

Sustainable Peace for Chittagong Hill Tracts (CHT): Problems and Prospects

*A thesis submitted to the University of Dhaka to fulfill the requirement
for the degree of*

**Master of Philosophy
of
The University of Dhaka**

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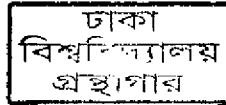
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December 30, 2009

Certificate

This is to certify that Muhammad Afzal Hossain (Reg No-181) has completed his M. Phil thesis "Sustainable Peace for Chittagong Hill Tracts (CHT): Problems and Prospects" under my direct supervision. This is his original work. This thesis or any part of it has not been submitted anywhere for publication.

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Dil Rowshan Zinnat Ara Nazneen
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Dr. Dil Rowshan Zinnat Ara Nazneen
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Dedicated to

My Proud Parents

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ACRONYMS

CHT	-	Chittagong Hill Tracts
PCJSS or JSS-		Parbattya Chattagram Jono Sanghaty Samity
UPDF	-	United Peoples Democratic Front
RF	-	Reserve Forest
DC	-	Deputy Commissioner
CC	-	Circle Chief
SB	-	Shanti Bahini
GRAP	-	Gram Panchayet
JUS	-	Jubo Samittee
MS	-	Mahila Samittee
PCKS	-	Parbatta Chattagram Hyattany Samittee
ULFA	-	United Liberation Front of Assam
RC	-	Regional Council
HDC	-	Hill Districts Council
MOCHTA	-	Ministry of Bangladesh
CHTDB	-	CHT Development Board
NGO	-	Non Government Organisation
KPM	-	Karnafuli Paper Mill
BFIDC	-	Bangladesh Forest Industry Development Cooperation
MOU	-	Memorandum of Understanding
PMU	-	Project Management Unit
CIO	-	Counter Insurgency Operation

Acknowledgement

Chittagong Hill Tracts comprise of three hill district and equals for one teath land area of Bangladesh. Traditionally the area is the home of thirteen tribal for centuries, For about 24 years prolonged insurgency made the area unsafe, economically backward and away from national mainstream development. A Peace treaty has been signed between government and PCJSS in 1997. Yet many issues are unresolved and different stake holders have conflicting demands. It is therefore, this issue has been discussed in this research work.

Doing this work I want to express my earnest gratitude to my supervisor Dr. Dill Rowshan Zinnat Ara Nazneen, Ex Chairman of Peace and Conflict Study Department, University of Dhaka, Bangladesh. She extended her helping hand to me by providing her valuable comments and suggestions to guide the research work and strengthen it. Without her support and encouragement this huge task would not have been possible. I would like to thank Professor Dr. Dalem Ch. Barman, the founder of Peace and Conflict Studies Departments, University of Dhaka for his encouragements, comments, advice and Supports. I am also indebted to Professor Dr Md Rafiqul Islam, Chairman, Peace and Conflict Study Department, University of Dhaka for his mental support and encouragement.

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PREFACE

Bangladesh is a developing country in south Asia. Chittagong Hill Tract (CHT) is the southeastern part of Bangladesh. CHT comprise of three Hill district namely Rangamati, Khagrachai and Bandarban. The area is full of immense natural beauty and undiscovered natural resources. From the geo-political, strategic and economic consideration the area is very important for Bangladesh.

The hilly areas of CHT are the homes of various tribes. These areas possess a different ecological setting and have different socio-economic and cultural life compared to the vast majority of the plain land people. Long-term goal of any society is to upgrade the quality of life of the people and to realize aspiration of better living through alleviation of poverty, illiteracy and malnutrition. Socio-economic development strategy of Bangladesh is adopting comprehensive approach for simultaneous development of geographical regions of the country. Different efforts have therefore been taken encompassing the remote areas of Bangladesh including the plains, low laying area as well as the hilly regions.

Tribal people living in the hilly areas did not share the fruits of development that has taken place for decades. Unfortunately the development of the hilly region was not possible in the past for the protracted insurgency warfare in CHT. The area had separate political and administrative status from the British regime. The problem aggravated in Pakistan regime when Kaptai Hydroelectric dam was enacted. After the liberation of Bangladesh in 1171 the separate politico-administrative status, culture and ethnic identity of CHT were ignored. As a result the Hill people felt isolated, neglected and deprived and armed conflict began. From the very beginning of insurgency different government initiated different pacification measures and political negotiation with tribal leaders. After a long journey and pains taking efforts finally Bangladesh government signed the peace treaty with the tribal people of CHT represented by Parbatta Chattagram Jono Sanghaty Samity (PCJSS) or in short JSS on 02 December 1997. More than twelve years passed after this landmark peace accord has been signed but permanent peace is not established in CHT as yet.

CHT equals for one tenth of total land area of Bangladesh. The area is different from other areas of Bangladesh by its distinct geographical, anthropological, cultural, economical and production systems differences. In the past the differences of tribal people of CHT was ignored and their socio-economic aspirations were denied. As a result dissatisfaction widened and insurgency started.

As a result of pursued political solution of CHT problem the Peace Accord was signed in 1997. Twelve years have passed after the peace treaty. Maximum provisions of the peace accord have been implemented though few very important issues are yet to be materialized. The land disputes are not yet solved. One of the hill people small organizations, United Peoples Democratic Front (UPDF), still continuing with arms struggle. The deployed Army could not be withdrawn fully. The tribal-Bangali mistrust and non-cooperation still remain very high.

There are debates that some provisions of peace accord are conflicting with national constitution and some legal complain is under study of High court about some sections of peace treaty. Our intellectuals and politicians are divided about some aspects of peace treaty.

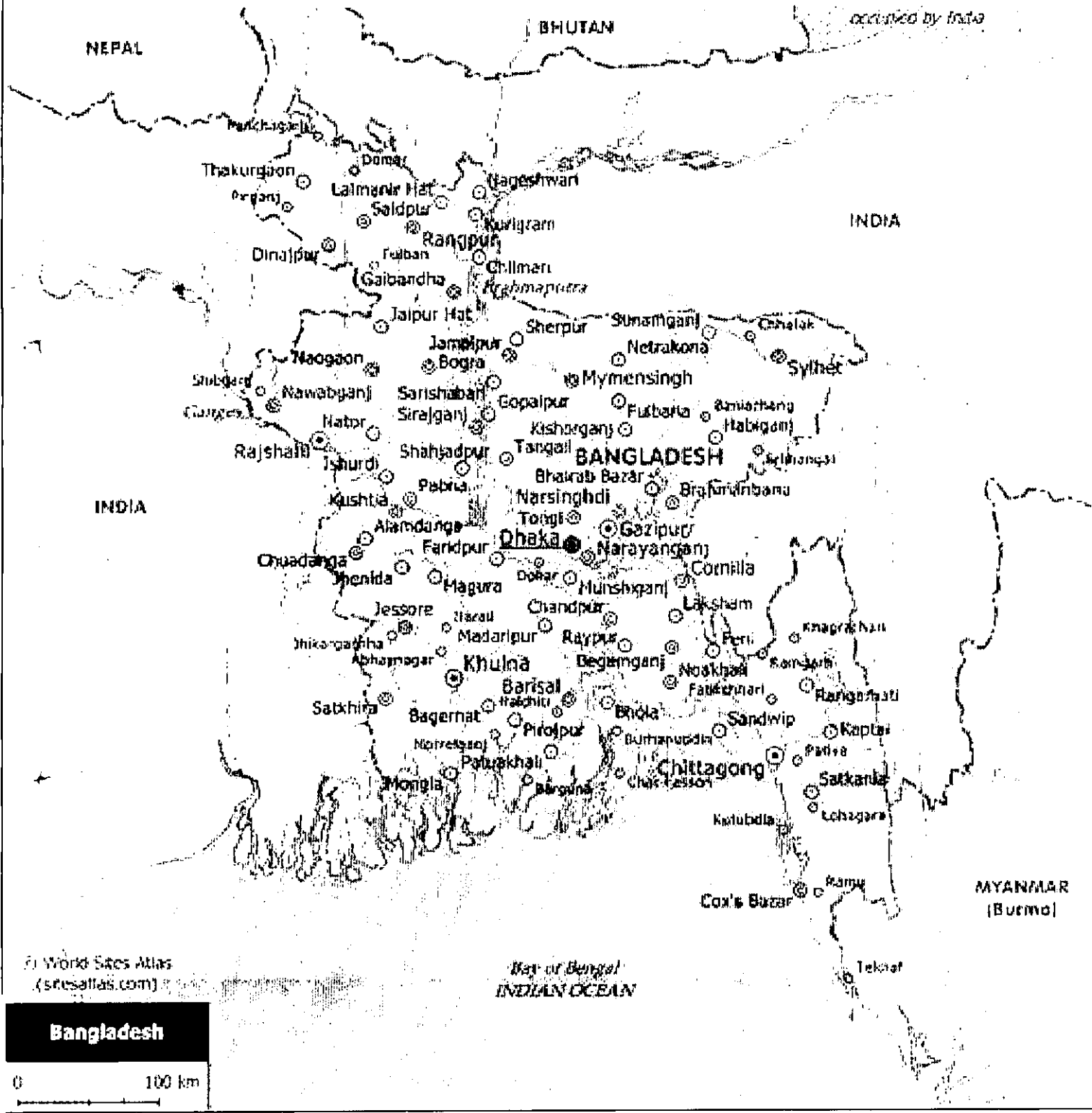
For the total development of the country, CHT need to be peaceful and developed. The pre-requisite for formulation of appropriate strategy, plans and programs for development of CHT is proper understanding of the needs and aspirations of tribal and Bengali people leaving there, as well as knowledge about resource base and development potential of these areas.

Attempt should therefore be made to undertake comprehensive socio-political studies on CHT and people living there off to meet the information gap. This research outcome may help both the tribal and Bengali people living in CHT and the government/non government organization to undertake appropriate policies/programs to have sustainable peace in CHT. Thus in such a situation this research is very important.

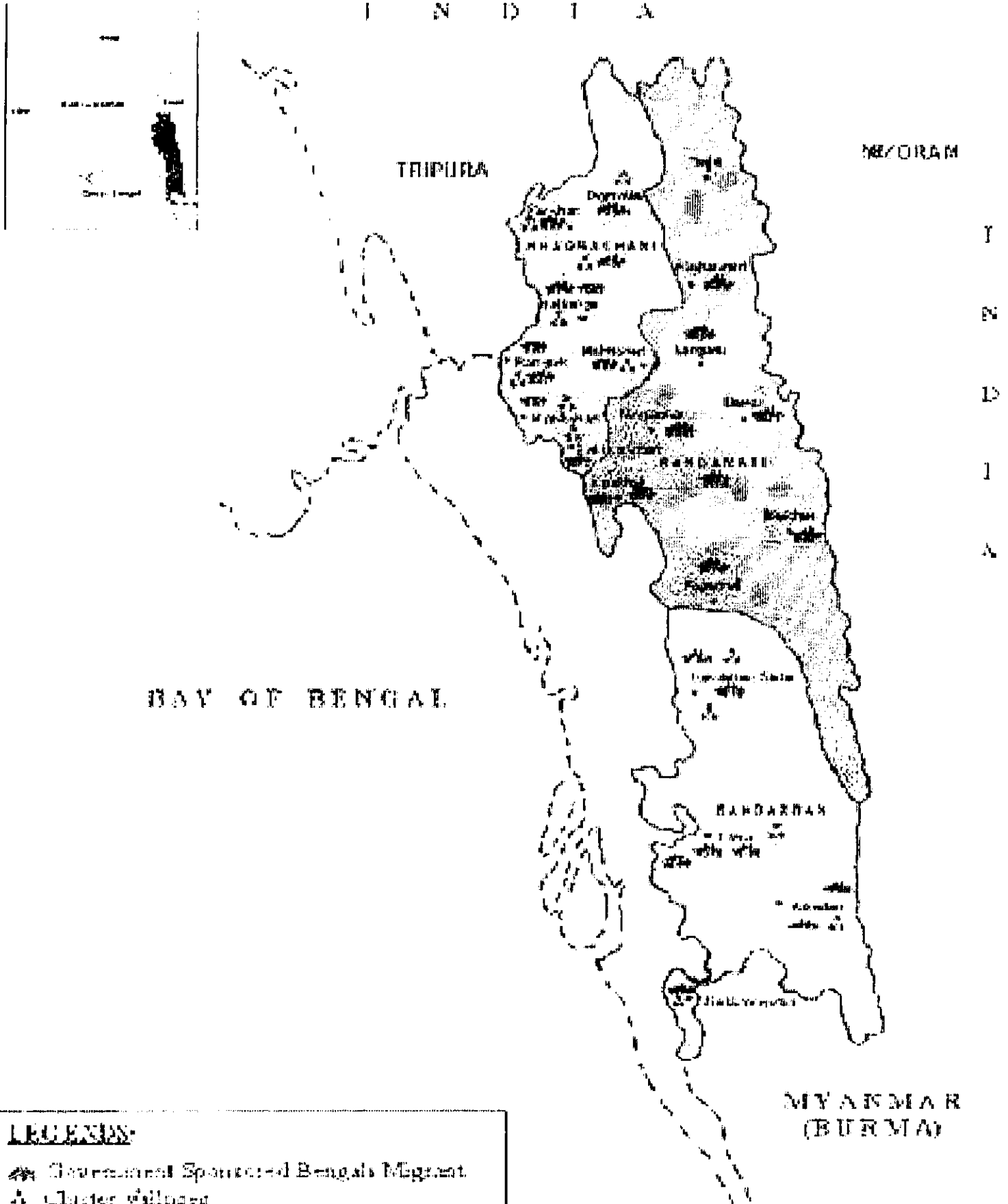
I hope that findings of this study will help policy makers, researchers, and students to understand the needs of peace in CHT. Roots of problems, present state and some recommendations are forwarded for the appropriate managements of problems of CHT.

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Map 1 Bangladesh and Surrounding Area



Chittagong Hill Tracts



LEGENDS:

- Government Sponsored Bengalis Migrants
- Cluster Villages

SUSTAINABLE PEACE FOR CHITTAGONG HILL TRACTS (CHT): PROBLEMS AND PROSPECTS

Chapter - One Introduction

1.1 Justification of the study

Bangladesh is a developing country in south Asia. Chittagong Hill Tract (CHT) is the southeastern part of Bangladesh. CHT comprise of three Hill district namely Rangamati, Khagrachai and Bandarban. The area is full of immense natural beauty and undiscovered natural resources. From the geo-political, strategic and economic consideration the area is very important for Bangladesh.

The hilly areas of CHT are the homes of various tribes. These areas possess a different ecological setting and have different socio-economic and cultural life compared to the vast majority of the plain land people. Long-term goal of any society is to upgrade the quality of life of the people and to realize aspiration of better living through alleviation of poverty, illiteracy and malnutrition. Socio-economic development strategy of Bangladesh is adopting comprehensive approach for simultaneous development of geographical regions of the country. Different efforts have therefore been taken encompassing the remote areas of Bangladesh including the plains, low laying area as well as the hilly regions¹.

Tribal people living in the hilly areas did not share the fruits of development that has taken place for decades². Unfortunately the development of the hilly region was not possible in the past for the protracted insurgency warfare in CHT. The area had separate political and administrative status from the British regime. The problem aggravated in Pakistan regime when Kaptai Hydroelectric dam was enacted. After the liberation of Bangladesh in 1971 the separate politico-administrative status, culture and ethnic identity

¹ Begum[1990:1]

² Begum[1990:1]

of CHT were ignored³. As a result the Hill people felt isolated, neglected and deprived and armed conflict began. From the very beginning of insurgency different government initiated different pacification measures and political negotiation with tribal leaders. After a long journey and pains taking efforts finally Bangladesh government signed the peace treaty with the tribal people of CHT represented by Parbatta Chattagram Jono Sanghaty Samity (PCJSS) or in short JSS on 02 December 1997. More than twelve years passed after this landmark peace accord has been signed but permanent peace is not established in CHT as yet.

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As a result of pursued political solution of CHT problem the Peace Accord was signed in 1997. Twelve years have passed after the peace treaty. Maximum provisions of the peace accord have been implemented though few very important issues are yet to be materialized⁴. The land disputes are not yet solved. One of the hill people small organizations, United Peoples Democratic Front (UPDF), still continuing with arms struggle. The deployed Army could not be withdrawn fully. The tribal-Bangali mistrust and non-cooperation still remain very high⁵.

There are debates that some provisions of peace accord are conflicting with national constitution and some legal complain is under study of High court about some sections of peace treaty. Our intellectuals and politicians are divided about some aspects of peace treaty⁶.

As such total solution of the problems of CHT is not achieved. Situation has changed a lot after the peace treaty. Two democratically elected governments have completed the tenure. This is time to re-evaluate the affairs of CHT.

³ Rahman[2005:61]

⁴ Star [2 December 2009]

⁵ Star [2 December 2009]

⁶ Prthom Alo [2 December]

For the total development of the country, CHT need to be peaceful and developed. The pre-requisite for formulation of appropriate strategy, plans and programs for development of CHT is proper understanding of the needs and aspirations of tribal and Bengali people leaving there, as well as knowledge about resource base and development potential of these areas.

Attempt should therefore be made to undertake comprehensive socio-political studies on CHT and people living there off to meet the information gap. This research outcome may help both the tribal and Bengali people living in CHT and the government/non government organization to undertake appropriate policies/programs to have sustainable peace in CHT. Thus in such a situation this research is very important.

1.2 Aims and objectives

The study aims at providing a comprehensive understanding of socio-cultural and political-economic life of tribal people in CHT. The present study will be able to provide a vision of administrative background, rise of problems and the peace making efforts. The objectives of this study include the following:

- To understand the geographical and demographical aspects of CHT.
- To describe political background, rise of conflict in CHT and the role of foreign powers.
- To study the initiatives of different government to solve the CHT problem.
- To understand the socio-political and economic impact of peace treaty on CHT.
- To describe the post peace treaty situation and threats for peace in CHT.
- To recommend the appropriate strategy, policy/programs for lasting peace in CHT.

1.3 Research Area

The area of study is CHT composed of three-hill district namely Rangamati, Khagrachri and Bandarban. All the tribes and settler Bangalies residing in CHT has been taken into consideration. For the survey purpose the Rangamati Sadar Upazilla, Khagrachari Sadar Upazilla and Bandarban Sadar Upazilla have been taken as study sites.

1.4 Research Methodology

1.4.1 Name of the study

The methodological approach to this research is designed mainly as qualitative in nature, based on qualitative and quantitative data analysis.

1.4.2 Data collection Techniques

Data is be collected through primary and secondary sources. Survey analysis and interview techniques is used as tools of primary data collection. Content of different books, articles, journals and daily newspapers is taken as secondary data. Relevant documents from government and non-government office and worldwide website is also used as secondary sources of data. Different scholars/experts/leaders is interviewed by the researcher, as part of primary source, to add more credibility to the research. Researcher's long timework experience in CHT as part of government force, deep involvement into the affairs of CHT has provided him some insights in making an objective analysis.

1.4.3 Analysis of Data

Collected data is tabulated and analysed by using computer. Statistical tools and test is applied to find out the result of the survey.

1.5 Organizational structure of the thesis

The dissertation is divided into seven chapters.

Chapter 1 introduces the subject with the justification, aims and objectives, area and methods used for the research. In short it also summarizes the organizational structure of the thesis.

Chapter 2 describes the geography and demography of CHT. It includes location, area, communication, physiography climate, flora, fauna, river and forest. It also describe the populations and tribal identity induding race, language religion and culture. The Chapter

also put some light on socio-cultural background, economic heritage and pattern of land ownership in CHT.

Chapter 3 provides the political background and information on the rise of conflict at CHT. It describes socio-cultural background and politico-economic heritage. It also describes the administration of Pre British regime, British regime, Pakistan regime, Sk Mujib regime, Ershad regime, Zia regime, Khaleda Zia regime and Sk Hasina regime. It also put some light on CHT regulation of 1900 and consequence of Kaptai dam. The chapter also traces back the role of foreign powers in raising insurgency in CHT. At the end the Chapter tells something about the communal riots in CHT.

Chapter 4 highlights the peace initiatives undertaken by different Government. It broadly discusses the efforts of different governments. It also highlights the Hill District Council Act-1987 and peace treaty of 1997. to pacify the dissatisfaction of Hill people and have a political solution to this problems.

Chapter 5 shows the impacts of peace treaty on CHT. It includes reconstitution of regional/district council, rehabilitation and other privilege, political empowerment of tribal community, refugee return, admission and employment, scholarship and quota system. It also adds land commission, socio-economical, educational and cultural development and privilege for tribal, demilitarization and some limitations of the treaty.

Chapter 6 deals with the threats to peace and present situation and existing threats for peace in CHT. It describes in details the present scenario of security, land despites, communal relation, administration and state of implementation of peace accord. It highlight the possible threats which may put the peace process in danger. It also shows conflicting demands from different interest groups. Survey reports and interviews are reflected here. It includes the demands of tribal leaders, tribal mass population and settler Bangales.

Chapter 7 shows recommendation for sustainable peace in CHT. It contains the consensus of all political parties and pragmatic leadership in CHT. It also discuss the needed administrative, land and economic reforms. It also highlight needed security situation, tribal-Bangalee peaceful co-existence and implementation of peace treaty with due regards to all inhabitants of CHT.

Chapter-Two

Geography and Demography of CHT

2.1 Introduction

The Chittagong Hill Tracts (CHT) occupies a physical area of 5,093 sq. miles (13,295 sq km), constituting ten percent of the total land area of Bangladesh¹. The region comprises three districts: Rangamati, Khagrachari, and Bandarban. The districts comprise four main valleys formed by the Feni, Karnafuli, Chengi, Myani, Kassalong, Sangu and Matamuhuri rivers and their tributaries². The CHT have numerous hill ravines and cliffs covered with dense vegetation, which are in complete contrast to most other districts of Bangladesh, which consist mainly of alluvial lands. Geographically the CHT can be divided into two board ecological zones: (a) hill valley, (b) agricultural plains. It is surrounded by the India states of Tripura on the north and Mizoram on the east, Myanmar on the south and east and Chittagong district on the west. Form time immemorial the CHT has been the home of thirteen tribal populations. The tribes are chakma, Tanchangaya, Marma, Tripura, Reang, Mro, Lusai, Khumi, Chak, Khyang, Bawm and pankhua³. They are commonly known as jumma people and are distinct and different form the majority Bengali population of Bangladesh in respect to race, language, culture, religion and ethnicity. Their main occupation is based on subsistence farming known as jhum (shifting cultivation) in contrast to the wet rice cultivation system in the plains of Bangladesh.

2.2 Location and Boundary

CHT is the only extensive hill area of Bangladesh lies in southeastern part from 21^o25' N to 23^o45' N latitude and 91^o45' E to 92^o50'E longitude⁴. The area is bordering by Myanmar on the south, Indian state of Tripura on the north, Mizoram on the east and Chittagong, Cox's Bazar district on the west. The area of CHT is about 13,295 sq km, which is approximately one tenth of the total area of Bangladesh

¹ Banglapedia [2008 : 36]

² Banglapedia [2008 : 36]

³ Banglapedia [2008 : 37]

⁴ Banglapedia [2008 : 38]

2.3 Physiography

CHT consist of with a smaller part of the famous Arakan-Yemoma hill range of India, Myanmar and Bangladesh. The average height of the land is 120-130 ft from the sea level⁵. The Feni, the Karnafuly, the Sangu, the Matamuhuri and their tributaries/distributaries divide the whole area in to four vallies. These are Chengi valley, Kasalong valley, Rainkhiang valley and Sangu valley.

Generally the hill ranges and the river valleys are longitudinally aligned. Ten ranges, strikes in a north-south direction in the CHT are Phoromain range (Phoromain, 463m), Dolajeri range (Langtraï 429m), Bhuachhari range (Changpai 610m), Barkal range (Thanagnang, 735m), Muranja range (Basitaung, 664m) Chimbook range (Tindu, 898m) Batimain range (Batitaung, 526m) Poli range (Keokradang, 884m Raimu Taung) and Saichal-Mawdok range (Bilaisari, 669m). Poli range contains highest peaks of Bangladesh⁶.

2.4 Climate

The weather of this region is characterised by tropical monsoon climate with mean annual rainfall nearly 2540 mm in the north and east and 2540 mm to 3810 mm in the south and west⁷. The dry and cool season is from November to March; pre-monsoon season is April-May, which is very hot and sunny. The monsoon season is from June to October, which is warm, cloudy and wet.

2.5 Soil Condition

The hill soils (district cambisols) are mainly yellowish brown to reddish brown loams which grade into broken shale or sandstone as well as mottled sand at a variable depth. The soils are very strong acidic⁸.

⁵ Banglapedia [2008 : 39]

⁶ Banglapedia [2008 : 40]

⁷ Banglapedia [2008 : 41]

⁸ Banglapedia [2008 : 41]

2.6 Vegetation

The hills are unsuitable for cultivation but natural vegetation remains widely. Jhum cultivation is being practiced on the hill slopes. Cotton, rice, tea and oilseeds are raised in the valleys between the hills.

2.7 Communication

Highways and waterways are the chief means of communication. The length of the metalled roads within Rangamati, Khagrachhari and Bandarban districts is 123 km, 134 km and 296 km respectively. Similarly, the length of the waterways in the above districts is 444 km, 640 km and 166 km respectively⁹.

2.8 Flora

The hills, rivers and cliffs are covered with dense bamboo breaks, tall trees and creeper jungles. The valleys are covered with thick forest. The vegetation is characterized by semi-evergreen (deciduous) to tropical evergreen dominated by tall trees belonging to dipterocarpaceae, euphorbiaceae, lauraceae, leguminaceae and rubiaceae¹⁰.

2.9 Fauna

The fauna mainly includes monkey, fox, jungle cat, fishing cat, wild bear, land turtle, king cobra, reticulated python, rattle snake and other non-poisonous snakes together with large number of species of lizards and amphibians like frog, toad, and tree frogs. The bird life of the Chittagong Hill Tracts is wonderfully rich. More than 60 families of birds are found¹¹.

2.10 Forest

Most of the hills are covered with forests containing valuable timber trees, bamboos, canes and a kind of grass known as Shan.

⁹ Banglapedia [2008 : 41]

¹⁰ Banglapedia [2008 : 42]

¹¹ Banglapedia [2008 : 42]

2.11 Population of CHT

The indigenous peoples of the CHT consist of ethnic minority groups whose appearances, languages, and cultural traditions are markedly different from those of the Bengali-speaking people living in the plains of Bangladesh. There are also certain cultural differences among the indigenous peoples themselves.

Several terms have been used in different contexts to refer to these various ethnic group as a whole. Among these is the notion of the 'Jumma' people, advocated by the Parbatya Chattagram Jana Samhati Samity (PCJSS or JSS) – the party that led the armed struggle against the state. Jumma is derived from the word Jum, and refers to the fact that swidden cultivation has traditionally served as the cornerstone of the way of life of all of the deferent indigenous groups¹².

In the official documents, law, and regulations pertaining to the CHT, these groups have been variously referred to as the 'Hillmen', 'tribals' or *jumiya* (swidden-cultivator). In common parlance, they are often termed Pahari – a Bengali word which means hill dwellers. A number of social and political organizations of the indigenous peoples of the CHT also use the terms 'Hill' or 'Pahari' to designate themselves¹³.

Depending on the bases of classification, 13 different ethnic groups have been distinguished among the Hill peoples of the CHT. The most numerous are the Chakma, the Marma and the Tripura, in that order. Among the other groups are the Mru, the Tanchainghya, the Bawm (or Bom), the Khumi, the Khyang, the Lushi (or Mizo), the Pankho, the Chak (or Sak)¹⁴. Some scholars also regard the Riang, the Murang and the Kuki as distinct ethnic groups of the CHT.

These various Pahari ethnic groups can be classified into a few broad types on the bases of their preferred sites of residence and other socio-economic features. Firstly, there are the 'streamside' groups which prefer to live in valleys close to rivers and streams. These are also the groups that typically use the plough for wet-rice cultivation, even though some of their members also continue to practice jum cultivation. Pre-eminent among the streamside groups are the Chakma, the Marma and the Tripura (or

¹² Banglapedia [2008 :42]

¹³ Banglapedia [2008 : 43]

¹⁴ Adnan [2004 : 10] and Mohsin [2002 : 12]

Tippera or Tipra). Secondly, there are the 'ridge top' groups that prefer to live on the hillcrests and are not attracted to the valleys. These groups practice only jum cultivation and use hill streams and springs. Among these hill dwellers are the Lushai, the Pangkhua, the Bawm, etc. Some of the smaller ethnic groups, such as the Mru, the Khyang, the Tanchainghya and the Khumi, live in locations intermediate between those occupied by the ridge top and streamside groups¹⁵.

The inhabitant of CHT can be broadly divided into two groups, Bengali (non tribe) and Tribe. Bengali came from plain land and most of them are Muslim though there are some Hindu family as well. Most of the Bengali came to CHT through government sponsored internal migration¹⁶. The Migration process started in Pakistan regime and got accelerated after liberation. The tribal population is comparatively old resident of CHT.

Compared to the indigenous people of Australia or Canada the tribes of CHT are modern and educated. Most of them follow the Budhauism and their family structure is almost similar to the rural joint family of Bengali. Some tribes follow Christianity and Hinduism. Their rate of education is low. Mongolian group dominates the population of CHT. The major Mongolian tribes are Chakma, Tripura, Murong and Magh. In fact the Chittagong Hill Tracts host thirteen different tribes who are divided into nearly a hundred different sects. Total population enumerated in the 1991 census was 1.042 million of which 562,597 were male and 479,776 female. Chakma and Marma follow Buddhism, The Hinduism by the Tripura and Christianity by Mizo and Bawm. Some other tribes maintain harmony amongst the sprite, animal and plant. Population of the CHT region is presented in the following table:

¹⁵ Adnan [2004 : 11]

¹⁶ PK [1993 : 9]

Table : Religious Groups of CHT

Tribal group	Main religion	1956	1981
Chakma	Buddhism	140,000	230,000
Taungchengya	Buddhism	15,000	20,000
Marma	Buddhism	80,000	120,000
Sak	Buddhism	2,000	1,500
Khyeng	Community religion	1,000	1,500
Tripura	Hinduism	30,000	40,000
Riang/Brong	Hinduism	7,000	10,000
Mru	Community religion	17,000	20,000
Khumi	Community religion	2,500	1,000
Bawm	Christianity	3,500	8,000
Pangkhoa	Christianity	1,500	2,000
Lushi/Mizo	Christianity	500	1,000
Tribal total	-	300,000	455,000
Bangali	Islam	30,000	290,000
CHT Total	-	330,000	745,000

Source: Bangladesh statistical Burru

The pattern of human settlement throughout the CHT showed much territorial intermingling. Some groups dominated in certain parts of the CHT (e.g Chakma in the centre, and Marma in the tract between the Karnafuli and Sangu rivers) and others were concentrated in specific areas (e.g Tripura in the north, Mru in the south). There was also a distinction between groups living in hill valleys and groups living on the ridges of the hills. Nevertheless, in many places local settlement patterns were highly complex. For example, seven different groups could be found living in close proximity in an area of about 15 by 10 km around the township of Ruma on the Sangu River in the southern CHT.

The population census of 1951 shows that total population of CHT was 2,87,688 out of which 2,61,538 person was tribal and 26,150 person was Bengali¹⁷. From the census of

¹⁷ Hossain [2003 : 17]

1981 and 1991 we can see that there is a increasing trend of Bengali population in CHT.

We can see the table below:

Districts Population

District	Population sensus 1991			Population sensus 1981		
	Tribal	Non Tribal	Total	Tribal	Non Tribal	Total
Bandraban	1,10,333	1,19,279	2,29,612	89,503	72,484	1,61,987
Khagrachari	1,67,519	1,72,576	3,40,095	1,72,880	92,710	2,65,590
Rangamati	2,23,292	1,74,421	3,97,713	1,77,075	1,03,704	2,80,879
Total	5,01,144	4,66,276	9,67,420	4,39,458	1,68,998	7,08,456

Source: Bangladesh Statistical Bureau

The present ethnic composition of the CHT is strikingly different from what it had been around a century earlier. In 1872, the CHT population had been almost entirely Pahari (98%). In comparison, the non-Paharis (mostly Bengali) accounted for a minuscule minority (2%). The Chakma, the Marma and the Tripura, in that order, were the largest ethnic groups. Even up to 1951-56, the various Pahari groups together accounted for 90 per cent of the CHT population, with Bengalis comprising most of the remainder¹⁸.

However, by 1991, the share of all the Hill peoples declined drastically to around half (51.4%) of the CHT population. Correlatively, the share of Bengalis rose dramatically from around 9 per cent in 1951-56 to 48.5 per cent in 1991. In fact, by 1981, the Bengalis (39%) emerged as the single largest ethnic group of the CHT, outnumbering each of the Chakma (31%), the Marma (16%) and the Tripura (5%). The other Pahari groups were much smaller (less than 3 per cent each). By 1991, the relative shares of all the Pahari groups had shrunk even further, as the proportion of Bengalis expanded to nearly half of the CHT population¹⁹.

¹⁸ Hssain [2003 : 18]

¹⁹ Debnath [1998 : 20]

Table

Ethnic Composition of CHT Population by Pahar Groups and Bengalis: 1872-1991

Ethnic Group	Year											
	1872		1901		1951		1956		1981		1991	
	N	%	N	%	N	%	N	%	N	%	N	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Chakma	28097	44.56	44392	35.56	124762	43.37	140000	42.42	230000	30.87	239417	24.57
Marma	22060	34.99	34706	27.80	65889	22.90	80000	24.24	120000	16.11	142334	14.61
Tripura/Tipper	8100	12.85	23341	18.70	37246	12.95	30000	9.09	40000	5.37	61129	6.27
Mro/Mru/Moro	2378	3.77	10540	8.44	16121	5.60	17000	5.15	20000	2.68	22167	2.27
Tan-Changya / Tanchanga/ Tanchangya					8313	2.89	17000	4.55	20000	2.68	19211	1.97
Bawm/ Boam	305	0.48	696	0.56	977	0.34	15000	1.06	8000	1.07	6978	0.72
Riang and Murang/Reang					1011	0.35	3500	2.12	10000			
Pankua/Pangkua/ Pankko	177	0.28	241	0.19	627	0.22	7000	0.45	2000	0.27	3227	0.33
Sak							1500	0.61	1500	0.20		
Chak							2000				2000	0.21
Khiang-Kheyang- Khyang	306	0.49	416	0.33	1300	0.45		0.30	1500	0.20	1950	0.20
Khumil/Khomoi	534	0.85	1053	0.84	1951	0.68	1000	0.76	1000	0.13	1241	0.13
Lusai/Lushei			678	0.54	3341	1.16	2500	0.15	1000	0.13	662	0.07
Rakhain							500				70	0.10
Saotal											253	0.03
Others											505	0.05

Total Pahari	61957	98.26	116063	92.98	261538	90.91	300000	90.91	455000	61.07	501144	51.43
Bengali	1097	1.74	8762	7.02	2150	9.09	30000	9.09	290000	38.93	473301	48.57
Total Population	63054	100.00	124825	100.00	287688	100.00	330000	100.00	745000	100.00	974445	100.00

It is evident that the ethnic composition of the CHT has been profoundly transformed during the second half of the twentieth century. So it is seen that from 1951 to 1991 within 40 years the number of Bengali population have increased by 4,40,126 persons. Many believe that this population increase has an impact for insurgency in CHT²⁰.

One of the main characteristics of demography of CHT is its density of population is very less and uneven. The average population density of Bangladesh is 800 persons per sq km but it is only 190 persons per sq km in CHT. Though terrain, difficult livelihood, adverse socio-political state is causes for the low density of population in CHT. The table below shows the chronological increase of population in CHT²¹:

Population Density

Year	1951	1961	1974	1981	1991
Total Population	2,87,688	3,85,000	5,08,000	7,08,452	9,67,420
Density per sq km	57 pers	75 pers	100 pers	147 pers	190 pers

Source: Statistical yearbook of Bangladesh 1982 preliminary report of population census 1991.

²⁰ Hossain [1998 : 20]

²¹ Nessa [2000 : 13]

2.12 Tribal Identity

There are 13 tribes live in CHT. These are Chakma, Marma (Mog), Tripura, Murong (Snow), Bawn (Bonjogi), Khumi, Khang (Khang), Chak, Thangchanga (Branch of Chakma), Lusai (Kuki), Riang, Ushui (Branch of Tripura) and Phankho (Phankhoa)²².

2.12.1 Race

From the demographic origin all the tribes of CHT come from Mongholoyed origin. They are small in size, round face, black hair, small eyes, less beard and chick bone little raise are the physiological character of Monogoloyed people and common with CHT tribals.

2.12.2 Religion

These Pahari ethnic groups are also crosscut by differences in religious faith and practices. The Buddhists have historically constituted the majority religious group in the CHT. This is not surprising, since the two largest Pahari groups, the Chakma and the Marma are Buddhist. In contrast, the third largest group, the Tripura, practices the Hindu faith. Most of the population of the ridgetop groups has been converted to Christianity, inclusive of the Lushai, the Pankhua and the Bawm. The mru worship nature though they are also influenced by Buddhism²³.

Significantly, none of the Hill peoples of the CHT practices Islam. In the past, there had been relatively few Muslims living in the region. They consisted primarily of Bengali migrants from the plains, supplemented by non-Bengali Muslim traders, craftsmen, as well as officials. However, the proportion of Muslims in the CHT has increased substantially in recent decades.

2.12.3 Language

The language of Chakma and Thangchanga falls under Indo Arian branch of Indo-European family. Marma, Tripura, Bawm, Snow talk in Tibeto-Burmen language under Sino-Tibetan family. Lushai, Phankho follow Kuki-china and Kumi-Khang follow mixer of Burmese, Arakanese Boro, Naga and Kuki-china language²⁴. Tribals talk in their own

²² Hossain [2003 : 20]

²³ Adnan [2004 : 11]

²⁴ Nessa [2000 : 13]

language in own community. When they need to communicate with other tribes then they talk in Bangla. With the progress of education Bangla is widely used by the different tribal groups and almost every body understand Bangla.

2.12.4 Culture

All the tribal people of CHT have their own unique lifestyle, social customs, dress, religion, food habit, beliefs and behaviours. Generally tribal people are religious minded but they don't show any dogmatism with religion. At the end of the year Chakma and Marma observe "Mohamoni Mela". They also observe Baishakhi Festival²⁵.

Jhum cultivation is the main source of their living. The women are also the Jhum cultivator like male. The Jhum or shifting cultivation doesn't continue for long in one place, so they move from one hill to another as nomads. As a result they don't have any individual ownership over the Jhum land (hills). Weaving, cottage work, song/dance is part of their life.

Simplicity and plain livelihood is the unique characteristics of tribal people. The natural judicial system they follow is also different. The pre-fudal social structure and life style has kept the tribal people separated from modern civilization. Chakmas being majority and educated dominate over other tribal group and trying to establish a different and distinguish culture in CHT²⁶. It is hopeful that with the government sponsored development project gradually other tribes shall also be educated, economically better off and will accept modern culture and civilization.

2.13 Socio-Cultural Background

All the tribals living in CHT are called as ' Hill People'. Huter divided them into 'Hill Tribal' and 'Valley Tribal', Lusai, Pankho, Bawm, Srow, Khumi are Hill tribes and Chakma, Thangchanga, Riang, Khiang, Chak and Morung are valley tribes. Though the tribes of CHT are divided into two groups based on the living area but all the tribes are different from each other in their culture and language. All tribes talk to their own dialect. None of the tribal language has written form. Like the language, the religion of the tribes are also different. Chakma, Marma, Chak, Khaing and Thangchanga follow Buddhism; Tripura,

²⁵ Hossain [2003 : 20]

²⁶ Hossain [2003 : 21]

Riang follow Hinduism, Lushai, Pankho and Bonjogi follow Christianity and other tribal groups follow Animist or Athesist. Though there are district differences in language and religion but there are something common in culture and life style among the tribes. The commons of the CHT tribes are as follows²⁷:

- a. All of them originated from Mongoloid race.
- b. All of them habituated living in Hills and Jungles.
- c. All of them are the successor of same unique production system commonly known as 'Jhum cultivation'.

2.14 Economic Heritage

Jhum cultivation is the economic base and only parental occupation for all tribes of CHT. As per the social scientist from 3000 BC to 1300 AD this cultivation was beginning in many part of the world. No land is kept under permanent cultivation in this system. This cultivation is known as 'shifting cultivation or slash and burn cultivation. CHT is the only district in Bangladesh where this oldest cultivation locally known as Jhum cultivation is still practiced now²⁸.

As per the government statistics in some time total 1,02,468 acrs making 4.3% of the total CHT area were under Jhum cultivation. 68,000 acrs land about 2/3 of total Jhum able area were under cultivation. Each year 26,000 family cultivate about 120 sq mile area²⁹.

Jhum cultivation is not profitable as it was earlier. Up to the first quarter of nineteen century it was the only agricultural system in hill. Almost everybody of CHT was dependent on this agriculture.

Jhum cultivation has been changed by plough cultivation, specially in the valleys of CHT. Many Jhumias now prefer the alternative use of hilly land by making Rubber Garden, Fruit Garden and Timber Garden. Government initiative and patronization has helped the

²⁷ Hossain [2003 : 20]

²⁸ Hossain [2003 : 21]

²⁹ Chakma [2002 : 24]

hill people to come out of age old and non profitable Jhum cultivation. Based on the changed environment the Jhumias of CHT can be catagorised into following four group³⁰:

- a. Totally dependent on Jhum cultivation.
- b. Mainly dependent on Jhum cultivation.
- c. Mainly dependent on plough cultivation and gardening.
- d. Totally dependent on plough cultivation and gardening.

The Hill peoples have traditionally attempted to produce as much as possible of the things that they needed for their everyday existence. Their customary economic activities included crop cultivation, weaving, fishing, cattle grazing, etc. Nonetheless, the key component of the subsistence 'package' needed by the Pahari household consisted of an adequate stock of rice to meet the consumption needs by the family during the whole year, inclusive of festivities, entertainment of guests, and other socio-cultural obligations. The rice required for subsistence was grown by jum or swidden cultivation, constituting the cornerstone of the traditional Pahari economy. Many other useful crops were also grown in the jum fields of the Hill peoples, including vegetables, oilseeds, cotton, tobacco etc.

In addition to Jum cultivation, a wide rang of production and extraction activities was undertaken by the Hill peoples to obtain the various other components of their subsistence package and customary life-styles. Among these were production of wet-rice and other crops with plough cultivation; growing of fruits, vegetables, tobacco and other cash crops; keeping of livestock and poultry; hunting and gathering and extraction of forest resources; accessing building materials from the village common forests; fishing in water bodies; making of clothes involving ginning, spinning and weaving, making of baskets and other craft goods; production of indigenous forms of alcohol; building houses in Pahari style using bamboo and timber, etc³¹.

However, despite this wide range of economic activities, the Hill peoples did not, or could not, produce at lest some of the things and services that they needed. In order to obtain such 'non-produced' good, they had to undertake barter or monetary exchange with others groups of people. The latter were typically non-Pahari (Bengali) craftsmen and traders from the plains.

³⁰ Chakma [2002 : 25]

³¹ Adnan [2004 : 21]

Semutang gas field located in Khagrachhari district is the only gas field in Chittagong Hill Tracts. It was discovered in 1969 by the national oil company (Oil and Gas Development Corporation of the then Pakistan)³². However, gas seeps are reported from Sitapahar (Kaptai) and Jaldi wells, while oil seep from Uttan Chatra. Other resources include sandstones, boulders (calcareous concretions), conglomerates and lignite coals. A paper mill is built on the bank of the karnafuli at Chandraghona and a hydro power station (karnafuli hydro power station) at Kaptai with the aim of generating electricity and providing irrigation and flood control facilities³³.

2.15 Pattern of Land and Ownership

CHT occupy one-tenth area of Bangladesh. In 1964-66 Canada International Company on behalf of Agriculture department conduct a survey on soil and land in CHT. The survey result was as under³⁴:

- a. Class A: This land is suitable for agriculture and all other use. Total land is 1,04,304 acres.
- b. Class B: This land is partially suitable for cultivation. Remaining land is suitable for fruit and vegetable farming only. Total land is 94,526,64 acres.
- c. Class C: Total land is 5,06,22,560 acres. It is mainly suitable for fruit and vegetable firming and remaining suitable for forestation.
- d. Class D: Total land is 25,09,83,040 acres. It is suitable for forestation only.

In CHT there is no settlement record and individual ownership not clear. During Moghal rule the land right was based on customs and practices of society. British government established their rule without disturbing the customs and practices. Study of 'Regulation of 1900 Act' show that land administration was controlled by British though the tribes had some right. Circle chief was the head of all people residing in his circle but not necessarily lord of the land. There are four sections in 'Regulation of 1900 Act', which

³² Banglapedia [2008 :]

³³ Banglapedia [2008 :]

³⁴ Chakman [2002 : 25]

tells about land right. Section 34 says that outsider non-hill people can't purchase or take lease of CHT land³⁵.

As per section 51 Deputy Commissioner could expel any outsider from CHT with in 24 hours for involvement in any activity against the interest of hill people. Section 52 says that the deputy commissioners only approve the settlement of an outsider in CHT on recommendation from the Headman. The King collects the tax as representative of the deputy commissioner³⁶.

Available accounts of the Pahari ethnic groups of the CHT indicate that notions of private property rights in land were not only absent, but also unnecessary for their way of life. Their customary practices for allocating and using lands were not written down in the form of legal codes. Instead, these were handed down from one generation to another as part of an oral tradition.

Prior to the introduction of the plough, they practiced only Jum cultivation. Jum cultivation necessarily involved shifting from plot to plot every year, each of which was cleared, cultivated and abandoned as part of a recurring 'fallow cycle'. In earlier times, the CHT had frosted lands far in excess of the requirements of its limited population of swidden cultivators. For Pahari communities practicing jum cultivation, what was most essential was to have an agreed system for year-to-year demarcation and allocation of jum plots among it's member households. In effect, the members of the community shared rights of access to the common jum lands in accordance with agreed rules and procedures.

Traditionally, individual Pahari families did not cultivate jum in isolation, but as part of a community of households all of whom were interlinked by multiplex ties of kinship, status and authority. Thus, three basic factors had critically shaped the historical nature of the land use practices among the swidden-farming Pahari groups of the CHT³⁷:

- (1) The historically given availability of sufficient forested area and common lands in relation to the needs of the relatively small population.

³⁵ Nessa [2000 : 16]

³⁶ Nessa [2000 : 16]

³⁷ Adnan [2004 : 21]

- (2) Adherence to the technical conditions of production which ensured the viability of Jum cultivation and extraction of forest resources.

- (3) The social organization of Jum production, managed by the Pahari communities themselves, without any significant constraints imposed by external agencies such as the state.

From the 1860s, the British colonial state claimed ownership of all lands in the CHT. Through acts passed in 1865 and 1878, the state began to establish monopoly rights over different types of lands and their resources. Specifically, two types of 'forest' areas were created in the CHT in 1875, designated as Reserve Forests (RF) and District Forests³⁸.

While Paharis were allowed to use these lands by the state, they did so without the benefit of any officially recognized legal rights. In effect, the district forest areas were also converted into lands 'owned' by the state (khas), which could be resumed at its discretion³⁹. British ruler offered permanent and heritable private land rights to people using the plough in the CHT from as early as 1868. In particular, those who became tenants and paid the requisite rent were eventually entitled to acquire permanent and heritable rights on CHT lands. From the beginning of the twentieth century, ordinary Pahari individuals also began to gain private rights to land, particularly as they switched from Jum to plough cultivation⁴⁰.

However, despite these considerations, the bulk of the lands of the CHT continued remain outside the private property regime. It was on these common lands that the Paharis continued to build homesteads and settlements, as well as undertake jum cultivation, livestock grazing, village forestry, extraction of forest produce, hunting and gathering, fishing, etc. The colonial state permitted such use of these lands, but did not accord full recognition to them in terms of legally codified rights on common lands. Rather, the CHT Regulation partially acknowledged and regulated some of these uses of

³⁸ Adnan [2004 : 21]

³⁹ Adnan [2004 : 22]

⁴⁰ Adnan [2004 : 22]

land, without clearly defining them. In effect, the Paharis had only limited and qualified rights to use these lands, over which the state continued to retain proprietary control⁴¹.

In September 1971, the Government of Pakistan made a major amendment to Rule 34, which redefined the category of non-hillmen residents and permitted them to have settlement on cultivable land in the CHT. The same amendment also allowed land to be settled to "outsiders" (i.e non-residents) with the prior approval of the Board of Revenue. Simultaneously, the ceiling on land to be settled to both hillmen and non-hillmen residents was reduced to 5 acres per family from the 25 acres permitted earlier (however, with exception for "deserving" cases)⁴².

In 1979, Rule 34 was drastically amended by the Zia regime; such that land settlement and ownership in the CHT could be granted to any "deserving person" was left virtually undefined. Furthermore, the necessity of having to obtain the prior consent of the Board of Revenue for granting leases to non-residents was removed.

The Hill District Local Government Council Acts of 1989, article 64 of which provided that no land in the CHT districts:"shall be given in settlement without the prior approval of the [concerned] Council and such land cannot be transferred to a person who is not a domicile of the said district without such approval". Significantly, however, the district councils were not given the power to repeal or reverse illegal and forcible occupation of Pahari lands that had already taken place. At best, the councils could simply block any further transfer of Pahari land by resisting from giving their approval to such cases⁴³.

The Land Commission, stipulated by the Peace Accord, has also not been activated by the government. Consequently, the only institutional mechanism which could have potentially resolved land disputes in the CHT⁴⁴.

⁴¹ Adnan [2004 : 23]

⁴² Adnan [2004 : 22]

⁴³ Adnan [2004 : 22]

⁴⁴ Adnan [2004 : 23]

Chapter – Three

Socio-Political Background and Rise of Conflict at CHT

3.1 Introduction.

CHT is a calm and quite area away from civilization with hills, dense forest, rivers and lakes. The history of human civilization or human living in CHT is not long. So the conflict of CHT also doesn't have long history¹. People started living there under the kingdom of Tripura and Arakan. Then there were many changes before it falls under Moghal Rule. Like all other parts of Bangladesh it was then ruled by British and Pakistan and finally become part of Bangladesh in 1971. We shall see the socio- political background of CHT and the rise of conflict in CHT in this chapter.

3.2 Tripura, Arakan Kingdom and Sultanat rule.

Dark forest, hills, valley, river and with the flow of clean stream Chittagong hill tracts doesn't have any history of ancient civilization. It is seen from the history that administration of Chittagong and CHT was rotated many times between Tripura and Arakan state².

In the year of 590 AD the founder of Tripura kingdom Juju Rupa (Brave king) occupied the area defeating the king of Arakan and rules the area for about three hundred and fifty years having the capital in Rangamati. In 953 AD the king of Arakan Sula Sandro conquered the area. Again in 1240 AD Tripura king regain CHT and ruled the area for about two hundred and seventy five years³.

During the Sultanat period, Sultan Fakruddin Mubarak shah (1338-49) conquire some part of Chittagong and CHT. In this period chakma king Mowan Tshi took shelter to a muslim in All Kadam being drived out from Burma. In this period Chakmas got permission to live in Ramu and Teknaf. Many a time the area was changed over between Tripura, Arakan and Saltanat King. Finally Arakan king Mong Falaun Shikander shah

¹ Hossain [2003 : 22]

² Hossain [2003 : 22]

³ Nessa [2000 : 19]

(1571-159) won full Chittagong region with most part of Noakhali and some portion of Tripura⁴.

In the period of Sher Shah the Portuges sailors resided in CHT with the support of Chakma. In that time they started robbery in plain land and picked up conflict with Arakan state. The then Mughol administrator of Subedar Saista khan in 1666 AD conquered whole Chittagong by the order of Mughal emperor Awrangozeb and named it Islamabad. On 15th October 1760 Bangal Nawab Mir Qusim handed over CHT to British East India Company⁵.

3.3 British Rule

It was not very easy for English to rule the area without trouble. British declared CHT as 'Protected Area' and administrative power was given to the hands of tribe headman. British representatives kept their task limited to collection of tax only⁶. In 24th Jun 1787 the Arakan king wrote a letter to the representative of East India Company. The letter said that some tribal group escaped from Arakan to CHT, were found robbing in both the states. The tribes were Moag, Murang, Pankho and Bangogi, who are still living in CHT. Arakan king requested East India company to drive them away from CHT. A East India Company fort on the bank of kaptai khal was also attacked⁷.

As a result in 1859 the commissioner of Chittagong recommended that the CHT to be given under control of a Superintendent. As per the notification no 3302 of On 26th Jun 1860 and Raids of Frontiar act 22 of 1860 of 1st August 1860 British govt ordered CHT to be a separate district. The district administration was given to a hill superintendent who was a royal survent. On 1st September 1881 British govt divided the CHT in to there circle as Chakma, Mong and Bomang. After that every circle were divided into many Mouza (in 1930 there were total Mouza-327). In 1892 Chakma Circle was divided into 9 Taluks⁸.

⁴ Nessa [2000 : 19]

⁵ Nessa [2000 : 20]

⁶ Hossain [2003 : 23]

⁷ Hossain [2003 : 23]

⁸ Rahman [2007 : 11]

In 1881 by the act of "Chittagong hill tracts frontier police", local police force was raised with the hill people. They used to maintain the local law and order situation and help the local administration⁹.

For two hundred years the administration of this region was based on king, Headman and Karbari system. Village head was named as Karbari and Mouza head as Headman. On recommendation of Headman, the king appointed karbari and on recommendation of king the District commissioner on behalf of government appointed Headman. But District Commissioner was not bound to obey the recommendation of the king. The Karbari and Headman dealt the minor offences and social conflicts. The Judgment was done as per the tribal system. The king was selected from the dynasty but there was no such system for Headman and Karbari, though priority was given to the able son of present Headman/Karbari for the next appointment¹⁰.

3.4 Regulation of 1900.

On 01 May 1900 the "Chittagong Hill tracks regulation act 1900" was promulgated. The law has many amendments many a times after it's publication in Calcutta Gazette on 17th May 1900¹¹. The Regulation vested the Deputy Commissioner (DC) with all executive, judicial and financial powers in the CHT, inclusive of absolute power over matters related to land rights and settlements. It also confirmed the operation of the traditional structure based on the three Circles, while redefining the relationship of their Chiefs with the district administration under the DC. In sum, the CHT Regulation of 1900 defined the roles of the traditional hierarchy of Chief-Headman-Karbari in a way which transformed it into a structure for collecting tax on behalf of the colonial state. Furthermore, the three Circle Chiefs were incorporated into an 'Advisory Council' to the Deputy Commissioner to assist him with information, advice and prompt enforcement of orders in their respective Circles. The Deputy Commissioner was also required to consult the Chiefs on 'important matters affecting the administration of the CHT'. Despite this provision, there is little doubt that effective power and authority was vested in the Deputy Commissioner, rather than the Circle Chiefs. There are some acts in this law, which is

⁹ Rahman [2007 : 11]

¹⁰ Adnan [2004 : 22]

¹¹ Nessa [2000 : 24]

disgraceful for hill people, but the Pahari leaders think that 1900 Act was the safe guard of their land right and preservation of their unique tribal culture and identity¹².

The Regulation of 1900 also laid down specific rules on rights of entry and residence in the CHT, as well as land settlements and transfers. It included provisions designed to give special protection to the rights of the Hill people, while checking the further influx of Bengalis from the plains. However, many of these rules and provisions were substantially amended during the course of the twentieth century, while additional changes took place in the constitutional and legal status of the CHT¹³.

Faced with the growing influence of Bengalis in the CHT, particularly lawyers and moneylenders, the British became concerned to isolate the area administratively and politically from the rest of Bengali. In 1920, the CHT was declared a 'Backward Tract' by an amendment which gave the Governor-General-in-Council the responsibility of administering the CHT as an 'excluded area'. The Government of India Act of 1935 designated the Hill Tracts as a Totally Excluded Area (also known as Wholly Excluded Area), which resulted in the severing of formal political links with the province of Bengal¹⁴.

It should be stressed that, despite such paternalistic provisions for the protection of the Hill peoples, the CHT Regulation did not actually give them any substantive matters and decision-making power related to their lands and livelihoods. Instead, such issues were to be decided 'for them' by the district administration under the DC, without any prior consultation or participation. While the policy of 'exclusion' was intended to protect the Paharis from the influence and encroachments of the Bengali plainsmen, it also subjected them to direct subordination and exploitation by the British colonial state¹⁵.

It was told in section 42 of 1900 act that Deputy Commissioner or his selected representative can force any tribe for any employment without any pay. On the other hand this law uphold and established the traditional tribe institute like Circle chief, Headman, Karbari and tribal local judgment, culture, customs and prejudice¹⁶.

¹² Nessa [2000 : 25]

¹³ Adnan [2004 : 22]

¹⁴ Adnan [2004 : 23]

¹⁵ Adnan [2004 : 23]

¹⁶ Adnan [2004 : 23]

Section 34 of 1900 Act said that Non tribal people can't buy or lease any land in CHT. Section 51 of this Act said that the DC of CHT has the authority to expell any non-tribal people from the district with in 24 hours. Section 52 said that the non-tribal would not be allowed to get in or live in Hill tracks without the permission of District Commissioner¹⁷. With the permission of district commissioner they will be allowed to live beside the markets and will be allowed to establish temporary shop, but in 1933 it was cancelled by an amendment.

In 1900 act the area was declared as "Non administered area" or "Non regulated area". In 1920 the Act was amended and the area was declared as 'Exclusive Area'. Major changes to Act 1900 was brought in 1920, 1933 and in 1935¹⁸. It is true that, the 1900 Act was successful to stop migration of the non-tribal Bengali people in CHT. So many bodies says that migration issue is the heart of Act 1900 or commonly known as Hill tracks manual¹⁹.

3.5 End of British Rule in Subcontinent

When the question of separation of subcontinent rose as per the two Nation theories, the Hill people were in confusion. They were in dilemma whether they will be with Pakistan or India or they will stay independent. Kamini Mohon Dewan written "The time has come to select that we will be able to keep our tribal heritage with the maximum Hindus or Muslims after the freedom of India²⁰. "Though we are small in number now but once we were free. So this is opportunity we should be aware of our past culture and identity and preserve it by independence". There ware some argument and debate about the type of autonomy. Shiddartha Chakma written, "Circle chief wanted to keep the monarchy by all means. Sneh Kumar Chakma with part of Jonosamity wanted to have democracy where as another part with Kamini Mohon Dewan wanted to have British model of administration²¹.

When the Indian separation was confirmed then the CHT leaders decided to join with India for non-muslim majority population. Kamini Mohon Dewan and Sneho Kumar Chakma lead tribal representative met with Mahatma Gundhey, Acharjo Kripalini, Sardar

¹⁷ Hossain [2003 : 24]

¹⁸ Nessa [2000 : 27]

¹⁹ Mohsin [2002 : 34]

²⁰ Rahman [2002 : 53]

²¹ Rahman [2002 : 54]

Ballov Bhai Patel and congress chairman Dr. Rajendra Prosad and informed their wish to join India²². Congress leaders send a representative team to Rangamati to see the people state and will. Because of tribal leaders conflict especially three kings not willing to give up the power, congress representatives lost their interest about CHT. On the other hand Muslim league was interested about the Hill tracks more than congress. Muslim league gave the logic of the chakmas muslim name as their closer association with muslim. In this situation on 9th August 1947 the chairman of Bengal Boundary Award Commission Sir Siril Red Clife gave the proposal to keep the CHT with Pakistan during the separation and visoroy Lord Mount Baten approved that. Thus CHT became part of Pakistan²³.

3.6 Pakistani Rule

On 14th August 1947 some tribal population with the leadership of Sneho Kumar Chakma hoisted Indian flag in front of the office of Rangamati District Commissioner²⁴. A Regiment of Pakistan army got the flag down on 21th August and raised Pakistani flag. On the other hand the Bomang circle Marma tribes wanted to join with Barma and hoisted Barmese flag at Bandarban, Pakistani Army also made down the Barmese flag and raised the Pakistani flag in Bandarban²⁵. As a result the Pakistani govt launch a case for separatist movement. In that case, Kaminy Mohon Dewan, Ananto Dewan, Protul Dewan, Ganasham Dewan got two months Jail. Senho Kumar Chakma fled away to India (later elected as member of Provincial Assembly of Tripura)²⁶.

In 1956 the first constitution of Pakistan was accepted where CHT was declared as "Excluded Area" as it was in "Regulation of 1900". Later the high court of East Pakistan declared that section 51 of 1900 Regulation is conflicting (Ultra-Vires) to the costlttution and to be discarded saying "Deputy Commissioner can't expel any one from CHT"²⁷. It is mentionable here that CHT was not the only bordering hilly area and the inhabitant of CHT was not the only tribe of Pakistan. Government took initiative to make a balance law/policy for all bordering hilly area and all tribes. In 1948 the CHT Frontier Police Act-1881 was canceled though Regulation of 1900 was in vogue. There by hill police force

²² Rahman [2002 : 54]

²³ Debnath [1998 : 40]

²⁴ Debnath [1998 : 42] and Hossain [1999 : 8]

²⁵ Debnath [1998 : 42]

²⁶ Hossain [2003 : 30]

²⁷ Hossain [2003 : 31]

was abolished. CHT Regulation 1900 Act Section 39 Says "The Deputy Commissioner shall consult with the chiefs on important matters affecting the administration of CHT". But it was alleged that construction of Kaptai Dam started on 1958 without consulting with tribal leaders. As a result 1,00,000 people lost their home and land. Old Rangamati town went under the water. 54 thousand acrs amounting 40% of arable land was inundated. The Pakistan Government later approved the rehabilitation proposal of King Tridiv Roy. As a result some portion of reserve forest was vacated for rehabilitation²⁸.

In 1962, the new constitution changed the status of CHT from 'Excluded Area' to 'Tribal Area'. In 1964 this status of CHT was again cancelled but 'Regulation of 1900' was kept active. On 21 October 1971 Pakistan Government by a Gazette notification made an amendment in Section 34 of 'Regulation of 1900'. The amendments were as under²⁹:

- a. Hill men and non-hill men will get equal support and facilities. A person residing in CHT for minimum 15 years will be treated as non-hill people.
- b. Hill men, non-hill men or any resident of any district with the permission of Revenue Board can make terrace cultivation, Rubber Garden, Industry and construct living dwells in and around.

Based on the application of Tribal Heads this amendment was not enacted during the Pakistan Regime.

Before the division of British India the total number of primary school was 144, which rose to 391 in 1969 (CHT District Gazetteers 1971). Many industries i.e. Karnafully Multipurpose Project (1960), Karnafully Paper Mill (1952), Karanafully Rayon and Chemicals Ltd (1966) etc were set up in the region for socio-economic development of the tribal life. Despite Government several efforts to improve tribal life style, the tribal leaders were unhappy and disliked Pakistani government. The alleged reasons are two, first making 'Regulation of 1900' ineffective and second migration of Bengali people into hill. The ratio of tribal and non-tribal population in CHT was 97% and 3% in 1947 but it went to 85% and 15% in 1970.

²⁸ Nessa [2000 : 29]

²⁹ Nessa [2000 : 30]

3.7 Kaptai Dam: New problem

The construction of Kaptai Dam in 1960 added new problem to the hill people affecting almost every one. There was no organized political party or political activity by the hill people at that time. So there was no major move, opposition or agitation. Due to this dam 40% arable land (55,000 Acres) of CHT with 250 sq miles area went under water. 100,000 tribal family (20% of CHT population) lost their home. Among them about 60,000 people didn't get any compensation. But an amount of 59 million \$ US dollar was planned for compensation and rehabilitation. Many people left the country³⁰.

Most fertile, rice producing and precious valley lands were inundated. The Jhum cultivation also suffered a great loss. Thus the project came as a big bang on the life, food security and environment of the area³¹. In 1966 there was a big influx of Bengali immigration to hill. Thus the administrative and environmental attack on the survival the minority tribals put them into deep trouble. The 'Tribal Student Association' was formed on 18 June 1965 at Chittagong under the leadership of M N Larma to protest the project, get the compensation and put forward some demand of student. In December 1966 the CHT Tribal Welfare Association came up having J B Larma as the leader³². This association placed 16-point demand before the election of 1970. Major demand was to have a legislative council with regional autonomy for CHT. M N Larma got a landslide victory in the election. On 16 May 1970 'Rangamati Communist Party' came up under the leadership of M N Larma, J B Larma, Jatindra Lal Tripura, Vobotosh Dewan, Amir Sen Chakma and Kali Madhab Chakma to address the problems of CHT.

3.8 Liberation war and SK Mujib Administration (1971-1975)

During the liberation war the tribal population of CHT were not motivated and organized for the purpose of independence due to the ignorance and inefficiency of our leadership and poor law and order situation. So the Hill people were confused either to join Bengali for Bengali nationalism or to support Pakistani for Muslim nationalism. They were more concern to preserve and protect their own culture, heritage and identity. Out of fear and greed majority of tribal leadership participated with Pakistan government. Though the Mong circle chief joined the liberation force but M N Larma remained neutral. Chakma

³⁰ Hossain [1999 : 10]

³¹ Nessa [2000 : 32]

³² Hossain [2003 : 35]

Circle Chief Raja Tridiv Roy joined Pakistani forces and encouraged Headman, Karbari and tribes men to support Pakistani forces³³. Later he became a representative of Pakistani team at UN to make propaganda against liberation war. Pakistani force raised Razakar, Mujahid and Civil Armed Forces with tribal Young's. Some of the hill people also went to India to join liberation force.

Being anti-tribal minded and to achieve the personal or vested interest some Bengali 'Mukti Jodha' (liberation force member) burnt the tribal houses and killed many tribals after liberation. They killed 16 tribals at Dighinala and made inhuman repression against tribals in Barkal area³⁴. There were some more incident into the hilly areas closer to the plain land. The role of tribal leaders in support of Pakistani force or silent role for liberation was to some extent responsible for such activity. Though the government declared general amnesty for the tribals supporting Pakistani forces but Rakkhi Bahini conducted search in tribal villages for arms and created an environment of panic and mistrust with massive oppression³⁵.

To protest the oppression, repression, mistrust and inhuman activity M N Larma came up with a new political party "Parbatta Chattagram Jono Sanhati Samity (PCJSS or in short JSS)" on 24 June 1972³⁶. On 15 February 1972 a tribal representative team lead by M N Larma met with Prime Minister SK Mujibur Rahman and placed and a four point demand. The demands were as follows³⁷:

- a. Autonomy of the CHT and the establishment of a special legislative body.
- b. Retention of the Regulation of 1900 in the new constitution of Bangladesh.
- c. Continuation of the offices of the tribal chiefs.
- d. A constitutional provision restricting the amendment of the Regulation of 1900 and imposing a restriction of Bengali settlement in CHT.

Prime Minister Sk Mujibur Rahman rejected all the demands saying the tribals as separatist. He advised them to be part of Bengali national³⁸. It was a big shock for the tribal leaders with disgust and frustration to forget their small tribal identity. As a result the hill people were in fear and mistrust of Bengali nationalism. On 21 January 1972 a

³³ Hossain [2003 : 37]

³⁴ Hossain [2003 : 37]

³⁵ Hossain [2000 : 36]

³⁶ Ali [1996 : 137]

³⁷ Mohsin [2002 : 57]

³⁸ Hossain [2003 : 38]

tribal representative of 7 persons lead by Mr Charu Bikash Chakam met with Prime Minister Sk Mujibur Rahaman. He assured them that a quota will be given to hill tribal people for government service and the tribal culture and heritage will be preserved with care. He also said that the hill people will enjoy the land right like earlier time³⁹.

On a speech on draft constitution at parliament in 1972, M N Larma said "This constitution dosen't say any thing about the tribal population of CHT. We are suffering with torture, neglect and widespread deprivation from the British and Pakistani regime. It is painful that our small tribal nationhood is forgotten. But we wand to live in harmony with the people of Bangladesh. India and USSR has recognised the small nationhood. I request all to accept the right of tribal people in constitution"⁴⁰.

On 23 January 1974 a proposal saying "Bangladesh is a nation state with a unique language and culture" was passed with majority vote in pariament. In protest M N Larma said "I am a Chakma, a Marma can never be a Chakma, a Chakma can never be a Bengali, I am a Chakma, I am not a Bengali. I am citizen of Bangladesh-Bangladeshi. You are also Bangladeshi but your national identity is Bengali they (tribal) can never be Bengalis". He added, "Our main worry is that our culture is threatened with extinction But we want to live with our separate identity"⁴¹.

On 16 February 1973 in a public meeting at Rangamati Banga Bandhu Sk Mujibur Rahamn said "All of us are Bengali" now, there is no tribal here. Today I promote you from tribal to Bengali"⁴². The educated hill people protested that declaration. The nation building process of the newly born country thus becomes slow and difficult. The government accused the Chakma King Tridiv Ray for anti liberation activity, cancelled his citizenship and confiscated his property⁴³. So there was a vacume in leadership in Hill people. It supported the beginning of Markist and nationalist politics in CHT. M N Larma sloganed for "Jumma nationalism" (Nation of people who practice Jhum cultivation) and united the tribals. Later he established himself as the legendary leader of CHT. The government could not explain how the interest of the tribals will be maintained with in the framework of Bengali nationalism. Thus hill people widely believed that Bengali

³⁹ Hossain [2003 : 38]

⁴⁰ Hossain [2003 : 40]

⁴¹ Mohsin [2002 : 40]

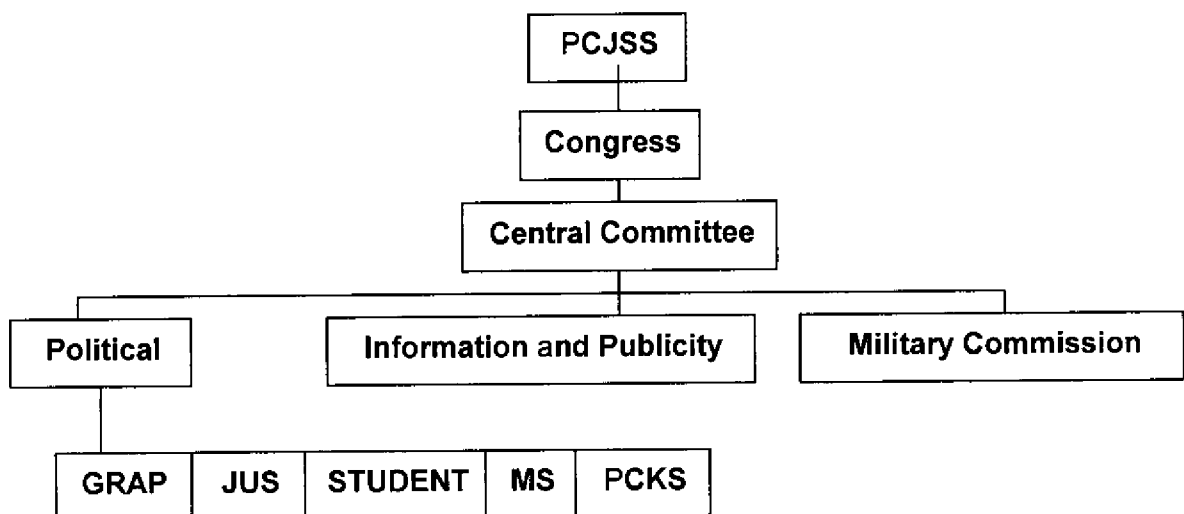
⁴² Ali [1996 : 43]

⁴³ Nessa [2000 : 39]

nationalism would eliminate other existence. As a result the tribals united under flag of PCJSS with the slogan of "Jumma nationalism"⁴⁴.

In 1974 the PCJSS leaders met with Indian Prime Minister Mrs Indira Ghandi and asked her support for their cause in CHT. She termed it as internal affairs of Bangladesh and denied to do any thing. Finding no way to protect his people Mr M N Larma organised armed wing of PCJSS named "Shanti Bahini (SB)" on 7 January 1973⁴⁵. Being encouraged by the success of Chinese Revolution, M N Larma accepted the Mao Satung's people's war concept for prolonged war in CHT. In 1973 and 1974 many educated young of hilly middle class family joined SB and got their training in deep forest. in the primary stage, the arms of Razakar, civil armed force and left over arms of Pakistani force were collected. They also communicated with the Communist Rebels of Burma, Naga/Mizo Rebels of India and got some arms⁴⁶.

ORGANISATION OF PCJSS⁴⁷



LEGEND

- PCJSS - Parbatya Chattogram Jana Sanghati Samittee
- GRAP - Gram Panchayet
- JUS - Jubo Samittee
- MS - Mahila Samittee
- PCKS - Parbatya Chattogram Kyattany Samittee

⁴⁴ Hossain [2003 : 43]

⁴⁵ Hossain [1999: 18]

⁴⁶ Hosain [1999 : 18]

⁴⁷ Ali [1996 : 23]

The politics of CHT turned its way on killing of Sk Mujibur Rahman on 15 August 1975. The Diplomatic relation between Bangladesh and India also got a turn. India gave shelter, training, arms and ammunition to SB. with the security threat, political uncertainty and frustration M N Larma went under ground⁴⁸.

3.9 Zia Government Regime (1976-1980)

Major General Ziaur Rahman termed the CHT Problem as economic problem and formed "CHT development Board". He also took some measures to counter the insurgency. The headquarters of PCJSS and Shanti Bahini was established at Dighinala where SB had around 5000 members. In the early 1976 SB started their military action. Initially their targets were police out post, thana, bridge and government property⁴⁹.

On 21 May 1977 SB killed some army person by raid and started the full-scale insurgency. Then both army and SB strengthen their side with more number, arms, ammunition, training, logistics and activities. With intensified operations many innocent hill people died with SB and military. Three cantonments were established at Ruma, Ali kadam and Dighinala along with many camps and out post. Bangladesh Navy and Air Force was also brought into the operation. The ratio of military to hill people rose to 1:5⁵⁰.

The government thought of handling the CHT issue in a different way. Government sponsored Bengali migration into CHT was carried out. Land less Bengali from all other parts of the country was given land, ration and money to settle in CHT. A rapid demographical shift was noticed with hill people loosing their scarce land for cultivation. The tribals fell in a worst situation, more critical than ever before. With the influx of Bengali people coming into CHT, a new problem came up. SB attack on Bengali settler village initiated a new race between Bengali and tribal village people to attack each other and kill innocent people. Thus the tribals left their home and took refuge to Tripura crossing the boarder⁵¹.

⁴⁸ Hossain [2003 ; 44]

⁴⁹ Debnath [1998 : 56]

⁵⁰ Debnath [1998 : 57]

⁵¹ Nessa [2000 : 45]

The time between 1976 to 1980 the hills, lakes and jungles of CHT was spot of clash, fight, sweat, blood and mistrust between Bengali and hill people. Military, SB, hill people and settler Bengali all suffered with massive killing and destruction of properties⁵².

3.10 General Ershad Regime (1982-1990)

General H M Ershad came to power in 1982. Initially Ershad wanted to solve the CHT problem militarily. So the problems and di-satisfaction of CHT increased in many fold. During the nine years tenure of Ershad there were division and clash among the tribal groups. In this situation with the absence of security many tribals left their home for India⁵³.

The government sponsored Bengali migration to CHT didn't stop during Ershad regime. Though the tribal leaders officially protested this migration, but it continued. The (in all area) conflict over cultivable land came up between settler Bengali and tribals. Settler Bengali knowingly, unknowingly or with corrupt support of the local administration captured more than the area leased to them. In many of the cases, Bengali evicted the tribals by communal riots in some places. As a result tribals left the country and Bengali occupied their land with support from local administration and army⁵⁴.

SB also forcefully took many tribals to India as refugee so that the CHT can be internationalized and made visible to outside people. SB also killed many settlers Bengali so that they take revenge with tribals. This killing and counter killing also increased the influx of refugee to India⁵⁵.

When refugee problem was discussed both inside and outside the country then government decided to solve the CHT problem politically. Government took initiative to get the tribal refugee back to country and started secret communication with PCJSS leaders. The government lead six successful meeting with PCJSS and at the end signed a "Memorandum of Understanding". As per understanding treaty it was decided to establish 'District Council'. On 6 March 1989 the "Rangamati, Khagrachari and

⁵² Nessa [2000 : 46]

⁵³ Nessa [2000 : 56]

⁵⁴ Nessa [2000 : 56]

⁵⁵ Nessa [2000 : 57]

Bandarban District local government council Bill were passed in parliament⁵⁶. Many of the issues concerning the socio-economic life of hill people were given to the disposal of local government council. The first ever election of the District local government council was conducted on 25 Jun 1989⁵⁷.

3.11 Begum Khaleda Zia Regime (1991-1995)

Begum Khaleda Zia came in power in February 1991. This government continued the efforts for peaceful solution of CHT problem. A parliamentary committee for CHT was formed with communication minister Oli Ahmed as the leader⁵⁸. This committee worked for the political solution of the problem. Government declared amnesty and SB declared cease-fire. This committee had a sub committee having Rashed Khan Menon as leader. This committee had seven meeting and sub committee had four totaling eleven meeting with PCJSS. Though there were some progress in some field but government could not reach to any agreement with PCJSS⁵⁹.

3.12 SK Hasina Regime

The government of Sk Hasina came to power on 23 June 1996. The hill people were very happy and hopeful for a solution this time as the party promised to solve the CHT problem before election. On 30 September PCJSS declared unilateral ceasefire and government welcomed it⁶⁰. Government formed a "National Committee for CHT issue" with Chief Whip Abul Hasnat Abdullah as the leader. The committee held number of meeting with the PCJSS with positive mindset and enthusiasm. On 02 December 1997 Government signed a peace treaty with PCJSS ending armed struggle for 24 years in CHT⁶¹. On 10 February 1998 JB Larma, head of PCJSS handed over his arms to Prime Minister Sk Hasina at Khagrachari Stadium. There by the bloody insurgency of CHT came to an end⁶².

⁵⁶ Ali [1996 : 146]

⁵⁷ Ali [1996 : 146]

⁵⁸ Hossain [1999 : 54]

⁵⁹ Nessa [2000 : 57]

⁶⁰ Debnath [1998 : 78]

⁶¹ Debnath [1998 : 79]

⁶² Debnath [1998 : 81]

3.13 Role of Foreign Powers in CHT.

The seeds of separation that began in the CHT region during the 1960s and transform into a separatist movement and reached its climax in the 1970s. Initially, the leaders of the movement mobilized support inside the tribes and then gradually sought the support of external sources. The main external support came from India, although moral support came from some international agencies⁶³.

In the 1960s, a large number of educational institutions were set up in the CHT region; as a result, the literacy rate among tribes' people soon reached 50 percent⁶⁴. The Chakmas were the main beneficiaries of the spread of education. This created a new and literate middle class that opposed the autocratic Pakistan government and their own social and political structures.

The social regeneration and enlightenment of the tribes' people led to ethnic solidarity rather than integration with the modernizing state. The Pakistani ruling elite accommodated some of the tribal elite, such as the Chakma Raja, Tridiv Roy. In its strategy to aid the Naga and Mizo insurgents in India, the government of Pakistan needed the support and cooperation of the tribes in the CHT region.

During the 1960s the Naga national Army began to struggle against Delhi's authority in the Naga Hills. Pakistan availed itself of this opportunity. Its Inter-Services Intelligence (ISI) offered arms and sanctuary to the guerrillas, who operated from the CHT region. Later, the Mizo insurrection, operating from remote CHT bases at Ruma, Bolipara, Mowdak, and Thanchi, received similar assistance from the ISI. These clandestine operations assumed top priority in Pakistan's CHT policy. The region became an ISI preserve.

China became involved in supporting these covert operations after the Sino-India War in 1962. China did not support the emergence of Bangladesh from Pakistan in 1971. Moreover, following the independence of Bangladesh, its leadership and foreign policy was previously pro-India⁶⁵.

⁶³ Insurgency [2006:4]

⁶⁴ Insurgency [2006 :4]

⁶⁵ Insurgency [2006 : 9]

When the Pakistani Army surrendered on December 16, 1971, the Indian Army conducted operations in the CHT region and rounded up as many as 1,000 Mizo activists, who were fighting for the independence of Mizoram.

The support from the government of India helped the CHT insurgents continue their separatist movement. After the liberation upto the assassination of SK Mujib, Bangladesh had maintained close ties with India. The Zia regime followed a foreign policy leaning more to the West and to the Arab countries, even to Pakistan, and moving away from the Indian sphere of influence. This resulted in the rise of India-Bangladesh tensions.

After 1975 M N Larma had crossed over to India in order to operate the insurgency from its Tripura base in India. The Indian government began to offer sanctuary, finances, training facilities, arms, and ammunition to the insurgents⁶⁶.

However, small neighbors like Bangladesh, which has given rise to tensions between India and her smaller neighbors, do not share the indocentric perception of South Asian security championed by India. Subsequently, as Bangladesh developed friendly relations with China and Pakistan, the Indian government helped the insurgents.

In the post-1975 period, Bangladesh received huge moral support from Pakistan and military aid from China, the two archenemies of India. India therefore, considered providing full-scale support to the Shanti Bahini as a useful bargaining tool against Bangladesh. John Laffin affirms that the Shani Bahini were trained and equipped by India and Russia, just as the Nagas and Mlzos were trained by China.

Consequently, after 1975, the CHT insurgents received a regular supply of arms form India. The Indian intelligence organization, Research Analysis Wing (RAW), became very active in the area. The Indian army offered training to the insurgents in various military and paramilitary academies. In 1991, Animesh Dewan, a captured captain from the Shanti Bahini, confessed that India had given 300 G-3 rifles to the insurgents during 1989 to intensify their operations⁶⁷.

Chittagong Cantonment maintains a museum of the collections from its counter-insurgency operations in the CHT region. There is a display of a large quantity of

⁶⁶ Insurgency [2006 : 8] and abedin [2003 : 105]

⁶⁷ Ali [1996 : 28]

captured Indian arms and ammunition in the museum. India also uses the refugees of the CHT region against its own Mizo and Tripura dissidents. It believes that the refugees will support the Indian government because they are dependent on the government for their own survival.

M N Larma's ideology was complex and unclear to many hard-core members of the PCJSS. Some party members found him uncompromising, rigid, and blind to geopolitical realities and needs. In 1982, Priti Kumar Chakma, a powerful member of the Central Committee, advocated a quick solution to the movement, even if it amounted to joining the Indian Federation, as a state. M N Larma did not endorse such an idea because he considered India to be a hegemonic and imperialistic power. He wanted to continue the struggle to show his conviction in the ideology of socialism⁶⁸.

Priti Kumar Chakma formed a parallel organization called the Jana Sanghati Samity (People's Solidarity Association). The two groups clashed, and Larma was assassinated in 1983. Fearing reprisals from the Larma group, most members of the Priti group eventually surrendered to Bangladesh Security Forces. Priti Chakma was given protection by the Indian government, and he was granted political asylum.

The insurgents have also tried to draw the attention of international agencies. The PCJSS activists went to different countries with travel documents provided by India. The insurgents have been able to get international publicity through the Indian media. In addition, refugee camps in India have helped the insurgents arouse international humanitarian concerns⁶⁹.

The activists gained the attention of several humanitarian organizations, such as Amnesty International, the Anti-Slavery Society, and the International Working Group on Indigenous Affairs (Denmark). They have also raised the issue in the United Nations and have requested that the conflict be settled. However, they have not been very successful.

In brief, the insurgents of the CHT region have mobilized internal and external support, but it is very weak. Internally, the activists are divided, and the movement lacks strong

⁶⁸ Insurgency [2006 : 6] and Abedin [2003 : 101]

⁶⁹ Abedin [2003 : 216]

leadership. Externally, it was never been very strong, though India has shown some sympathy, provided aid to the refugees, and offered training to the activists.

The eruption of separatist insurgency in Assam, waged by the United Liberation Front of Assam (ULFA) and their alleged contacts with Bangladesh authorities, has raised new concerns in the minds of Indian policy makers, and they have reviewed the cost of supporting the insurgency movement in Bangladesh⁷⁰.

Such an insurgency in Assam potentially could isolate northeastern India from the rest of the country and pose serious threats to the integrity of the country. China and Pakistan would only be too happy to see India downsized or even dismembered. Alarmed by the rapid development of dissent in Assam, the Indian government has refused to supply arms and ammunition to the CHT insurgents and has been told to settle their demands peacefully with the government of Bangladesh through negotiations. The peace agreement signed in 1997 by the government of Bangladesh and the PCJSS foretells the end of ethnic violence that has engulfed the area for nearly half a century.

3.14 Communal Riots

Violence on the Hill peoples by the security forces involved mass killings, burning of villages, torture and rape. Equally, the conflict provoked counter-violence from the guerrilla forces of the Shanti Bahini. Settlements of the Bengali migrants became prime objects of attack, constituting "soft targets", compared to the "hard" military ones. The aim of such violence and killings in the settler villages was to discourage the Bengali migrants from staying on in the CHT and make them to return to the plains⁷¹.

However, when the Shanti Bahini attacked Bengali settlers, the security forces typically reacted with violent reprisals on Pahari communities, Time and again, whole Paharei village communities were forced to flee in the face of mass murder, rape and brutality. Such attacks were on occasions joined by settler groups, some of whom had also been organized and armed by the state. A critical outcome of such violence was the swelling of the ranks of international refugees and internally displaced persons from among the Hill people⁷².

⁷⁰ Insurgency [2006 : 10]

⁷¹ Andan [2004 : 30]

⁷² Adnan [2004 : 30]

In fact, it is hardly surprising that the armed resistance of the PCJSS/SB gained considerably in momentum after the transmigration of Bengali settlers and the large-scale eviction of the Hill peoples from their lands through the intensification of violence.

It is evident that armed violence in the CHT did not remain confined to purely military targets or to the “armed” forces on both sides (i.e. the Bangladeshi security forces and the Shanti Bahini). On the contrary, the conflict inexorably populations, irrespective of whether they had been responsible for the perpetration of any violence. the initial military conflicts were extended and transformed into a broad-based “civil war”, embroiling both the Pahari and the Bengali populations of the CHT⁷³.

Both sides in this bitter ethnic conflict perpetrated human rights violations. Many instances of killings and massacres of Bengali settlers by the Shanti Bahini have been reported during 1980-91. However, there is little doubt that the Hill peoples were the victims and sufferers of much greater human rights violations perpetrated by the security forces and sections of the Bengali settlers. One estimate indicates that, in 1981 alone, approximately 10,000 Paharis were killed in these attacks. Since 1980, at least 11 Major massacres of the Hill people have taken place, including one at Langadu of Rangamati in May 1989, and another at Logang of Khagrachhari in April 1992⁷⁴.

⁷³ Adnan [2004 : 30]

⁷⁴ Mohsin [2002 : 184]

Chapter Four

Peace Initiatives of Different Government

4.1 Introduction

All the governments of Bangladesh took some positive efforts to pacify the people of this area with various activities. It started from Sk Mujib regime and continued upto the recent time. Though CHT is a political problem but it was viewed differently in different regime. Initially the demands of Hill people were not taken to be a political issue. Later CHT problem was considered to be a purely military problem. In next phase it was viewed as military-economic and then purely economic problem. At last national politicians understood that it is a political problem and peace initiatives were taken accordingly.

4.2 Sk Mujib Administration.

The government of Sk Mujibur Rahman was very busy in reconstruction of the war-ravaged country after the independence in 1971. The government couldn't give time and attention for the problems and aspiration of the Hill people. Sk Mujibur Rahaman asked the tribal to forget their ethnic identity and become part of Bengali nationalism. It added fuel to the fire. CHT problem, which was economic problem in Pakistan regime, became socio-politico-economic problem after independence. How ever, the government realized the problem and took followings measures to mitigate the problems¹:

- a. M N Larma was selected as the member of the Cultural Executive Committee of Bangladesh Krishak Sramik Awami Leage (BAKSAL).
- b. A Special committee was formed with secretary Abul Ahsan to recommend the necessary task for CHT.
- c. Bangabandhu Sk Mujibur Rahman ordered the stoppage of government sponsored Bengali migration to CHT in 1973.
- d. Chakma Raja Tridiv Roy left the country for Pakistan in late 1971. Government declared his son Debashis Roy to be the Raja for Chakma circle to fill up the gap of leadership.
- e. In 1973 government declared quota for tribal students in university, college and technical colleges. Dhaka Medical college had three, Chittagong Medical

¹ Nessa [2000 : 60]

college had four, BUET had two, Mymensing Agriculture University had three, Agriculture college had two and polytechnic colleges had five seats reserved for tribal students.

f. Government decided to send the tribal student to foreign university with scholarship from 1973. Every year few students were sent abroad for higher study during the tenure of this government.

g. In 1973 two houses were allotted at Dhaka and Chittagong for the residence of tribal students. Hill students are using the houses.

h. On 11 August 1974 government declared development work for CHT worth tk 1 crore 10 lakh. Electrification of eight Thana and Rangamati town flood protection wall were completed.

4.3 Ziaur Rahman Administration.

The demand of autonomy of CHT turned into the demand of independence during Sk Mujib regime. Ziaur Rahman government inherited a very complex problem. Government termed the situation of CHT as purely an economic problem. So the government adopted an economic approach to address the issue².

On 14 January 1976 CHT development Board was established. The aim of this Board was³:

- a. Permanently settle the landless tribal leaving their nomadic life.
- b. Arrange irrigation facility for enhanced agricultural production.
- c. Construct road, bridge and culvert for better communication.
- d. Initiate production oriented task for socio-economic development of hill people.
- e. Construction health complex for better health.
- f. Provide help and support for small and cottage industry.
- g. Establish school/college and provide scholarship for tribal student.

The functions of the Board as specified in the Chittagong Hill Tracts Development Board Ordinance, 1976 was⁴:

² Nessa [2000 : 63]

³ Nessa [2000 : 64]

⁴ Nessa [2000 : 65]

- (a) to prepare projects and schemes for the development of Chittagong Hill Tracts;
- (b) to approve of projects and schemes involving not more than twenty-five lakh Taka each for the thana headquarters, unions and villages;
- (c) to execute approved projects and schemes;
- (d) to supervise execution of approved projects and schemes;
- (e) to advance funds, on such terms and conditions as it may determine, for the execution of development schemes sponsored by various development agencies;
- (g) to do such other acts and things as may be necessary or convenient to be done in connection with, or incidental or conducive to, the performance of the aforesaid functions.

The mother of Raja Tridiv Rao Mrs Binta Rao was appointed as the adviser to the president and tasked to discuss with the armed rebels and suggest the appropriate measures to be taken by government. Later on Aung Su pro Choudhury and Subimal Dewan was appointed as adviser. These advisers could not make any headway to the CHT problem. In 1978 government made a tribal council to represent the tribal population with Charu Bikash Chakma as the leader⁵. Aim of this council was to gain trust and support of tribal middle class family. The council was the bridge between government and the hill people, which seemed to be failed to reduce the differences.

The government sponsored Bengali rehabilitation made a rapid demographical change in CHT between 1979 to 1981. It became the major issue in CHT problem. It also put further stress on to the limited arable land in CHT. As a result economically backward tribals had to go for asymmetric competition with Bengali for earning lively hood. So problem became more complex⁶.

At the end of the tenure General Zia tried to solve the problem politically. To create the appropriate environment for discussion he made J B Larma (Brother of M N Larma),

⁵ Nessa [2000 : 65]

⁶ Hossain [1999 : 33]

Anima Chakma, Bivuty Chakma and Chobai Mogue free from Jail⁷. He also participated in a close door discussion with PCJSS leader at Kahgrachari Circuit house. His initiative could not go further due to his sudden death. He changed our nationality from Bengali to Bangladeshi. This nationality encompass every body of the country living within the boundary of Bangladesh be it tribal or Bengali. Many consider this to a progress to the identical problem of hill people.

4.4 Ershad Regime

The very first step of Ershad government was to accept the CHT as political problem. Government reestablished the CHT development board. In 1984 government took five years development plan for this region. There were total 19 projects and expended money on that project up to 1990 was Tk 26,213 lakh. Among these projects female hand loom and Rubber gardening projects were successful and provided job to over 2000 families. Government also took extra initiative to educate the hill people. The table below will show details of education initiative⁸:

Education of CHT

	1947	1947-1982	1983-1989
College	-	5	9 (Govt 3)
High School	01	40	62
Primary School	20	880	138
Student Residential Hall	-	-	Residential Hall-09 School with Hall-02
Technical School	-	Rangamati-01 Khagrachari-01	Rangamati -01
Education Rate	2-3%	-	20%

Source : CHTDB

The government declared four times general amnesty for the surrender of Shanti Bahini. In 1983, 84, 85 and 86 total 2294 member of Shanti Bahini surrendered to army. Government also took initiative to get the refugee back to country and gave incentive

⁷ Nessa [2000 : 67]

⁸ Rahman [1997 :7]

package to the repatriated families. From 1987-90 total 30,399 personnel of 8438 family came back to their home. General Ershad also stopped the Bengali migration to CHT from 1985⁹.

Government also met the PCJSS leaders in peace talk. There were total six meeting at Panchari and Khagrachari. On March 1989 government passed the CHT local government council Act. This council had 30 members with 2/3 tribal members and a tribal as chairman of this council. As for the sample of three separate Hill district council Act, Rangamati Hill Districts council Act 1987 is attached as annex D to this paper. The council was given the administrative responsibility of following subject:

- a. Law and Order.
- b. Coordination, revision and accounting of development work.
- c. Education.
- d. Health.
- e. Public Health.
- f. Agriculture and Forestry.
- g. Livestock and Poultry.
- h. Fishery.
- j. Cooperative
- k. Industry and Business.
- l. Social Welfare.
- m. Art and Culture.
- n. Non -government land communication development.
- p. Non -government river port control and management.
- q. Maintenance of park, play ground and open area.
- r. Establishment and maintenance of guesthouse and rest house.
- s. Implementation of government initiated development project.
- t. Development of communication system.
- u. Sewerage and water supply.
- v. Planning of local area development.
- w. Undertake measures to improve the state of religious, ethical and economical condition of local people.

⁹ Nessa [2000 : 70]

4.5 Khaleda Zia Government.

Khaleda Zia led government continued the peace process in CHT. They also took some additional measures to make this process successful. On 9 July 1992 and all party national committee was formed with communication minister Oli Ahmed as the leader to negotiate peace talk with JSS. Government signed a bi-lateral treaty with India for taking the tribal refugee back to the country. As per the treaty the first batch of 379 families return to country on February 1994¹⁰.

For peaceful solution of CHT problem government held discussion with the PCJSS. Government declared cease-fire for number of time. The parliamentary committee under Oli Ahmed visited refugee camp at Indian Tripura for 13 times. In the peace talk PCJSS left their demand for provincial autonomy and came up with new proposal with regional autonomy on 18 September 1993. The parliamentary committee had total six meeting¹¹ with PCJSS and the sub committee under Rashed Khan Menon had seven successful meeting. Follow up of these meetings was the peace treaty later in next government tenure.

4.6 SK Hasina Regime

In 1996 Awami Leage came in power and Sk Hasina become Prime Minister. From the beginning the government was very sincere to come to an agreement with PCJSS for peaceful solution of CHT problem. On 30 September 1996 PCJSS declared cease-fire and government welcomed it. Government formed a "National committee for CHT" having members as follows¹²:

- a. Abul Hasnat Abdullah, Chief Whip, National Parliament, Convener.
- b. A B M Mohiuddin Chowdhury, Mayor Chittagong City Corporation, Member.
- c. Kalpana Ranjan Chakma, MP, AL, Member.
- d. Engineer Mosheraf Hossain, MP, AL, Member.
- e. Ataur Rahman Khan Kaiser, Industrialist, AL, Member.
- f. Dipongkor Talukder, MP, AL, Member.
- g. Amir Khasru Mahmud Chowdhur, MP, BNP, Member.
- h. Syed Ahidul Alam, MP, BNP, Member.

¹⁰ Nessa [2000:73]

¹¹ Hossain [1999:57]

¹² Hossain [1999:62]

- i. Advocate Fazle Rabbi, MP, JP, Member.
- j. AK. Khandoker, Ex Chief of Air Staff, Ex convener-CHT national committee
- k. Ali Haider Khan, Divisional Commissioner, Chittagong.
- l. S.S. Chakma, Ex Additional Secretary.

The national committee had one meeting at Khagrachari and six meeting at Dhaka. In the mean time Bangladesh government could convince the Indian government to with draw their support for insurgency at CHT. India stopped giving arms, training and food to Shanti Bahini. Being compelled by Indian authority Shanti Bahini had to with draw their camp from Tripura. On the other hand Shanti Bahini could not achieve any major success in last 25 years, though 20,000 people died. The hill people were tired with the fighting and wanted peace. So the PCJSS leadership had no alternative other than to have a peace treaty.

Finally government signed the peace treaty with PCJSS on 2 December 1997 at Dhaka. The full text of peace treaty in English has been attached to this paper as annexures A. On 10 February 1998 J B Larma, Head of PCJSS handed over his arms to Prime Minister Sk Hasina at Khagrachari Stadium¹³. Thus the armed struggle of PCJSS ended and peace begins at CHT.

¹³ Nessa [2000:79]

Chapter - Five

Impact of Peace Treaty in CHT.

5.1 Introduction.

Peace Accord comprises four parts with 72 points with a view to upholding political, social, cultural, educational and economic rights of all the citizens of CHT and brings peace in the area. The significance of the Peace Accord can be summarized as follows:

- a. It marked an official end to the two and a half decades long insurgency warfare in CHT through democratic negotiations without international intervention.
- b. It has vastly improved the safety, security and mobility for the public in the region and has eased public access to this part of the country.
- c. It has facilitated the establishment of a potentially strong system of local government institution in the region and the growth of tribal leadership.
- d. It has opened up enormous development potentials and opportunities in the CHT and has attracted the interest of the concerned national and international quarters¹.

5.2 Reconstitution of Hill District Council

The peace treaty brought many changes to the Hill District council Act 1989 for Rangamati, Khagrachari and Bandarban districts. All these changes were positive for the tribal interests. The definition of non-tribal permanent residents was included for better clarity and identification of real and legal inhabitants of CHT. Three seats of the council were reserved for women's. Now non-tribal residents of CHT are to have a certificate from respective circle chief as a proof of their CHT resident. Vocational training, primary training in mother tongue and secondary education was given under function of the council. Following additional subjects were also added in the functions and responsibilities of the Hill District council²:

¹ Stratigic [2007:4]

² GOB [1997:1]

- a) Land and land management
- b) Police (local)
- c) Tribal law and social justice
- d) Youth Welfare
- e) Environment preservation and development
- f) Local tourism
- g) Improvement trust and other local government institutions except Poursabha and Union Councils
- h) Licensing for local trade and business
- i) Proper utilization of water resources of rivulets, canals, ponds and irrigation except Kaptai lake
- j) Preservation of death and birth and other statistics
- k) Money lending and trade
- l) Jhum Cultivation.

5.3 Political Empowerment of Tribal Community.

The Accord incorporated a number of agreements, involving a certain redistributing of power between the national government and the district and regional councils, as well as partial delegation of authority to the latter by the former in specific subject areas³.

The government agreed to set up a separate Ministry of CHT Affairs, to be headed by a Minister from among the Hill peoples. The Peace treaty through Regional council has politically empowered the tribal community. The council will have 22 members where 2/3 should be from tribal population with 5 from Chakma, 3 from Marma, 2 from Tripura, 2 from Murong & Tanchangha and one from Lusai, Bawn, Pankho, khumi, Chak and Khing. Chairman of the council will come from tribe with the status of a state minister. It will have 3-lady member with 2 from tribe. The council will have a tenure of 5 years. It is clear that leadership of the council is with the tribals. Previously administration was controlled by government civil administration but now many authorities are handed over to tribals through regional council.

³ Nessa [2000:104]

5.4 Employment of Tribals

The employment, control and functioning of local government has been given to tribals. Tribals are given priority for recruitment for government, semi-government and local council staff and officer in CHT. With the service the tribals become financially self-sufficient.

5.5 Amnesty, Rehabilitation and other Privileges of JSS Members .

The Accord specified agreed procedure for the surrender of the members of the PCJSS/SB along with the de-commissioning of their arms. The government promised general amnesty and rehabilitation facilities to the PCJSS/SB members returning to normal life. A general amnesty was declared for armed and non-armed members of JSS, who deposited arms and ammunition on scheduled date. It also offered general amnesty to all 'permanent residents' of the CHT who had been formerly involved in 'anti-state' activities with the PCJSS/SB. All cases, warrants and punishment against JSS members were withdrawn. All bank loan interest were exempted and tk 50,000 given to each members for rehabilitation. Provision of soft loan from bank, reemployment of previous government job and educational facilities made the JSS members reintegrated in the society⁴.

5.6 Legal Privileges

The government also committed itself to enact or amend all concerned laws, statutes and conventions as early as possible, so as to make the legal and administrative framework conducive to the implementation of the Peace Accord. In particular, it agreed to rectify any anomalies arising between (a) the CHT Regulation of 1900 and related laws, ordinances, etc. and (b) the Local government Council Acts of 1989. This was to be done through appropriate legal measures on the advice and recommendations of the Regional Council. Tribal law and social justice is made subject of regional council⁵. Government will discuss and take advice from the council before inacting any law related to CHT. The council may apply and forward advice for change of any law or promulgation of any new law if felt

⁴ GOB [1997:B] .

⁵ GOB [1997:B]

necessary for the development of CHT and welfare of tribals. So the tribal got an edge for issues related to law.

5.7 Imposing Taxes and Making budget.

The council was empowered to impose taxes on certain article and financial activities. Council can also plan, approve and implement its budget. Thus all power related to finance was given to council. The following subjects were added for taxation by the council :

- a) Registration fee from non-mechanical transports
- b) Tax on sale and purchase of goods
- c) Holding tax from land and buildings
- d) Tax on sale of domestic animals
- e) Fees from cases of social justice
- f) Holding tax on government and non-government industries
- g) Part of royalty from forest resources
- h) Supplementary tax from cinema, theatre and circus, etc.
- i) Part of royalty from license or lease given by the government for exploration and extraction of mineral resources
- j) Tax from business
- k) Tax from lottery
- l) Tax from fishing

5.8 Land Commission and its power.

A whole set of measures related to resolving land disputes and problems was accepted by the government. This included recognition and recording of the land rights of the Paharis, cancellation of illegal leases and settlements given to non-Paharis and non-residents, and the setting up of a Land Commission to resolve all conflicts related to lands⁶. A land commission shall be setup with following members:

- a. Retired Justice.
- b. Circle Chief (concerned)
- c. Chairman of the Regional council/representative
- d. Divisional Commissioner/Additional Commissioner.
- e. Hill District Council Chairman.

⁶ GOB [1997:B]

The commission would settle the land disputes according to the existing rules, customs and usages of Chittagong Hill Tracts. No Appeal can be made against the judgment of this commission. Due to the land reform of peace treaty the hill people will get following benefits⁷:

- a. Government shall ensure providing two acres of lands to each landless family or the family who possesses less than 2 acres land. It will ensure home for all tribals.
- b. Land right will be ensured by quick land survey, record and dispute settlement.
- c. Allotment of lands to non-tribal and non-locals and other purposes to be cancelled who didn't implement the project. It will benefit the hill people.
- d. The fringe land in Kaptai Lake shall be given in settlement on priority basis to original owners. So tribals are benefited.
- e. No lands, hills and forests of CHT shall be acquired and transferred by government without consultation and consent of hill district council. Council will also supervise and control the functions of all land related officials. So the council is in complete control of all matters related to land.
- f. No new Bengali settlement will be there in CHT. So the tribal influence will increase.

5.9 Quotas and Scholarship.

Until development of CHT equals to other region of the country the government shall continue reservation of quota system in government services and educational institutions for the tribals. The government shall also provide necessary scholarship both in the school/college education, higher study and services of tribals⁸.

5.10 Financial Development.

The council will manage, maintain and develop the property, which is under control or under the responsibility of council. Council can make plan or implement the yearly budget. The council will collect fund from some specific seven taxes including government grants.

⁷ GOB [1997:B,C&D]

⁸ GOB [1997:D]

Permission for heavy industry, business license is given and the council recruits employees. Thus there are good scopes for employment, industrialization and investment in CHT and better financial life for hill people.

5.11 Tribal Development and welfare.

A tribal will head the CHT development board and the council will supervise all activity. Government will allot additional money for project of CHT. Government will encourage development of tourism in the area. With the enhanced security situation more investment will come to CHT. All these will generate employment and develop the area. Thus it will ensure welfare and development for tribal people.

5.12 Refugee Return.

The government agreed to provisions for repatriation of the Pahari refugees in India, as well as rehabilitation of the internally displaced Paharis within the country. The entire refugee will return to their home and government will provide all financial and administrative supports. A task force will be formed who will supervise the repatriation of refugee from Tripura and ensure that necessary support is given to them⁹.

5.13 Social Advancement.

Based on administrative change and enhanced financial activities the traditional life style of tribals are likely to change. Education, service and employment beyond traditional Jhum cultivation will help tribal to come in touch with mainstream social system. Over the time this change of social system will likely to be parallel to the change of CHT economy.

5.14 Demilitarization.

The government agreed to withdraw all temporary camps except BDR and six Cantonment at Rangamati, Khagrachri, Bandarban, Ali Kadam, Ruma and Dighinala. All the temporary Army, Police and Ansar camps to be withdrawn in phases. The army administration and

⁹ GOB [1997:D]

endless restrictions will stop. Free movement, peaceful environment and open choice for job will make the hill life easy, joyous, enjoyable and meaningful¹⁰.

5.15 Tribal Culture.

The government and elected representative shall make efforts to maintain separate culture and tradition for the tribals. The government will patronize to develop the tribal cultural activity at the national level, so that they can preserve their culture. Thus the elements and variety of tribal culture will enrich our national culture.

5.16 Weakness of Peace Treaty.

Despite its many positive features, the status of the Peace Accord, and the measures and procedures it specified, were not without limitations and problems. The agreement was not backed by any constitutional guarantee or provision, making it susceptible to potential violation and modification by subsequent regimes coming to power¹¹. Nor could a brief document of this nature deal adequately with the deep-rooted problems of security, land alienation and ethnic conflict affecting the people of the CHT. The formula provided for the representation of certain smaller Pahari ethnic groups in the district in the district and regional councils (HDC and RC) was somewhat arbitrary and inadequate, and could potentially create resentment and mistrust¹².

Despite these limitations, the Peace Accord was welcomed by the bulk of ordinary Paharis of the CHT. They were found to be weary of war and conflict, and wanted the provisions of the agreement to be fully implemented as soon as possible.

The agreement (article Kha 26) provides that no land within the boundaries of CHT shall be given in settlement, purchased, sold and transferred including giving lease without prior approval of the council. But Article 143 of the constitution of Bangladesh states that any property located in Bangladesh that has no rightful owner shall vest in the republic. Article 144 of the constitution also states that executive authority of the Republic shall extend to the acquisition, sale, mortgage and disposal of property. As such the supremacy of the

¹⁰ GOB [1997:D]

¹¹ Adnan [2004:93]

¹² Adnan [2004:33]

state authority in terms of ownership of land cannot be subordinated to any other local government authority or council¹³.

Every poor and landless tribal family has been promised an area of 2 acres of land. But there is no mention of giving lands to the non-tribal who have been permanent residents.

A non-tribal will be considered as a resident of CHT when he owns land and reside inside CHT. But there is no such rule for tribal. So, with the given facility, priority and development of CHT, tribal across the boarder may migrate and claim to be resident of CHT.

Three Hill District council and Regional council had total 34 and 22 member respectively. Out of which the non-tribal members are only 11 and 7. It is less than 1/3 of total members though non-tribals make about 48% of total population of CHT. This system is conflicting to the democratic character of our constitution.

Section 29 of our constitution says that all citizen of the country will enjoy equal right and religion, race, colour, gender or birthplace will not bar any citizen to be eligible for any employment and appointment. Peace treaty denies, restrict and discourage non-tribals for employments and appointments at council, government and semi-government offices in CHT. It clearly violates the instructions of the constitution¹⁴.

It is clear that the treaty could successfully end the armed struggle of tribals in CHT. The life and situation is much easier and comfortable with out fighting and bloodshed. But the feelings of insecurity and discomfort of settler Bengali has to be taken into consideration¹⁵. Only then the peace, prosperity and development of CHT will be permanent. The feelings of tribal population of CHT about peace treaty and its socio-economic impact on CHT is shown in table below:

Socio-economic Impact of Treaty

Triabl	Positive	Negative	No-Change
Chakma	62%	28%	20%
Marma	58%	30%	12%
Tripura	73%	20%	7%
Others	50%	22%	28%

Source: Vickarun Nessa, CHT Treaty-impact on socio-economic life

¹³ Constitution [2004:Sec 144]

¹⁴ Constitution [2004:Sec 29]

¹⁵ See during the Servey

Chapter Six

Threats to Peace and Present Situation in CHT

6.1 Introduction

More than 12 years have passed since the signing of peace treaty, yet nobody seems to be very happy about the present situations of CHT¹. Still many threats to peace exist in CHT. Identification of those and appropriate remedial measures are necessary for the sustainable peace in CHT. Threats can be broadly divided into political, socio-economical and security related issues.

6.2 Differences between National as well as Regional Political Parties

There was immediate opposition to the peace accord from segments of the Hill peoples, as well as certain Bengali interest groups in the CHT and other parts of the country. It was also strongly denounced by some of the mainstream political parties of Bangladesh².

The Accord was opposed by some breakaway sections of the PCJSS/SB, inclusive of elements of its 'front associations' among students', women and other sections of the Hill peoples. The main reason for such opposition was the view that the provisions of the Accord fell far short of meeting the needs and grievances of the Hill peoples. The Paharis opposed to the Peace Accord congregated under the banner of the United People's Democratic Front (UPDF), led by Proshit Bikash Khisa and Sanchoy Chakma. It was formally set up as a political party on 26 December 1998.

During the period 1998-2003, there has been bitter acrimony between the acts of PCJSS and the UPDF, further accentuated by acts of murderous violence. In parallel, a process of polarization has also taken place within the broader Pahari society, dividing those supporting the Peace Accord from those opposed to it³.

It is also not surprising that the Accord has been rejected by various political parties and Bengali 'nationalist' groups on the ground that parties has made 'too many concessions to

¹ Seen during the survey

² Adnan [2004:34]

³ Adnan [2004:34]

Pahari interest'. They have alleged that Bengalis in the CHT have been converted into 'second class citizens' and denied their due constitutional rights. Demands to scrap the Peace Accord, operation of the Land Commission, have been voiced by several political parties and organizations supporting settler interests in the CHT. However, much of the political opposition to the Peace Accord among Bengali interest groups appears to be motivated primarily by their economic concerns in the region. Among these are the protection of their acquired agricultural lands, homesteads, rubber and timber plantations, illegal logging businesses, and various other profitable enterprises. Regional political front like "Somo Adihikar Andolon" "Bengali Chattra Parishad and Parbatta Gono Porishad" have come up with the voice to safe guard the interest of settler Bengali in CHT. They have conducted procession on 02 Dec 2009 at Bandarban and Khagrachari⁴.

6.3 Peace Accord Implementation State

To date, only a limited number of the various provisions of the Peace Accord have been implemented by the government. These include enactment of laws amending the structure and powers of the three Hill District Councils, as well as an act for the newly created Regional Council of the CHT. However, very little progress has been made in the implementation of critical measures in other fronts to which the government had committed itself in the Accord. In particular, the proposed Land Commission has not been fully established or made effectively operational.

During the post-Accord period, the PCJSS and its leadership has repeatedly expressed disappointment and frustration with the lack of progress in the implementation of the Accord. The ordinary Hill peoples have become disillusioned about the prospects of restitution of their lost lands, or the full realization of other provisions of the treaty⁵. The tabel below summerise the present state of the major issues.

⁴ Prothopm Alo [2009:December 2] and Daily Star [2009:Dccember2]

⁵ Strategy [2007:1]

Agenda	Present State	National Goal
Peace Accord	Plagued with controversies	Implementing in a manner acceptable to all
Land Issues	Rampant dispute over the ownership of lands	Lasting management addressing the ongoing and potential disputes
Communal Relations	Mistrust with occasional rise of hostilities	Sustained communal harmony
Administration	Multi-structural and devoid of synergy	Synergy of efforts directed towards set goals
Regional Politics	Marked with violence	Non-threatening to sovereignty and conducive to development
Security	Vulnerable	Stable security situation
Socio-Economic Development	40% people below poverty line with inadequate healthcare and poor literacy	Substantial reduction of poverty with 100% healthcare and literacy by 2020.

The peace accord has not yet been ratified in the constitutions. As such it remains susceptible for potential changes in the future. Besides, some of the important provisions of the Peace Accord have not yet been implemented. It has created frustration among the ranks and files of JSS supporters. Delay in implementation has bred number of agitation programs against the government in recent years. The major causes of the frustrations are⁶:

- a. Non-withdrawal of (all except some) temporary camps.
- b. Non-commencement of the functioning of the Land Commission
- c. Non-transfer of land management and law and order matters to the district councils.
- d. Non-transferring the important subjects to Hill District Councils (HDC).

⁶ Strategy [2007:4]

6.4 Land Issue

6.4.1 System of Land Ownership in CHT-Traditional vs Legal System

Before British period, customary rules were in place to determine the temporary rights of use on common lands by the tribal people. The need for year-to-year shifting for Jhum cultivation did not allow the tribal families to develop permanent rights in fixed plots of land. From 1860s, the British claimed ownership of the district administration.

After the introduction and adoption of plough technology, the British offered permanent and heritable private land rights to people in the CHT from 1868. Initially, the beneficiaries have been the Bengali farmers who had been brought into the CHT to undertake plough cultivation. The CHT Regulation of 1900 gave rights to non-taxable lands as a form of remuneration to the office-holders (the Circle Chiefs, Headmen and Karbari). It also allowed ordinary tribes to own, possess or utilize certain kinds of lands as social property without written permission or documents of registrations.

Through the amendments of Rule 34 of the Regulation 1900 in 1971 and subsequently in 1979, the rights to entry, residence and holding of land were modified to make it easy for non-tribal to migrate to CHT. As such, the non-hill men were given the land rights in the Khas land with proper documentations. However, since 1989 the settlement virtually stopped through article 64 of Hill District Local Government Council Act 1989⁷.

6.4.2 Present Status of Land Ownership

Present status of land is a clash between government-sponsored ownership to the Bengalis and traditional ownership of land by the tribal. Besides, during long two decades of insurgency, both Bengali and tribal people were displaced from their land: some of which still remain unresolved. The reasons are:

- a. Non-availability of proper survey of land in CHT.
- b. Non-functioning of Land Commission.
- c. Non-enactment of laws related to land management.
- d. Difficulty in identification of legal owner of land.

⁷ Adnan [2004:42]

6.4.3 The Land Commission

The Peace Accord of 1997 explicitly stipulated that a Land Commission would be set up to resolve conflicts over land in the CHT. The Commission was expected to provide rapid resolution of disputes pertaining to the occupation of the lands of the repatriated Pahari refugees, as well as to revoke the ownership titles of all lands that had been illegally settled or occupied to date.

In the period since the Peace Accord, a number of retired judges have held the position of the Chairman of the Commission, while a Pahari has been appointed as its secretary. However, the government has done little else to make the commission active and operational in terms of appointment of other essential staff or provision of requisite office space, funds and other necessary logistical facilities. While an Act for the Land Commission was hurriedly published in July 2001, its contents remain flawed. In fact, six years after the signing of the Peace Accord, the promised Land Commission remains stillborn and ineffective (as of December 2003).

No substantive step has been taken to fulfill the promises of lands to displaced Paharis. Nor have the conflicts over their illegally occupied lands been resolved through the activation and effective functioning of the Land Commission.

These outcomes have generated widespread disillusionment and their leadership about the credible implementation of the Peace Accord. Consequently, continuing failure to deal with the land question is most likely to fuel the prospects of renewed political instability and ethnic conflict in the CHT. The likelihood of such outcomes is evident from the occurrence of inter-ethnic conflicts and violence over landed property during the post-Accord period. The need for dealing urgently with the land disputes and conflicts of the CHT cannot be overstressed.

6.5 Communal Relation

6.5.1 Legacy of Communal Relation of CHT

History of insurgency is marked by many communal riots leading to brutal massacre and atrocities. Mass killing took place by both Bengali and tribals on the instigation of each

other during 80s and 90s⁸. The memory of those gruesome incidents still haunts the inhabitants of CHT. However, since the peace accord, atrocity of such magnitude did not take place.

6.5.2 Poverty Among the Bengali Population of the CHT and its Implications for the Hill Peoples

Bengalis have now become the single largest ethnic group in the CHT and dominate its economy. Even though specific socio-economic groups among them are wealthy and powerful, this does not necessarily apply to the mass of ordinary Bengalis living in the region. Large sections among them, including a proportion of the settlers brought in by transmigration, are poor and lack viable land holdings.

Poor Bengali settlers living under difficult conditions among the many other settlements in which they are scattered around the CHT. These Bengali households, living in temporary and makeshift shelters, do not have reliable sources of livelihood. While many of them have access to free rationed food items provided by the administration. The entire 'ration' distribution system is plagued by massive corruption and malpractices, so that the poor and the powerless among the settlers do not necessarily receive their allotments⁹.

Many of these landless Bengali migrants clamour for a bit of land to be given to them from what they perceive as the 'vast open spaces' of the CHT. They have little understanding or concern about the customary land rights of the Hill peoples, and are much more preoccupied with the urgency of their need for land as a means of survival and breaking out of poverty.

In political terms, however, the existence of large section of poor Bengalis in the CHT has provided fertile ground for the spread of ethnocentric and racist (anti-Pahari) views among them, fanned by right-wing and chauvinistic potentially lead to aggressive and violent actions against the Hill peoples, fuelling further ethnic violence. Such violence have taken place in specific location of the CHT, such as Mahalchhari, during 2000-03¹⁰. Furthermore, continuing impoverishment among the settlers is likely to activate aggressive responses that might lead to further deprivation and impoverishment of the Hill peoples.

⁸ Mohsin [2002:184]

⁹ Adnan [2004:160]

¹⁰ Adnan [2004:160]

6.5.3 Interrelationships between Communal relation and Ethnic Conflict in the CHT

The experience of impoverishment has been associated with certain kinds of feelings and responses among the Hill peoples. These 'correlates' of poverty include the insecurity and vulnerability experienced by the Paharis, as well as the sense of powerlessness that they feel against the forces arrayed against them¹¹.

It is hardly surprising that the Hill peoples view exploitation and domination by Bengali interest groups, backed by the security forces and the state, as being primarily responsible for their poverty and powerlessness. However, most ordinary Paharis are caught up in the struggle for day to day survival and tend to bear their misfortune with a stoic fortitude.

Nonetheless, the resentment felt by the Pahari masses did help to fuel opposition to domination and exploitation by state and Bengalis, as manifested in the growth of organized activism among them from the 1970s onwards. It is in this sense that the exploitation and the impoverishment of the Hill peoples also served to generate political and military resistance among them.

Equally, such resistance was met by the state with its security forces, leading to repeated rounds of forced eviction, destitution, internal displacement or migration of the Pahari groups.

6.5.4 Factors affecting the communal Relation at Present.

6.5.4.1 Peace Accord Beset with Divergent Views.

Since the time of signing, the peace accord made its friends and foes. The tribal political party United People's Democratic Front (UPDF) opposed the treaty out rightly. Opinions also differed among the mainstream political parties. The Bengalis in CHT do not like to see the treaty fully implemented in the future, against their interest.

¹¹ Adnan [2004:161]

6.5.4.2 Deprivation of Bengali Settlers.

The Bengalis are almost half of the total population. They cannot now keep pace with the overall development due to the disparity rendered by the donor agencies and NGOs as well as by the government's special privileges for the tribes. As a result, huge poverty is setting in which sometimes push them to interfere into the domain of neighboring tribes. The table shows the unfavorable treatment for the Bengalis as compared to the tribal population¹².

Tribal-Bengali Economic Facility

Ser	Field	Tribal Population	Bengali
(a)	(b)	(c)	(d)
1.	Interest on bank loan	5%	12-14%
2.	Exemption from income tax	Yes	No
3.	Dev project grant	Up to tk 2 lac	Nil
4.	Quota for job and education	Yes (5%)	No

Source: CHTDB

6.5.4.3 Vulnerable Security Situation .

The security situation in CHT is still not conducive to ensure healthy communal relation. The armed wings of tribal political parties exert constant threat on both local Bengalis and tribals. One or two killing on to each other by tribal or Bengali creates enough ingredients to cause communal disharmony. After the Peace Accord, total 1000 killed, 1500 injured and many abducted both from Bengali and Pahari by the terrorist. The land dispute is now the major cause of communal disharmony in this region.

6.5.4.4 Ethno-Religious Relation.

Among the assorted populace, the Bengalis in CHT are mostly Muslims. As history speaks, most of the communal riots erupted due to the religious difference in this subcontinent. Therefore, poverty-ridden people with religion extremism are a threat to communal harmony in CHT.

¹² Strategy [2007:6]

6.6 National and Regional Politics

6.6.1 National Politics and its influence in the Regional Politics

Mainstream politics of Bangladesh are also persuasive in CHT especially among the Bengali population. The parliamentary election is shaped up around the national politics, though sometimes the regional political party makes the issue based coalition or alliance with the national political parties. The parliamentary form of governance encourages the creation of many power blocks centering on the local MPs of CHT, leaders of JSS and UPDF, leadership of Regional Council (RC)/HDC and the three Circle Chiefs (CC). Though the leadership climate looks ambiguous, but such power blocks maintain political equilibrium in this region.

6.6.2 Politics of JSS and UPDF

Regional politics in CHT is dominated by both UPDF and JSS. Being very old political party and winning the Peace Accord, the JSS remains to be the spokesman of majority of the tribal population. However, UPDF is also gaining popularity among the young generation. The table shows the political agendas of both JSS and UPDF¹³.

Major Political Agenda

JSS	UPDF
a. Intensify movement for full implementation of the Accord. b. Merge with greater movement of indigenous people across the country with a view to gaining more foreign sp. c. Strongly resist and eliminate anti-peace accord conspirators and terrorists (to include UPDF). d. Decent rehabilitation of Bengali settlers in other parts of the country. e. Abolition of military influence from the CHT including withdraw of camps.	a. Demand full autonomy of CHT. b. Resist any movement likely to hamper the aspirations of the CHT people. c. Strongly resist and eliminate JSS armed cadre/terrorists. d. Acquire rights with people of all races in the CHT. e. Abolition of Military Influence from the CHT including withdraw of camps.

¹³ Abedin [2003:217]

The political agenda of JSS hints for any struggle in order to fulfill their political objective and subjugate other Pahari political parties. UPDF also maintain an armed group to counter JSS. As a result, the approach of both the political parties will remain confrontational in the coming days. On the other hand, it is evident that the Bengalis in CHT remain to be the enemy of these parties and their covert agenda is to cause voluntary out-migration of the Bengalis from CHT.

6.6.3 Bengali Settlers Movement-Somo Odhikar Andolon and Others

To ensure equal rights, the distressed Bengali settlers started Somo Odhika Andolon in 2004. Until now, this party rarely made any impacts in the wider political front of CHT. The party leaders and activists are hugely attached to their original parties like BNP and Awami League and as such: they failed to strengthen the movement so far. Two other new front is seen recently. Bengali Chattra Parishad and Parbatta Gono Porishad has been found active in Bandarban and Khagrachari on 02 Dec 2009¹⁴.

6.6.4 Possible Reunification of JSS and UPDF and Probable Outcome

Unification attempts between JSS and UPDF were tried number of times, but did not materialize due to huge ideological differences and egoistic attitudes. Unless present top leadership of JSS is changed, unification between the parties is less likely. However, if at all the unification succeeds, the combined pressure of these parties will succumb the government towards the full implementation of the peace accord and terrorist activities will stop. So, the situation is likely to be supportive for peace and development in CHT.

6.7 Administration of CHT

6.7.1 The Government of Bangladesh (GOB)

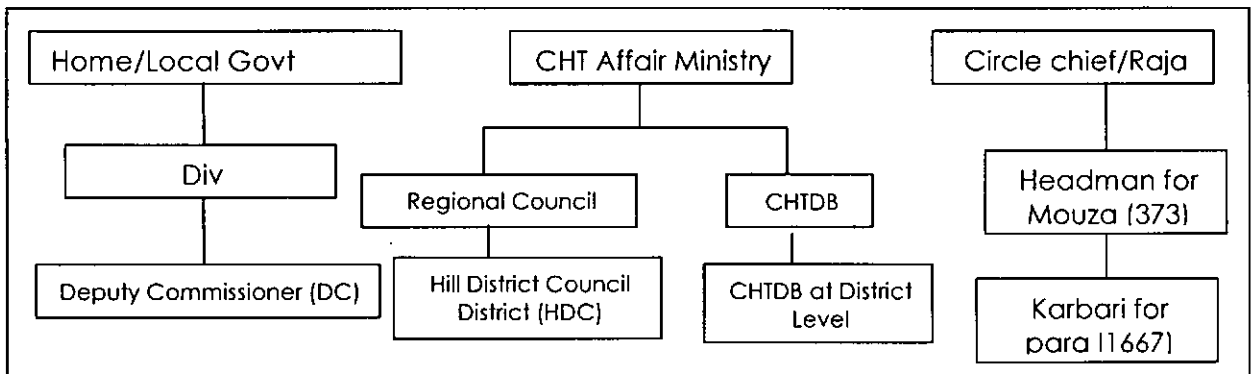
After the peace accord, the government established the Ministry of Chittagong Hill Tracts Affairs (MOCHTA) to implement its development schemes. The government is committed to carry forth the peace accord, at the same time obligated to fulfill the aspiration of all communities within the constitutional framework.

¹⁴ Prothom Alo [2009:December 2]

6.7.2 Administrative Structure of CHT

After the peace accord, three parallel administrative bodies emerged with super imposed authority, duties and responsibilities. They are, Firstly, the office of the Deputy Commissioner (DC), who is responsible for maintaining law and order and the legislative matters of the district. Secondly, the administrative and development authorities unique to CHT, i.e Regional Council (RC), Hill District Councils (HDCs) and the Chittagong Hill Tracts Development Board (CHTDB) are responsible for coordination and supervision of general administration, law and order and development activities. Finally, the ancestral or the traditional system of administration, where, the Circle Chiefs (CCs) exercise their authorities through the Headmen and Karbaries¹⁵.

Figure: Administrative Setup Unique to CHT



6.7.2.1 The Regional Council (RC).

The interim RC started functioning since 1999. The RC is expected to uphold the aspirations of the diverse population of this region through exercising considerable power conferred upon the council by the government. The RC implements the development projects through the district councils. It can also shape the decisions of the CHTDB through the Circle Chiefs who happen to be important members of the consultative committee of the CHTDB. The council enjoys enormous authority in policy formulation and major decision-making. In case of any controversy between the RC and the HDCs, the decision of the RC stands final. This almost uncontested authority of the RC might lead to undesirable interference, thus may pursue an unfair policy for development.

¹⁵ Strategy [2007:8]

6.7.2.2 Hill District Councils (HDCs).

The HDCs implement various developments projects and administer the different government and semi government's offices transferred to them. In addition to the fund provided by the GOB, The councils have its own independent fields to raise development funds. In effect, the councils are gradually taking over the administrative responsibility of the district rendering the deputy commissioners absolutely ineffective. Moreover, tribal dominated HDCs and the involvement of CCs in the decision making body are likely to undertake biased approach towards the development initiatives.

6.7.2.3 District Administration.

The DCs are responsible to look after the normal administration including maintenance of law and order and the legislative matters of the districts. But due to lack of clear-cut instructions coupled with some provisions of the peace accord create ambiguity about the responsibility shedding between HDCs, CCs and DCs.

6.7.2.4 Traditional Administrative Setup.

The three CC's role is not only confined to tax collection anymore. According to the provisions of the peace accord, they are now empowered to play a greater role in politics as well as in the decision making process towards the development of CHT. Although they do not represent all the inhibited tribes of the region but tribal including non-tribal residency is certified by the CCs. Such provision directly confronts with the authority given to the DCs previously by the government.

6.7.3 Over lapping Responsibilities

RC is responsible to coordinate all the development activity of all HDCs, supervise and coordinate activities of the transferred subjects upon the HDCs including the activities of Pouroshova. The RC implements the development projects through the district councils. It is tasked for general supervision of the CHTDB activities. The RC will coordinate and supervise general administration, maintaining law and order situation, social justice, NGO activity, disaster and relief operations in the CHT. The RC is also responsible for issue license for the heavy industries in conformity with the national industrial policy.

HDC is responsible for supervision, maintenance and improvement of the law and order of the districts. Within own district it will make necessary coordination of the development activities of local authorities of the districts and review and implementation of its development projects.

Generally DC carryout general administration and the legislative matters of the districts. He is also responsible for maintenance of law and order in the districts. He also issue permanent residency certificate to the non-tribal.

The circle chiefs collect revenue from the land of the respective circles. They also advise MOCHTA, RC and CHTDB about the development activity in the CHT being the members of the consultative/advisory committees. There are to issue certificate to the permanent resident of CHT (tribal and non-tribal) as per the treaty.

6.7.4 Drawbacks of the Present Administrative Setup

The RC is not only the coordinating body for the deveiopment activity in the CHT: it has now become a development powerhouse. Too much fund allocation through the RC made the council more powerful and authoritative. Besides, many tiers in the administration have created some major drawbacks. These are:

- a. Ambiguity in delineating responsibilities.
- b. Bureaucratic bottleneck in every stage in the decision-making.
- c. Too much authority of the RC may lead to undesirable interference in pursuing unfair policy for development and land management.
- d. Enhanced role of CCs in the decision making process gradually shrinking the responsibilities of DCs.
- e. Lack of Coordination among the parallel administration.

6.8 Security of CHT

6.8.1 Prevailing Security Situation

On the day of signing of the Peace Accord, the anti-accord tribal political party UPDF emerged with a slogan for full autonomy. Since then, UPDF developed bitter rivalry with JSS. Upto December 2009, at least 1000 persons were killed 1500 injured and many abducted due to armed clashes between UPDF and JSS. To control the miscreant's armed activities and maintain security of the region the withdrawal of army camps is delayed. The collection of toll by different groups said to be remain same in CHT. Such security situation is a key hindrance for sustainable development in this region. In addition to armed activities, both UPDF and JSS are involved in organized toll collection causing economic downturn in the subsistence capability of the people even at micro-level. The table below shows the number of killing, kidnapping in last 10 years, which clearly signifies the vulnerable security situations in the region.

Table - Incidents after the Peace Accord

Ser	Type of Incidents	Till March 2007	Remarks
(a)	(b)	(c)	(d)
1.	Killed	422	
2.	Injured	675	
3.	Kidnapped/Missing	954	
4.	Arms Related Incident	904	
5.	Riot/Near Riotous Situation Between Bangali and Tribal	14	

Source: Headquarters 24 Infantry Division

6.8.2 Tans-Boarder Activities

Trans-boarder activities like arms smuggling, drug-trafficking movement of foreign insurgents are also detected at times. Due to the rugged terrain, unguarded boarder, ethnic uniformity and cross boarder ethnic linkages, trans-boarder movements of various insurgent groups of the neighboring countries take place in CHT.

6.8.3 Reduction of Security Camps

Immediately after the Peace Accord, total 152 camps were withdrawn and in recent months, more 48 camps were closed with a reduction of brigade size force¹⁶. Huge security concern has already been voiced in different media over the closure of these camps. Bengali settlers organised different political programmes to stop further withdrawal of army.

6.8.4 Complete Withdrawal of Army

The Pahari and JSS leadership wants the complete withdrawal of army and end of army rule in CHT. Many national figure like Sultana Kamal and Rashed Khan Menon, MP view that army should be withdrawn. On the other hand Bengali settlers are in fearful state for armed pahari attack on their life and property. Some national intellectuals, political party and regional Bengali political fronts are opposing such withdrawal.

6.9 Socio-Economic Development

6.9.1 Social Indicator

Compared to other part of the country, CHT falls short of the required level in the social development sector. The comparative data as shown below, gives a comprehensive picture about the backwardness of the hill districts. The various indicators of socio-economic development between the entire country and the CHT Region is shown in table below:

Table: Socio-economic Development of CHT

Ser	Socio-Economic Development Indicators	Entire Country	CHT Region
(a)	(b)	(c)	(d)
1.	Poverty Rate	33%	40%
2.	Literacy Rate	45.3%	37.35%
3.	Birth Rate	1.74%	3.4%
4.	Access to Basic Healthcare	46.12%	65%
5.	Infant Mortality Rate	5.3%	1.6%

¹⁶ Strategy [2007:12]

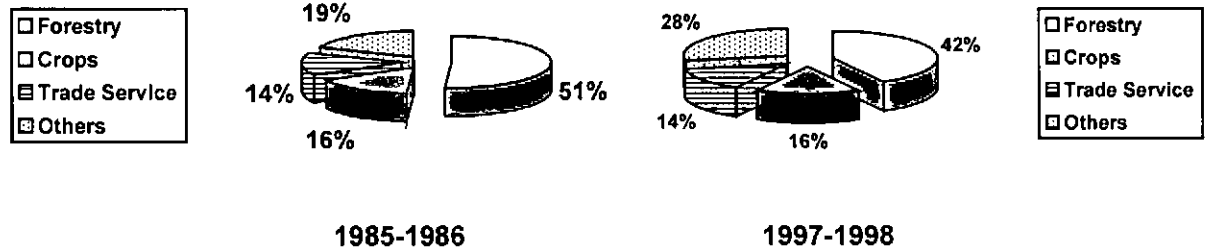
6.	Immunization Coverage	65%	14%
7.	Doctor Population Ratio	6000:1	4400 :1
8.	Access to Safe Drinking Water	17%	3%
1.	Access to Hygiene and Sanitation	48%	71.18%
10.	Access to Telecommunication Facilities	1.14%	0.54%
11.	Access to Electricity	33%	20%
12.	GDP	6.3%	4%
13.	Per Capita Income	USD 440	USD 176
14.	Road Network in Km (Asphalt)	20c711km	700km (Approx)

Source: Bangladesh Statistical Bureau

6.9.2 Economy of CHT

With the changes of the status of CHT from time to time the economy of CHT did not diversify, as it was necessary. In fact, the the economy of this region used to be dominated by forestry, while crop production, industry and trade accounted for much lower shares of the gross regional product (GRP). For example, in 1985/86 the forestry sector dominated the CHT economy, accounting for half of the GRP (51%), followed by crops (16%) and trade services (14%). By 1997/98, the share of forestry in the GRP had declined significantly to 42%¹⁷. The outputs of industry, transport, shortage and communication sectors increased slightly but not significantly. Off late, Bangali community has emerged as small businessmen like grocery shopkeeper, bamboo and timber traders. On the other hand development of agro-based cottage industries, like poultry, fisheries, fruit processing industries etc remained less focused due to lack of funds/investments and vulnerable security situation in the region. Nonetheless, CHT has enormous potentials like, tourism, rubber industries, skill oriented agro-based projects etc; exploration of which would open up numerous opportunities to create a solid base for a strong economy.

¹⁷ Adnan [2004:105]



Source: Migration Land Alienation and Ethnic Conflict, Causes of Poverty in the CHT of Bangladesh by Shapan Adnan

6.9.3 Impediments in the Socio-economic Development

6.9.3.1 Lack of Infrastructural Development and Utility Services.

Inaccessible hilly terrain with steep slopes which cover more than 70% of the area, made the communication system and other infrastructural development difficult. Besides, lack of utility services like power supply has been impeding the development process. Backwardness of the region almost in all sectors coupled with traditional belief, lifestyle and the fear of being uprooted by the development activity significantly discouraged socio-economic growth.

6.9.3.2 Diminishing Trend of Raw Materials.

Few major industries in the CHT like, KPM, BFIDC, small-scale wood processing and some agro-based cottage industries are incurring loss every year due to shortage of raw materials. Gradual reduction of reserve forest due to traditional Jhum cultivation coupled with vulnerable security situation often restricts the extraction operations of raw materials for KPM. Moreover, vulnerable security situation and inadequate supply of raw materials hindered growth of heavy industries in the area.

6.9.3.3 Scarcity of Plain Land.

Plain land accounts for less than 5% of the total area of CHT that are used for agriculture and left very negligible amount of land for the establishment of large industries. Besides, land ownership dispute prevented private entrepreneurs from investing in various economic sectors in the region.

6.9.3.4 Rudimentary Skill Level of Diverse Population.

The diverse population in CHT region suffers from huge disparity in terms of literacy, poverty level and skill maneuvering. Among the tribal population Chakmas are well ahead in the literacy rate. As shown in the chart below, Chakmas constitute 25% of the total population, 70% of them are literate. On the other hand, Bengalis constitute 49% of the total population but only 22% of them are literate. Under this favorable condition and the opportunities provided by the councils and various development agencies, Chakmas are racing ahead in all the employment fields thus causing disparity among other segments of the population. Besides, half literate Bengalis and other illiterate tribal folks did not have any other skills, which could be used in the socio-economic development of CHT. Lower skill level Vis a Vis indiscriminate educational system left the majority of the population in their traditional means of living thus hindering the diversified economic growth in the region.

6.9.3.5 Complex Administrative Setup.

Off late, emergence of multiple parallel administrative bodies in the post accord scenario- having allegiance to various group of population rather created different interests group thus creating bottlenecks in the development activity. Moreover, conflicting authorities vested on the ancestral system coupled with un-demarcated responsibility shading among the administrative authorities is further raising chaos in the day-to-day running of the administration. Too many authorities responsible for planning, coordinating, supervising and implementing the development activity in the CHT certainly impede the development process.

6.9.4 Development Agencies/Partners in the Socio-economic Development of CHT

6.9.4.1 Chittagong Hill Tracts Development Board (CHTDB).

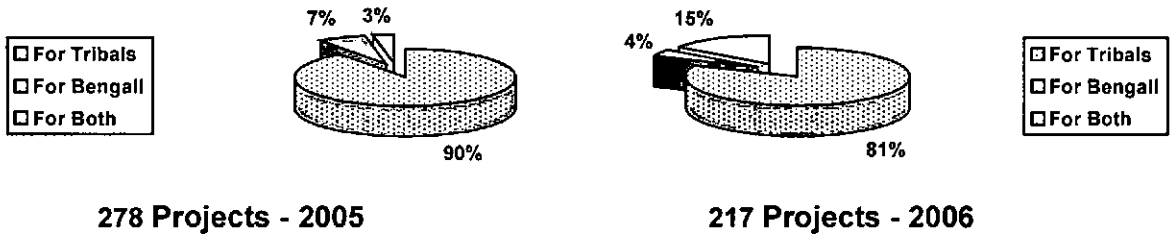
To improve the socio-economic condition of the people of CHT, the GOB established CHTDB by an ordinance in 1976. Since its inception the CHTDB with the financial assistance from the government and donor agencies has been implementing various development projects. Following the peace accord few changes were brought in the working procedure of CHTDB which sometimes create ambiguity in power sharing thus impeding in planning and implementation of the projects. Besides, lack of lateral coordination between CHTDB and the RC/HDCs in planning and undertaking development programs has sometimes turned into a wasteful duplication of efforts. Nevertheless, the development projects of CHTDB gave much needed attention towards poverty ridden Bengalese.

6.9.4.2 UN and International Organizations.

The UNDP, UNICEF and ADB usually implement its projects involving both the MOCHTA and the local government. At the national level the MOCHTA acts as the Co-operating agency and oversees the development projects through a National Steering Committee. Local government institutions at Regional, District, Upazilla and Union levels also assume active roles in the programme. Survey shows that the beneficiaries of the development projects of UNDP and UNICEF are mostly tribal. As shown on the chart below 90% beneficiaries of the UNDP projects in 2005 and 81% beneficiaries of the same in 2006 are tribal¹⁸. Again, out of 10 projects of the UNICEF, 8 are directed towards the upliftment of tribal socio-economic condition. Their approach is also evident from the staff selection for the Project Management Unit (PMU). Besides, the MOU signed by the Ministry and the UN and international organizations allows them to directly interact with anyone within the project area under the banner of 'Direct Execution Procedure'. This kind of arrangement lays the ground open for poverty alleviation and economic empowerment of the tribals.

¹⁸ Strategy [2007:22]

Project for CHT



278 Projects - 2005

217 Projects - 2006

Source: CHTDB

6.9.4.3 NGOs.

After the peace accord, NGOs have mushroomed in developing the CHT. Near about 140 national and international NGOs are operating throughout the region. Most of the NGOs are rendering micro credit programs and improving the healthcare services, expanding water and sanitation facilities. However the target groups and the selection of project areas remain mostly with the tribals. Their projects are not well coordinated and activities are also not closely monitored by any organisation. As a result, projects are over imposed by NGOs in the same place where as some places remain empty. Besides, access of NCOs to the interior areas are limited for safety reason and bar the needed support for the poor and marginal tribal groups in the far area.

6.9.5 Common Lapses in the Development Activities

6.9.5.1 Lack of Economic Diversification.

Too much importance on the agro and forestry bases economy by the projects undertakers has overlooked the necessity in diversifying the economy in the region. The development activities need to be co-ordinate by some organisation of CHT for effective use of funds.

6.9.5.2 Unwise Use of Highlands.

The nomadic culture of 'Jhum Cultivation' and the passive support by some agencies and NCOs in preserving tribal cultural and heritage have prevented them from adopting modernized ways of agriculture like, Slopping Agricultural Land Technology (SALT).

Rubber plantation, horticulture, fruit gardening farming and poultry could be better choice for use of high land.

6.10 The Survey Report

A survey was conducted in March 2008 to March 2009 at Rangamati, Khagrachari and Bandarban. The survey was confined to the three-district town. Total 90 samples were taken with 45 tribals and 45 Bengali. The researcher also took interview of eminent political scientist Professor Dr Emajuddin Ahmed, Ex vice chancellor of Dhaka University and Bomang circle Chief Raja Aung Su Pru Chowdhury. The survey questionnaire was prepared in Bangla with 53 questions. Most of the participants for their simplicity answered mostly 21 questions. So, the survey report is prepared based on commonly answered 21 questions. The detail of the survey report is described.

6.10.1 Previous problems of CHT before peace treaty

Most of the people participated in the survey said that land was the major problem of CHT and still it remains to be so. Total 62 persons out of 90 making 68.89% people think that it was the main cause of conflict in CHT. The communal riots between Pahari-Bengali is the next major problem in CHT. 63.33% people viewed it to be the critical problem. The third major problem as identified was the political problem. The political party and leaders are using CHT issue for their personal/party gains. 48 persons making 53.33% people marked this as a major problem. The other problems as identified in the survey were communication, education, health, economic, military, insuring, identity, in-migration of Bengali and not fulfilling fundamental rights. Some of these problems were solved after the peace treaty, though many not yet.

6.10.2 Reasons for the previous problems

Most of the people participated in survey opined that political and social marginalisation of Hill people was the main cause of CHT problem. Total 56 persons amounting 62.22% view it to be the main cause. Around 51.11% people being second largest group commented that the state owned migration of Bengali settlers into CHT is the main cause of CHT problem. Kaptai dam has been pointed out as the third major cause (42%) for the CHT problem. The other cause of the problems were identified as tribal land grabbing, threat to

the existence of indigenous people, lack of mass awareness, military torture, no development work, unstable political environment, illiteracy and partisan behaviour of the government.

6.10.3 Problems after peace Accord

There were total 15 problems before signing the peace accord as identified in the survey. But after signing the peace accord the problem rose to 18 where some new problems came up related to the basic needs of human beings. Here unemployment came up as the first major problem of CHT. Total 58 persons out of 90 making 64.44% people put this as a major problem of CHT at present. The second largest group (62.22%) feel that mistrust with government is a big hardies to achieve peace in CHT. About 51.11% people said that non-diversification of economic activity is a great problem. 46.67% people feel that Pahari-Bengali communal riots and 45.56% people said that partisan communal ideology of army are some major problem still exist in CHT. The other problems as came up in the survey are land, politics, non-implementation of quota system, food shortage, illiteracy, dispute between government and JSS, new land grabbing, establishment of new army camp, extinction of small tribal identity less representatives from indigenous people, absence of health care and social mistrust. Among other problems the land issue and communal riots remains to be the major hardies to peace as it was earlier. But the leading problems of CHT came up after the peace treaty i.e unemployment, mistrust with government and non-diversification of economy, are new and fresh problems.

6.10.4 Reasons of the current problems

There are 22 reasons to have the problems in CHT. Total 68 persons equals for 75.56% peoples participated in survey said that political and economic causes are the primary reasons to have conflict in CHT. 62.22% people point out current terrorism to be a main cause. 53.33% and 50% people feel that absence of proper leadership and land grabbing are other major causes for CHT problems. Many others reasons for CHT problems as spelt out by the CHT inhabitants are government unwillingness, army support for settler Bengali interest, non-implementation of peace treaty, food security, activities of administration, unjust government policy, marginalization of Hill people, not withdrawing army, threats to Hill men, in-migration of Bengali settlers, absence of rule of law, mutual mistrust, division among the Hill men, absence of health care, deforestation, extreme

communal attitude, non functional land commission and government's negligence towards Hill people.

6.10.5 Weaknesses of Peace Treaty

Only 5 person out of 90 being 5.56% view that there is no weaknesses of peace treaty and other 94.44% CHT resident believe that there are some weaknesses of the peace treaty. 46.67% people feel that treaty is weak legally where as 40% people said that the unwillingness of government/JSS and divisions among tribals are main handle to implement the treaty. 40% and 34.44% people respectively believe that the denial of equal rights to Bengali and non withdrawal of Bengali settlers are the weakness of peace treaty. No constitutional recognition, non rehabilitation of Bengali, unwritten pact, unwillingness of government, non effective land commission, non withdrawal of army camps, not having international witness during treaty, absence of support from all major political party, personal grivanses/ego of leaders, local government of tribals not being effective and less power of indigenous people are some of other limitation/weakness of peace treaty for not being effective in having peace in CHT.

6.10.6 Threats to Peace in CHT

There are as many as 25 threats for peace in CHT detected by the CHT dwellers. Major threats are the land disputes, terrorist activities and activities of anti-treaty tribal groups, communal division, mistrust and riots, corruption and unjust behavior of administration and importantly military presence and their activity. 62.22%, 34.44% and 25.56% people believes that the corruption and partisan, one-eyed and unjust activity of government/administrative set up is a major threat to peace in CHT. 56.67% and 28.89% people respectly view that terrorism and anti treaty tribal group activity is also substantial threat to peace in CHT. 43.33% said racial conflict, 40% said communal riots, 33.33% said Pahari Bengali differences in ideology and interest, 23.33% said communal activities are main concern for peace and stability in CHT. 32.22% people feels that tribal land grabbing by Bengali and 30% people feel migration of Bengali in the place of tribals is a serious threat to peace. Where as 31.11% people viewed that army activity and rule in CHT is a big threat. 53.33% people said that fight for power and bureaucratic complexes are also to be considered as threats. The other threats as came up in the survey are political

unstability, social disparity, activities of vested interest group, rehabilitation of settler Bengali, division among tribals, torture on Hill men and extremist religious activities.

6.10.7 Present Situation of CHT

The answer to the question of what is the situation of CHT at present were very short. Mostly people answered in the form of good, satisfactory and not satisfactory. 43 persons (47.78%) said that the present situation in CHT is not satisfactory. Where as 29 persons (32.22%) said it is satisfactory and 18 persons (20%) said it is very good.

6.10.8 Reasons for Dissatisfaction with present situation

The reasons for dissatisfaction with preset situation is very limited. 06 persons making 6.67% do not know what is the reason for dissatisfaction but not happy with present situation. Main reason is the Pahari-Bengali tension and communal riots. 64.44% and 32.22% people believes that idea. Where as 58.89% CHT dwellers view that illiteracy or less scope for education is another reason for dissatisfaction. Social instability is also responsible for this dissatisfaction as viewed by 56.67% people. Non answerable administration with corruption, activities of Bengali, military rule, continuation of land grabbing even after peace treaty and political instability are the other reasons for dissatisfaction.

6.10.9 Better time in CHT : Before treaty or after treaty

Many people were found not ready to answer this question. Reason behind may be that many didn't have clear picture about the situations before. Most of them were found mostly concern with the near past and present situation. 25.56% people said that the time after the peace treaty is better where most of them are Hill people. Again 25.56% people said that earlier time was better where most of them are settler Bengali. 24.44% people said that time before kaptai dam was better. Some 23.33% viewed that time between 1997-2001 was better. Again some body feels that present condition is worse than previous time. In general it can be safely said that most Paharies are happy after peace treaty and some Bengali settlers being worried of their destiny and uncertainty preferred previous time.

6.10.10 Contributory Issues for lasting peace

Management of unemployment, understanding between government and JSS leadership, equal treatment of Pahari and Bengali, stoppage of further migration of Bengali in CHT, full implementation of peace treaty are the major contributory issues to be solved for lasting peace in CHT. 67.78% people opined that unemployment management can lead us to sustainable peace. Another 62.22% believe that understanding and mutual trust between Pahair-Bengali is very important for peace. The other reform proposals are neutrality of administration, government willingness, empowerment of regional and district council, administrative functioning as per treaty, coordination of tasks between district administration, regional council and district council, indigenous administrative control by indigenous people, inactment of CHT Regulation of 1900 and curbing the corruption.

6.10.11 Pahari Bengali co-existence

Total 17 person(18.89%) said that co-existence between Pahari and Bengali is not possible. Others said that peaceful co-existence is possible if some measures are taken. About 45.56% fell that neutrality of civil-military administration can ensure coexistence. 68.89% people believes that mutual trust and mutual co-operation can ensure co-existence. 34.44% people opined that it is possible if temporary settlers are not rehabilitated, whereas 26.67% people points at solution of land issue for co-existence. The other issues that may contribute positively for peaceful co-existence of Pahari-Bengali are stop page of military control, brotherhood between races, Just social, economical and administrative right and living separate.

6.10.12 How to solve CHT Problems?

30% people totaling person viewed that CHT problem can't be solved. Remaining 70% people think that these problems can be solved with broadly ten action plan. 78.89% people feel that it can be done by understanding between Pahari-Bengali and enhanced social relation between them. 62.22%, 40% and 14.44% people said that through discussion, government effort and political negotiation can solve the problems. 32.22% view that it is only possible by settling Bengali outside CHT. 25.56% people said that it is possible by implementation of the treaty. 44.44%, 23.33% and 12.22% people opined to do it by maintaining neutrality, giving basic right and sympathy to every one. 31.11%

people viewed that it is possible by poverty alleviation and 12.22% people believes that it is possible only by political movements.

6.10.13 How to enhance good relation between Pahari-Bengali?

Only 6.67% people said that the good relation between Pahari-Bengali can't be made better. The remaining 93.33% believes that good relation among them is possible. There are varied opinions for enhanced good relation and co-operation between these two tensed group of CHT. Majority people think that mutual trust, good behavior, changing mentality, mutual respect, sympathy and co-operation, forgetting the past hat rates can help all of us. Some others viewed that with government willingness, maintaining neutrality by administration and army, with drawing army, equal right to every one, implementing the treaty and settling Bengali in plain land can reduce the gap between the communities. A minor fraction also believe that by education, industrialization and giving priority to tribals good relation can be enhanced.

6.10.14 How settler Bengali can be rehabilitated?

There are total ten proposal for the rehabilitation of settler Bengali of CHT. 64.44% opined that they may be settled to the government khas land inside CHT. 61.11% opined that it should be decided by government efforts and discussion. 57.78% people said that they should be rehabilitated out side CHT with due honor, employment and ration; it may be his previous districts also. Again 34.44% viewed that Bengalis may be rehabilitated in their work places. 28.89% proposed that settler Bengali may be rehabilitated by well coordinated plan with supports of international organisations.

6.10.14 Development of Education.

There are varied comments made in survey for the development of education in CHT. Main concern seems to be on financial waiver on educational cost. 70% people opined that education up to graduation to be made free. 57.78% viewed that scholarship to be arranged for poor students. 46.67 people urged for improvement of education standard and 32.22% said that primary education should be in the mother tongue of indigenous people. Other issues which came up for development of education are establishing more school/colleges and university/technical/medical/engineering college in CHT. Opening

honors and masters courses in government colleges, more financial allotment for tribal education, increasing quotas in all educational institute and stop the military/administrative influence in education of CHT.

6.10.15 Diversification of economy and Industrialization

Many ideas came up for diversification of economy and industrialization. 47.78% people proposed to have engineering and technical colleges in CHT to produce skill manpower. 38.89% people advocated for agro-forestry based industrialisation in CHT. 36.67% people viewed that college industry to give priority in CHT. The other major thoughts on this issue are new industrialisation, development of communication network, develop marketing systems for the local product, establish cold storage, increase government investment, encourage private investment and expand the tourism industry in CHT.

6.10.16 How to Implement the Peace Treaty?

This was a difficult question but the inhabitants of CHT gave very simple answer to it. Answers were straight with confidence. The majority people (56.67%) said that it is only possible by the common consensus for peace by the national and local political parties. 50% people viewed that by solving the land issue remaining part of the treaty can be implemented very easily. 45.56% people believe that only government willingness and sincerity is enough to implement the treaty. The other ideas are implementation through political movement and struggle, constitutional acknowledgement and discussion between government and JSS in different levels.

6.10.17 What should be done for sustainable peace in CHT ?

There are many jobs to be done for sustainable peace in CHT. The major issues came up are the control of terrorism and maintenance of security; maintenance of communal harmony, solving land issue, political stability and common consensus among the political parties, removing all disparity and corruption form administration and full implementation of the treaty. 64.44% and 45.56% people want that terrorism to be controlled and practical agenda to be taken to maintain security. 56.67% and 31.11% people said that balance, unbiased and just behavior and activity of administration without disparity and corruption. 54.44%, 34.44%, 28.89% and 26.67% people want that communal harmony to be

maintained by mutual trust, sympathy, co-operation and friendly relation. 50% people want that peace treaty to be implemented fully. 45.56%, 35.56% and 40% people felt that socio-political balance to be brought out by strengthening regional/district council and uniting tribal population. 47.78% view that settlers need to be rehabilitated. 40% and 11.11% people said that army camps and settlers to be withdrawn. 26.67% and 21.11% people opined that political party need to come to a common conceus and maintain political stability for sustained peace in CHT. 34.44% and 20% people believe that Government need to develop the area and give interest free loan for the socio-economic development of the area.

Chapter Seven

Reforms for Sustainable Peace in CHT

7.1 Introduction

Bangladesh government could reach to an peace accord with JSS after 24 years long insurgency. Many of the CHT problems were resolved by this peace treaty but many yet to be done. Every government is taking some steps towards peace. After detail study of socio-political and cultural-economic background of CHT, peace treaty, present realities and survey this research forward some reform recommendations necessary for sustainable peace in CHT.

7.2 Implementations of Peace Treaty

Peace Accord is an internationally recognized commitment. Any departure from this formal undertaking might undermine the credibility of the government. The spirit of upholding the image of the government suggests the full implementation of the Accord¹.

The Peace Accord between the Bangladesh government and PCJSS provides a starting point for reducing ethnic conflict in the CHT. Proper implementation of the Accord would help to restore the faith of the Hill peoples in the legitimacy of a social and political order which has been grievously damaged by decades of exploitation, domination and injustice. Furthermore, such policies would also help to curb some of the factors generating poverty among them.

At the moment, the Peace Accord remains a mere agreement between the government and the PCJSS, the implementation of which has been treated as a matter of discretion by the two successive governments in power since December, 1997. Even though some legislation has been enacted regarding the Regional Council and the Hill District Councils, other important clauses of the Accord have not been given due legal status or recognition. It is therefore essential to complete the process of endowing legal-constitutional validity to the Peace Accord of 1997.

¹ Chakma [2002:23]

Appropriate amendments should be made to the laws of the land as well as the Constitution of Bangladesh, to give legal status and continuity to the specific agreements contained in the Peace Accord.

In particular, the Constitution should be amended to give explicit recognition to the indisputable fact that the people of Bangladesh include both Bengali and non Bengali ethnic groups, and that the distinctive languages, cultures and identities of the latter deserve due and equal protection.

7.2.1 Support Strategies

7.2.1.1 Shaping Public Opinion. In order to mitigate the resentment among the apparently deprived stakeholders and to avert potential resistance to this approach, it is necessary to first desensitize the public emotion by adopting some persuasive measures. This can be done by steadily shaping the public opinion through extensive media campaign, rallies and other intellectual forums.

7.2.1.2 Enhanced Security. It is almost certain that, despite the persuasive measures, the full implementation of the Accord will lead to some degree of tension and violence. Such possibility demands that we step up overall security to ensure stable law and order situation.

7.2.1.3 Phased Implementation. Instant implementation of the Accord might create leadership, security and administrative vacuum leading to a chaotic situation. Therefore, phased implementation through a well conceived transition plan would be necessary to keep things in good order. A road map or time frame may be given for implementation of the treaty.

7.2.1.4 Exploiting the Open Ends for Common Good. While the Accord addresses the broad issues, the detailed explanation of certain terminologies leaves room for dissimilar connotations. The inner spirit of the relevant terminologies can be suitably explained to accommodate the aspirations of all communities.

7.2.2 Implications

This approach will be appreciated by the international community and Pahari- Bengali as a whole. Consequently, a surge of foreign donation and assistance for development may be expected. The credibility of the government will shot up. An environment of mutual trust and peaceful coexistence may usher in. The security situation and the socio-economic development will get a pace. at the same time sudden emotional outburst of apparently deprived communities may lead to widespread violence. Initially, the immature administration, leadership and security situation may lead to a power vacuum. This transitory and vulnerable period may be exploited by the national and international terrorists as well as by the anti-accord lobby.

7.3 Managing the Land Issue

Indeed, the successful management of land is basically a matter of proper documentation and confirmation of ownership to the deserving claimants. However the foremost action necessary to resolve the land disputes is to start immediate survey and mapping of the lands. Simultaneously, the Land Commission needs to be activated with requisite staffing to deal with the disputes.

7.3.1 Activating the Land Commission

The government should take necessary measures to fully activate the Land Commission without further delay and enable it to operate effectively in the manner stipulated in the Peace Accord². Adjudication and conflict resolution by the activated Land Commission must be impartial and fair, visibly independent of the state and government interference, as well as being free of manipulation by particular ethnic groups or vested interests. Only thus can the confidence of the Hill peoples in the prevalent political and legal order.

7.3.2 Recognition of the Customary and Traditional Land Rights of the Hill Peoples

As noted above, the Peace Accord specifies that the Land Commission will take account of the customary laws, local traditions and procedures of the CHT when carrying out its

² Adnan [2004:178]

activities. In order to make this operationally feasible, however, due recognition must be given to the customary norms and traditional practices of the Hill peoples concerning possession and use of lands, so that such rights may be invoked and enforced through established legal and judicial procedures³.

7.3.3 Cancellation of Existing Leases for Private Rubber Plantations and comparable

As per the Peace Accord, settlements of all lands given to non-local individuals for rubber and other plantations should be cancelled if these have not been properly utilized for over ten years. Furthermore, unless issues related to the forcible and illegal occupation of Pahari lands are resolved, there is unlikely to be any durable solution to the ethnic conflict in the CHT. Consequently, policies are required not only for the restitution of the Pahari lands that have been already taken over, but also for preventing any further loss of their lands in the future.

The complete moratorium should be imposed on further acquisition of the private and common lands of the Paharis by others, inclusive of Bengali settlers and non-residents, the Forest Department, the security forces and other agencies of the state, as well as development projects.

Various legal and administrative loopholes have been utilized for the takeover and transfer of Pahari lands even after the peace Accord. It is imperative that necessary revision of legal and administrative procedures is undertaken by the concerned authorities in order to plug the loopholes through which alienation of Pahari lands has been taking place⁴.

All existing laws and regulations pertaining to the CHT should be amended, as necessary, to make these consistent with the clauses related to restrictions on land settlement, transfer, leases, etc., as specified in the Peace Accord, and subsequently incorporated in the 1998 HDC Acts.

³ Adnan [2007:180]

⁴ Adnan [2007:180]

7.3.4 Rehabilitating the Deprived Ones.

It is quite obvious that in the legal process many of the present occupants of lands would become landless. Unless some kind of rehabilitation is planned, these destitute people might become a social burden and indulge in crime and violence to earn their living. The government may offer suitable lands elsewhere close to the victim's earlier possession. The uncovered reserve forests could be a suitable place to rehabilitate them.

7.3.5 Reducing the Dependence on Land.

The scarcity of cultivable lands might negate rehabilitating the victims in agro-based occupations. The government may plan to diversify the economy of CHT in order to reduce the dependence on lands.

7.3.6 Implications

The crucial significance of restituting the forcibly and illegally occupied lands of the Hill peoples cannot be overemphasized. Such an outcome might at least partially rectify the takeover of their private and common lands by Bengali settlers, private plantation operators as well as agencies of the state. Policy measures restoring access to their lands would also enable the Hill peoples to climb out of poverty and destitution. To the extent that they could get back to cultivation of their own lands, they would no longer need to depend upon external assistance from the state and donor agencies. Not least, restitution of their alienated lands would also help to restore the faith of the Hill peoples in the political order and legal institutions of Bangladesh.

Early settlement of land disputes will gradually enhance communal harmony. Permanent and confirmed ownership of land would encourage long term investments and give a boost to the regional economy. Some kind of dissatisfaction will prevail among the deprived ones. The need for rehabilitation might put serious economic burden on the government.

7.4 Maintenance of Communal Harmony

7.4.1 Equitable Distribution of Privileges.

The strategy should allow no discrimination among the communities with respect to availing special privileges. The various financial and other special benefits offered by the government and donor agencies may be distributed on the basis of individual's state of poverty, not the communal identity.

7.4.2 Peaceful Blending of Cultures.

The divergent cultural values often embitter the relationship among communities. Therefore a supporting strategy is necessary to overcome this cultural barrier. Political, social forums, tribal language clubs and increased involvement of the tribal people in trade and commerce will expectedly promote the interaction of people from various communities and help remove this cultural barrier.

7.4.3 Regulating the Behavior of Development Partners.

Effective measures may be taken to ensure that the parochial mindset of the international donors and NGOs do not lead to preferential care for the so-called indigenous people at the expense of depriving the poor Bengalis. Such attitude is likely to break the social harmony by creating resentment among the deprived community. While signing the MOU, the concerned authority should keep an eye on this critical issue.

7.4.4 Moulding Social Psyche.

The radical mindset of the religious extremists and the cultural dogma of unyielding tribal/Bengali leaders might stand on the way towards peaceful blending of cultures. Therefore, a supporting strategy for gradually molding the social psyche through media campaign and other like approaches should also be pursued.

7.4.5 Early Settlement of Land Disputes.

Interestingly, though the Land issue has been identified as one of top agenda for strategic management, successful management of this issue has its corresponding

impact on the communal relation as well. Therefore an early implementation of the strategy on land issues may be ensured as a supporting strategy for communal harmony.

7.4.6 Upholding Lingo-cultural Uniqueness.

Community based language schools, language clubs, cultural institutes and exclusive places for worship may be patronized to protect and uphold the communal heritage. The individual communities may be encouraged to live collectively within familiar enclaves to avoid cultural clash.

7.4.7 Implication

Familiarity with different cultures will promote mutual tolerance and respect leading to peaceful coexistence of communities. Lingo-cultural barrier will be removed. Financial disparity will be removed. No prejudicial care and hence no sense of deprivation will prevail. Chances of sporadic communal clashes over minor issues will be reduced. Individual sufferings will be removed. A sense of comradeship will prevail within each community.

7.5 National and Regional Politics

7.5.1 National Politics

The political agenda of the mainstream parties must reflect the aspiration of the region. Frequent visit by top leaders, raising regional issues in the parliament and similar actions that demonstrate their sincere attachment to this backward tract will enhance their acceptability to the hill mass. Besides, the dominant regional leaders may be encouraged to joint the main stream politics. This can be done by offering them such portfolios which enhance their national stature.

7.5.2 Implications.

Furthermore, most political parties of the country are careful not to antagonize the settler lobby because they are keen to get the 'Bengali vote' of the CHT in order to elect their candidates in local (HDC) as well as national (parliamentary) elections. In terms of

realpolitik, no government of Bangladesh wants to be seen as 'acting against the interests' of the dominant ethnic group constituting the overwhelming majority of its citizens. Specifically, any government which undertakes measures for the withdrawal of settlers from the CHT runs the risk of alienating pro-Bengali sentiments at large.

The fact that even this limited attempt was to allowed proceed much further is indicative of the stiff resistance to simply the eviction of Bengalis illegally occupying Pahari lands. Any attempt at large-scale withdrawal of Bengalis settlers from the CHT is likely to face far greater resistance⁵. Despite these considerations, policy-makers of all political parties need to give serious thought to the option of voluntary withdrawal of settlers for both moral and practical reasons.

Bangladeshi policy-makers must realize that, even if they 'do nothing', they will not be able to renewed ethnic conflict, violence and political instability in the CHT. The worst case scenario involves the possibility of inter-group communal riots and mass killings in the CHT, comparable to the brutal and senseless massacres that had taken place during the period of armed conflict. Bangladeshi policy-makers need to appreciate that a policy of 'doing something' about peace full settlement of land and settlers does make sense, in order to pre-empt the potential resurgence of ethnic conflict in the CHT and its serious consequences.

Caring attention of the central leaders will facilitate development process of the region. Rewarding the political acumen of local leaders with heightened stature. The parochial agenda of regional politics will lose its vigor. Potential secessionist movement will be subdued.

7.5.3 Multiparty Regional Politics

Reduce the dominance of only few regional parties by paving the way for the emergence of new parties with fresh and assertive agenda. Create adequate political platforms for each and every minor community to express their political desire and to bring equilibrium in the regional politics.

⁵ Adnan [2004:171]

Patronizing the cause of equal rights might remove the communal distrust and promote harmony. Efforts may also be taken to include influential tribal leaders to support the cause to enhance its credibility and acceptability to all. Emergence of new political parties with fresh agenda will bring a balance of power in the region. This will also bring an end to the bipolar orientation of regional politics.

Political atmosphere conducive to peaceful coexistence. Every community can reflect their aspirations form some political platform or the other. Absolute dominance of any particular party will be denied. Availability of counter balancing forces will rule out any harmful political agenda.

7.6 Administrative Reform

A sound and effective administration is critical to strategy implementation as it pertains to better articulation of priorities, creation of enabling environment for public and private action, optimum use of resources and distribution of benefits. This paper suggests phased decentralization for enhancing administrative effectiveness in CHT.

Before attempting any decentralization the Ministry has to first gain absolute control over the CHT affairs. This should be followed by a process of articulating clear job descriptions and division of responsibilities among the various tiers of administration. An unambiguous chain of command must also be specified. After that the phased decentralization should commence in accordance with a well-conceived transition plan. The sequence could be decentralizing of resources and finally decentralization of authority. Decentralization implies added responsibility and accountability at grass-root level. The system demands introducing a culture of result oriented performance. The working procedure of the lower tiers of administration may not come under scrutiny so long the desired output is achieved.

No duplication of efforts. No dereliction of responsibilities. Micro-level initiative will facilitate development at grass-root level. Better synergy of efforts.

7.7 Security Issue

Political Stability communal harmony, socio-economic justice and people trust/satisfaction with the administration are keys for maintaining security in any society or area. These four elements need to be ensured for expected security situation in CHT. Whatever the source or nature, any terrorist threat emerges through three basic stages: indoctrination, financing and arming. The state can remove the security threats by addressing these fundamental aspects at the very formulation stage. Besides, it also envisages the involvement of the entire society in improving the security situation.

7.7.1 Social Strategies.

The social approach includes creating general security awareness among the common people through extensive media campaign. It also suggests the creation of adequate job opportunity for the young generation to help them dissociate from terrorism and find a safe career. Above all, justified and enhanced socio-economic development may be ensured to isolate the miscreants from the common people.

7.7.2 Administrative Approach.

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The administrative approach encompasses provisioning of ID card and preparing area wise data base of population to check against suspicious and unwarranted movement of the miscreants. Close monitoring of selected bank accounts will help the administration prevent illegal flow of money to the miscreants. The strategy also suggests close monitoring of the NGO activities to rule out the possibility of passive financial support to the miscreants.

7.7.3 Political Approach.

National and regional political parties need to come to a consensus that we want a peaceful CHT. Then the parties need to seat together to find out modalities, how to address the conflicting needs of different segment of people. With political will of the regional leaders the security of CHT can be achieved easily.

7.7.4 Implications.

The strategy takes the political party, leaders and common people on board and hence gain popular support. this coordinated approach by all segments of the society promises better chances of success. It will aims at eliminating the security threats even before their emergence. There will be no human rights violation.

7.8 Socio-Economic Development

The economic survival and improvement of the Hill peoples will require significant diversification of the CHT economy, going beyond traditional activities in forestry and agriculture. Specifically, it will entail expansion of the industrial, trading and service sectors of the economy. However, care needs to be taken to ensure that such activities are pursued in ways that do not have adverse impacts on the Hill peoples and the environment of the CHT. This consideration is illustrated by considering some non-agricultural sectors of the economy. If the causes of past failures can be removed, then the expansion of horticulture could still provide a significant avenue of generating incomes and reducing poverty among the Hill peoples of the CHT .

Programmer should be taken up to assist interested group of Pahari producers to form cooperatives or join together under alternative institutional arrangements. They should attempt to build up their own storage, procession, transportation and marketing facilities in the long run. This calls for some limited term 'infant industry' treatment from the state, involving a combination of suitable protective measures and incentives, up to a given time limit. Such measures would enable Pahari enterprises to build up their organizations and diversify their capabilities from production to distribution through a process of vertical integration, while developing the capability to face open competition in the long run.

Micro-credit operations in the CHT should be subject to careful regulation by the RC/HDC to ensure that these do not become additional mechanisms of exploitation, impoverishment and land alienation of the Hill peoples. The Peace Accord specifies that the hill District Councils (HDC) will have an expanded role in the development activities of various government departments and agencies operating at district level. It also specifies that the Regional Council (RC) will coordinate all development activities in the region, including those of the CHT Development Board.

There are several ways in which expansion of education and literacy among the Hill peoples would help them to overcome poverty and check some of the underlying causal factors. Firstly, educational qualifications would provide opportunities for employment and income earning. This would be of particular use to those lacking access to the means of production such as land and forests, characterizing a significant proportion of the Hill peoples of the CHT⁶.

The question of connectivity is critical to development for reaching to remote area and enhancing the growth process. Key policy concerns include improved connectivity through rural electrification, roads, and telecommunication. A well coordinated infrastructural development plan must be consistently pursued under the direct supervision of the MOCHTA to provide better access to markets, education, health and above all civilization. The government may encourage private entrepreneurs and the multinational companies to invest money in this region⁷.

In order to compensate for the lack of potential of this backward region, the government should support the development initiatives with stable macroeconomic balances, improved regulatory environment, higher private investment and increased inflow of FDIs⁸.

Micro-credit has rightly come to be seen as the most visible of antipoverty instruments. Enhanced credit facilities by the donor agencies and NGOs for establishing agro-based cottage industries like-fisheries, horticulture, cotton, rubber, fruit processing industries etc will facilitate employment generation conforming to individual's choice and skills⁹.

7.9 Withdrawal of Bengali Settlers

Further in-migration of Bengalis to the CHT should be firmly discouraged and eventually stopped altogether, if possible. This can be attempted through a combination of physical checks at entry-points, economic disincentives and other control measures. In particular, all existing facilities and incentives provided by the state to Bengali migrants to the CHT should be discontinued.

⁶ Strategy [2007:21] and Adnan [2004:211]

⁷ Strategy [2007:22]

⁸ Strategy [2007:21]

⁹ Adnan [2004:203]

A genuine attempt should be made to encourage the voluntary withdrawal of the Bengali settlers from the CHT. As a complete withdrawal is not possible, so a partial withdrawal should be attempted¹⁰. The government should put forward a programme for voluntary relocation of settlers from the CHT to the plains districts. Those who are willing to move out should be offered a one-time cash grant (of the order of, say, Tk. 50,000 per family), payable at the new location after withdrawal from the CHT. The settlers would be able to use this grant to set themselves up in the new locations and find the means of earning a livelihood. In addition to the above the government should provide necessary logistical facilities to reduce the difficulties of reception as far as possible. These could include means of transport, arrangements for reception at the new location, provision of employment opportunities, etc. After relocation, the concerned settler families would be given the benefit of financial and institutional support, including rationed goods for a period of three years (which may be extended by the government if necessary). The administration should accelerate the pace at which the relocation offer is taken up by settlers by setting a time limit up to which the proposed material incentives would be made available, e.g. one year from the date of announcement. State policies should progressively reduce and remove other facilities that have been provided to Bengali settlers since the time of the transmigration programme, leading to full elimination within a definite deadline (say, one year from the announcement of the withdrawal programme).

No new material incentives and facilities should be provided by the state to those settlers who decide not to take up the relocation offer and continue to stay on in the CHT. Furthermore, the status in the lands that the settlers had occupied earlier should be submitted for scrutiny by the Land Commission¹¹.

7.10 Conclusion

Chittagong Hill Tract (CHT) is the southeastern part of Bangladesh. CHT comprise of three Hill district namely Rangamati, Khagrachai and Bandarban. It is surrounded by the India states of Tripura on the north and Mizoram on the east, Myanmar on the south and east and Chittagong district on the west. From the geo-political, strategic and economic consideration the area is very important for Bangladesh.

¹⁰ Adan [2004:171]

¹¹ Adnan [2004:172]

The Chittagong Hill Tracts (CHT) occupies a physical area of 5,093 sq. miles (13,295 sq km), constituting ten percent of the total land area of Bangladesh. The CHT have numerous hill, ravines and cliffs covered with dense vegetation, which are in complete contrast to most other districts of Bangladesh, which consist mainly of alluvial lands. From time immemorial the CHT has been the home of thirteen tribal populations. The tribes are chakma, Tanchangaya, Marma, Tripura, Reang, Mro, Lusai, Khumi, Chak, Khyang, Bawm and pankhua. They are commonly known as jumma people and are distinct and different from the majority Bengali population of Bangladesh in respect to race, language, culture, religion and ethnicity. Their main occupation is based on subsistence farming known as jhum (shifting cultivation) in contrast to the wet rice cultivation system in the plains of Bangladesh.

The history of human civilization or human living in CHT is not long. People started living there under the kingdom of Tripura and Arakan. Then there were many changes before it falls under Moghal Rule. Like all other parts of Bangladesh it was then ruled by British and Pakistan and finally become part of Bangladesh in 1971. The seeds of dissatisfaction, frustration and grief began in the CHT region during the 1960s after the Kaptai Dam project was implemented and it transform into a separatist movement and reached its climax in the 1970s. The different administration of Bangladesh failed to understand the magnitude of the problem, thus appropriate political measures were absent. As a result sufferings and dissatisfaction of Hill people grew further and insurgency begun. Initially, the leaders of the movement mobilized support inside the tribes and then gradually sought the support of external sources. The main external support came from India, although moral support came from some international agencies.

All the governments of Bangladesh took some positive efforts to pacify the people of this area with various political, economic and administrative activities. It started from Sk Mujib regime and continued upto the recent today by the Sk Hasina Government. Though CHT is a political problem but it was viewed differently in different regime. Initially the demands of Hill people were not taken to be a political issue. Later CHT problem was considered to be a purely military problems. In next phases it was viewed as military-economic and then purely economic problem. At last national politicians understood that it is a political problem and peace initiatives were taken accordingly. After a long journey and pains taking efforts finally Bangladesh government signed the peace treaty with the

tribal people of CHT represented Parbatta Chattagram Jono Sanghaty Samity (PCJSS) or in short JSS on 02 December 1997.

Peace Accord upholder the political, social, cultural, educational and economic rights of all the citizens of CHT. The significance of the Peace Accord can be summarized as follows:

- a. It marked an official end to the two and a half decades long counter insurgency operation (CIO) through democratic negotiations without international intervention.
- b. It has vastly improved the safety and mobility in the region and has eased public access to this part of the country.
- c. It has facilitated the establishment of a potentially strong system of local government institution in the region and the growth of tribal leadership.
- d. It has opened up enormous development potentials and opportunities in the CHT and has attracted the interest of the concerned national and international quarters.

More than 12 years have passed since the signing of peace treaty, yet nobody seems to be very happy about the present situations of CHT. Still many threats to peace exist in CHT. Many provisions of the peace accord have been implemented though few very important issues are yet to be materialized. The land disputes are not yet solved. One of the hill people small organizations, United Peoples Democratic Front (UPDF), still continuing with arms struggle. The deployed Army could not be withdrawn fully. The tribal-Bangali mistrust and non-cooperation still remain very high. The said political empowerment of Hill people is not yet done by legal, infrastructural and administrative support and democratically elected District and Regional council. There are debates that some provisions of peace accord are conflicting with national constitution and some legal complain is under study of High Court about some sections of peace treaty. Our intellectuals and politicians are divided about some aspects of peace treaty. Recognition of these problems and appropriate remedial measures are necessary for the sustainable peace in CHT.

Based on the research this paper forward following reform recommendations for implementation by all concern:

- a. The land commission to be made functional by government with legal, infractural and administrative support. The commission need to make an survey and solve the land disputes being justified and unbias.
- b. Government need to fully empower the tribal leadership and make them function as per the peace treaty. Regional council and Hill District council should immediately by led by the democratically elected leadership.
- c. National and International government and agencies need to come up with short, mid and long term projects for socio-economic developments needed and accepted by all communities of CHT.
- d. Government should fully implement the peace Accord with sincerity. Voluntary withdraw of Bengali settlers and withdrawal of army cams in phases can be under taken. Government need to give a road map or time schedule for full implementation of the treaty.

For the total development of the country, CHT need to be peaceful and developed. Furthermore, despite the Peace Accord signed in December 1997, the factors generating, resentment, fear of extinction by Bengali majority and disillusionment among the Hill peoples continue to operate even today. Even concerns of Bengali settlers are to be addressed with equal importance for peaceful co-existence of ethnic groups living in CHT. Indeed, unless remedial steps are taken in time by concerned policymakers, these factors could potentially activate further rounds of ethnic conflict and armed struggle in the CHT.

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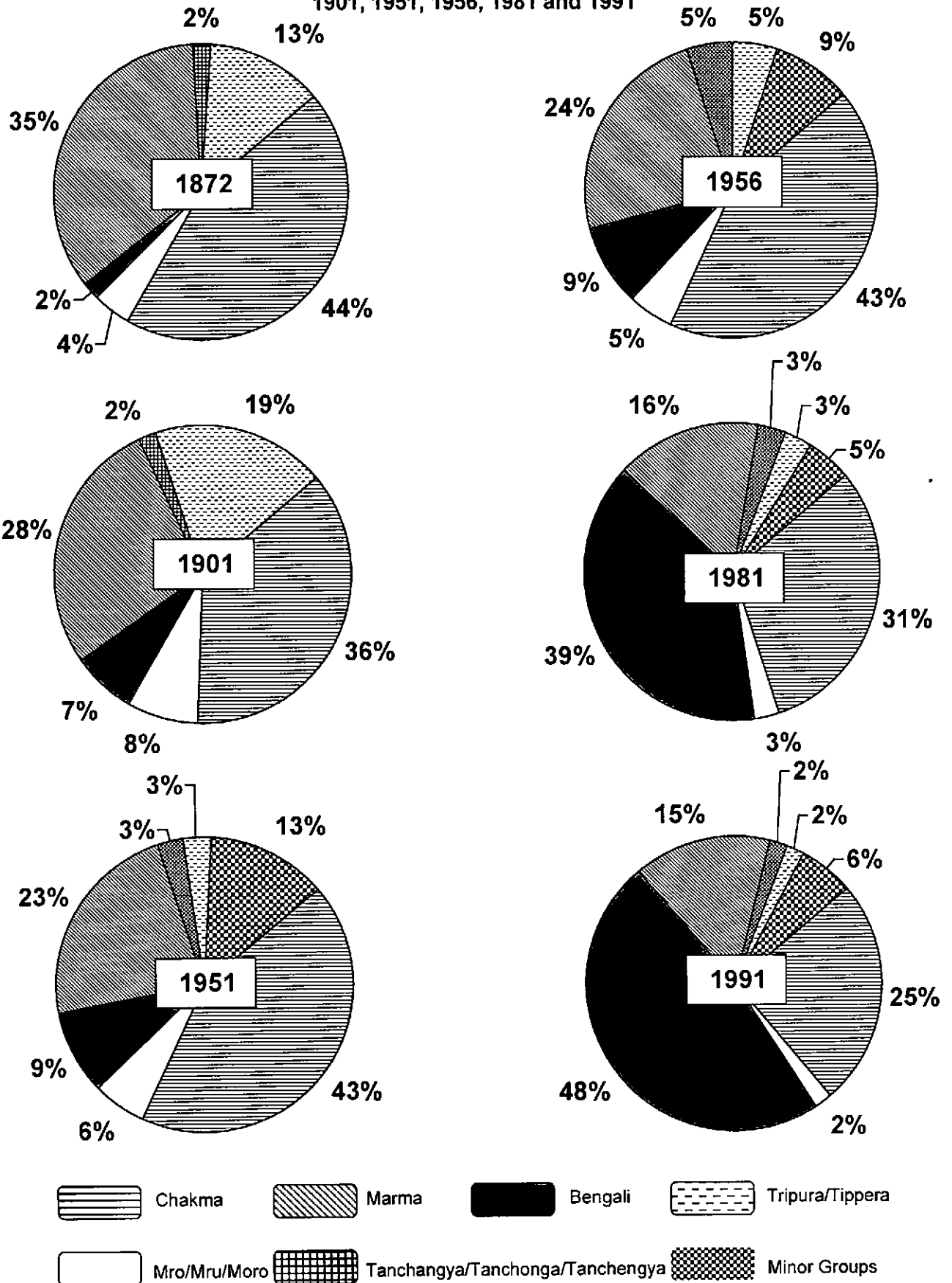
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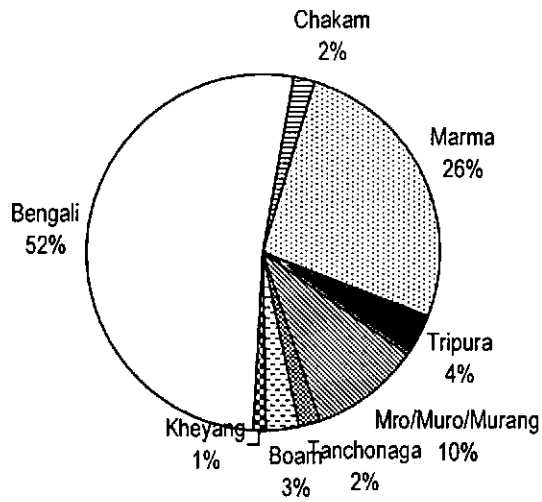
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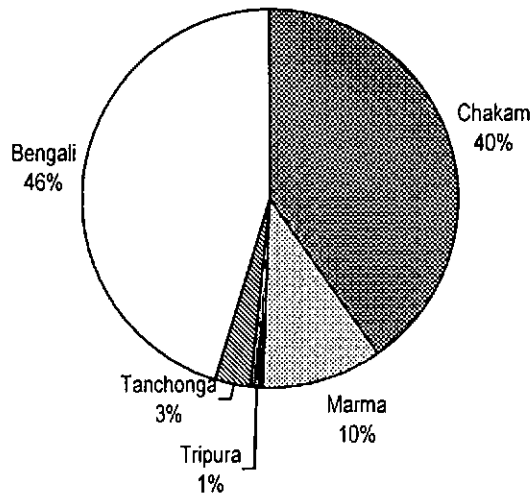


Population of the CHT Districts in 1991 by Ethnic Groups

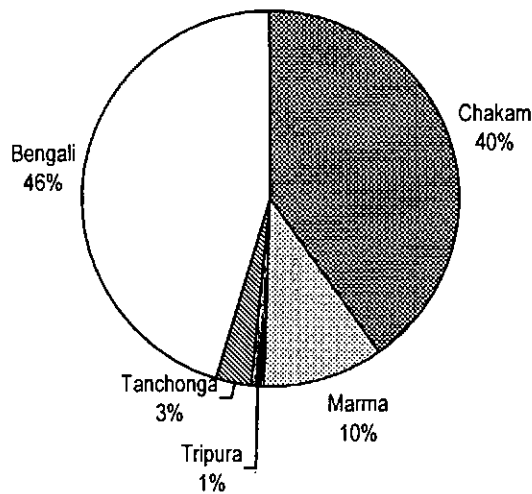
Bandarban



Khagrachhari



Rangamti



SUSTAINABLE PEACE FOR CHITTAGONG HILL TRACTS PROBLEMS AND PROSPECTS

পুস্তাবলী

নাম : _____ ঠিকানা : _____

বয়স : _____ শিক্ষাগত যোগ্যতা : _____ উপজাতিঃ _____

পেশা : _____ ধর্ম : _____ লিঙ্গ : _____ বৈবাহিক অবস্থাঃ _____

পু-১। আপনি কতদিন যাবৎ পার্বত্য চট্টগ্রামে বসবাস করছেন ?

পু-২। পার্বত্য চট্টগ্রামে এখন যে অবস্থা বিরাজ করছে তাতে কি আপনি সন্তুষ্ট ?

পু-৩। ১৯৯৭ সালে বাংলাদেশ সরকার ও পার্বত্য চট্টগ্রাম জনসংহতি সমিতির মধ্যে সম্পাদিত চুক্তির আগে এবং পরে কোন সময়টি ভাল ছিল ?

পু-৪। বাংলাদেশ সরকার কি পার্বত্য সমস্যা সমাধানে আন্তরিক ?

পু-৫। পার্বত্য জেলায় রাজনীতিবিদ ও স্থানীয় সরকার কি পার্বত্য সমস্যা সমাধানে আন্তরিক ?

পু-৬। পার্বত্য চট্টগ্রামের শান্তি চুক্তি এতদঞ্চলে যুগ যুগ ধরে চলে আসা অশান্ত পরিস্থিতিকে কি শান্ত করতে কার্যকর ভূমিকা পালন করেছে ? কিভাবে?

পু-৭। পার্বত্য চট্টগ্রামে শান্তি চুক্তির ফলে দেশের কৃষিভিত্তিক শিল্প ও পর্যটন শিল্পের দ্রুত বিকাশ সাধন সম্ভব হবে বলে অনেকেই অভিমত প্রকাশ করেছেন ? এ বিষয়ে অগ্রগতি কি সন্তোষজনক ? কেন ?

পু-৮। পার্বত্য চট্টগ্রামে শান্তি চুক্তিকে বাঙ্গালী ও উপজাতীয়দের একটি অংশ মেনে না নেয়ার পার্বত্য অঞ্চলে চুক্তির পক্ষ বিপক্ষ শক্তি সংঘর্ষে লিপ্ত হয়ে পার্বত্য অঞ্চলকে আরো অশান্ত করে তুলবে বলে অনেকে অভিমত প্রকাশ করেছেন । এক্ষেত্রে আপনার মতামত কি ?

পূ-৯। এই চুক্তিতে একদিকে বাঙ্গালী অন্যদিকে ক্ষুদ্র উপজাতীয়দের স্বার্থকে জলাঞ্জলী দেয়া হয়েছে বলে অনেকেই অভিযোগ করে থাকেন। এক্ষেত্রে আপনার মতামত কি? (যেমন চুক্তির ফলে তিনি জেলা পরিষদে বিভিন্ন শ্রেণীর কর্মকর্তা/কর্মচারির পদ সৃষ্টি ও নিয়োগের ক্ষেত্রে প্রধান উপজাতী সমূহ যে ক্ষমতাতার অধিকারী হলো তাতে অ-উপজাতি এবং ক্ষুদ্র উপজাতীয়দের সংখ্যানুপাত বাতিল করা হয়েছে যা সংবিধান ও গনতন্ত্র পরিপন্থী।

পূ-১০। চুক্তি অনুযায়ী মন্ত্রী, পরিষদের চেয়ারম্যান এবং সচিব হবেন উপজাতি। এতে উক্ত অঞ্চলে বসবাসকারী ৫০ ভাগ বাঙ্গালীর অধিকার হরন করা হয়েছে বলে অনেকে অভিযোগ করেন। এক্ষেত্রে আপনার মতামত কি?

পূ-১১। এই চুক্তিতে উপজাতীদের প্রধান দাবী ভূমির অধিকার প্রতিষ্ঠা ও বাঙ্গালী উচ্ছেদ করা হয়নি। এক্ষেত্রে আপনার মতামত কি?

পূ-১২। চুক্তি বাস্তবায়নে যে ধরি গতি কিংবা অনীহা তা কি চুক্তিটিকে অকার্যকর করে তুলবে?

পূ-১৩। শান্তি চুক্তির পর নতুন কোন সমস্যার উদ্ভব হয়েছে কি?

পূ-১৪। শান্তি চুক্তির দুর্বলতা/অসংগতি কি?

পূ-১৫। ভূমির বন্টন, ব্যবহার ও মালিকানায় কি কি সমস্যা আছে?

পূ-১৬। ভূমির সমস্যা কি ভাবে সমাধান করা যায়?

পূ-১৭। পার্বত্য চট্টগ্রামের বর্তমান রাজনৈতিক ব্যবস্থায় কি সমস্যা আছে?

পূ-১৮। পার্বত্য চট্টগ্রামের বর্তমান অর্থনৈতিক ব্যবস্থায় কি সমস্যা আছে?

পূ-১৯। পার্বত্য চট্টগ্রামের বর্তমান সামাজিক ব্যবস্থায় কি সমস্যা আছে?

পূ-২০। বাঙ্গালীদের কোন কোন দাবী দাওয়া পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

পূ-২১। বাঙ্গালীদের কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

পূ-২২। পাহাড়ীদের কোন কোন দাবী দাওয়া পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

পূ-২৩। পাহাড়ীদের কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

পূ-২৪। বাংলাদেশের সরকারের কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

পূ-২৫। সেনাবাহিনীর কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?

- প্র-২৬। স্থানীয় প্রশাসনের কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?
- প্র-২৭। উপজাতীয় নেতাদের কোন কোন কার্যকলাপ পার্বত্য চট্টগ্রামের স্থায়ী শান্তির জন্য হুমকি স্বরূপ/ক্ষতিকর?
- প্র-২৮। বাঙ্গালী-পাহাড়ী সহ-অবস্থানের ব্যাপারে আপনার মতামত কি ?
- প্র-২৯। কিভাবে সেটলার বাঙ্গালী ও পাহাড়ীদের সমস্যা সমাধান করা যায় ?
- প্র-৩০। পাহাড়ী বাঙ্গালীদের মধ্যে কিভাবে যোগাযোগ, লেনদেন ও সহযোগিতা বাড়ানো যায় ?
- প্র-৩১। বাঙ্গালী ও পাহাড়ীদের মধ্যে পারস্পারিক নির্ভরশীল অর্থনৈতিক ও সামাজিক ব্যবস্থা কিভাবে গড়ে তোলা যায়?
- প্র-৩২। পার্বত্য অঞ্চলে বসবাসকারী বাঙ্গালীদের পুনর্বাসন ঐ অঞ্চলের ভিতরে বা বাহিরে কোথায় , কিভাবে হওয়া উচিত?
- প্র-৩৩। বাঙ্গালী-পাহাড়ী দুরত্ব কমানো এবং পাহাড়ীদেরকে সমগ্র দেশবাসীর সঙ্গে বাংলাদেশী জাতীয়তাবাদে কিভাবে সম্পৃক্ত করা যায় ?
- প্র-৩৪। শিক্ষা, যোগাযোগ ব্যবস্থার কারণে উপজাতীয় জনগণ পশ্চাৎপদ ও অনগ্রসর । এদের শিক্ষা ও উন্নয়নের সঙ্গে শান্তি স্থাপন ওতপ্রোত ভাবে জড়িত এক্ষেত্রে আপনার মতামত কি ?
- প্র-৩৫। পর্যটন ও শিল্প ভিত্তিক শিল্পায়ন পার্বত্য চট্টগ্রামের অর্থনৈতিক অবস্থার পরিবর্তন করে শান্তি স্থাপনে সহায়ক হবে ?
- প্র-৩৬। পার্বত্য চট্টগ্রামের যোগাযোগ ব্যবস্থার উন্নয়নে কিকি করা উচিত ?
- প্র-৩৭। পার্বত্য চট্টগ্রাম বাসীর শিক্ষার উন্নয়নে কি করা উচিত ?
- প্র-৩৮। পার্বত্য চট্টগ্রামের শিল্পায়নের জন্য কি করা উচিত ?
- প্র-৩৯। পার্বত্য চট্টগ্রামের অর্থনৈতিক উন্নয়নে কি করা উচিত ?
- প্র-৪০। বর্তমানে স্থায়ী শান্তি প্রতিষ্ঠায় কিকি বাধা আছে?
- প্র-৪১। স্থায়ী শান্তি চুক্তির জন্য উপজাতীয় নেতাদের কি করা উচিত ?
- প্র-৪২। স্থায়ী শান্তি চুক্তির জন্য উপজাতীয় জনগণের কি করা উচিত ?

- প্র-৪৩। স্থায়ী শান্তি চুক্তির জন্য সেটেলার বাঙ্গালী নেতাদের কি করা উচিত?
- প্র-৪৪। স্থায়ী শান্তি চুক্তির জন্য সেনাবাহিনীর কি করা উচিত ?
- প্র-৪৫। স্থায়ী শান্তি চুক্তির জন্য স্থানীয় এমপিদের কি করা উচিত ?
- প্র-৪৬। স্থায়ী শান্তি চুক্তির জন্য স্থানীয় প্রশাসনের কি করা উচিত ?
- প্র-৪৭। স্থায়ী শান্তি চুক্তির জন্য দেশের বৃহৎ রাজনৈতিক দলের কি করা উচিত ?
- প্র-৪৮। স্থায়ী শান্তি চুক্তির জন্য বাংলাদেশ সরকারের কি করা উচিত ?
- প্র-৪৯। স্থায়ী শান্তি চুক্তির জন্য পার্বত্য চট্টগ্রামে প্রশাসনিক কিকি সংস্কার করা উচিত ?
- প্র-৫০। শান্তি চুক্তির কোন কোন ধারা বাস্তবায়ন হয়নি, কেন ?
- প্র-৫১। শান্তি চুক্তির অবাস্তবায়িত ধারাগুলো কিভাবে বাস্তবায়ন করা সম্ভব ?
- প্র-৫২। শান্তি চুক্তির কোন কোন ধারা সংশোধন করা উচিত । কেন এবং কিভাবে ?
- প্র-৫৩। স্থায়ী শান্তি প্রতিষ্ঠার জন্য এই মুহূর্তে সবার আগে কি করা উচিত বলে আপনি মনে করেন ।

**SUSTAINABLE PEACE FOR CHITTAGONG HILL TRACTS
PROBLEMS AND PROSPECTS**

SURVEY REPORT

বয়স

বয়স দল	F	%
২০-৩০	২৩	২৫.৫৬
৩১-৪০	৩২	৩৫.৫৬
৪১-৫০	১৩	১৪.১১
৫০-৬০	১২	১৩.৩৩
৬০-৭০	৪	৪.৪৪
মোট	৩০	১০০

শিক্ষাগত যোগ্যতা

শিক্ষার স্তর	F	%
প্রাইমারী	৭	৭.৭৮
এসএসসি	১৩	১৪.৪৪
এইচএসসি	২৬	২৮.৮৩
স্নাতক	২৬	২৮.৮৩
স্নাতোকোত্তর	১৮	২০.০০
মোট	৩০	১০০

সম্প্রদায়

সম্প্রদায়ের নাম	F	%
বাঙ্গালী	৪৫	৫০
চাকমা	২১	২৩.৩৩
মারমা	১৩	১৪.৪৪
ত্রিপুরা	১১	১২.২২
মোট	৩০	১০০

নারী/পুরুষ

লিঙ্গ	F	%
পুরুষ	৬৩	৭০
মহিলা	২৭	৩০
মোট	৩০	১০০

পেশা

পেশা	F	%
চাকুরী	৪৩	৪৭.৭৮
ব্যবসা	২৩	২৫.৫৬
গৃহিনী	৩	৩.৩৩
ছাত্র-ছাত্রী	৬	৬.৬৭
জেলে	২	২.২২
বেকার	২	২.২২
আইনজীবী	২	২.২২

জেলে	২	২.২২
সমাজসেবা	৪	৪.৪৪
সাংবাদিকতা	১	১.১১
কৃষক	১	১.১১
দিনমজুর	১	১.১১
মোট	৩০	১০০

১৩২ -কতদিন যাবত বসবাস করছে

বসবাসের সময়কাল	পূর্বের বসবাসের স্থান	F	%
জন্ম থেকে	-	৭৭	৮৫.৫৬
৭ বছর	রাঙ্গামাটি	১	১.১১
১ বছর	চট্টগ্রাম	২	২.২২
১২ বছর	বরিশাল	১	১.১১
৩০ বছর	বরিশাল	১	১.১১
৫৪ বছর	চট্টগ্রাম	১	১.১১
৩৫ বছর	কক্সবাজার	১	১.১১
২৫ বছর	বরিশাল	২	২.২২
৫ বছর	সিলেট	১	১.১১
২০ বছর	কুমিল্লা	১	১.১১
১৫ বছর	কুমিল্লা	১	১.১১
৩ বছর	নোয়াখালী	১	১.১১
মোট		৩০	১০০.০০

৩ - পূর্বের সমস্যা

সমস্যার ধরন	F	%
ভূমি	৬২	৬৮.৮৩
রাজনৈতিক সমস্যা	৪৮	৫৩.৩৩
পাহাড়ী - বাঙ্গালী সংঘর্ষ	৫৭	৬৩.৩৩
শিক্ষা	৩০	৩৩.৩৩
স্বাস্থ্য	২৮	৩১.১১
সেনা শাসন	১৮	২০.০০
অর্থনৈতিক	২২	২৪.৪৪
সামাজিক	২	২.২২
যোগাযোগ	৩৭	৪১.১১
সংস্কৃতিক	১৭	১৮.৮৩
শান্তি বাহিনী ও সেনা বাহিনীর সংঘর্ষ	৫	৫.৫৬
বাঙ্গালীদের অনুপ্রবেশ	৩	৩.৩৩
সাম্প্রদায়িক	৬	৬.৬৭
জাতিগত	৪	৪.৪৪
মৌলিক চাহিদা না মেটা	৩	৩.৩৩

নোট: একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

প্রশ্ন-৪ সমস্যার কারণ

কারণ	F	%
অস্থিতিশীল রাজনৈতিক পরিবেশ	১৭	১৮.৮৩
শিক্ষা থেকে বঞ্চিত	১৬	১৭.৭৮
এলাকায় কোন উন্নয়ন কাজ না হওয়া	১৩	১৪.১১
পাহাড়ীদের ভূমি দখল	৩৪	৩৭.৭৮
সেনা বাহিনীর অত্যাচার	২৩	২৫.৫৬

সরকারের বৈষম্যমূলক দৃষ্টিভঙ্গি	১৫	১৬.৬৭
রাজনৈতিক, সামাজিক ও রাজনৈতিক কারণ	৫৬	৬২.২২
জনসাধারণের সচেতনতার অভাব	২৬	২৮.৮৩
আদিবাসীদের অশ্লিষ্টতার হুমকি	৩৩	৩৬.৬৭
কাগুই বাঁধের জন্য কৃষিজমি ও বাসস্থান হারিয়ে ফেলা	৩৮	৪২.২২
বাসালীদের পূর্ববাসন	৪৬	৫১.১১

একাধিক উত্তর রয়েছে

৫-নতুন সমস্যার উদ্ভব

সমস্যা	F	%
নতুন করে ভূমি দখল	২৮	৩১.১১
রাজনৈতিক সমস্যা	৩৭	৪১.১১
খাদ্য সমস্যা	৩৪	৩৭.৭৮
জাতিসত্তা বিলুপ্ত	২৬	২৮.৮৩
সেনা বাহিনীর সাম্প্রদায়িক দৃষ্টিভঙ্গি	৪১	৪৫.৫৬
সকল ক্ষেত্রে কোটা পদ্ধতির প্রয়োগ না হওয়া	৩৬	৪০.০০
সরকারের প্রতি অবিশ্বাস	৫৬	৬২.২২
শিক্ষার অনগ্রসরতা	৩৪	৩৭.৭৮
ব্যবসার ক্ষেত্র বৃদ্ধি না পাওয়া	৪৬	৫১.১১
চিকিৎসা সেবার অপ্রতুলতা	২৪	২৬.৬৭
বেকারত্ব	৫৮	৬৪.৪৪
সামাজিক	১৩	১৪.৪৪
অর্থনৈতিক	৪২	৪৬.৬৭
সরকার ও জনসংহতি সমিতির মধ্যে বিরোধ	৩১	৩৪.৪৪
নতুন সেনা ক্যাম্প স্থাপন	২৮	৩১.১১
আদিবাসীদের জন প্রতিনিধি কম থাকা	২৩	২৫.৫৬
ভূমি সমস্যা	৩৭	৪১.১১
পাহাড়ী বাসালী দাঙ্গা	৪২	৪৬.৬৭

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

৬-সমস্যার কারণ

কারণ	F	%
বাসালীদের অনুপ্রবেশ	২৭	৩০.০০
শাস্তির চুক্তি বাস্তবায়িত না হওয়া	৩৮	৪২.২২
ভূমি দখল	৪৫	৫০.০০
সন্ত্রাস	৫৬	৬২.২২
রাজনৈতিক ও অর্থনৈতিক কারণ	৬৮	৭৫.৫৬
পাহাড়ীদের সংখ্যা লঘু করা	৩১	৩৪.৪৪
ভয়ভীতি প্রদর্শন	২৩	২৫.৫৬
পাহাড়ীদের দু'ভাগে বিভক্ত করা	১৪	১৫.৫৬
খাদ্যের অভাব	৩৮	৪২.২২
চিকিৎসা সেবা না দেয়া	৫২	৫৭.৭৮
সরকারের সদিচ্ছার অভাব	৪১	৪৫.৫৬
সরকারের দ্বিমুখী নীতি	৩৫	৩৮.৮৩
উগ্র সাম্প্রদায়িক মনোভাব	১৩	১৪.৪৪
ভূমি কমিশন গঠন না হওয়া	১২	১৩.৩৩
আইনি ব্যবস্থা না হওয়া	২৩	২৫.৫৬
অপ্রয়োজনে গাছ কেটে ফেলা	১৪	১৫.৫৬
জনপ্রতিনিধিদের সম্প্রীতির অভাব	২৩	২৫.৫৬

সেনা বাহিনী প্রত্যাহার না করা	২৮	৩১.১১
নেতৃত্বের অভাব	৪৮	৫৩.৩৩
অবিশ্বাস	১৬	১৭.৭৮
এক পক্ষকে সেনাবাহিনীর মদদ দান	৪১	৪৫.৫৬
প্রশাসনের অনিচ্ছা	৩৬	৪০.০০
আদিবাসী নেতৃত্বের প্রতি সরকারের অবহেলা	১১	১২.২২

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

৭- শান্তির চুক্তির অসঙ্গতি

অসঙ্গতি	F	%
সরকারের অনিচ্ছা	২৭	৩০.০০
সাংবিধানিক স্বিকৃতি নেই	৩১	৩৪.৪৪
বাস্তবায়নের এখানে পুনর্বাসিত না করা	৩১	৩৪.৪৪
বাস্তবায়নের সমান অধিকার না দেওয়া	৩৬	৪০.০০
ভূমি কমিশন গঠন না করা	২৪	২৬.৬৭
দুটি দলে বিভক্ত হওয়া	৩৬	৪০.০০
প্রধান প্রধান রাজনৈতিক দলের সমর্থন না থাকা	২১	২৩.৩৩
সেনা প্রত্যাহার না করা	২৪	২৬.৬৭
দখলদার বাস্তুসংস্থ প্রত্যাহার না করা	৩১	৩৪.৪৪
অলিখিত চুক্তি	২৮	৩১.১১
সরকার ও জেএসএস এর সদিচ্ছা	৩৬	৪০.০০
আইনগত দুর্বলতা	৪২	৪৬.৬৭
শান্তির চুক্তির সময় আনুষ্ঠানিক সাক্ষি না রাখা	২৩	২৫.৫৬
স্থানীয় প্রশাসনের উপর আঞ্চলিক পরিচালনার ক্ষমতা না থাকা	১৪	১৫.৫৬
সংশ্লিষ্ট নেতাদের ক্ষোভ	১৫	১৬.৬৭
বিদেশী রাষ্ট্রকে পর্যবেক্ষক হিসাবে না রাখা	১২	১৩.৩৩
আদিবাসী এলাকায় আদিবাসীদের ক্ষমতা কম থাকা	৮	৮.৮৯
শান্তি চুক্তির কোন দুর্বলতা নেই	৫	৫.৫৬

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

৮- ক্ষতিকর দিকগুলো/ছমকি স্বরূপ

ক্ষতিকর দিক	F	%
ভূমি বেদখল	২৩	৩২.২২
সাম্প্রদায়িক কার্যকলাপ	২১	২৩.৩৩
সেনা বাহিনীর কার্যকলাপ	২৮	৩১.১১
সেনা বাহিনীর শাসন	২৮	৩১.১১
রাজনৈতিক অস্থিরতা	১১	১২.২২
সামাজিক বৈষম্য	১২	১৩.৩৩
পাহাড়ী বাস্তুসংস্থ বৈষম্য	১৬	১৭.৭৮
পাহাড়ী বাস্তুসংস্থ মত পার্থক্য	৩০	৩৩.৩৩
শান্তি চুক্তি বিরোধীদের কার্যক্রম	২৬	২৮.৮৯
সন্ত্রাসী কার্যকলাপ	৫১	৫৬.৬৭
দুর্নীতি	৫৬	৬২.২২
প্রশাসনিক বৈষম্যমূলক আচরণ	৩১	৩৪.৪৪
সুবিধাভোগীদের বেপরোয়া আচরণ	১৭	১৮.৮৯
আমলাতান্ত্রিক জটিলতা	৪৮	৫৩.৩৩
জাতিগত বিভেদ	৩৩	৪৩.৩৩
সমঅধিকারের ভিত্তিতে বাস্তুসংস্থ পুনর্বাসন না করা	১২	১৩.৩৩

উভয়ের প্রতিহিংসামূলক আচরণ	৩৬	৪০.০০
আদিবাসীদের একতার অভাব	১৩	২১.১১
ক্ষমতার লড়াই	৪৮	৫৩.৩৩
যেখানে আদিবাসীদের ক্ষমতায় থাকার কথা সেখানে বাঙ্গালী রয়েছে	২৭	৩০.০০
পাহাড়ীদের উপর নির্যাতন	২৬	২৮.৮৩
সরকারের বৈষম্যমূলক কার্যকলাপ	২৩	২৫.৫৬
উগ্র ধর্মীয় কার্যক্রম	১১	১২.২২
পাহাড়ী - বাঙ্গালী সংঘর্ষ	১২	১৩.৩৩
মস্তব্য করে নাই	২	২.২২

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

৩-বর্তমান অবস্থা

বর্তমান অবস্থা	ঙ	%
ভাল/সন্তুষ্ট	১৮	২০.০০
মোটামুটি/ কিছুটা সন্তুষ্ট	২৩	৩২.২২
ভাল নয়/ অসন্তুষ্ট	৪৩	৪৭.৭৮
মোট	৩০	১০০.০০

অসন্তুষ্টির কারণ

অসন্তুষ্টি	F	%
২০০১ সাল থেকে ভূমি দখল হচ্ছে	২৬	২৮.৮৩
সাম্প্রদায়িক দাঙ্গা	২৩	৩২.২২
বাঙ্গালীদের কার্যকলাপ	৩১	৩৪.৪৪
সামরিক শাসন	২৬	২৮.৮৩
পাহাড়ী বাঙ্গালী মুখোমুখি	৫৮	৬৪.৪৪
সামাজিক অস্থিরতা	৫১	৫৬.৬৭
রাজনৈতিক অস্থিরতা	২২	২৪.৪৪
শিক্ষার সুযোগ কম	৫৩	৫৮.৮৩
প্রশাসনিক জবাবদিহিতা নাই	৪২	৪৬.৬৭
দুর্নীতি	১৩	১৪.৪৪
কারণ জানা নাই	৬	৬.৬৭

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১০-শান্তি চুক্তির আগে পরের সময়

আগের সময়			পরের সময়		
অবস্থা	F	%	অবস্থা	F	%
ভাল	২৩	২৫.৫৬	ভাল	২৩	২৫.৫৬
কিছুটা ভাল	৩৭	৪১.১১	কিছুটা ভাল	১৩	১৪.৪৪
কাণ্ডাই বাঁধের আগে ভাল ছিল	২২	২৪.৪৪	১৩৩৭-২০০০ সাল পর্যন্ত ভাল ছিল	১২	১৩.৩৩
কোন উত্তর দেয়নি	৩	৩.৩৩	৩৩-০১ সাল পর্যন্ত ভাল ছিল	৩	১০.০০
অবস্থা ভাল ছিল না	৫	৫.৫৬	কয়েক বছর ভাল ছিল	১৩	১৪.৪৪
মোট	৩০	১০০	আগের থেকে বর্তমান অবস্থা খারাপ	১৭	১৮.৮৩
			কোন উত্তর দেয়নি	৩	৩.৩৩
			মোট	৩০	১০০

১১ -অবদান

অবদান	F	%
সরকারের চুক্তি বাস্তবায়ন	৩৭	৪১.১১
রাজনীতিবিদ, জনপ্রতিনিধি, সুশীল সমাজ, প্রশাসন, বুদ্ধিজীবী এবং এনজিও কর্মীর অবদান	৩৭	৪১.১১
সকলের সমঝোতা	১৮	২০.০০
পাহাড়ী -বাস্তালী সম্প্রীতি বজায় রাখা	১১	১২.২২
সরকারকে উন্নয়নমূলক কাজে সহায়তা করা	২৩	২৫.৫৬
আন্তর্জাতিক বিভিন্ন সংস্থার অবদান	৩৩	৩৬.৬৭
সেনা বাহিনীর অবদান	২১	২৩.৩৩
বাস্তালীদের অনুপ্রবেশ বন্ধ করা	৪২	৪৬.৬৭
সরকারকে জনগনের প্রতি সহানুভূতিশীল হওয়া	২৩	২৫.৫৬
সেনা ক্যাম্প প্রত্যাহার করা	৩৩	৩৬.৬৭
পাহাড়ী - বাস্তালী এক চোখে দেখা	৫১	৫৬.৬৭
সাম্প্রদায়িক বিদ্বেষ না ছড়ানো	৪১	৪৫.৫৬
স্থানীয় প্রশাসনের বৈষম্য দূর করা	২১	২৩.৩৩
খাস জমিতে সেটেলারদের পুনর্বাসন করা	৪৩	৪৭.৭৮
বেকারত্ব দূর করা	৬১	৬৭.৭৮
সরকার ও জনসংহতি সমিতির নেতাদের	৫৬	৬২.২২

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১২- সংস্কার

সংস্কার	F	%
ভূমি কমিশন গঠন	২৭	৩০.০০
সেনা ক্যাম্প প্রত্যাহার	৩৬	৪০.০০
সেটেলারদের অন্য জায়গায় নিয়ে যাওয়া	৩৪	৩৭.৭৮
চুক্তি বাস্তবায়ন	৩৫	৩৮.৮৩
প্রশাসনিক নিরপেক্ষতা	২১	২৩.৩৩
জেলা পরিষদ ও আঞ্চলিক পরিষদের ক্ষমতায়ন	১১	১২.২২
সম আইন প্রণয়ন	১০	১১.১১
সরকারের সদিচ্ছ	১৩	২১.১১
পাহাড়ী - বাস্তালী আলাদা প্রশাসনিক ব্যবস্থা প্রণয়ন	১৮	২০.০০
চুক্তি মোতাবেক প্রশাসনিক দায়িত্ব এবং প্রয়োজনে সংযোজন ও বিয়োজন	১৬	১৭.৭৮
জেলা প্রশাসন, জেলা পরিষদ ও আঞ্চলিক পরিষদের মধ্যে সমন্বয় সাধন	১৫	১৬.৬৭
ভারতের মত সবখানে আদিবাসীদের প্রশাসনিক নিয়ন্ত্রন দিয়ে সংস্কার সাধন	১৩	১৪.৪৪
১৩০০ সালের পার্বত্য শাসন ব্যবস্থা চালু করা	১০	১১.১১
প্রশাসনিক দুর্নীতি দমন	৮	৮.৮৩

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৩ - আদিবাসী ও বাস্তালী সহবস্থান

সহবস্থান	F	%
সহবস্থান সম্ভব	১২	১৩.৩৩
সহবস্থান সম্ভব নয়	১৭	১৮.৮৩
সেটেলারদের বাহিরে রেখে সম্ভব	১৬	১৭.৭৮
ভূমি সমস্যার সমাধান হলে	২৪	২৬.৬৭
সামাজিক, অর্থনৈতিক ও প্রশাসনিক বৈষম্য দূর করা	১৮	২০.০০

একে অপরের প্রতি বিশ্বাস রাখা	২৬	২৮.৮৩
পারস্পরিক সহযোগীতা	৩৬	৪০.০০
ভ্রাতৃত্ববোধ ও অসাম্প্রদায়িক মনোভাব বৃদ্ধি	২১	২৩.৩৩
সামরিক ও বেসামরিক প্রশাসনের নিরপেক্ষতা	৪১	৪৫.৫৬
সেনা বাহিনীর কর্তৃত্ব বন্ধ করা	২১	২৩.৩৩
অস্থায়ী বাসিন্দাদের পুনর্বাসন না করা	৩১	৩৪.৪৪
নিজ নিজ অধিকার নিয়ে বসবাস করা	১৬	১৭.৭৮
ঐক্যমত তৈরী করা	১৩	১৪.১১

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৪- সমস্যার সমাধান

সমস্যার সমাধান	F	%
চুক্তি বাস্তবায়নের মাধ্যমে	১৪	১৫.৫৬
সেটেলারদের অন্যত্র পুনর্বাসন করে	২৩	৩২.২২
ভূমি সমস্যার সমাধান করে	২৩	২৫.৫৬
রাজনৈতিক সমাধান	১৩	১৪.৪৪
পাহাড়ী বাঙ্গালী সমঝোতা	১২	১৩.৩৩
সকলের প্রতি সহানুভূতি দেখানো	১১	১২.২২
দারিদ্র্য দূরিকরণের মাধ্যমে	২৮	৩১.১১
সম্ভব নয়	২৭	৩০.০০
সরকারী খাস জমিতে পুনর্বাসন করলে	৩৬	৪০.০০
আন্দোলনের মাধ্যমে	১১	১২.২২
আলোচনা মাধ্যমে	৫৬	৬২.২২
সেনা বাহিনী প্রত্যাহার	২৪	২৬.৬৭
সরকারী প্রচেষ্টার মাধ্যমে	৩৬	৪০.০০
সকল ক্ষেত্রে নিরপেক্ষতা	৪০	৪৪.৪৪
সকলের মৌলিক অধিকার ফিরিয়ে দেয়া	২১	২৩.৩৩
সামাজিক সম্প্রীতি বৃদ্ধিও মাধ্যমে	৫৩	৬৫.৫৬

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৫- যোগাযোগ, লেনদেন এবং সহযোগীতা বৃদ্ধির উপায়

বৃদ্ধির উপায়	F	%
ব্যবসার মাধ্যমে	২১	২৩.৩৩
আলোচনার মাধ্যমে	১১	১২.২২
পরস্পরের প্রতি হিংসা-বিদ্বেষ ভুলে শ্রদ্ধাবোধ, সহানুভূতি ও সহযোগীতার মাধ্যমে	৫৪	৬০.০০
সাম্প্রদায়িক মনোভাব দূর করা	৩১	৩৪.৪৪
সরকারের সদিচ্ছা	২৭	৩০.০০
উভয়ের মধ্যে যোগাযোগ, লেনদেন এবং সহযোগীতা বৃদ্ধির জন্য সরকারের নীতিমালা থাকা	২৮	৩১.১১
শিল্পায়নের মাধ্যমে কর্মসংস্থান সৃষ্টি	২৩	৩২.২২
শিক্ষার সুযোগ বৃদ্ধি	১২	১৩.৩৩
চুক্তির সফল বাস্তবায়ন	৭	৭.৭৮
সেটেলারদের সমতল ভূমিতে পুনর্বাসন করলে	৩৪	৩৭.৭৮
উভয়ের প্রতি সৌহার্দ্যমূলক আচরণ	৬১	৬৭.৭৮
সম্ভব	৪	৪.৪৪
সম্ভব নয়	৬	৬.৬৭
উন্নয়নের মাধ্যমে	৪৬	৫১.১১

সেনা বাহিনী প্রত্যাহার	৪১	৪৫.৫৬
মানসিকতার পরিবর্তন	৫৩	৬৫.৫৬
আদিবাসীদের অগ্রাধীকার	২৪	২৬.৬৭
সেনা বাহিনী ও প্রশাসনের নিরপেক্ষতা	৫৭	৬৩.৩৩
সকলকে সমান সুযোগ প্রদান	৫৫	৬১.১১
সকলের প্রতি বিশ্বাস ও আস্থা রাখা	৪৬	৫১.১১

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৬- বাঙ্গালীদের পুনর্বাসনের কি ব্যবস্থা করা দরকার

পুনর্বাসন ব্যবস্থা	F	%
স্ব স্ব জেলায় পুনর্বাসন, রেশন, কর্মসংস্থানের সুযোগ	১৬	১৭.৭৮
বাহিরে সম্মানজনকভাবে পুনর্বাসন	৩৬	৪০.০০
বাহিরে সঠিক পরিকল্পনা ও আন্তর্জাতিক সংস্থার মাধ্যমে	২৬	২৮.৮৩
বাহিরে যেখানে খাস জমি আছে	৩১	৩৪.৪৪
ভিতরের খাস জমিতে	৫৮	৬৪.৪৪
যেখান থেকে আনা হয়েছে সেখানে	১২	১৩.৩৩
সরকারি উদ্যোগ ও আলোচনার মাধ্যমে	৩৩	৪৩.৩৩
জমি ফেরত দিয়ে	২১	২৩.৩৩
কর্ম এলাকায় পুনর্বাসন	২৭	৩০.০০
আলোচনার মাধ্যমে	১৬	১৭.৭৮

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৭ - যোগাযোগ ব্যবস্থা

যোগাযোগ ব্যবস্থার উন্নয়নের উপায়	F	%
রাস্তা-ঘাট ও ব্রীজ নির্মাণ	৪৬	৫১.১১
সকল উপজেলায় ইন্টারনেট চালু	১৫	১৬.৬৭
নৌ যোগাযোগ নেটওয়ার্ক বৃদ্ধি	১১	১২.২২
বিদ্যুৎ সরবরাহ বাড়ানো	৫১	৫৬.৬৭
বিমান বন্দর স্থাপন	২৩	২৫.৫৬
দুর্গম অঞ্চলে রাস্তা-ঘাট নির্মাণ	২৭	৩০.০০
পঞ্চ বার্ষিকী পরিকল্পনা গ্রহণ	১৪	১৫.৫৬
পাহাড়ী এলাকার যোগাযোগ ব্যবস্থা উন্নয়নে কমিশন গঠন	২৬	২৮.৮৩
যোগাযোগ ব্যবস্থা উন্নয়নে আঞ্চলিক পরিষদকে ক্ষমতায়ন করা	২৮	৩১.১১
যোগাযোগ ব্যবস্থা উন্নয়নকে দীর্ঘস্থায়ী করা	২৭	৩০.০০
নদী ড্রেজিং করা	৬২	৬৮.৮৩
গুরুত্বপূর্ণ কাজে সেনা বাহিনীকে ন্যস্ত করা	৪০	৪৪.৪৪
স্থানীয় জনগণের সকল কাজে অংশগ্রহণ	৩৪	৩৭.৭৮

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৮- শিক্ষা উন্নয়নে

	F	%
সকল সরকারি কলেজে অনার্স ও মাস্টার্স চালু করা	২৩	২৫.৫৬
এ অঞ্চলে বিশ্ববিদ্যালয়, মেডিকেল কলেজ, ইঞ্জিনিয়ারিং কলেজ ও টেকনিক্যাল কলেজ চালু করা	১১	১২.২২
অধিক কলেজ ও স্কুল স্থাপন	২৩	২৫.৫৬
আদিবাসীদের মাতৃভাষায় প্রাথমিক শিক্ষা চালু করা	২৩	২৫.৫৬
দক্ষ ও যোগ্য শিক্ষক নিয়োগ	২৪	২৬.৬৭
শিক্ষার নতুন পদ্ধতি চালু করা	২৮	৩১.১১
শিক্ষার মান উন্নত করা	৪২	৪৬.৬৭

দুর্গম এলাকার শিক্ষার্থীদের জন্য ছাত্রাবাস নির্মাণ	২২	২৪.৪৪
দরিদ্র শিক্ষার্থীদের জন্য বস্তির ব্যবস্থা করা	৫২	৫৭.৭৮
দুর্গম এলাকায় শিক্ষা প্রতিষ্ঠান প্রতিষ্ঠা	১৭	১৮.৮৩
সবাইকে শিক্ষার জন্য উদ্বুদ্ধ করা	২৫	২৭.৭৮
স্নাতক পর্যন্ত বিনা বেতনে শিক্ষার সুযোগ দান	৬৩	৭০.০০
নারী শিক্ষার সুযোগ ও মান উন্নয়ন	২৩	২৫.৫৬
এ অঞ্চলে শিক্ষার জন্য বেশি বরাদ্দ রাখা	১২	১৩.৩৩
সকল পর্যায়ে কোটা বাড়ানো	১৭	১৮.৮৩
স্বাতন্ত্র শিক্ষা ব্যবস্থা চালু করা	১৩	১৪.১১
শিক্ষায় সামরিক ও প্রশাসনিক হস্তক্ষেপ না করা	১৮	২০.০০
এক মুখি শিক্ষা ব্যবস্থা চালু করা	২৩	২৫.৫৬

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

১৩- শিল্পায়নে কি করা উচিত

শিল্পায়নের উপায়	F	%
নতুন শিল্প কারখানা স্থাপন	২৮	৩১.১১
এ অঞ্চলের জন্য পৃথক ব্যাংক স্থাপন	২৩	২৫.৫৬
উৎপাদিত পণ্যের উপর ভিত্তি করে শিল্প কারখানা স্থাপন	১১	১২.২২
উৎপাদিত পচনশীল পণ্যের জন্য হিমাগার স্থাপন	২৪	২৬.৬৭
উৎপাদিত পণ্যের বাজারজাতকরণ নিশ্চিত করা	২৪	২৬.৬৭
পর্যটন শিল্পের বিকাশ ঘটানো	২৫	২৭.৭৮
সরকারি বিনিয়োগ বাড়ানো	২২	২৪.৪৪
বেসরকারি বিনিয়োগ উৎসাহিত করা	১১	১২.২২
বিনিয়োগের নিরাপত্তা প্রদান	২২	২৪.৪৪
রাজনৈতিক পরিবেশ স্থিতিশীল রাখা	২১	২৩.৩৩
দক্ষ জনশক্তির জন্য ইঞ্জিনিয়ারিং কলেজ ও টেকনিক্যাল কলেজ চালু করা	৪৩	৪৭.৭৮
ক্ষুদ্র ও কুটির শিল্পকে অগ্রাধিকার দেয়া	৩৩	৩৬.৬৭
আদিবাসী তাঁত শিল্পাঞ্চল গড়ে তোলা	২৬	২৮.৮৩
যোগাযোগ ব্যবস্থার উন্নয়ন	২৮	৩১.১১
বিদ্যুৎ, গ্যাস ও পানির সরবরাহ নিশ্চিত করা	২১	২৩.৩৩
পার্বত্য অঞ্চলে ইপিজেড স্থাপন	২৩	২৫.৫৬
বনজ ও কৃষিজ পণ্য নির্ভর শিল্প গড়ে তোলা	৩৫	৩৮.৮৩

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

২০- শান্তি চুক্তির অবাস্তবায়িত ধারাগুলো কিভাবে বাস্তবায়ন করা যায়

বাস্তবায়ন উপায়	F	%
সরকারের সদিচ্ছা ও আন্তরিকতা	৪১	৪৫.৫৬
আন্দোলন ও সংগ্রামের মাধ্যমে	৩১	৩৪.৪৪
সরকার ও জনসংহতির মধ্যে আলোচনার মাধ্যমে	১৩	১৪.১১
সকলের প্রচেষ্টার মাধ্যমে (আদিবাসী নেতা, জনপ্রতিনিধি, মন্ত্রী, সরকারি ও বিরোধী দল)	২১	২৩.৩৩
সাংবিধানিক স্বীকৃতির মাধ্যমে	২৪	২৬.৬৭
সরকারের ও সেনা বাহিনীর ভূমিকা	১৮	২০.০০
আইন সংশোধন করে	১৭	১৮.৮৩
ভূমি সমস্যার সমাধান	৪৫	৫০.০০
রাজনৈতিক দলগুলোর ঐক্যমত	৫১	৫৬.৬৭

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

২১- স্থায়ী শান্তির জন্য কি করা উচিত

স্থায়ী শান্তি প্রতিষ্ঠার উপায়	F	%
জাতিগত বিদ্বেষ ভুলে নতুন করে উন্নয়নে কাজ করা	১৮	২০.০০
সরকারকে নমনীয় হওয়া	২১	২৩.৩৩
উভয় পক্ষের সমঝোতা	৩১	৩৪.৪৪
শান্তি চুক্তির বাস্তবায়ন	৪৫	৫০.০০
পাহাড়ী ও বাঙ্গালী বন্ধুত্বপূর্ণ সম্পর্ক	২৬	২৮.৮৩
সেটেলারদের প্রত্যাহার	১০	১১.১১
প্রয়োজনীয় ঋণ প্রদান	৩১	৩৪.৪৪
পাহাড়ী অঞ্চলের উন্নয়ন	১৮	২০.০০
সেনা ক্যাম্প প্রত্যাহার	৩৬	৪০.০০
সকল প্রকার বৈষম্য দূর করা	২৮	৩১.১১
সাম্প্রদায়িক সম্প্রীতি বজায় রাখা	২৪	২৬.৬৭
আদিবাসীদের একতা বন্ধ হওয়া	৩৬	৪০.০০
ভূমি সমস্যার সমাধান	২৭	৩০.০০
রাজনৈতিক পরিবেশ স্থিতিশীল রাখা	১৩	১৪.৪৪
রাজনৈতিক দলগুলোর ঐক্যমত	২৪	২৬.৬৭
আঞ্চলিক ও জেলা পরিষদের ক্ষমতায়ন	৪১	৪৫.৫৬
সামাজিক ও রাজনৈতিক ভারসাম্য রক্ষা করা	৩২	৩৫.৫৬
পূর্ববাসিন্দাদের উন্নয়ন ঘটানো	৪৩	৪৭.৭৮
দুনীতি দমন	৫১	৫৬.৬৭
সন্ত্রাস দমন	৫৮	৬৪.৪৪
বাস্তবমুখী কার্যক্রম গ্রহণ	৪১	৪৫.৫৬
সকলের উপর/প্রতি আস্থা ও বিশ্বাস রাখা	৪৩	৪৭.৭৮

একাধিক উত্তর গ্রহণ করা হয়েছে। মোট উত্তরদাতা ৩০।

Rangamati Hill District Council Act 1989

(As of amendment of 18 September 2000)

Act XIX of 1989

Whereas it is expedient and necessary to enact laws to establish a Council for the overall development of Rangamati Hill District inhabited by different backward tribal people:

It is hereby enacted as follows: -

1. Short Title & Commencement. - (1) This Act may be called Rangamati Hill District [*] Council Act, 1989.

2. It shall come into force on such date as the Government by notification in the official gazette appoint.

3. Definition. - In this Act, unless there is anything repugnant in the subject or context-

(a) "Non-tribal" means who is not a tribal;

[4][aa) "Non-tribal permanent resident" means "who is not a tribal and [5][possesses land legally in the Hill District and] generally lives in a certain address in the Hill District shall be meant".]

(b) "Tribal" means members of Chakma, Marma, Tanchangya, Tripura, Lusai, Pangkhu & Khyang tribes who are permanent inhabitants of Rangamati Hill District;

(c) "Chairman" means the Chairman of the Council;

(d) "Schedule" means schedule to this Act;

(e) "Council" means Rangamati Hill District Council;

(f) "Regulations" means regulations made under this Act;

(g) "Rules" means rules made under this Act;

(h) "Local Authority" means Municipality, Upazila Council and Union Council;

(i) "Member" means a member of the Council;

[(j) "Circle Chief" means "Chakma Chief".]

3. Constitution of the Rangamati Hill District Council. - (1) As soon as may be, after the commencement of this Act, there shall be constituted, in accordance with the provisions of this Act, the Rangamati Hill District Council in Rangamati Hill District.

(2) The Council shall be a statutory body, having perpetual succession and a common seal, with power, subject to the provisions of this Act and the rules, to acquire, hold and dispose of property, both movable and immovable and shall be its name sue and be sued.

4. Composition of the Council. - (1) The Council shall consist of-

- (a) a Chairman;
- (b) twenty tribal members;
- (c) ten non-tribal members;
- [(d) *three female members out of which two tribal and one non-tribal.*

Explanation:- There shall be no quota for different tribes of the district as referred to Clause D.]

(2) The Chairman And Other Members Shall Be Elected By Direct Election In Accordance With The Provisions Of This Act And The Rules.

(3) The tribal members [as referred to Sub-section 1(b)] shall consist of-

- (a) Ten elected members from amongst the Chakma tribe;
- (b) Four elected members from amongst the Marma tribe;
- (c) Two elected members from amongst the Tanchangya tribe;
- (d) One elected member from amongst the Tripura tribe;
- (e) One elected member from amongst the Lusai tribe;
- (f) One elected member from amongst the Pangkhu tribe;
- (g) One elected member from amongst the Khyang tribe;

(4) Chairman Shall Be Elected From Amongst The Tribal People.(4a) *Any tribal woman can be a candidate for the post of Chairman, and any tribal woman can be a candidate for the posts of member preserved for the tribal under Sub-section (3) and any non-tribal woman can be a candidate for the posts of member for non-tribal under Sub-section (1)(d) in the election, subject to rules and regulations.]*

(5) Whether a person is a tribal or not shall be determined, along with the identity of the tribe to which he belongs by the [Circle Chief] of the district. No person can be candidate either for the office of the Chairman or that of the tribal member without a certificate from the [Circle Chief] in this behalf.(6) *Whether a person is non-tribal or not and if he is non-tribal, then to which community does belong shall be determined by the Circle Chief on the basis of the certificate given to this effect by the concerned Mouza Headman, or Union Council Chairman or in case of Pourashava Chairman Pourashava as the case*

may be, and no person shall be eligible to contest for the non-tribal member post without such a certificate given to this effect by the Circle Chief.]

5. Qualification and disqualification for Chairman: -

(1) A person disqualified for election or continuing also as tribal member shall be disqualified for election or continuing as Chairman.

(2) A person disqualified for election or continuing also as tribal member shall be disqualified for election or continuing as Chairman.

6. Qualification and disqualification of the tribal and non-tribal members: -

(1) Subject to provision under sub-section (3), a person, who is a citizen of Bangladesh, a permanent domicile of Rangamati Hill District, a member of a tribe and has attained twenty five years of age, shall be qualified for election as a tribal member to the seat reserved for his tribe.

(2) Subject to provisions of sub-section (3) a person, who is a citizen of Bangladesh, a permanent domicile of Rangamati Hill District, a non-tribal and has attained twenty five years of age, shall be qualified for election as a non-tribal member to the seat reserved for non-tribal.

(3) No person shall be elected or continue as a tribal or non-tribal member, who-

- (a) relinquishes or loses the citizenship of Bangladesh;
- (b) is declared by a court to be of unsound mind;
- (c) is an undischarged insolvent;
- (d) migrates from Rangamati Hill district for permanent domicile elsewhere;
- (e) has been, on conviction for a criminal offence involving moral turpitude, sentenced to imprisonment for a term of not less than two years, unless a period of five years has elapsed since his release;
- (f) holds a whole time office of profit in the service of the Republic or of the council or of any other local authority;
- (g) is a member of the Jatiya Sangsad or a Chairman or a member of any local authority;
- (h) is a party to contract for work to be done for or goods to be supplied to the Council or has otherwise any pecuniary interest in its affairs or is a dealer in essential commodities appointed by the Government;

- (i) has defaulted in repaying any loan taken from the Sonali Bank, the Agrani Bank, the Janata Bank, the Rupali Bank, the Shilpa Bank, the Shilpa Rin Sangstha or Krishi Bank within the time allowed by the banks therefore.

7. Oath of office by the Chairman and the members. - The person elected to the post

Before entering upon office, a person, elected as a chairman or a member, shall make and subscribe before a [*Judge of the High Court Division selected for that purpose by the President to that effect*] an oath or affirmation in the following form namely: -

"I, Father/Husband elected as the Chairman or the member of the Rangamati Hill District [*] Council do solemnly swear and firmly affirm that I shall bear true faith and allegiance to Bangladesh and that I shall discharge my duties faithfully in accordance with laws".

8. Declaration of properties. - Before entering upon office, the Chairman and Member, shall submit, *in such manner as the Government may direct, as per rule,*] a declaration in writing of properties both movable and immovable, which he or any member of his family owns or which he has in possession or under his control or in which he or any member of his family has any beneficial interest.

Explanation. - 'A member of the family' will mean the Chairman's or the concerned member's spouse and his/her children, parents and brother and sisters living with and dependent on him/her.

9. Privileges of the Chairman and the Members. - The privileges of the Chairman and the Members shall be determined by regulation.

10. Term of the Council. - The term of the council shall be for a period of [*five*] years from the date of its first sitting:

Provided that the council shall carry on its business even after the expiration of the term till the new council is called into session.

11. Resignation by Chairman and the Members. - (1) Chairman and any member may resign by notice in writing under his hand addressed to the Government and the Chairman respectively.

(2) The resignation shall be effective and the seat shall fall vacant from the date of the acceptance of the resignation.

12. Removal of Chairman, etc. - (1) Chairman or any member shall be liable for removal, if he-

- (a) remains absent without sufficient reason in three consecutive sittings of the council;
- (b) refuses to discharge his responsibilities or is unable to perform his duties due to physical or mental incapability;
- (c) is found guilty of misconduct or abuse of power or liable for causing loss or misappropriation of any money or property of the council.

Explanation. - In this sub-section "misconduct" means abuse of power, corruption, nepotism and willful mal-administration.

(2) For reasons under sub-section (1) a Chairman or a Member shall not be removed from his office, unless a resolution in favour of his removal is adopted by at least three-fourths vote of the total number of the members present in the special session of the council summoned for this purpose as per rule:

Provided that, before adoption of the resolution the Chairman or the said Member shall be allowed reasonable opportunity to show cause the proposed resolution.

(3) After The Resolution Is Adopted, In Accordance With Sub-Section (2), The Chairman Or The Said Member Shall Stand Removed From His Office.

(4) Notwithstanding anything contained in any other provision of this act, a person, who has been removed under this section, shall not be eligible for election during the remaining term of the council.

13. Vacation of office of the Chairman and the Member. - (1) The office of a Chairman and a Member shall become vacant if-

(a) he fails to make the oath or affirm within thirty days of the publication of his name in the official gazette prescribed under section 7:

Provided that the Government may extend such period on valid ground;

- (b) he ceases to be a member under section 5 or 6;
- (c) he resigns his seat under section 11;
- (d) he is removed from his office under section 12;
- (e) he dies.

(2) if a controversy arises as to whether a chairman or a member has become disqualified after election under section 5 or 6, the matter shall be referred by the secretary of the council to the district judges of rangamati district for a decision, and if the district judge is satisfied that the said chairman or the member has accordingly been

disqualified, he shall not hold the office and the seat will fall vacant from the date of the passing the said order by the district judge.

(3) The vacation of the office of Chairman or the Member shall be notified in the official gazette.

14. Acting Chairman. - At any time when the office of the Chairman falls vacant or when the Chairman is unable to discharge the functions of the office on account of absence, illness or any other cause, [*a tribal Member elected by other Members of the Council*] shall act as the Chairman until a new Chairman elected to fill such vacancy enters upon his office or until the Chairman resumes the functions of his office, as the case may be.

15. Unexpected vacation. - The Office of a Chairman or Member, falling vacant one hundred and eighty days before the expiration of the term of the Council, shall be filled up within sixty days of the vacation and the person so elected shall hold the office for the unexpired term of the Council.

16. Time for holding general election of the Council. - (1) The general election of the Council shall be held within the period of sixty days prior to the date of expiration of the term of the Council.[Provided that if, in the opinion of the Chief Election Commissioner appointed under Article 118 of the Constitution it is not possible, for any special reason, to hold the election within the period specified in this subsection, the election shall be held within 180 days next following the last day of the specified period.]

(2) In the event of the Council being superseded, the general election shall be held for reconstitution of the Council before the date of the expiration of the period of supersession.
16A. Interim Council: (1) The council shall be dissolved on the expiry of its term if general election to the Council is not held under Section 16 and all authority and responsibility of the Council shall vest on the interim Council constituted under sub-Section (2).

(2) The Government may form an Interim Council consisting of 1 Chairman and 4 Members.

(3) The Interim Council Shall Carry On The Business Of The Council Until The New-Elected Council Takes Over Charge Under Section 16.

(4) The Government if necessary may reconstitute the Interim Council.

(5) The condition under Section 16 shall not be applicable at all to the Council or Council constituted immediately thereafter through general election on the expiry of the Interim Council under this Section.

(6) *Notwithstanding anything contained in other Sections of this Act, the provisions of this Section shall prevail.*]

17. Eligible for enrollment and Electoral roll. - (1) A person shall, shall be eligible to be enrolled in the electoral roll, if he is

- (a) a citizen of Bangladesh;
- (b) not less than 18 years old;
- (c) not declared mentally unsound by any competent court;
- (d) *a permanent resident of Rangamati Hill District.*]

(2) *The Election Commission shall formulate voter lists for holding election of the Council.*]

18. Right to vote. - Every person whose name is *entered in the electoral roll under section 17 and for the time being entered in the existing electoral roll*], may cast his vote in any election of the Council.

19. Disqualification for candidature for two seats at the same time. - A person shall not, at the same time, be a candidate for election as Chairman and a tribal member.

20. Conduct of election. - (1) Election Commission, constituted in accordance with the constitution, hereinafter referred to as the Election Commission, shall also conduct the election of Chairman and the member according to this Act and rules.

(2) The Government shall, by a notification in the official gazette, frame rules for elections of the chairman and the Members and regulations may be made under such rules in respect of all or any of the following, namely: -

(a) *[Determination of electoral constituency;]*

[(aa)] appointment of Returning Officer, Assistant Returning Officer, Presiding Officer and

Polling Officer conducting the election and their powers and duties;

- (b) nomination of the candidates, objection to nomination and scrutiny of nomination;
- (c) security deposit by the candidate and refund or forfeiture of the same;
- (d) withdrawal of candidature;
- (e) appointment of polling agent;
- (f) procedure in contested and uncontested election;
- (g) polling schedule, time and place and any other matter regarding conduct of polls;
- (h) polling procedure;

- (i) custody and distribution of ballot papers and other election papers;
- (j) the circumstance under which polls may be suspended and fresh polls to be held;
- (k) election expenses;
- (l) corrupt or illegal practices or other election offences and penalties therefor;
- (m) adjudication and settlement of election disputes; and
- (n) any other matter incidental to election.

(3) Rules, Made Under Sub-Section (2) (K), Shall Provide For Punishment Of Imprisonment, Fine Or Both, But Term Of Imprisonment Shall Not Exceed Two Years And The Fine Shall Not Be More Than Taka Five Thousand.

21. Publication of election results of Chairman and the members. - The name of all the persons elected as Chairman and members, shall as soon as may be possible, be published by the Election Commission in the official gazette.

22. Functions of the Council. - The functions as set out in the First Schedule shall be the functions of the Council and it shall perform the functions consistent with the fund.

23. Transfer of functions of the Government and the Council. - Notwithstanding anything contained in this Act or any other law for the time being in force, the Government may, with the consent of the council, direct that-

- (a) any institution or service maintained by the Council shall be transferred to the management and control of the Government; and
- (b) any institution or service maintained by the Government shall be transferred to the management and control of the Council.

24. Executive power. - The executive powers of the council shall extend to the doing of all acts necessary for the due discharge of its functions under this Act.

(2) Save as otherwise provided in this Act and the rules, the executive powers of the Council shall vest in and be exercised by the Chairman, either directly or through any person authorised by him, in accordance with this Act and the rules.

(3) All acts of the council whether executive or not shall be expressed to be taken in the name of the council and shall be authenticated in the manner prescribed.

25. Disposal of business. - (1) All business of the council shall, to the extent and in the manner prescribed, be disposed of at its meetings or at meetings of the committees or by the Chairman, the member or any other officer or employee of the council.

(2) All the meetings of the council shall be presided over by the Chairman and, in his absence, by any tribal member chosen from among the members present in the meeting.

(3) No act or proceedings of the council shall be invalid merely by the reason of the existence of any vacancy in the seat of a member or any defect in its constitution or by reason only that some person who was not entitled to do so, sat or voted or otherwise took part in its proceedings.

(4) A Copy Of The Minutes Of Each Meeting Of The Council Shall Be Sent To The Government Within Fourteen Days Of The Holding Of The Meeting.

26. The right of the Chakma Circle Chief and Bohmong Circle Chief to attend the council meeting. - *The Chakma Circle Chief and Bohmong Circle Chief,*] if he so desires or on being invited, may attend any council meeting and may express his opinion on any matter under discussion of the council.

27. Committee. - The council may, if it deems necessary, appoint committees to assist in its business and shall determine the number of the member/members of the said committees and its term of reference.

28. Contract. - (1) All contracts made by or on behalf of the council shall be-

- (a) in writing and expressed to be made in the name of the council;
- (b) executed in such manner as may be prescribed by regulations.

(2) The Chairman Shall Apprise The Council Of The Contracts In Its Meeting Held Immediately After The Execution Of The Contracts.

(3) The council may, by resolution, lay down the procedure that shall regulate the making of various contracts, and in the execution of contracts, the Chairman shall act in accordance with such resolution.

(4) No contract executed otherwise than in conformity with the provisions of this Act shall be binding on the council.

29. Construction works. - The council shall by regulation-

- (a) Make rules for the preparation of the plan and the estimates of all construction works to undertaken by the council;
- (b) Specify the names of the authorities competent to accord technical and administrative approval to the said plan and estimates and the conditions governing such approval;
- (c) Specify the names of the agencies to be entrusted with the preparation of the said plan and estimates and the execution of the said works.

30. Documents, reports, etc. - The council shall-

- (a) maintain documents of its activities in accordance with procedure to be laid down by regulation;
- (b) prepare and publish periodical report and statement on matters mentioned in the regulation;
- (c) adopt other measures necessary for making public information on its activities or as directed by the Government from time to time.

31. Secretary of the council. -*[There shall be a Chief Executive Officer equivalent to the rank of a Deputy Secretary as secretary of the Council and tribal officers shall be given priority to the appointment of this post.]*

32. Appointment of officers and employees of the council. - (1) For the proper conduct of its affairs the council may, with the *[approval]* of the Government, create posts of various categories of officers and employees.

(2) The Council May As Per Regulations Appoint 3rd Class And 4th Class Employees And Transfer, Suspend, Dismiss, Remove And Award Any Other Punishment On Them;

Provided that [preference to the tribal candidates of the district shall be maintained in the appointment of the said posts.]

(3) *In consultation with the Council the Government may appoint officers for other posts as per regulation.*

(4) *The Government may transfer the officers elsewhere under Sub-Section (3) and as per Regulations suspend, dismiss, remove or award any other punishment on them.]*

33. Provident fund, etc. - (1) The Council may create Provident Fund for its officers and employees and direct its officers and employees to pay subscription into the said fund at the rate fixed by regulations.

(2) The council may make contribution into the Provident Fund.

(3) The council may with the prior approval of the Government, pay gratuity to the family of an officer or employee of the council in the event of his/her death while discharging his/her duties entrusted to him/her *[as per regulation.]*

(4) The council may, by regulations, launch group insurance scheme for its officers and employees and direct them to make contribution into it.

(5) The council may, by regulations, set up Benevolent Fund for its employees and allow gratuity mentioned in sub-section (3) out of this Fund and any other and in accordance with regulations.

(6) The council may make contributions into the Fund created under sub-section (5).

34. Service Regulations. - The Council may by regulations-

- (a) determine the service conditions of the officers and employees appointed by the council;
- (b) prescribe qualifications and policy for appointment to the posts within the appointing power of the council;
- (c) may prescribe procedure for holding enquiry for initiating disciplinary action against the officers and employees appointed by the council and may provide for imposing penalty and lay down procedure for appeal against the same;
- (d) make necessary regulations for smooth discharges of duties by the officers and employees of the council.

35. Creation of Council Fund. - (1) The council shall have a Fund called the Rangamati Hill District [*] Council Fund.

(2) To the credit of the council fund shall be placed-

- (a) Surplus fund of the District Council fund;
- (b) The proceeds of all taxes, rates, tolls, fees and any other charges levied by the Council;
- (c) Rents or profits from all properties vested in and managed by the Council;
- (d) Grant from the Government or any other authority;
- (e) Grant from any institution or individual;
- (f) Profits accruing from investment by the Council;
- (g) Any other moneys received by the Council;
- (h) Such proceeds from such sources of income as the Government may direct to be placed at the disposal of the Council.

36. Custody or investment, etc. of the Council Fund. - (1) The moneys credited to the Council Fund shall be kept with a Government treasury or a Bank transacting the business of the Government treasury [*].

(2) The council may, by regulations, invest portion of its fund.

(3) The Council May, If It So Desires, Create A Separate Fund For Special Purpose, Which Shall Be Administered In The Manner Prescribed By Regulations.

37. Application of the Council Fund. - (1) The moneys credited to the Council Fund shall be applied in the following order of preference: -

First: In the payment of pay and allowances of the Officers and employees of the Council;

Secondly: In meeting the expenditure charged on the Council Fund under this Act;

Thirdly: In the fulfillment of any obligation and in the discharge of any duty imposed on the Council under this Act or under any other law for the time being in force;

Fourthly: In meeting the expenditure declared by the Council, with the prior approval of the Government, to be an appropriate charge on the Council fund;

Fifthly: In meeting the expenditure declared by the Government to be an appropriate charge on the Council fund.

(2) The following expenditure shall be charged upon the council fund, namely: -

- (a) payment on account of the services of a Government servant employed in the service council;
- (b) payment on account of maintenance of council services, audit of accounts or as such other matters as may, from time to time, be specified by the Government;
- (c) sums required to satisfy any judgment, decree or award against the council by any court or tribunal;
- (d) [*any other expenses specified as obligatory expenses by the Rule.*]
- (e) (3) If any expenditure charged on the council fund is not paid, the Government may, by order, direct the person or persons having the custody of the council fund to pay such amount, or so much thereof as may, from time to time, be possible, from the balance of the council fund.

38. Budget.- (1) Before the commencement of each financial year, the council shall prepare and approve in the manner prescribed by the rules, a statement of the estimated receipts and expenditure, hereinafter called the budget for that year, and forward a copy thereof to the Government.

(2) In the event of the failure by the council to approve the budget before the commencement of any financial year, the Government shall

The Chittagong Hill Tracts Peace Accord of 1997

Under the framework of the Constitution of Bangladesh and keeping full and firm confidence in the sovereignty and integrity of Bangladesh, to uphold the political, social, cultural, educational and economic rights of all the people of Chittagong Hill Tracts region and to expedite socio-economic development process and to preserve and respect the rights of all the citizens of Bangladesh and their development, the National Committee on Chittagong Hill Tracts, on behalf of the government of the People's Republic of Bangladesh, and Parbatya Chattagram Jana Sanghati Samity, on behalf of the inhabitants of Chittagong Hill Tracts, have reached the following agreement in four parts (A, B, C, D):

A) (Ka) GENERAL

1. Both the sides have recognised the need for protecting the characteristics and attaining overall development of the region considering Chittagong Hill Tracts as a tribal inhabited region.
2. Both the parties have decided to formulate, change, amend and incorporate concerned acts, rules and regulations as soon as possible according to the consensus and responsibility expressed in different sections of the agreement.
3. An Implementation Committee shall be formed to monitor the implementation process of the agreement with the following members:
 - a) A member nominated by the Prime Minister: Convenor
 - b) Chairman of the Task Force formed under the purview of the agreement: Member
 - c) President of Parbatya Chattagram Jana Sanghati Samiti: Member
4. The agreement shall come into effect from the date of the signing and execution by both the sides. This agreement shall remain valid from the date of its effect until all the steps are executed as per the agreement.

B) (Kha) CHITTAGONG HILL TRACTS LOCAL GOVERNMENT COUNCIL/ HILL DISTRICT COUNCIL

Both sides have reached agreement with regard to changing, amending, incorporating and omitting the Hill District Local Government Council Acts 1989 (Rangamati Hill District Local Government Council Act 1989, Bandarban Hill District Local Government Council Act 1989, Khagrachhari Hill District Local Government Council Act 1989) and its different sections which were in existence before this agreement came into being, as below:

1. The word "tribal" used in different sections of the Council Acts shall stay.
2. The name "Hill District Local Government Council" shall be amended and the name of council shall be "Hill District Council."
3. "Non-tribal permanent residents" shall mean a person who is not a tribal but has legal land in the hill district and generally lives in the hill district at a specific address.
4. a) There shall be 3 (three) seats for women in each of the Hill District Councils. One third (1/3) of these seats shall be for non-tribals.
b) Sub-sections 1,2,3 and 4 of section 4 shall remain in force as per the original act.
c) The words "deputy commissioner" and "deputy commissioner's" in the second line of sub-section (5) of section 5 shall be replaced by "circle chief" and "circle chiefs".
d) Following sub-section shall be added in section 4:
Whether a person is a non-tribal shall be determined, along with the identity of non-tribal community to which he belongs, by the concerned Circle Chief on the provision of submission of certificate from concerned Headman/Pourasabha chairman/Union Parishad chairman and no person can be a candidate for the office of the non-tribal member without a certificate from the concerned Circle Chief in this regard.
5. It is narrated in section 7 that a person elected chairman or member shall make an oath or announcement before the Divisional Commissioner of Chittagong. By

amendment of it there shall be incorporated that the members shall make oath or announcement before “ a Justice of High Court Division” instead of “Divisional Commissioner of Chittagong”.

6. The words “to Divisional Commissioner of Chittagong” will be replaced by “as per election rules” in the fourth line of section 8.

7. The words “three years” shall be replaced by “five years” in the second line of section 10.

8. There shall be a provision in section 14 that if the office of the Chairman falls vacant or in absence of the Chairman, a tribal member elected by other members of the Council shall preside and perform other responsibilities.

9. The existing section 17 shall be replaced with the sentences as mentioned below:

A person shall, under the law, be eligible to be enrolled in the electoral roll, if

- (1) he is a citizen of Bangladesh;
- (2) he age is not less than 18 years;
- (3) he is not declared mentally unsound by any competent court;
- (4) he is a permanent resident of Hill District.

10. The words “determination of electoral constituency” shall be added in the sub-section (2) of section 20.

11. There shall be a provision in sub-section (2) of section 25 stating that the chairman and in his absence a tribal member elected by other members shall preside over all the meetings of the council.

12. As the entire region of Khagrachhari district is not included in the Maung circle, the words “Khagrachhari Maung Chief” in section number 26 of Khagrachhari Hill District Council Act shall be replaced by the words “Maung Circle Chief and Chakma Circle Chief.” Similarly, there shall be scope for the presence of Bomang Chief in the meeting of Rangamati Hill District Council. In the same way, there shall be provision that the Bomang Circle Chief can attend the meetings of Bandarban Hill District Council meetings if he wishes or is invited to join.

13. In sub-section (1) and sub-section (2) of section 31 there shall be a provision that a chief executive officer equivalent to the status of a deputy secretary shall be the secretary in the Council and there shall be provision that the tribal officials would be given priority for this post.

14. a) There shall be a provision in sub-section (1) of section 32 that for the proper conduct of its affairs the Council may, with the approval of the government, create posts of various categories of officers and employees.

b) Sub-section (2) of section 32 shall, by amendment, be made as follows:

The Council can, in accordance with regulations, appoint class three and class four employees, and can transfer, suspend, dismiss, remove or can impose any other punitive action on them. But provided that the priority of the tribal inhabitants must be maintained in case of the said appointments.

c) There shall be provision in the sub-section (3) of section 32 stating that:

The government can, in consultation with the Council, appoint other officers as per regulation and can transfer, suspend, dismiss, remove or can impose any other punitive action on them.

15. In sub-section (3) of section 33 "as per regulation" shall be mentioned.

16. The words "or any other way determined by the government" placed in the third line sub-section (1) of section 36 shall be omitted.

17. a) The original law shall be in force in the fourth paragraph of sub-section (1) of section 37.

b) "As per rules" will be included in Sub-section (2), sub-sub-section (d), of section 37.

18. Sub-section (3) of section 38 shall be repealed and by amendment, the sub-section (4) shall be framed as follows:

At any time before the expiry of the financial year, if deemed necessary, budget may be formulated and sanctioned.

19. In section 42 the following sub-section shall be added:

The Council with the fund received from the government shall formulate, initiate and implement development projects on the subjects transferred and all the development works initiated at the national level shall be implemented by the concerned ministry/department through the Council.

20. The word "government" placed in the second line of sub-section (2) of section 45 shall be replaced with the word "Council"

21. By repealing the sections 50, 51 and 52, the following section shall be made:

The government, if deemed necessary, may advise or order the Council, in order to ensure conformity with the purpose of this Act. If the government is satisfied with definite proof that anything done or intended to be done by the Council, or on behalf of the Council, is not in conformity with law, or contrary to public interest, the government may seek information and clarification and give advice or instruction to the Council on the concerned matters in writing.

22. In sub-section (3) of section 53, the words "if the period of super session is completed" shall be repealed and "within ninety days of super session" shall be incorporated before the words "this Act".

23. The words "of the government" in the third and fourth lines of section 61 shall be replaced with the words "of the ministry"

24. a) By amendment, sub-section (1) of section 62 shall be made as follows:

Notwithstanding anything contained in any Act for the time being in force, all members of the rank of Sub-Inspector and below of Hill District Police shall be appointed by the Council in manner laid down by regulations, and the Council may transfer and take disciplinary action against them as per procedure laid down by regulations; provided that in the manner of such appointment tribals shall be given priority.

b) The words "subject to the provision of all other laws for the time being in force" placed in the second line of sub-section (3) of section 62 shall be repealed and substituted by the words "as per rules and regulation".

25. The words "providing assistance" will remain in third line in section 63.

26. Section 64 shall be amended as follows:

a) Notwithstanding anything contained in any law for the time being in force, no land, including those land suitable for giving settlement, within the boundaries of Hill District shall be given in settlement including giving lease, purchased, sold and transferred without prior approval of the Council; provided that this provision shall not be applicable in case of areas within the reserved forests, Kaptai Hydroelectricity Project, Bethunia Earth Satellite Station, State-owned industries and factories and lands recorded in the name of government.

b) Notwithstanding anything contained in any law for the being in force, no lands, hills and forests within the control and jurisdiction of the Hill District Council shall be acquired or transferred by the government without consultation and consent of the Hill District Council.

c) The council can supervise and control functions of Headman, Chainman, Amin, Surveyor, Kanungo and Assistant Commissioner (land).

d) Fringe land in Kaptai Lake shall be given settlement on priority basis to original owners.

27. Section 65 shall be amended as follows:

Notwithstanding anything contained in any other law of for the time being in force, responsibility of collecting land development tax shall be entrusted in the Council and the said tax collected in the District shall remain in the account of the Council.

28. By amendment of section 67 it shall be made as follows:

If deemed necessary for coordination of activities between the Council and government authorities, government or the Council shall put specific proposal on certain matter(s) and functions may be coordinated by mutual correspondence between the Council and the government.

29. By amendment of sub-section (1) it shall be made as follows:

The government in consultation with the Council can, by notification in the official gazette, make rules for carrying out the purposes of this Act and even after the rules had been made, the Council shall have special right to file petition for reconsideration of the rules.

30. a) In the first and second paragraphs of sub-section (1) of Section 6I, the words "prior approval of the government" shall be omitted and the following part shall be added after the words "can do" in the third Para:

"Provided that if the government differs with any part of the regulation made by the Hill District Council then the government can give advice or instruction for amendment of the said regulation".

b) The words "transfer of power of Chairman to any officer" mentioned in the (h) of sub-section (2) of section 6I shall be omitted.

31. Section 70 shall be omitted.

32. Section 7I shall be amended as follows:

If in the opinion of the Council any law applicable to Hill District, passed by the national parliament or any other authority, is found to be hurtful to the district or objectionable to the tribal people, the Council may file petition in writing, for the purpose of amendment or relaxation of its application, to the government stating the reasons for which the law is being hurtful or objectionable and the government shall in the light of the petition, adopt necessary remedial measures.

33. a) The word "supervision" shall be added after the word "order" in the No. 1 of the functions of the Council in the First Schedule.

b) The following subjects shall be added in the No. 3 of the functions of the Council:

Vocational training;

Primary education in mother tongue;

Secondary education.

c) The words "or reserved" placed in sub-section 6(b) of the function of the Council in the First Schedule shall be omitted.

34. The following subjects shall be added in the functions and responsibilities of the Hill District Council:

- i) Land and land management
- m) Police (local)
- n) Tribal law and social justice
- o) Youth Welfare
- p) Environment preservation and development
- q) Local tourism
- r) Improvement trust and other local government institutions except Pourasabha and Union Councils
- s) Licensing for local trade and business
- t) Proper utilization of water resources of rivulets, canals, ponds and irrigation except Kaptai lake
- u) Preservation of death and birth and other statistics
- v) Money lending and trade
- w) Jhum Cultivation.

35. The following sectors and sources shall be included in the taxes, rates, tolls and fees to be imposed by the Council as stated in the second schedule:

- a) Registration fee from non-mechanical transports
- b) Tax on sale and purchase of goods
- c) Holding tax from land and buildings
- d) Tax on sale of domestic animals
- e) Fees from cases of social justice
- f) Holding tax on government and non-government industries
- g) Part of royalty from forest resources
- h) Supplementary tax from cinema, theatre and circus, etc.
- i) Part of royalty from license or lease given by the government for exploration and extraction of mineral resources
- j) Tax from business
- k) Tax from lottery
- l) Tax from fishing

C) (Ga) THE CHITTAGONG HILL TRACTS REGIONAL COUNCIL

1. A Regional Council shall be formed in coordination with the 3 Hill District Local Government Councils provided that various sections of the Hill District Local Government Council Act 1989 (Act No. 1920 and 21 of 1989) shall be amended with an aim to make the three Hill District Local Government Councils more powerful and effective.
2. Chairman of this Council shall be elected indirectly by the elected members of the Hill District Councils, his status shall be equivalent to that of a State Minister and he must be a tribal.
3. The Council shall be formed with 22(twenty-two) members including the Chairman. Two-thirds of the members shall be elected from among the tribals. The Council shall determine its procedure of functioning.

Composition of the Council shall be as follows:

Chairman	1
Members Tribal	12
Members Tribal (women)	2
Members non-tribal	6
Members non-tribal(women)	1

Among the tribal members 5 persons shall be elected from the Chakma tribe, 3 persons from the Marma tribe, 2 persons from the Tripura tribe, 1 person from the Murung and Tanchangya tribes and 1 person from the Lusai, Bawm, Pankho, Khumi, Chak and Khiyang tribes

Among the non-tribal members 2 persons shall be elected from each district. Among the tribal women members 1 woman shall be elected from the Chakma tribe and 1 woman from other tribes.

4. Three seats shall be reserved for women in the Council, one-third of which will be non-tribal.

5. The members of the Council shall be elected indirectly by the elected members of the Hill District Councils. Chairman of three Hill District Councils shall be ex-officio members of the Council and they shall have voting rights.

Eligibility and non-eligibility of the members of the Council shall be similar to that of the Hill District Councils.

6. The tenure of the council shall be five years. Budget preparation and its approval, dissolution of council, formulation of council's regulation, appointment of and control over officers and employees and matters related to concerned subjects and procedures shall be similar to the subjects and procedures given in favour of and applicable for the Hill District Council.

7. A chief executive officer equivalent to the rank of a Joint Secretary of the government shall be appointed in the council and tribal candidates would be given priority in the appointment for the post.

8. a) If the office of the Chairman of the Councils falls vacant then a member from among the tribal members would be indirectly elected as Chairman by the members of Hill District Councils for an interim period.

b) If any office of a member of the Council falls vacant for any reason then that shall be filled through by-election.

9. a) The Council, including coordination of all development activities conducted under the three Hill District Councils, shall supervise and coordinate the subjects vested upon the Hill District Councils. Besides these, if any lack of coordination and inconsistency is found among the Hill District Councils in discharging their responsibilities the decision of the Regional Council shall be taken as final.

b) The Council shall supervise and coordinate local councils including the municipalities.

- c) Regional Council can coordinate and supervise in the matters of general administration, law and order and development of the three Hill Districts.
- d) The Council can conduct programmes related to disaster management and relief, and also coordinate the activities of the NGOs.
- e) Tribal laws and social justice shall be under the jurisdiction of the Council.
- f) The Council can issue license for heavy industry.
10. The Chittagong Hill Tracts Development Board shall discharge its responsibilities under general and overall supervision of the Council. In case of appointment of Chairman of the Development Board, the government shall give priority to competent tribal candidates.
11. If the Regional Council finds any rule of the 1900 CHT Regulations and other related laws, rules and ordinances as contradictory to the 1181 Hill District Council Acts, then the government shall remove that inconsistency in law according to recommendation of and in consultation with the Regional Council.
12. Until Regional Council is constituted through direct and indirect election the government may, by constituting an interim Regional Council, entrust the responsibilities of the Council on it.
13. If the government wants to formulate any law regarding CHT, it shall do so in consultation with and according to the recommendation of the Regional Council. If there arises the necessity to amend any law that may be harmful for development of the three Hill Districts or for the welfare of the tribals, or to make any new law, the Councils may file a petition or put recommendation before the government.
14. The fund of the Council shall be created from the following sources:
- a) Fund received from the Hill District Councils' fund;
 - b) Money or profits from all properties vested in and managed by the Regional Council;
 - c) Grant and loan from the government or any other authority;

- d) Grant from any institution or individual;
- e) Profit accruing from investment by Regional Council;
- f) Any other moneys received by the Regional Council;
- g) Money received from such sources of incomes as the government may direct to be placed at the disposal of the Regional Council.

D) (Gha) REHABILITATION, GENERAL AMNESTY AND OTHER MATTERS

Both sides have reached the following position and agreement to take programmes for restoring normal situation in Chittagong Hill Tracts area and to this end on the matters of rehabilitation, general amnesty and others related issues and activities:

1. An agreement has been signed between the government and the refugee leaders on March 1, 1997 with an aim to take back the tribal refugees from India's Tripura State based on the 20-point Facilities Package. In accordance with the said agreement repatriation of the refugees started since March 28, 1997. This process shall continue and with this in view, the Jana Sanghati Samiti shall provide all kinds of possible cooperation. The Task Force shall, after determination, rehabilitate the internally displaced tribal people of three districts.
2. After signing and implementation of the agreement between the government and the Jana Sanghati Samiti, and after rehabilitation of the tribal refugees and internally displaced tribal people, the government, in consultation with the Regional Council to be formed as per this agreement, shall start cadastral survey in CHT as soon as possible and after finalization of land ownership of tribal people by settlement of land dispute through proper verification, shall record their land and ensure their land rights.
3. The government, to ensure the land rights of the tribal families which are landless or possess less than 2 acres of land, shall provide two acres of land to each such family, provided that lands are available in the locality. If requisite lands are not available then grove land shall be provided.
4. A commission (Land Commission) headed by a retired justice shall be formed for settling land disputes. This commission, in addition to settling disputes of lands of the rehabilitated tribal refugees, shall have full power for cancellation of ownership of those lands and hills which have been so far illegally settled and occupied. No appeal can be

made against the judgement of this commission and decision of this commission shall be final. This shall also be applicable in case of fringe land.

5. This commission shall be set up with the following members:

Retired justice;

Circle chief (concerned);

Chairman of Regional Council/representative;

Divisional Commissioner/Additional Commissioner

Hill District Council Chairman (concerned)

6. a) The term of the commission shall be three years. But its term can be extended in consultation with the Regional Council.

b) The Commission shall settle disputes according to the existing rules, customs and practices of Chittagong Hill Tracts.

7. The tribal refugees who received loans from the government but could not utilize them properly due to conflicting situation shall be exempted from repayment of loans and interests.

8. Allotment of lands for rubber plantation and other purposes: Settlement of land, of those non-tribals and non-locals who were given settlement of lands for rubber plantation and other purposes but had not undertake project within the past 10 years or had not utilized their lands properly, shall be cancelled.

9. The government shall allot additional funds on priority basis for implementation of increased number of projects in CHT. New projects formulated with an aim to make necessary infrastructures for facilitating development in the area shall be implemented on priority basis and the government shall provide funds for these purposes. The government shall, considering the state of environment in the region, encourage developing tourism for tourists from within the country and abroad.

10. Quota reservation and scholarships: Until development equals that of other regions of the country the government shall continue reservation of quota system in government services and educational institutions for the tribals. For this purpose, the government

shall grant more scholarships for the tribal students in the educational institutions. The government shall provide necessary scholarships for research works and higher education abroad.

11. The government and the elected representatives shall be active to preserve the distinctiveness of the tribal culture and heritage. The government in order to develop the tribal cultural activities at the national level shall provide necessary patronization and assistance.

12. The Jana Samhati Samiti shall submit to the government the lists of all its members including the armed ones and the arms and ammunition under its possession and control within 45 days of signing this agreement.

13. The government and the Jana Samhati Samiti shall jointly determine the date and place for depositing arms within the 45 days of signing this agreement. After determination of date and place for depositing arms by the members included in the list of the Jana Samhati Samiti the government shall ensure security for return of JSS members and their family members to normal life.

14. The government shall declare amnesty for the members who shall deposit their arms and ammunition on the scheduled date. The government shall withdraw the cases against whom cases have been lodged.

15. If anyone fails to deposit arms on the scheduled date the government shall take lawful measures against him.

16. After the return of all JSS members to normal life general amnesty shall be given to them and to the permanent residents who were involved in the activities of the Jana Sanghati Samiti.

a) In order to provide rehabilitation to all returnee JSS members a lump sum of Taka 50,000/- shall be given to each family.

b) All cases, warrants of arrest, held against any armed member or general member of the Jana Sanghati Samiti shall be withdrawn and punishment given after trial in absentia shall be exempted after surrender of arms and coming back to normal life as soon as possible. Any member of the Jana Sanghati Samiti in jail shall be released.

c) Similarly, after surrendering arms and coming back to normal life, no case can be filed or no punishment can be given to any person for merely being a member of the Jana Sanghati Samiti.

d) The loans obtained by the members of the Jana Sanghati Samity from different government banks or other agencies but could not be utilised owing to conflicting situation would be exempted with interest.

e) Those members of the PCJSS who were employed in various government jobs shall be absorbed in their respective posts and the eligible members of their family shall be given jobs as per their qualifications. In such cases, the government principles regarding relaxation of age would be followed.

f) Bank loans of soft terms shall be given to the members of the PCJSS for cottage industry and horticulture and other such self-employment generating activities.

g) Educational facilities shall be provided for the children of the Jana Sanghati Samity members and the certificates obtained from foreign board and educational institutions shall be considered as valid.

17. a) After signing of the agreement between the government and the Jana Sanghati Samiti and immediately after the return of the JSS members to normal life, all the temporary camps of military, Ansar and Village Defence Party shall be taken back to permanent installations except the border security force (BDR) and permanent cantonments (three at the three District Headquarters and Alikadam, Ruma and Dighinala) by phases and with this in view, the time limit shall be determined. In case of deterioration of the law and order situation, natural calamity and such other works the army can be deployed under the civil administration like all other parts of the country as per relevant laws and rules. In this case, the Regional Council may, according to the necessity or time, request the proper authority for the purpose of getting assistance.

b) The lands of camps and cantonments to be abandoned by military or para-military forces shall be either returned to the original owners or to the Hill District Councils.

18. The permanent residents of Chittagong Hill Tracts with priority to the tribals shall be given appointment to all categories of officers and employees of all government, semi-government, councils and autonomous bodies of Chittagong Hill Tracts. In case of non-availability of eligible persons from among the permanent residents of Chittagong Hill Tracts for a particular post, the government may give appointment on lien or for a definite period to such posts.

19. A ministry on Chittagong Hill Tracts Affairs shall be established by appointing a Minister from among the tribals. An Advisory Council shall be formed to assist this ministry with the persons stated below:

- a) Minister on CHT Affairs
- b) Chairman/representative, Regional Council;
- c) Chairman/representative, Rangamati Hill District Council;
- d) Chairman/representative, Bandarban Hill District Council;
- e) Chairman/representative, Khagrachari Hill District Council;
- f) Member of Parliament, Rangamati;
- g) Member of Parliament, Bandarban;
- h) Member of Parliament, Khagrachari;
- i) Chakma Raja;
- j) Bohmang Raja;
- k) Mong Raja;
- l) Three members from non-tribal permanent residents of hilly areas nominated by the government from three Hill Districts.

This agreement is framed as above in Bengali language and is done and signed in Dhaka on the date of 02 December, 1997 A.D., 18 Agrahayan 1404 Bengali year.

On behalf of the inhabitants of
Chittagong Hill Tracts

SD/-

(Jyotirindra Bodhipriya Larma)

President

Parbattya Chattagram Jana

Sanghati Samiti

On behalf of the government of the

Peoples Republic of Bangladesh

SD/-

(Abul Hasanat Abdullah)

Convenor

National Committee on Chittagong Hill Tracts

Affairs, Government of Bangladesh