers of both sides were suffering miserable conditions and identity crisis for the consequence of the historical partition of Indian subcontinent. However, as per the India-Bangladesh Land Boundary Agreement, 1974 and its Protocol 2011, all the 51 erstwhile Bangladeshi Enclaves encompassing an area of 7110.02 acre having a population of 14,872 (2884 families) have been annexed with the Cooch Behar district, West Bengal on July 31st, 2015. Similarly 111 Indian enclaves encompassing an area of 17995 acres have also been annexed with Bangladesh. And 221 families comprising of 987 persons have now moved from erstwhile Indian enclaves in Bangladesh and now have settled in three enclave settlement camps in Cooch Bihar district of West Bengal. The present paper is an attempt to evaluate some key issues of *Chhitmahals* or enclaves of India and the situation of the Enclave Settlement Camps where people from erstwhile Indian enclaves from Bangladeshi geopolitical territory are living since July, 2015. It reviews the background history as well as the political and socio-economic perspectives of the enclave settlement camp dwellers.

INTRODUCTION

The term enclave came into discussion in India as a geopolitical entity in the postcolonial period. The term however, referred to as 'chhitmahal' in the subcontinent is not a new one in West Bengal. Many countries have experienced the problems associated with it (enclave) in various forms since historical past. DK Illustrated Oxford Dictionary (2003), defined the term as: "an enclave is a portion of one state completely surrounded by the territory of another state". In German and French, the term is used to denote a place or country, which is entirely surrounded

by the territories of another power. Annandale ('90) refers 'enclave' as a country, or especially an outlying portion of a country, entirely or mostly surrounded by the territory of another country. In a nutshell enclave means the discontinuous portion or landmass of one country separated from the mainland and surrounded by politically alien territory. In Bengali, 'chhit' means separate portion of an object and 'mahal' means a demarcated land. Hence, it becomes the land of one country surrounded by the area of another sovereign country. Like some piece of land of India situated inside the geopolitical boundary of neighboring Bangladesh that is called Indian *chhitmahal* or enclave. And similarly some pieces of

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land of Bangladesh are located inside geopolitical boundary of India, are called Bangladeshi chhitmahal. India and his neighbouring country Bangladesh have this boundary problem since the very Independence of the country. These enclaves have developed as a consequence of the historical partition of Indian subcontinent by Sir Cyril Redcliff in 1947 (Schendel, 2002). The irregular and controversial border between India and Pakistan had become a curse for the people living in the enclaves bordering India and Pakistan, and later subsequently Bangladesh since 1971. Even though the enclave residents did not leave their homes and hearths, they, however, lost their countries. They lived in territories legally belonging to India, but never qualified as Indian citizens. The same happened to the people who lived on Pakistani and subsequently later in Bangladeshi territory but had not been given the citizenship rights of the country of origin.

Maximum Indian exclaves are located in the north-west part of Bangladesh in the districts of Lalmonirhat, Panchagarh, Kurigram and Nilphamari. On the other hand, the Bangladeshi exclaves are located in Cooch Bihar district of the state West Bengal of India. The enclave dwellers of both India and Bangladesh were found simultaneously subaltern, marginal and minority in regard to the basic needs and the right of self determination. In terms of the human aspects, the plight of these people was apparently as like as that of 'illegal immigrants' in their homeland. They had no access to the laws or services of the land to which they technically belonged. This situation created a crisis for these people without the benefits of citizenship and without the protection of the state. With the Land Boundary Agreement (LBA) of 1974 between India and Bangladesh, that finally came into effect lawfully on 31st July 2015, the historical hardship for the people living in 51 Bangladeshi and 111 Indian enclaves thus eventually came to an end. The people living in the chhitmahal areas of the two neighbouring countries felt greatly relieved and were much overjoyed as the agreement between India and Bangladesh Land Boundary came into force on 31st July, 2015.

HISTORICAL CONSEQUENCES

After the partition of India in 1947, the Radcliffe Line became the border between India and East

Pakistan and following the liberation of Bangladesh from East Pakistan in 1971, the same line became the border between India and Bangladesh. Although the demarcation of the border between India and the then Pakistan had started soon after the partition, progress was slower than expected, due in part to the difficulties in determining precisely where the border ran. Even though some of these boundary disputes were sought to be settled by the Nehru-Noon Agreement of 1958, subsequent hostilities between the two countries left the task unaccomplished. Even after the creation of Bangladesh, the boundary dispute between the two countries inherited the legacy of history and fractured politics (Schendel, 2002). In the Mujib-Indira treaty of 1974 for boundary identification between Bangladesh and India, it was mentioned that the people of these enclaves might live in any of these two countries. However, the treaty was not finally executed or no effective steps were taken in last 40 years and the enclave people were passing their days in an inhuman situation of statelessness (Rabbani, 2007). However, during the visit of Prime Minister of Bangladesh to India in January 2010, India and Bangladesh expressed the desire to reach a final resolution to the long standing problem and agreed to comprehensively address all outstanding boundary issues keeping in view the spirit of the 1974 Land Boundary Agreement. Subsequently, detailed negotiations, joint visits to the concerned areas and land surveys were undertaken, resulting in the Protocol concluded in September 2011 (Mohan, 2015).

There are 111 Indian enclaves in Bangladesh (17,160.63 acres) and 51 Bangladesh enclaves in India (7,110.02 acres). The Indian enclaves in Bangladesh are located in four districts – Panchagarh, Lalmonirhat, Kurigram and Nilphamari. All of Bangladesh's enclaves lie in West Bengal's Cooch Bihar district (India & Bangladesh Land Boundary Agreement, 2015). In respect of enclaves, the 1974 Land Boundary Agreement states that the people in these areas shall be given the right of staying where they are as nationals of the State to which the areas are transferred. Feedback from a visit jointly undertaken by an India-Bangladesh delegation to some of the enclaves and adverse possessions in May 2007 revealed that the people residing in Indian

enclaves in Bangladesh and Bangladesh enclaves in India did not want to leave their land and would rather be in the country where they had lived all their lives. Finally as per the India-Bangladesh Land Boundary Agreement, 1974 and its Protocol 2011, all the 51 erstwhile Bangladeshi Enclaves encompassing an area of 7110.02 acre having a population of 14,872 (2884 families) have finally been annexed with the Cooch Behar district, West Bengal on July 31st, 2015. Similarly 111 Indian enclaves encompassing an area of 17995 acres have also been annexed with Bangladesh (Mohan, 2015).

As per the Protocol 2011, a Joint Head Count was conducted in the year 2011 and subsequently a Joint Field Survey was conducted from 6th July-16th July 2015 for collecting the option of retaining of citizenship of either country from the resident dwellers. Among the erstwhile Indian Enclaves, only 987 persons have opted to retain Indian citizenship. In this regard, several rounds of Indo-Bangladesh Joint Border Working Group (JBWG) meetings were held to finalize the modalities for implementing the LBA, 1974 and its Protocol 2011. Further 4 rounds of DM-DC Meetings were held with the District Magistrate of Cooch Behar and the Deputy Commissioners of Lalmonirhat, Panchagarh, Nilphamari and Kurigram for the smooth exchange of enclaves between India and Bangladesh. With respect to the decision taken during 7th JBWG Meeting held at Darjeeling, a mutually agreed schedule for final movement of persons opted for Indian citizenship was prepared in the 4th DM-DC Meeting held at Burimari Zero Point, Bangladesh on 17th October 2015. Enclave resettlement camps have been set up for the erstwhile Indian Enclave Dwellers from Bangladesh in Dinhata, Mekhliganj and Haldibari having all essential facilities for a decent living.

Movement of Erstwhile Indian Enclave Dwellers from Bangladesh

During the joint field survey, 220 families comprising 987 persons from Indian Enclaves in Bangladesh had opted to move in to India. Out of 111 Indian enclaves, persons from only 19 erstwhile Indian Enclaves had opted to move into India. Enclave resettlement camps have been set up in Dinhata, Mekhliganj and Haldibari. Therefore the Indian Enclaves from where persons have opted to enter into India were clubbed together in such a way that they are proximate to the re-settlement camps. The persons opted to retain Indian Citizenship moved in to District of Cooch Behar through Changrabandha, Haldibari & Sahebganj from 19th November 2015, and the entire movement was completed by 30th Nov 2015. Temporary Travel cum Identity Pass was issued by the Indian High Commission at Dhaka for facilitating their movement to Indian Mainland from Bangladesh. Required numbers of vehicles as assessed by the DCs of Bangladesh for the movement were hired from Bangladesh by the Indian High Commission for carrying the Enclave dwellers and their personal effects from Bangladesh till the resettlement camp in Cooch Behar.

A grand reception was given to the enclave residents at Changrabandha on 19th November 2015 (on the first day of movement). Hon'ble Member of Parliament, Members of Legislative Assembly, District Magistrate and Superintendent of Police, Cooch Behar, and other officials warmly greeted the erstwhile Enclave residents. Later on every entry point the people were received by the Hon'ble MIC of Government of West Bengal, Hon'ble MP, Hon'ble MLAs, DM & SP and other senior officials. After warm reception, an Allotment Letter for the Temporary Houses with the Layout Map of the

TABLE 1

Persons of Indian Enclaves who opted to move into India

Entry points	Population			Religious composition		
	Male	Female	Total	Hindu	Muslim	Christian
Sahebganj - Bagbandar	159	146	305	159	146	–
Changrabandha - Burimari	97	98	195	191	4	–
Haldibari- Chilahati	253	234	487	466	–	21
Total	509	478	987	816	150	21

Source: Office of the District Magistrate, Cooch Bihar, West Bengal.

respective Settlement Camps were given along with the notice regarding the amenities provided at the camps and the facilities to be provided by the State Government upon arrival to the State.

Facilities at Entry Points

The following are the facilities given at the entry points:

- Immigration Camps were setup at all the three points and were manned by the district police. Immigration was done smoothly at the entry gate itself smoothly.
- Medical Camp with Pediatrician, General Physician and Psychiatrist were arranged. First aid and immediate medical attention were given to the new entrants at the entry gate itself.
- Refreshment and water were arranged at the gate for them as these people started movement in the early morning from Bangladesh.
- Milk powder, biscuits and fruits were arranged especially for the newborn babies and those below 5 year old children.
- From the Entry Points, vehicles carried the residents and their belongings to the Camps directly. They were escorted by the police.
- Entire money brought by these people were converted and deposited in the bank on the spot.
- Residential certificate was issued on the spot. Photographs of the individual were taken for bank account opening purpose.
- Spot school admissions for children were done through the officials of education department.
- Immunization camps where Doctors and nurses were there in this camp for conducting medical checkup, immunization, first aid etc for the new comers. . New born babies were kept in SNSU and their health parameters were monitored by the pediatricians for two days.
- Local banks put up counters for opening bank accounts. Since residential certificates were

issued there itself, bank opened account and deposited their money. Receipts were given on the spot.

- Relief Kits consisting saree including utensils, tarpaulin, stove and other materials for daily use, also blankets, mattress, pillows and Dignity Kits for females were given to the settlers of the camps.
- NPR for every resident has been filled in, digitized and Biometric Enrolment for generating AADHAR was done instantly.

Settlement Camp Infrastructure

Temporary resettlement camps have been set up in Dinhat, Mekhliganj and Haldibari. The administration tried to provide essential facilities for a decent living in these settlement camps. For every family 380 sq ft tin made houses having concrete platform has been provided. The family which consisted of more than 7 members was allotted extra spaces for their accommodation to address the pragmatic needs. Families having more than 10 members were given extra house. For every 10 persons one bathroom and toilet was setup. Toilet blocks with piped water supplies have been provided for male and female separately. Water supply lines have been laid with iron filtration facilities for potable water and for other purposes. Dining hall adjacent to the grand kitchen has been setup according to the number of residents so that they could be accommodated comfortably. TV with cable service has been provided in the dining hall. ICDS Centre (Anganwari) for the children has been provided. Supplementary Nutrition (SNP) and pre-school activities had also being arranged. These ICDS centres are constructed as per the norms of ECCE (Early Care and Child Education) as model centres.

Kids corner was set up for the children having modern sports equipments on the playground having equipments like sSwing, slide, see-saw etc. Entire camp compound was provided with lighting facilities in addition to light and fan in every household. Provisioning for inverter was also made. It has been provided to accommodate at least 25 cattle in a common cattle shed for each camp. Fodder has also been arranged. The Animal Husbandry Department has ensured availability of veterinary doctors and

TABLE 2
Number of children and women beneficiaries in Anganwari centres

Name of Anganwari Centre	Children 0-3 yrs.	Children 3-6 yrs.	Pregnant women	Lactating mothers	Total number of beneficiaries
Dinhata Relief Camp	16	18	0	0	34
Mekhliganj Relief Camp	15	11	04	03	32
Haldibari Relief Camp	31	38	01	06	76

Source: Office of the District Magistrate, Cooch Bihar, West Bengal

sufficient medicines for the camps. Police has been deployed in and out of the camps for ensuring security. Even BSF unit has been deployed at some camps. Security personnel are friendly with the resident and have been directed to assist them. Temporary fencing has been provided for ensuring the safety and security

of the residents in these camps. The movement of Indian enclave residents was completed on 30th November 2015. The number of the chhitmahal persons who finally moved into India and were accommodated in settlement camps are shown in Table 3.

TABLE 3
Number of the chhitmahal persons who finally moved into India from different camps

Camps	Family	Persons			Children			Children below 5 years of age
		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
Total	201	471	449	920	105	128	233	104

Source: Office of the District Magistrate, Cooch Bihar, West Bengal.

Livelihood Initiatives for Better Life

After the movement of the families to these settlement camps various initiatives were taken for their better livelihood by the district administration as well as by other government offices. Bank accounts were opened for all the residents of these camps and biometric enrolment for AADHAR was completed in these camps. Job cards under MGNREGA were also provided. And the residents have already started working under MGNREGA in the respective Gram

Panchayat areas. Self-Help Groups have been formed for the women and they have been brought under SHG clusters. Skill training has been arranged for helping them to start self-employment. Awareness camps have also been organized in these camps for giving them an overall idea about the administrative and judicial system, law and order and grievance redressal mechanism, including the social welfare schemes of the government were taken up for awareness. School and college admissions were taken up for the eligible

TABLE 4
Number of Chhitmahal persons moved into India and accommodated in settlement camps

Resettlement camps	Number of families	Number of persons	Number of bank accounts opened	Number of Students admitted in school	Number of college students admitted	Number of SHGs formed	Number of 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
Total	201	920	240	227	18	14(153)	186

Source: Office of the District Magistrate, Cooch Bihar, West Bengal.

students and efforts were being made for the enrolment of those who were studying earlier in colleges as well as in technical institutions. Meanwhile, district administration has mobilized local organizations to help these residents. 'Byabosai Samiti' and various non-governmental organizations (NGOs) were involved for providing relief materials like clothes, sweaters, bedroll, slippers, toys, clothes and other essential materials for the residents so that they live comfortably in the camps. Details of persons finally moved into India and accommodated in settlement camps are given below in Table 4.

CONCLUDING REMARKS

With the proper working of the district administration and the government welfare programmes the enclave problem has now finally come to an end and the miserable condition of the enclave settlers have now been brought to a happy end as the earlier fluid identity of theirs are no more in existence. But practically identity formation differed fundamentally from that of mainland populations based on religion, language and more particularly the region from where they moved among these enclave people. These are happening more particularly with the residents of enclave settlement camps as they moved from erstwhile Indian enclaves situated in the geopolitical boundary of Bangladesh. Though the movement is complete and the residents are settled in these camps, some issues are noticed. Each quarter in the camp is 380 sq ft provided for each family. But there are families with more than 5 members for whom the space is not adequate. Hence extra space had been allotted for accommodating those large families. This issue may be considered while planning permanent accommodation for these families. Written complaints have been received from the erstwhile Indian Enclave Dwellers that they could not sell out their properties within stipulated time. Though families were separately staying in the erstwhile enclaves, they were considered as single

household. Hence requests are being made for splitting into different households. Spouses of persons who had come to India are left out in Bangladesh as they were not included in 2015 survey. Some persons were absent during 2011 head count survey would like to come to India. Those who were absent during 2015 Joint Survey but had names in 2011 survey had requested to consider their names for retaining Indian Citizenship.

More than a year after enclave dwellers got Indian citizenship, several of these families want to go back to Bangladesh as they are miffed over the lack of job and other opportunities in India. Apart from lack of job opportunities, the camp dwellers are also complaining that they are being deprived of other government schemes and are feeling alienated here. Their socio-economic condition has gradually been deteriorated over the period. Hence, there is a need to bring these people into the main stream of Indian society to prevent them from being marginalized.

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