

Cooch Behar Merger Agreement: Origin of South Asian Discomfit

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ABSTRACT

In 1947 Indian sub-continent was given independence on the basis of religious identity which is commonly known as the 'Two Nations' Theory'. Partition of India was an event which switched a series of problems including riots among the religious fundamentalists. This work has tried to understand the original cause of such bizarre, man-made decade old problem, nature of sufferings and its partial nature of the solution process. The qualitative method has been used in conducting the research. A severe mass influx was happened in South Asian countries. At that very time Cooch Behar was kept out of such partition process. Cooch Behar was classified as an autonomous area in the region. Subsequently, merger of Cooch Behar with the Dominion of India inclined a number of problems which transformed the issue into an international discomfit. It created the enclave-exclave complex in South Asian countries leading huge number of people in uncertainty. Lack of effective relation with their home state cast them into statelessness and rightlessness condition. To resolve the issue India and Bangladesh penned an agreement in 1974. Bangladesh ratified the agreement but India did unwarranted delay. The agreement was not followed properly. Though exchange was taken place, there remains some other problem emerging out from the process of exchanging enclaves.

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INTRODUCTION

India and Pakistan was the biggest country in South Asia. South Asia acted as a single nation before drawing geographical and political margin in 1947 (Rahim 2013; pp. 487-488). With gradual heightening of political and religious difference, the people of the area wanted independence (Rahim 2013; pp. 487-488). The followers of Hindu and Muslim religion proclaimed and professed for partition of South Asia (Chatterji 1994; p.3). In continuation of which Viceroy Linlithgow insisted both Hindu and Muslim people to agree in 1940 about the way forward (Chatterji 1994; p. 220). Provincial elections were convened in undivided British India in the winter of mid 1930s. It gave effect the government of India Act. The Indian National Congress emerged in power in eight of the provinces except Punjab and Sindh. On the other hand, the All-India Muslim League failed to form the government in any province (Chatterji 1994; p. 220). It became a legitimate question upon whom, when and how the state power would be transferred and British would leave Indian sub-continent (Chatterji 1994; p. 220). In the general elections of 1945-46, the Muslim League of Jinnah was highly supported by the Muslim voters. London and Delhi were compelled to adjoin Jinnah in the process of negotiation and to transfer the administrative power of India (Chatterji 1994; p. 219). In such a bargain, the partition was taken place leading so many questions unanswered (Chatterji 2004; p. 1). Partition took place in 1947. India and Pakistan became new states. Cooch Behar was given autonomous entity at the period of partition in South Asia (Rahman 2018; p. 89). The lands of Cooch Behar fell in Pakistan. Subsequently, Cooch Behar merged herself with Dominion of India leaving all her pride (The Cooch Behar Merger Agreement 1949). Cooch Behar became a part of India. The discomfit of the dwellers of small archipelago started. The international border between Cooch Behar and Pakistan was turned into the Indo-Pak border (Rahman 2018; p. 89). At the same time the ownership of South Berubari, union no. 12 was in mystery. The motion of the boundary line kept her in Pakistan having a long-distance from the international border (Cons 2013; p. 38). The subject of adverse possession of state lands and citizens in adverse sovereign control was traced out (Van Schendel 2002; p. 116). The merging of Cooch Behar created the small archipelagos and discomfit was insinuated in the history (Cons 2013; p. 38).

RESEARCH OBJECTIVE AND METHODOLOGY

This work has tried to understand the original cause of such bizarre, man-made decade old problem, nature of sufferings and its partial nature of the solution process. The qualitative method has been used in conducting the research. Moreover, a few personal interviews have been taken to compare the situation between the document and the present condition. In 2015, the long expected solution was held in paper which was focused only on the number of residents.

THE COOCH BEHAR MERGER AGREEMENT

Cooch Behar ceded her autonomous status in 1949 (The Cooch Behar Merger Agreement 1949, Art. 1). Maharaja Jagaddipendra Narayan waived the princely state-ship to the Dominion Government of India with all his powers, jurisdiction and exclusive authority (The Cooch Behar Merger Agreement 1949, Art. 1). Two things were considered by the Maharaja; his personal compensations and the employees he used to involve in the state administration. The Maharaja had been assured that his dignity, rights, privileges and titles kept untouched (The Cooch Behar Merger Agreement 1949, Art. 2). Maharaja was allocated a privy purse for rupees fifteen lac fifty thousand per annum which was above taxation procedure of India (The Cooch Behar Merger Agreement 1949, Art. 3). The Maharaja was also permitted to keep all his personal lands and belongings (The Cooch Behar Merger Agreement 1949, Art. 4). The Maharaja was privileged with the inheritance to his heirs with same privileges and dignities (The Cooch Behar Merger Agreement 1949, Art. 6). The financial activities of the Maharaja were given legal validity without finding authentication (The Cooch Behar Merger Agreement 1949, Art. 7). The words of the agreement were seen very much centered for the family benefits and guarantees. There was no consideration found for the residents of the princely state. The opinion of the common people of Cooch Behar was not considered. The agreement was a biased document which kept the citizens in uncertainty. The former enclaves are the sweet result of such uncertainty and reckless work of Maharaja of Cooch Behar (Rahman 2019; p. 74). After the merging of Cooch Behar with the sovereign power of India the adverse possession of lands and citizens of those places were found in adverse sovereign control. Both in India and Pakistan abandonment of residents and lands were unfolded (Chatterji 1994; p. 187). The residents of the states were the citizens in the eye of law but they had no legal and practical relation between the two neighboring countries. The countries were in hostility due to an unforeseen competition (Chatterji 1994; p. 189). Incarceration of the residents' daily life was started keeping behind massive sorrow, oppression, discomfit and sufferings (Rahman 2019; p.76).

Cooch Behar in History

In the language of Whyte, since 1200 A.D. North Bengal is a very strategic location where it controls entry and exit of Duars, or passes into Bhutan, Tibet and the Assam region (Whyte 2002; p. 24). It is not surprising, therefore, that the region has been frontier for centuries between the gangetic Indian states, Hindu and Muslims, the Tibetans, Buddhist theocracy and Assamese kingdoms (Whyte 2002; p. 24). The central Bengal was conquered by the Muslims and the Delhi Sultanate was enlarged. Bengal became independent in 1340 AD and remained for 200 years (Whyte 2002; p. 24). The Chaotic Bengal was overrun by the tribes including the Koch, Mech, Garo and Bhot. The confusion in the North was ended by a commoner who managed to declare himself king under the

name of Niladhvaja (Majumdar 1977; p. 7). Niladhvaja founded the city-fort of Kamatapur, the extensive ruins of which can still be seen on the eastern bank of the Dharala River in Cooch Behar town (Hunter 1973; p. 17). Formerly his son and grandson, Chakradhvaja and Nilambara succeeded to throne and reigned a large kingdom covering all the present day's Cooch Behar, Rangpur, most of Goalpara, Jalpaiguri and Dinajpur. Formerly, the ruler of Bengal, Alauddin Hussain Shah sent an army under Ismail Ghazi to invade Kamata around 1490s (Whyte 2002; p. 25). The area once more, fell into anarchy having a number of local chiefs who was collectively known as the Bara Bhuinyas and founded small transient states (Majumdar 1977; p. 17). Bishu is generally considered the first Maharaja of the state which was subsequently known as the Cooch State though there was confusion that his step brother Chandan was the founder of the dynasty (Imperial Gazetteer, 1908, Almanach De Bruxelles website). Bishu assumed the name Bisva Singh and they used to introduce them as Rajbansi rather than Koch (Gait 1992; p. 79). Bisva Singh shifted his place of rule to Behar what is now known as Cooch Behar (Ghosal 1942; p. 13). After the death of Bisva Singh his heirs came in the competition of enthroning into power. Nar Narayan got the dignity of becoming the second Maharaja. Nar Narayan documented him much more peace loving person. After the death of his brother Sukladhvaj, his son Rogu Dev was given a portion of the east of Sankosh River, and he retained the west to himself. In return, Ragu assured to keep the alphabetic symbols in the coin of Nar Narayan. The Cooch states were reigned as Cooch Behar and Cooch Hajo. Cooch Behar first appeared in the Shah Jahan Nama in mid 1600s (Majumdar 1977; p. 8).

The King Nar Narayan died in 1580s. His son Maharaja Lakshmi Narayan was enthroned. At this time the kingdom was merged into Cooch Behar only without the subordination of Cooch Hajo. The Cooch Behar Kingdom extended over modern Cooch Behar along with its parts of modern Jolpaiguri, Dinajpur and Rangpur, between Mahananda and Sankosh River (Sankar 1948; p. 132). Lakshmi Narayan evicted the Cooch Hajo with the extended help of Mughals and discovered himself as a vassal of Emperor Akbar (Ghosal 1942; p. 16). He reigned over the Kingdom till 1627. Maharaja Pran Narayan was enthroned in the Kingdom as the fifth king. The Emperor of Delhi was in family problem and Pran Narayan properly utilized the opportunity and extended the kingdom to the contiguous lands at the cost of Mughal Emperor fashioned to reach Dacca. Aurangzeb got into power of the throne of Delhi and sent Mir Jumla as his governor. He wished to punish both Cooch Behar and Assam and sent a large battle force having modern equipments and arms including foreign soldiers (Sarkar 1977; p.152). In such circumstances, the Maharaja of Cooch Behar left the kingdom and took shelter in Bhutan. The Ahoms did not take the invasion so easily. Ahoms used 'General Monsoon' to defeat the invading force and resisted the supply line of the goods and food. Meanwhile, Mir Jumla managed to execute an agreement with the Ahoms and came back from the Assam valley. In Cooch Behar he died. Again,

Shaista Khan was sent to conquer Cooch Behar but in the meanwhile, the Maharaja of Cooch Behar made a settlement with the Delhi Sultanate (Ghosal 1977; p. 27).

In 1666 to 1695, the impact of Bhutan became visible in the lands of India. It was observed that Bhutan, a tributary state Tibet and ultimately China had emerged as a Buddhist state under two leaders, one is secular Dev Raja and another is spiritual Dharma Raja (Whyte 2002; p. 13). Since Pran Narayan banished Nazir Mahi Narayan from Cooch Behar, he used to extend hands with Bhutan and Bhutanese influence was increasing over Cooch Behar (Majumdar 1977; p. 65). Mahendra Narayan enthroned in so early age that he could not control the kingdom. Anarchy was increasing and the contiguous kings tried to occupy the lands of the Kingdom of Cooch Behar. Around 1685, the Chaklas of Kazirhat, Kakina and Fatehpur were the first to be occupied.

It was the treaty of 1713 that would be fingered for creating many enclaves in between Cooch Behar and Mughals. It was generally held that the Mughals were unable to dislodge some of the more powerful Cooch Behar Chieftains from the lands of Chaklas of Boda, Patgram and Purvabhag. When these Chaklas were granted to the Mughals by the treaty of 1713, the lands still held by the Loyal Cooch Behar Chiefs within the Chaklas remained part of Cooch Behar, though detached from that state and enclaved in the newly-Mughal lands (Whyte 2002; p.17). Conversely, disbanded Mughal soldiers had occupied lands inside the remainder of Cooch Behar, and the Maharaja was unable or unwilling to either dislodge them or enforce his sovereignty over those lands so that the soldiers retained their fealty to the Mughal Empire and the lands they occupied became Mughal territory, although it was detached from it and enclaved inside Cooch Behar (Roy, 1996). The Mughal emperor was of feudal nature which did not create any unusual problem for the enclaves. In 1722, Nawab Jafor Khan initiated to reorganize the Chaklas and Parganas. The deliberate fragmentation of the parganas proved that the existence of the enclaves in the Cooch Behar and Mughals borders were not found problematic. A tributary state entity was given to Cooch Behar. It also proved that the re-organization was very much usual. However, the exact boundaries of the Sarkars, Parganas and other administrative units were defined and they worked under the administration of the East India Company. Those enclaves remained semi-feudatory estates even under the East India Company till 1793 (Hunter 1973; p. 19). There was few more hearsay about the creation of enclaves in the Cooch Behar and Rangpur region. It was believed that the Maharaja of Cooch Behar and Faujdar of Rangpur frequently played chess together wagering the villages to gain. The players would win a land in counter region, under international context that created enclaves in modern era. In fanciful thought, it does resemble the tale of Nar Narayan wagering the freedom of his Ahom hostages in a dice game with one of them in 1562 (Whyte 2002; p.18). In addition to this, the kings would go for hunting and they used to involve in chaos with the local people. They had to settle camps to calm down the

tension and finally occupied the land as part of their own territory (Whyte 2002; p.18). There was another myth; a British drunk officer spilled ink drops while he was sketching the final boundary on the main maps, and other officers took these to be a part of the boundary he drew (Whyte 2002; p.18). However, none of the above ideas properly complements the existence of enclaves and counter-enclaves.

Was explored the historical matter that the Chaklas conquered by the Mughals were organized newly. Cooch Behar was named Fakirkundi. Porgana Kundi and Chakla Goraghat were combined with the Sarkar of Rangpur . Kakina was known as a single estate till 1900 A.D. while, Kazir Hat and Fatehpur were under the administration of East India Company. Basically, the number of estates in Rangpur were amplified from 29 to 183 around 1800 AD (Khan 2014; Daily Star). Mojumdar emphasized that the number of enclaves were increasing and those were used by the Sannyasi bands creating huge false religion obligations and social superstitions which was tried to dismantle by Maharaja Herandra Narayan to reform Cooch Behar police and court system (Majumdar 1977; p. 65). At these days, the company was found to involve in various conflicts. The position of company was replaced by the British Government and gradually the titular Mughal emperor was dethroned. The British Government changed their opinion and policy about reigning India. They decided to continue their reign in India showing due respect to the local leaders and their heirs (Biswas 55, Personal interview).

The basic administrative changes in Bengal were caused in between 1854 to 1947. The Baikunthapur and Boda, being parganas, were renamed as Sookanee subdivision in Rangpur Division. Consequently, the sub division head quarter was moved to Jolpaiguri Military Cantonment in 1957 and sub division was renamed as Jolpaiguri. The thana/police station of Patgram was also progressively transferred from Rangpur to Jolpaiguri, despite its separation from the rest of the new district by a thin neck of Cooch Behar (Whyte 2002; p. 34). This change was conducted presumably for the administrative convenience since Patgram was closer to Jolpaiguri than Rangpur. Not only for administrative purposes but also for revenue connections the Chaklajat estates of Boda, Patgram and Purvabhag collectively had to pay rents in Jolpaiguri rent rolls. In the Anglo-Bhutanese war in 1865, the all Bengal Duars came under the control of British Government which absorbed all the 18 Duars leaving the northern exclaves of Cooch Behar created in 1817 inside British territory; the other exclaves had been since 1765 (Majumdar 1977; p. 67). The Cooch Behar became a big enclave in British territory completely in Bengal lands (Peace Treaty between Great Britain and Bhutan, 1865). At that time, Rangpur was found tardy in passing relevant rent rolls and documents. Another change was made transferring Goalpara from Assam to Bengal making the Sankosh river a boundary between Cooch Behar Estate and Jalpaiguri district in around 1867. In 1874, Goalpara was again transferred to Assam declaring a new commissionership (Hunter 1877; p. 23). Cooch Behar now had exclaves in and enclaves of Jolpaiguri and

Rangpur district of Bengal and Goalpara district of Assam (Whyte 2002; p. 37). In a notification in 1876, 19 village *Chhits* of Dinajpur were transferred to their host district Rangpur. There was another notification to transfer 20 *Chhits* of Rangpur in Cooch Behar which did not take place (Whyte 2002; p. 37). It was discovered that Cooch Behar and Tripura were transferred from the administrative control of Bengal to the Eastern States Agency in 1936 and steps were taken to establish for various small states between Orissa and Behar (Whyte 2002; p. 37). In 1941 another re-organizing steps were taken to relocate the administrative control from Patgram of Jolpaiguri to some other administration. In fact, the administrative control of the region was reshuffled and changed for various times.

Maharaja Nipendra Narayan took a number of initiatives to develop the Cooch Behar region in 1883. At the time of his succession in the throne, he was a minor and attained on the majority in 1883. An English man was appointed as commissioner to work for the new minor king Nipendra at his minority (Whyte 2002; p. 37). Nipendra used to continue all the efforts of the commissioner regarding the development of Cooch Behar like public health, wide roads, water reservoir, street lights, railways etc (Whyte 2002; p. 38). He introduced the spelling of Cooch Behar (Ghosal 1942; p. 27). For which, the Maharaja was honored much in European and at his death they mourned much (Burl p. 35). Around 1905, Bengal was divided due to increasing administrative control. The western half was named original Bengal and the eastern half was attached with Assam (Whyte 2002; p. 36).

Emergence of Enclaves

This international border divided and differentiated the two new nations (Rahman and Schendel 2005; p. 553). Van Schendel (2005) explored that the Bengal border was the longest international border to come into existence during the worldwide decolonization process in the middle of the twentieth century. He also claimed that the partition of India created more than 197 enclaves in the Cooch Behar- Rangpur region (Van Schendel 2002; p. 117). An enclave is a portion of a state in another state completely severed and surrounded (Van Schendel 2002; p. 117). Sometimes these species of enclaves may be administered by the government or may not be like that. Though there are some other formations of enclaves they carry different entity. The un-administered and land locked archipelago or a piece of land is called true enclaves (Vinokurov 2007; p. 27). Before 1947, there was no restriction to buy or own lands; all the places were under the dominion of Indian subcontinent. After partition in 1947, two new nations created international border. Contrary to that, the Maharaja of Cooch Behar and the Maharaja of Rangpur joined with the government of India and Pakistan government (Rabbany 2007; P. 17). Few lands of Maharaja of Rangpur created exclave in Cooch Behar while the lands of Maharaja of Cooch Behar created enclaves in Lalmonirhat, Panchagarh, Nilphamari and Kurigram in

Bangladesh (Previously in East Pakistan). The reverse exclaves were the enclaves in the eye of the former host countries (Jones 2009; p. 374).

The Estates of Chakla and Enclave

Chakla system is a method of district revenue and land administration. The term chakla literally meaning a district or a large administrative division, gained currency in the Mughal SUBAH or province of Bengal since the early 18th century (Bangla Pedia). The Chaklas of Boda, Patgram and Purvabhadra had as much as 76 estates comprising of 687 square miles which corresponded with 1779 square kilometers. Besides the properties in Cooch Behar, the Maharaja had some personal properties in the contiguous regions. The contiguous estates bought lands not only in Rangpur and Jolpaiguri but also in Bogra and Dinajpur districts. The estates of Raja Panga gifted half of the properties to Maharaja In 1887 upon extinction of Raja's chain (Chowdhury; Prothom Alo, August 19, 2015).

It was marked that the Census 1901 did not create any anomaly in the *Chhitis* in Cooch Behar. The eastern Bengal and Assam administration also was trying to enumerate the Cooch Behar *Chhitis* (Government of Bengal 1911). The provincial government sent a series of letters questioning the existence of the *Chhitis*. The annulment of the partition resolved the issue in 1912. Around 1931, the Government of Bengal informed the Government of India, foreign and political branch, that there were 20 *Chhitis* of Cooch Behar in Rangpur and 32 of Rangpur in Cooch Behar, against 127 and 71 respectively of Cooch Behar in Jolpaiguri and of Jolpaiguri in Cooch Behar (Whyte 2002; p. 34). The Government of Bengal asked Government of India to pay a sum of rupees 14,400 as cost of demarcation. The Indian Government regretted, due to financial stringency the funding was not possible for them (Whyte 2002; p. 34). Ganguli (1930) raised question about the boundary and cadastre survey which failed to address the enclaves in Cooch Behar- Rangpur region. Equally, the existence of *Chhitis* in Cooch Behar of Goalpara was dropped from the survey (Ganguli 1930; p. 130).

A total 110 map sheets were produced to address the enclaves in Rangpur-Cooch Behar boundary line. In 1919-20 a commission under A.C. Hartley with three subordinates worked for Cooch Behar-Rangpur boundary which was concluded in 1933-34. They marked three large enclaves as Balapara Khagrabari, Kot Bhajni, and Dahala Khagrabari (Hartley 1940; p. 67). The original reports and maps were submitted to Director of Surveys, Bengal and copies were sent to Rangpur collectorate and Durbar of Cooch Behar (Hartley 1940; p. 67).

Number of Former Enclaves Residents in Indo-Bangla Border

The number of the former enclaves is also a matter of thought and discussion. The authors of seminal works found that the sources were varied with the numbers of the enclaves. There were as much as 130

Indian enclaves in Bangladesh and 93 Pakistani now Bangladesh enclaves were remaining in India. Banarjee (1966) claimed that there were 130 enclaves of India in Pakistan of which 8 were merged with Jolpaiguri in 1952 and 3 counter-counter enclaves so exchangeable number of enclaves is 119. On the other hand, out of 95 Pakistani enclaves 24 stood counter enclaves and became impossible to exchange in 1952 (Whyte 2002; pp. 17-18). Whyte in his investigative work explored that there were 198 enclaves in Indo Bangladesh Borders (Whyte 2002; pp. 17-18). A little difference was shown in the work of Van Schendel (2009) which argued for 197 enclaves (Van Schendel 2002; p. 118). In 2011, through a joint census of population demanded that there were as much as 111 enclaves of India in Bangladesh and 51 enclaves of Bangladesh in India having more than 50 thousand population (*The Hindu*, July 15, 2011). Once in 1996, it was claimed that there were 123 Indian enclaves in Bangladesh and 74 enclaves of Bangladesh in India while ex Prime Minister P. V. Norasiam Rao informed the Indian legislature that there were 119 Indian enclaves in Bangladesh and 73 Bangladeshi enclaves in India (*The Hindu*, July 15, 2011). In 1999, a daily in Bangladesh claimed that there were 111 Indian and 51 Bangladesh enclaves remaining in the Rangpur Cooch Behar region (*The Hindu*, July 15, 2011).

Number of people in the Former Enclaves

In ancient India, there were huge lands and forests. In comparison of land, the number of people and cattle were really a few. In around 1200 to 1800, in most areas, society state was found. They used to run by a social leader or by a tribal leader. It was necessary as well as it was not possible to compute the number of human being in the lands. After partition, in 1951, an initiative was taken to have first population census (Van Schendel 2002; p. 119). When the enumerators from Pakistan went to the exclaves to count down the number of people, situated in Cooch Behar, the Indian police force harassed and arrested them (Van Schendel 2002; p. 119). Besides, the first population census showed that 9470 people were living in the enclaves in India and 13604 people were living in the enclaves in Bangladesh (Whyte 2002; p. 35). Since then, there was no population counting was held. The first agreement to exchange India- Pakistan enclaves were initiated in 1958 (Rahman 2018; p. 93). It was a matter of grief that none of the state parties came forward to level up the problem. After the Independence of Bangladesh in 1971, an agreement was signed between Bangabandhu Sheikh Mujibur Rahman and Mrs. Indira Gandhi for settling the border disputes and enclave problems (Rahman 2018; p. 93). Historically that agreement is called the land boundary agreement, 1974. Few initiatives were taken by the subsequent governments and discussion advanced at a very slow speed. In 2011, both the state decided to fix a principle to exchange the enclave (Rahman 2018; p. 93). In this regards, the number of heads were counted in both the enclaves of India and Bangladesh. In 2011, through a joint census of population demanded that there were as much as 111 enclaves of India in Bangladesh and 51

enclaves of Bangladesh in India had more than 50 thousand people (*The Hindu*, July 19, 2011). There was a rat-cat game about the number of population in the enclaves. Mr. Roy Prodhan claimed that at least 150000 Indians were living in the Enclaves in Bangladesh who are the Indian citizens (*Times of India*, August 21, 1995). In 1999, Calcutta online announced that there were more than 50 thousand Indian people in Bangladesh who used to live in the enclaves. Centre for Development Activities conducted a population census in 2001, which claimed that there was 10 lac people in the Indo-Bangladesh enclaves. The statistics available is almost unrealistic to believe (Jones 2009; p. 383). It seemed that the population growth rate in the enclaves were below merging (Jones 2009; p. 383). Mr. Golam Mustafa claimed that there were 9510 people living in the Dasiarchara (Survey conducted in 2010 by the India Bangladesh Enclave Exchange Co-ordination Committee). Always, there was a tendency to show a small number of populations in the enclaves due to an unknown cause.

Concept of Statelessness in South Asia

A significant number of argument has been found pointing out the enclave solution process in 2015 leaving behind the existence of statelessness. The huge number of the residents was found to live here without having any state control and security. They legally own a state and the states also admit their citizenship. In reality they did not know how they could establish an effective relation with their country of origin. Neither of the countries was willing to get their information and fix their problem (Bachelor 1998; p. 156). According to the Convention relating to the status of a stateless person and status of refugees under the Refugee Convention 1951 is different (Bachelor 1998; p. 172). The researcher claimed that in case of statelessness lack of effective relation is found. In case of refugee status a persecution is to prove. Here the residents need to prove that they are compelled to leave their place of residence with a well founded fear (Bachelor 1998; p. 172). Nationality ties a person where one born. A state where the parents live used to tie the child/children with that nationality (*The Convention Relating to Nationality* 1961). In the convention it was focused on birth and descent in case of fixing nationality (*The Convention Relating to Nationality* 1961). The Universal declaration of Human Rights clearly declares that everyone has the right to nationality. No one shall be arbitrarily deprived of such right (*UDHR* 1948; Art. 15). In the Indo-Bangla enclaves a severe condition of statelessness was prevailing (Rahman 2014; p. 48). The statelessness caused a series of sufferings in the region (Rahman 2014; p. 48).

Comparative Life Sketch in the former Enclaves

These lands are scattered, detached from the mainland and beyond state control. The people of the places were neither the subject of state services of the mother country, nor they were the subject of host country of the

country encircles it (Van Schendel 2002; p. 120). The people of these lands were abandoned from the modern state formation in the context of international affairs. The people had no right in the stranded areas. They had to spend every moment with insecurity and threats (Rahman 2018; p. 91). They were not supposed to get the human rights in those former enclaves (Rahman 2014; p. 48). They were also deprived of the state rights and services (Rahman 2014; p. 48). The exchange program of 2015 brought significant and fabulous change in the life leading pattern of the people of Bangladesh (Rahman 2018; p. 91).

The people were entitled to citizenship rights. They got the right to adult franchise to elect the public representative for the first time after the exchange of former enclaves both in Bangladesh and in India (*Times of India*; September 12, 2017). They can move freely and has got the opportunity of hospital treatment even to go to the improvised hospital for treatment (Ganguli 56; March 16, 2017). They can sell the crops and cattle according to their need. They are also getting proper cost (Rakib 27: Feb 12, 2020). He also added that the economical conditions of the residents of the former enclaves have been drastically changed. In Putimari *Chhit* it was observed that they were preparing to sink tube well for pure drinking water with the grant of the government. After long time they were enjoying such a state benefit. Some aged person has got allowance to lead life. After all the people of the former enclaves are motivated and spontaneously doing various things. Besides the developments, there are some lacunas also. A number of people were left outside the head computation of 2011 and they failed to get their fate changed with exchange process. It was found that the people, who were left from such computation, somehow managed citizen rights in Bangladesh but in the case of the people of India it was really a hard job. Still the fake address and fake identity was found to be carried out. Question of statelessness is still remaining in the area. The land settlement process had created grievance among the residents. In some places it was found collision among the residents. Still the proper policing system was not started. Some people alleged that the former leaders of the former enclaves were taking bribes for providing state benefits to the residents (Rabiul Mia 45; April 8, 2017).

Remapping Enclaves in 2015

A series of sufferings, casualties and at the cost of long abandoned life the enclaves' dwellers were set free and the lands were remapped. The enclaves were merged into the states in which it was located. According to the land boundary agreement both people and lands are being transferred (*The Daily Star*, August 01, 2015). There was a partial implementation of the Land Boundary Agreement of 1974. Mere exclave-exclave complex was addressed as subject of resolution (Rahman 2019; p. 74). There were a good number of problems which were created as an extension of exclave-exclave problem (Rahman 2019; p. 77). The decade old problem has

transformed its nature and consequence. It claims few more steps to resolute the issue at least acceptable manner.

CONCLUSION

There was lot of arguments. The former enclave dwellers had lot of questions and resentments about the process, their special opportunities, and their shares from the state for what had to be deprived for decades, years, month etc. One of the respondent questioned ‘the researchers used to work but do the governments care for the advice of the researcher?’ (Hossain 48; Feb 12, 2020). He disclosed with grievance that why did the government not hear to the educated people. Another one told that it took sixty eight years to negotiate for the state and none but the researchers continued to raise the issue before the world (Hossain 48; Feb 12, 2020). Shohor Uddin (65) told that they have got only the right to vote. They need to wait for more years to obtain other rights (Feb 12, 2020). Shahidul Islam (60) mentioned that occupation of land and other invasions might endanger the life of the former enclaves (Feb 14, 2020). The resentments among the residents need to be addressed. The primary requirement of solution has been initiated. Now the other connected problems in the transition should be concentrated. It was supposed to conceive an evaluation program between the states in 2020. The bilateral relation between Bangladesh and India is in the apex stage to address the issues. The level of diplomatic relation can accelerate the resolution process in original sense in case of international dilemma.

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