

# **Indigenous Rights in Bangladesh: Land Rights and Self-Government in the Chittagong Hill Tracts**

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## I. Introduction

The Chittagong Hill Tracts (CHT) is somewhat of an anomaly in Bangladesh. The region straddles the coastal plains of Chittagong (not to be confused with the Chittagong “Hill” Tracts) to the west and the somewhat higher hill ranges of India and Burma (“Myanmar”) to the east. In contrast to the alluvial plains of Bangladesh, where wet-rice cultivation is the norm, most of the CHT contains rugged hills with tropical and sub-tropical flora and fauna, where swidden or ‘jum’ cultivation was the mainstay of the economy, until a few decades ago.

Indigenous peoples from eleven different ethno-linguistic groups have been living in the region for many centuries. They still form the majority of the population, if only just so.<sup>1</sup> Unlike the rest of Bangladesh, where Bengali-speaking Muslims form the majority of the population, the indigenous peoples of the CHT are largely Buddhist, Hindu and Christian, sometimes in conjunction with indigenous faiths. Although some of the indigenous peoples speak languages belonging to the Indo-European group, most of their languages – sometimes disparagingly called “dialects” - belong to the *Tibeto-Burman* family, with striking similarities with the languages of the *Kuki-Chin/Mizo*, *Rakhaing* (*Rakhaine*) and *Bodo* groups living in Northeastern India and Burma.

As its topography and cultural heritage might suggest, the region’s political and legal developments too have been quite different from the rest of the country. It is the only region in Bangladesh that had, and still has, a different legal system, drawing significantly upon the British-promulgated CHT Regulation of 1900 (Bengal Act I of 1900). The region has a semi-autonomous administrative set-up that includes elected councils at the district and regional levels with a two-thirds indigenous majority, the traditional system of *rajas* (“chiefs”), *headmen* (chiefs or heads of mauzas)<sup>2</sup> and *karbaries* (village chiefs or elders), and institutions of the national government. Thus the CHT system poses in some ways a challenge to the formal “unitary” status of the republic. Others claim that this is democratic and institutional pluralism in practice, although constitutional reforms are not unequivocal on this issue.

The “peace” accord of 1997 heralded the cessation of organized and active hostilities between government forces and indigenous guerrilla fighters, and recognized the CHT as a “tribal inhabited area”. The accord and consequent legislation reinforced the semi-autonomous status of the CHT self-government system, albeit without explicit constitutional backing.<sup>3</sup> The Accord recognizes the authority of the largely hereditary and partly formalized institutions of the *rajas* (“chiefs”), *headmen* and *karbaries* (village elders or chiefs), but vests the major administrative and developmental decision-making powers on (to-be) elected councils of two tiers – the regional and the district councils – who share this authority in an uneasy relationship with the central government bodies at the regional and national levels. The implementation of the Accord – like so many other “peace” accords in various parts of the world – has run into numerous difficulties, with indigenous leaders claiming non-implementation of its major provisions, a claim denied vehemently by government leaders. This was the case during the rule of the Awami League, the party that signed the truce. The more right-leaning government led by the BNP – which came into power in 2001 – is yet to make its present stand on major CHT issues, including on self-government and land, known to the public. The BNP had at one stage – while in opposition – denounced the Accord as anti-constitutional and appealing towards anti-state radicals – but has since kept silent. The signs are ominous at worst and disquieting at best for the CHT indigenous peoples, who form a miniscule minority within Bangladesh; and whose situation of political, economic and social marginalization over the centuries provides them with little bargaining power in a polity that has for years

been dominated by the thinly veiled chauvinistic majoritarian sentiments and economic and military clout of a minority elite.

It is not just the “hill” peoples of the southeastern region who alone feel neglected and oppressed. Other indigenous peoples in the north-western, north-central, northeastern, the south-central and southeastern (coastal) parts of Bangladesh too have been demanding justice for equitable representation and land rights. The most numerous among them are the *Santal, Garo, Munda, Hajong, Rakhaing* and *Khasi*. Their situation in many ways is worse than that of the CHT peoples, as most of their communities are now islands in the midst of Bengali settlements, a stark contrast to the period before and immediately following the British annexation of the region. Awareness about their inherent rights to self-determination has grown in these parts of Bangladesh too, but their publicized demands have been largely restricted to economic and cultural rights, and not on self-government, unlike in the case of the CHT, where the raging question is for self-government and autonomy, with parallel measures for devolution of powers on land and other matters to the regional and district councils.

## **II. Colonization & Erosion of Self-Rule: Another form of *Terra Nullius***

### ***Pre-British Chittagong Hill Tracts***

The southeastern frontiers of Bangladesh were the last to be expanded. While other parts of Bangladesh were directly ruled by the Mughals and their governors from Delhi, Murshidabad and Dhaka, Chittagong and the CHT remained outside its direct sphere of influence until the 17<sup>th</sup> century. The biggest part of Chittagong – which was disputed for long between the rulers of Tripura and Arakan (Rakhaing) - was finally conquered by the Mughals only in 1666 (Ishaq, 1975:24-26), but not the CHT. Although the ruling chiefs of the CHT entered into subordinated trade treaties with the Mughals and the British East India Company, the hill people were regarded as “tributaries” rather than as “subjects” by the aforesaid empires (Ishaq, 1975:28) as the latter did not have any “direct influence or rule over the hill tribes” (Serajuddin, 1968:55). Hill peoples on the tracts bordering the plains resisted British expansionism with guerrilla warfare for almost a decade until they were forced into a treaty of trade in 1785 whereby the Chakma Raja agreed to pay a tribute in cotton to the Company (Ishaq, 1975:27). However, such a state of affairs was not to last very long. The gradual but direct colonization of the CHT was faithfully recorded for posterity by a conscientious British administrator in the following words:

“The headmen of the hill tribes were allowed to retain their authority, and the Government jurisdiction practically extended only to the collection of revenue from the hills in the shape of cotton. In 1829, Mr. Halhead, the commissioner [of Chittagong Division] stated that the hill tribes were not British subjects but merely tributaries, and that he recognized no right of the British to interfere with their internal arrangements. The near neighbourhood of a powerful and stable government naturally brought the Chiefs by degrees under British influence, and by the end of the end of the 18th century every leading Chief paid to the Chittagong Collectorate a certain tribute or yearly gift made to purchase the privilege of free trade between the inhabitants of the hills and the plains. These sums were at first fluctuated in amount but gradually were brought to specified and fixed limits, eventually taking the shape, not of tribute, but of revenue paid to the State. The Government did not, however, interfere directly with the internal economy of the Hill Tracts.” (Ishaq, 1975:28)

Finally in 1860, the CHT was annexed to British Bengal as a “district”.

### ***Land & Self Government Rights during early British Rule: Indirect Rule through Chiefs (1860-1937)***

As in other parts of the sub-continent, during the early part of British rule, the Government ruled largely in an indirect manner, except in the case of the large expanses of forest areas. They formalized the rule of the most influential chiefs or *rajas* (Chakma, Bohmong and Mong), which in turn eroded into oblivion the chiefs of the numerically small indigenous peoples (Schendel et al, 2000:25-32). The British-appointed *Superintendent of Hill Tribes* kept a watchful eye on the administration of the chiefs, and traditional clan chiefs and other leaders who were re-styled as headmen.<sup>4</sup> Thus British-rule led to centralization of powers such as in the case of the *Chakma* and *Marma*, but to de-centralization as in the case of the *Bawm*, *Khumi* and *Lushai* (Ibid.)

### ***Erosion of Autonomy and Direct Government Rule (1937-1989)***

A major amendment to the CHT Regulation in 1937 imposed a much more direct rule of the crown by decreasing the administrative authority of the three formally recognised "chiefs", but retaining their judicial and revenue prerogatives and formally recognizing their advisory prerogatives. The chiefs were no longer "charged with the administration of the CHT", and their direct administrative authority was supplanted with the rule of the district and sub-district officials (amendments to rules 38, 39 CHT Regulation, 1900).

During partition of India in 1947, the CHT was awarded to Pakistan, since it was regarded as the hinterland of Chittagong port, although 97% of its population was non-Muslim. (Ziegler, 1985:416-430; Collins & Lapierre, 1982: 174-179). The most vocal CHT leaders who opposed Pakistan migrated permanently to India. During Pakistani rule, the administrative system of the region was not amended except to introduce franchise rights in the CHT. The CHT participated in parliamentary polls in the early 1950s and in the indirect district council elections in the late 1950s. The role of the indigenous legislators and councillors, however, proved to be ineffective in preventing erosion of autonomy and safeguarding land and resource rights. A striking example was the construction of the Kaptai Dam in 1960, which displaced more than 100,000 people and inundated the richest two-fifths of the paddy lands of the district (Ishaq, 1975:42). Many refugees of the Dam now live in Arunachal Pradesh, as stateless refugees (Bhaumik et al, 1997:139-166).

The independence movement for Bangladesh in 1971 caught the CHT people on both sides of the war. The 6-point autonomy movement of East Pakistan – ultimately culminating in the struggle for independence – had no explicit provisions for the CHT or its indigenous people. Therefore, although widespread sympathies lay with the Bengali-speaking people of the province, most of the senior CHT leaders, including the chiefs and the members of the legislature, were not actively involved in the movement.<sup>5</sup> Some of the leaders were forced to collaborate with the occupation forces. Consequently, after independence was achieved, the hill people of the CHT were looked upon as traitors by Bengali politicians. However, a section of the hill people, including ex-members of the Bangladesh freedom fighters, were encouraged by the Bangladesh struggle and started an armed movement for self-determination in 1973, after demands for constitutional safeguards and autonomy were summarily rejected in 1972. This fateful year also saw the rejection of the special administrative status of the CHT in the first constitution of the new republic. The armed struggle was to continue for more than two decades, when it finally came to an end on 2 December, 1997 with the signing of a "peace" accord between the indigenous people's party, the JSS, and the Government of Bangladesh.

The human rights, environmental and social dimensions of the conflict are beyond the scope of this paper. However, it would be incomplete to refrain from mentioning the untold miseries that were suffered by the CHT people, including large scale massacres, torture, rape, arson, arbitrary detention and other human rights abuses that have been amply documented by reputable human rights organizations, including Amnesty International. As with human rights, there were huge social disruptions caused by involuntary relocation and environmental degradation due to deforestation through "jungle-clearing" and mono-cultivation projects (Loffler, 1991). These issues are not mentioned in the CHT Accord of 1997. Similarly, the question of gender equity and the special needs of the numerically small and politically and economically marginalized indigenous peoples have not been addressed in a substantial manner.

### ***Resistance against Colonization***

I have mentioned the revolt against the British in the 1770s led by the Chakma Raja Jan Bux Khan and Ranu Khan Dewan (Chakraborty, 1977:133-156). Even after annexation in 1860, attempts to resist centralization of powers in the hands of the British administrators were not to die down. The Lushai/Mizo peoples continued their guerrilla warfare even unto the end of the 19<sup>th</sup> century. The Chakma Rani Kalindi, who ruled during the second and third quarters of the 19<sup>th</sup> century, resisted the British government's attempts to interfere with her rule, and although the British sought to depose her at one stage, she ruled unto her death at an old age (Lewin,1912:249). Lesser attempts have gone unrecorded in history. Anti-Pakistani groups in 1947 sought to, but failed to mount an armed movement against the Pakistani forces. It was to be the Bangladesh Government that was to bear the brunt of the major revolt of the indigenous people during the last century, in the 1970s, 80s and 90s.

### **III. The Denial of Land Rights & Transmigration of Bengali Settlers**

Apart from the erosion of autonomy, another impact of colonization and the colonialist land and forestry policies of the successor Pakistani and Bangladeshi administrations was the violation of the land and resource rights of the CHT people. The *first* of such major events was the appropriation of the forest commons of the indigenous peoples by the colonial Forest Department in the 1870s. These lands still remain vested in the national Forest Department. The *second* was the Kaptai Dam of 1960, to which I have already referred. The *third* was the migration into the CHT of an estimated 200,000 to 400,000 landless Bengali farmers from several districts outside the CHT in 1979 and the early 80s; a government-sponsored programme that was planned and executed in secret without any involvement of indigenous leaders.<sup>6</sup> This population transfer programme worsened the situation rather than stopping the insurgency, and moreover, it made the situation more volatile by artificially adding an 'ethnic' overtone to the CHT problem by 'civilianizing' the conflict. Furthermore, the settlement process drastically altered the demographic make-up of the region by reducing the indigenous people to a near-minority in their ancestral homeland. Most importantly, it led to the dispossession of thousands of acres of lands belonging to indigenous people, which they are yet to recover. In accordance with the 1997 Accord and subsequent legislation a Commission on Land has been formed to resolve disputes over land, but is yet to start its work.

## **IV. Revival of Autonomy and Restoration of Land Rights?**

### ***Devolution to District Councils (1989-1998)***

A major turning point towards the revival of self-rule in the CHT was the CHT Accord of 1988 that laid down the basis for the creation of three district level councils, with a two-thirds indigenous majority, and with limited authority over small industries, primary education, health, agriculture and some other matters. This devolution package was formalized through Acts 19, 20 and 21 of 1989 (Hill District Local Government Council Acts). This process, however, failed to bring peace in the region. *Firstly*, the process bypassed the JSS, that was leading the movement for autonomy. *Secondly*, it contained no provisions regarding the repatriation of the CHT refugees that had taken shelter in India. *Thirdly*, the devolution of authority to the district councils was quite insubstantial, with neither administrative nor fiscal autonomy. The internal war was therefore to continue until the ceasefire in the mid-1990s.

### ***The Regional Council System (1989-2001)***

The most important provisions of the 1997 Accord include the following: (i) the handing over of arms by JSS fighters, their return to normal life and their rehabilitation; (ii) the rehabilitation of refugee returnees and internally displaced people; (iii) the resolution of land disputes by a commission on land, cancellation of land leases to outsiders, land grants to landless hillpeople and transfer of land administration authority to the hill district councils; (iv) further devolution of powers to the hill district councils, including over land, police, tourism and secondary education; (v) formation of a regional council for the CHT with consultative legislative prerogatives and administrative authority over the CHT councils at district and lower levels, and over heavy industries; and (vi) the formation of a Ministry on CHT Affairs with an indigenous person at its head, to supervise the CHT administration and to liaise with other ministries in the capital.

A number of measures related to rehabilitation and devolution of authority to the existing and new units of self-government have been taken, but authority over police, law and order, strengthening of the role of the district councils in fiscal policy-making and related matters, and the transfer of executive authority to the CHT Regional Council is yet to be effectively implemented. In the case of land-related matters, the CHT Accord remains largely unimplemented. The hill district councils have not been transferred authority over land administration, landless hillpeople have not been given any land grants, commercial leases granted to non-residents have not been cancelled, and the land commission is yet to start its work. The matter on the land commission has been further complicated by the concerned law that has vested almost unfettered powers to the chairman of the commission – a retired judge of the High Court – to overrule opinions of the other members of the commission where there is no consensus.<sup>7</sup> The regional council has rejected the concerned law – the CHT Land Commission Act of 1991 – and has called for amendments to remove the arbitrary powers of the chairman.

## V. Situation of Indigenous Peoples in other parts of Bangladesh

The indigenous peoples living in the various “lowland” regions (as opposed to the “hill” region of the CHT) are scattered about in the greater Rajshahi-Dinajpur region in the northwest, the greater Mymensingh region in the central north, the greater Sylhet region in the northeast and the greater Patuakhali-Barguna-Cox’s Bazar region in the south.<sup>8</sup> These peoples are as culturally, linguistically and socially diverse as those of the CHT, but there are some significant differences between the CHT and the lowland regions.

In the *first* place, the indigenous peoples of the lowlands are dispersed in small pockets of settlements that are surrounded by areas inhabited by Bengali-speaking people. *Secondly*, the self-government systems of the lowlander indigenous peoples is not formally recognized by law, apart from their personal laws governing family matters and their laws of inheritance. *Thirdly*, the lowlander indigenous peoples have no direct representation at national levels. *Fourthly*, instances of land dispossession suffered by lowlander indigenous peoples are perhaps even more widespread than in the case of the CHT. In other words, the situation of land rights and self-rule in the case of the lowlander indigenous peoples is in many instances worse than that of the CHT. The concerned land law of the lowlands (section 97 of the East Bengal State Acquisition and Tenancy Act, 1950) forbids alienation of “aboriginal” lands to non-aboriginals without the prior sanction of the government’s district officer. In practice, however, land alienation goes on unabated, especially in the *Rakhaing*-inhabited areas in the south and the *Santal* and *Oraon* inhabited areas in the northwest.<sup>9</sup> The Special Affairs Division of the Prime Minister’s Office is entrusted to look after their welfare but these peoples have no say in the affairs of this Division. Although their leaders have time and again demanded the recognition of their land and self-government rights – such as in the *Adivasi Declaration of 1997* - necessary reforms do not seem imminent.

## VI. The Constitutional Debacle

As in other parts of neighbouring Northeastern India, the constitutional status of the CHT region was regulated in accordance with the Government of India Act, 1919 and the Government of India Act, 1935. The latter served as the provisional constitution of Pakistan until 1956. The CHT was classified firstly as a “backward tract”, and later, as a “fully excluded area”. The 1956 Constitution of Pakistan retained the *excluded area* status of the CHT and was ruled directly by the central government, or by the governor of the province (then East Bengal) as the representative of the central government. The status was changed to that of “tribal” area in the 1962 constitution, but this did not affect the style of administration. The tribal area status in turn was removed by a constitutional amendment in 1964.<sup>10</sup> Since then the special administrative status of the CHT has been bereft of constitutional backing.

Soon after the independence of Bangladesh in 1971, a delegation of hill leaders led by the late M. N. Larma met Prime Minister Sheikh Mujibur Rahman and demanded the revival of the special constitutional status of the CHT and the recognition of the cultural identities of the indigenous peoples of the CHT.<sup>11</sup> These demands were, however, summarily rejected. Not long afterwards, Larma started an agitation movement for autonomy that was later to culminate into a full-fledged armed struggle along Maoist lines. Larma himself met a tragic death in 1985 in an intra-party struggle. His name is still invoked as the first CHT leader to stand up in an organized manner for self-rule and the cultural integrity of the indigenous peoples of the CHT. Demands for the revival of the CHT’s special status in the constitution have continued to be made by the indigenous people of the region, including in the *Adivasi Declaration of 1997* and the *Rangamati Declaration of 1998*.

The negative implications of the absence of constitutional recognition of the CHT and its indigenous peoples have been amply demonstrated in the case of *Mustafa Ansari vs. Deputy Commissioner, Chittagong Hill Tracts and Another* (17 DLR, 1965:553), when the then High Court of Dhaka struck down as unconstitutional rule 51 of the CHT Regulation of 1900, which empowered the deputy commissioner (district officer) to expel a non-native from the concerned district or to prevent her/his entry into the district if her/his presence was considered as a threat to the peace and good administration of the district.<sup>12</sup> In the aftermath of the 1997 Accord, some feeble attempts were made to challenge the constitutionality of the CHT Regional Council Act of 1998, but they were not followed through with much seriousness. It remains to be seen how various matters recognizing the primacy of indigenous people's rights in the CHT will be dealt with, if challenged in the future as *ultra vires* to the Constitution of Bangladesh.

## **VII. The Challenges Ahead: Towards Further Marginalization?**

### ***Demographic Changes & Implications on Self Rule and Land Rights***

The situation of the land and self-government rights of the indigenous peoples of the CHT, especially the implementation of some of the major provisions of the CHT Accord of 1997, had run into severe difficulties even during the rule of the Awami-League led government that was a signatory to the Accord. The situation is far more precarious now with the BNP-led government that has announced its intention to amend the concerned laws to safeguard the rights of all groups, a euphemism implying the strengthening of the rights of the Bengali inhabitants of the CHT. The population of Bengali people in the region has grown from a minuscule 2% in 1872 to an estimated 49% in 1991. This has direct implications on political representation and the protection of the land rights of the indigenous peoples. The artificially engineered demographic change saw a Bengali candidate from Khagrachari district being elected to parliament in the 1991 elections. His recent appointment as the chairman of the CHT Development Board has been condemned by the JSS as a violation of the 1997 Accord, which provides that priority shall be given to "tribals" in the appointment of the Board's chairman.

### ***Demography, State Subsidies & Land Disputes***

The growing strength of the Bengali-speaking voters of the CHT also has several implications with regard to the workings of the future commission on land. How is the commission going to deal with potentially thousands of cases of alleged cases of land dispossession by settlers who have lived in the CHT since 1979 or the early 80s? If their land titles are not recognized by the commission, how are they to be rehabilitated and where? Will the government agree to withdraw the special powers of the chairman of the commission where it is aware that the majority of the other members of the commission belong to indigenous groups? The fate of the dispossessed indigenous people of the CHT will depend how the aforesaid questions are answered. Even with a sympathetic government, a reasonable solution would be difficult. Meanwhile, the government-sponsored Bengali settlers continue to receive regular food grains from the government, a clear sign that their continued presence in the CHT requires to be financially subsidized. In other words, if the rations were to be stopped, it is quite likely that a large section of the settlers would leave the CHT. That, however, is perhaps not what the government wishes to happen as the settlers are invariably seen by many government leaders and functionaries as "loyal citizens" amidst "revolutionary" minorities. Some indigenous people have complained that this is contrary to the equal rights clauses of the national constitution (especially articles 27 and 28) which forbids the state from negatively discriminating against any person on the grounds of race, religion or place of

birth. I would agree. However, none have challenged the legality of food grants to the settlers, perhaps because of legal, evidential and political complications.

Without effective devolution of powers to the regional and district councils, especially on fiscal, land and police matters, the early years of this century may well take the CHT back to the trend before 1989, which saw the gradual erosion of the land and self-government rights of the indigenous peoples of the region. The situation is further exacerbated by an intra-indigenous conflict that pits the party to the 1997 Accord – the JSS – against the UPDF, which calls for “greater autonomy.”

### ***Stepmother or Paterfamilias?***

Many feel that the current intransigence of the present BNP-led government towards the 1997 Accord is partly a result of the lack of a feeling of “ownership” over the CHT peace process, which was formalized by its arch political rival, the Awami League. Yet, it was the BNP that had continued the peace talks with the JSS, after they were initiated by the Jatiyo Party led by general Ershad in the 1980s. What needs to be borne by all is that peace in the CHT can only mean progress, prosperity and stability for other parts of Bangladesh as well, and not just for the people of the CHT. Apart from its strategic location with long, mountainous and forested borders with India and Burma, the region also contains large tracts of forests and perhaps oil and gas.

### ***Globalization, Private Capital & Indigenous Rights***

Apart from purely “political” developments, economic developments also have major implications for the land and self-government rights of the indigenous peoples of the CHT. The visibly growing trend of privatization and marketization of the hitherto largely subsistence-oriented CHT economy, with linkages with the worldwide phenomena of a globalized process of uniform trade and property laws may well undermine indigenous peoples’ rights. The direct presence and role of multilateral development banks and multilateral corporations have not as yet been very pronounced in the CHT. But things may change, since the region is still rich in forest resources and is said to have the largest reserves of natural gas in the country. The indigenous peoples can attempt to resist such a process, or try to become significant actors in this process. Both will be difficult, given the long history of political and economic marginalization due to colonial and colonialist policies by successive governments.

### ***Towards Unity and Strategic Advocacy***

If the indigenous peoples of the CHT and elsewhere within the country are determined to survive as distinct peoples with their cultural integrity intact, they will have to strive harder to unite among themselves, and in friendship with progressive-minded sections of the Bengali-speaking people of the country. They will also have to realize that the protection of their rights will also depend upon how much attention they give to social, educational and economic progress in today’s technologized world. This will call for an effective partnership between the social, civic and political leaders of the CHT and networking with friends elsewhere. But time is not in favour of the indigenous peoples, as the past has shown.

## *Notes*

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<sup>1</sup> The 1991 Census puts the indigenous (officially “tribal”) population of the region at just over 51%. However, many think that this is an underestimate. The official voters’ list clearly suggests that this is so. The same census puts the total indigenous population of Bangladesh at 1,205,978, out of which, 501,144 persons were located within the CHT.

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<sup>2</sup> Mauzas are small administrative and revenue units containing several villages or hamlets. There are about 350 mauzas within the CHT.

<sup>3</sup> The debate over whether the 1997 Accord is in accordance with or contrary to the national constitution is still far from over, although no serious challenges have as yet been mounted to challenge the constitutional validity of the laws following the Accord.

<sup>4</sup> The mauza headmen in the CHT are not to be confused with village headmen in other comparable areas. These headmen are the chiefs of a number of villages and wield significant authority on land, revenue and judicial matters, including powers of detention.

<sup>5</sup> The singular exception was the Mong Raja Mom Prue Sain.

<sup>6</sup> For details of the settlement programme of 1979-80s, see Burger, 1984, Roy, 1997.

<sup>7</sup> Apart from the chairman, the other members of the commission include the chairman of the CHT Regional Council, the chairmen of the three district councils, the three chiefs or *rajas*, and the Commissioner of the Chittagong administrative division (a civil servant).

<sup>8</sup> The term “lowland” has been used for purposes of convenience, although small pockets of hill areas also occur in the Sylhet division and other parts of the “lowlands”.

<sup>9</sup> Discussions with indigenous leaders from Rajshahi, Dinajpur and Patuakhali districts in 1997-98.

<sup>10</sup> Constitution (First Amendment) Act of 1963.

<sup>11</sup> The four demands were: (i) regional autonomy for the CHT with its own legislature; (ii) retention of the CHT Regulation of 1900; (iii) the continuation of the “tribal” chiefs offices; and (iv) constitutional safeguards against the arbitrary amendment of the 1900 Regulation and safeguards against migration of non-indigenous people into the CHT. The demand for the retention of chiefly authority was to be removed from the JSS literature in the 1980s, to be revived again in the mid-1990s. It is believed by many that abolition of chiefship was reconsidered because of the need to maintain indigenous cultural integrity and to prevent further loss of indigenous authority to non-indigenous entities.

<sup>12</sup> A related law – Rule 52 of the CHT Regulation, 1900 – forbade the entry of non-natives into the CHT without a written permit issued by the deputy commissioner. The system was quite similar to that of the *Inner Line Regulation* that still prevails in Arunachal Pradesh, Mizoram and Nagaland in Northeast India. Rule 52 was repealed in 1930.

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