



**Border Creation, Citizenship and Identity: A Case Study of the Chakmas in
Arunachal Pradesh**

A thesis submitted to the Indian Institute of Technology Guwahati in partial fulfillment of
the requirements for the degree of Doctor of Philosophy

By

Konkumoni Boro

Registration No. 136141014

**Indian Institute of Technology Guwahati
Department of Humanities and Social Sciences**

Guwahati, Assam, India- 781039

March 2021



Indian Institute of Technology Guwahati
Department of Humanities and Social Sciences
Guwahati, Assam, India- 781039

Declaration

I hereby declare that the thesis, titled “Border Creation, Citizenship and Identity: A Case Study of the Chakmas in Arunachal Pradesh,” is the result of investigation carried out by me in the Department of Humanities and Social Sciences (HSS), Indian Institute of Technology Guwahati (IITG), India, under the supervision of Dr. Pahi Saikia, Associate Professor, Department of Humanities and Social Sciences (HSS), Indian Institute of Technology Guwahati (IITG), India. The thesis, or any part of it, has not been previously submitted for any other degrees. This is my original work.

In keeping with the general practice of reporting observations, due acknowledgments have been made, wherever the work is based on the findings of other investigators.

K. Boro

March 2021
IIT Guwahati

Konkumoni Boro
PhD Research Scholar
(Political Science)
Department of Humanities and Social Sciences
Indian Institute of Technology Guwahati, India



Indian Institute of Technology Guwahati
Department of Humanities and Social Sciences
Guwahati, Assam, India- 781039

Certificate

This to certify that the thesis titled, “Border Creation, Citizenship and Identity: A Case Study of the Chakmas in Arunachal Pradesh,” submitted by Miss. Konkumoni Boro for the degree of Doctor of Philosophy in Political Science in the Department of Humanities and Social Sciences (HSS), Indian Institute of Technology Guwahati (IITG), India, embodies research work carried out under my supervision and guidance. The present thesis, or any part of it, has not been submitted to any other University or Institute for award of any degree or diploma. She has fulfilled all the requirements according to the rules of the Institute for submission of thesis.

pahi saikia

March 2021
IIT Guwahati

Dr. Pahi Saikia
(PhD Supervisor)
Associate Professor (Political Science)
Department of Humanities and Social Sciences
Indian Institute of Technology Guwahati, India

Acknowledgments

In the entire process of completion of my thesis, I am indebted to a large number of people. First and foremost I am indebted to my Supervisor, Dr. Pahi Saikia, Associate Professor, Department of Humanities and Social Sciences, Indian Institute of Technology Guwahati. I would like to extend my sincere gratitude to her for her continuous support, invaluable advice, constructive criticism, patience and constant motivation. She has been generous with her time and guidance in the entire process of the research work.

Besides my Supervisor, my sincere thanks goes to my PhD Doctoral Committee Members, Dr. Dilwar Hussain, Dr. Ngamjahao Kipgen and Dr. Mithilesh Kumar Jha for their insightful comments and suggestions that helped me to widen and improve my research work.

I remain deeply obliged to all my respondents who trusted me, gave me their time and agreed to speak to me. I am indebted to all those whom I have cited in my thesis whose contribution to my research work are just beyond their insights and opinion. Among them and others I would like to specially thank Arunjit Chakma and Rita Chakma who have been with me in my journey from the beginning till the end. I would also like to thank Pankaj Chakma, Anton Chakma, Santosh Baburah Chakma, Bipin Roshan Baburah, Sonjit Chakma, Montu Chakma, Roweena Dewan and B.K. Deori, for helping me to carry out my fieldwork smoothly in Diyun. My sincere gratitude goes to Prana Nath Chakma Aaju for his time, invaluable inputs and sharing his extensive knowledge on the subject matter with me. I would also like to thank Subimal Bikash Chakma and Mahendra Chakma for providing me deep insights of their organizations. My sincere gratitude goes to Prof. Nani Bath (Professor, RGU) for his time, his perception on the issue and also for extending his help while conducting fieldwork at Itanagar. I would also like to thank Tabom Dai for helping me to get in contact with many AAPSU members.

I express my sincere gratitude to Prof. Rakesh Gupta (Former Professor, JNU) and Prof. Bipul Bhuyan (Professor, IITG) for their guidance and encouragement. I extend my heartfelt thanks to Pallabi Sarmah Goswami, Lukumoni Agarwal, Ashok Agarwal and Anju Modi for their help and support. I am deeply obliged to Dr. Sailajananda Saikia, Jyoti, Heena, Nich Nanki and Prem Tallong for helping me to smoothly carry out my fieldwork at Itanagar.

I thank my colleagues Pankaj, Halim, Snigdha, Tripti, Jimmy, Yuvraj, Kiran, Chandana, Rama, Rahul, Bhasker, Priyanka, Prerona, Namrata, and Prarthana for their support in my entire journey. I extend my heartfelt gratitude to my friends and well-wishers; Dr. Manabendra Saharia, Minakshee, Tonmoyee, Sanghamitra, Ebria, Mridusmita and Vinit. I am particularly thankful to Nabajit Rajbongshi for being extremely supportive throughout my PhD journey.

Finally, I owe my sincerest debts to my parents, Jogendra Mohan Baro and Smriti Kona Das Boro and brother Kangkan Boro for believing in me and for their immense love and support throughout the entire journey. Had it not been for them, I would never have been able to cope with this work. The credit goes to all, mistakes, if any, are all mine.

Contents

	Page Nos.
Acknowledgment	iii-iv
Abstract	vi
List of tables	vii
List of figures	viii
Abbreviations	ix-xi
Chapter-I Introduction	1-41
Chapter-II Review of Literature	42-67
Chapter-III Tracing the Historical Background of the Chakmas: Chittagong Hill Tracts to Arunachal Pradesh	68-98
Chapter-IV Claims of the Chakmas: Findings from the Field	99-153
Chapter-V Competing Claims and Resistances of All Arunachal Pradesh Students Union: Findings from the Field	154-190
Chapter-VI State Responses: Findings from the Field	191-220
Chapter-VII Conclusion	221-230
References	231- 253

Abstract

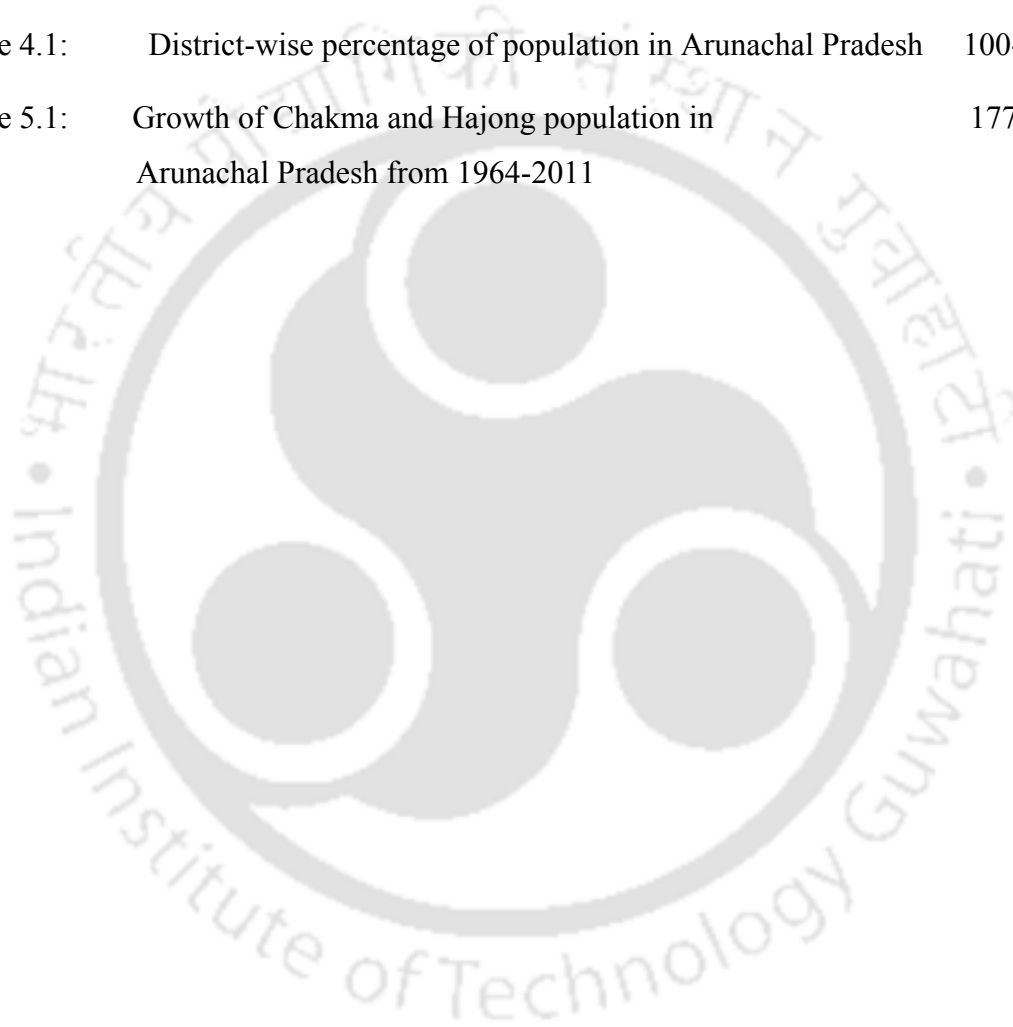
The study attempts to investigate and analyze how the creation of post colonial borders impact the political status and identity construction of people crossing the borders and in the process how do these communities perceive the ideas of citizenship. The study is based in South Asia, making of its post colonial borders, resulting in sparking issues of majority and minority; native and settler; insider and outsider. This process resulted in large numbers of minority groups who were compelled to leave their countries of origin and they were neither accepted as citizens in the country of origin nor in their country of residence. Thus, many lingered as stateless people with no political status nor any rights and benefits. One such community is the Chakmas of the Chittagong Hill Tracts who migrated to India from East Pakistan due to religious persecutions and submergence of their arable land due to construction of Kaptai Hydel Dam. The Chakmas make continuous efforts to determine their status, rights and identity. In 1964, a large number of Chakma people migrated to India and were resettled by the Union Government of India in the state of Arunachal Pradesh. The Chakmas are still claiming for their political status, rights and identity even after more than six decades of their migration from Chittagong Hill Tracts (part of erstwhile East Pakistan) to India and resettlement in then Northeast Frontier Agency (NEFA). The various demands of citizenship claims made by the Chakmas, role of various Chakma organizations, responses of the state will be discussed in the study. The study analyses both the claims of the incoming community and the responses of the receiving community, particularly the contesting claims by political organizations like the All Arunachal Pradesh Students Union (AAPSU). The study concludes with discussion on the responses of the governments, both the Union and the State and the Judiciary on the issue of the Chakmas in Arunachal Pradesh.

List of tables

1. Table 1.1	Details of field visit	34
2. Table 1.2	Size of population and number of households in Diyun circle	35-36
3. Table 1.3	Administrative Division of Changlang District	38-39
4. Table 5.1:	District-wise population of Chakmas and Hajongs in Arunachal Pradesh, 1964-69	175
5. Table 5.2:	District wise population figures of Chakmas and Hajongs in Arunachal Pradesh, 1979	176

List of figures

Figure 4.1:	District-wise percentage of population in Arunachal Pradesh	100-101
Figure 5.1:	Growth of Chakma and Hajong population in Arunachal Pradesh from 1964-2011	177



Abbreviations

AAPSU	All Arunachal Pradesh Students' Union
AASU	All Assam Students' Union
AC	Arunachal Congress
AICSU	All India Chakma Students' Union
AMSU	Abor Miri Student Union
AMSU	All Mishmi Students' Union
ANEFASU	All North Eastern Frontier Agency Students Union
APCSA	Arunachal Pradesh Chakma Students Association
APCSU	Arunachal Pradesh Chakma Students' Union
APCYF	Arunachal Pradesh Chakma Youth Federation
APCWS	Arunachal Pradesh Chakma Welfare Society
APST	Arunachal Pradesh Schedule Tribe
APSTS	Arunachal Pradesh State Transport Services
BDS	Bachelor of Dental Surgery
BJP	Bharatiya Janata Party
CAA	Citizenship Amendment Act
CADC	Chakma Autonomous District Council
CBSE	Central Board of Secondary Education
CCRCAP	Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh
CCRCHAP	Committee for Citizenship Rights of the Chakmas and Hajongs of Arunachal Pradesh
CD	Community Development
CHC	Community Health Center

CHT	Chittagong Hill Tracts
CRDO	Chakma Rights and Development Organization
CRDS	Chakma Rights and Development Society
CRPF	Central Reserve Police Force
DC	District Commissioner
DCSU	Delhi Chakma Students' Union
DDSE	Deputy Director of School Education
GB	Gaon Burha
HPF	Humanity Protection Forum
ILP	Inner Line Permit
JD	Janata Dal
JHPC	Joint High Power Committee
JP	Janata Party
LPC	Land Processing Certificate
PCJSS	Parbatya Chattagram Jana Samhati Samity
PIL	Public Interest Litigation
PPA	Peoples' Party of Arunachal
PRO	Peoples' Rights Organization
INC	Indian National Congress
MBBS	Bachelor of Medicine and Bachelor of Surgery
MGNREGA	Mahatma Gandhi National Rural Employment Guarantee Act
MHA	Ministry of Home Affairs
MLA	Member of Legislative Assembly
MNF	Mizo National Front
MP	Member of Parliament
MZP	Mizo Zirlai Pawl
NEET	National Eligibility Cum Entrance Test
NESO	North Eastern Students Organization
NHRC	National Human Rights Commission of India
NDA	National Democratic Alliance
NEFA	North East Frontier Agency

NESRC	North Eastern Social Research Centre
NGO	Non Governmental Organization
NSA	National Security Advisor
NRLM	National Rural Livelihood Mission
PDS	Public Distribution System
PHC	Primary Health Center
PMJSY	Pradhan Mantri Gram Sadak Yojana
PLRC	Pawi-Lakher Regional Council
PRC	Permanent Resident Certificate
PRO	Peoples' Rights Organization
PUCL	Peoples' Union for Civil Liberties
RGU	Rajiv Gandhi University
ROR	Restoration of Rights
SAHRDC	South Asian Human Rights Documentation Centre
SDO	Sub Divisional Officer
ST	Scheduled Tribe
STEE	State Technical Entrance Exams
TRC	Temporary Resident Certificate
UNHCR	United Nations High Commissioner for Refugees
USAID	United States Agency for International Development

Chapter 1

Introduction

“My father who was born in 1942 as an Indian, lost his Indian citizenship at the age of five. Then in 1964 he became a refugee in his own motherland, as he along with thousands of Chakmas and Hajongs, migrated from East Pakistan to India. In 1969, he jumped with joy, thinking he had got back his nationality, when he was rehabilitated in the North East Frontier Agency with full state assistance. Little did he realize that it was not to be.”¹

Introduction:

This study attempts to analyze how the creation of post colonial borders impact the political status and identity construction of people crossing the borders and in the process how do these communities perceive the ideas of citizenship. In South Asia, the modern state building processes have resulted in divided people and mutilated neighborhoods and the moans of the excluded (Manchanda 1997). Bose and Manchanda (1997) argues that the history of the South Asian states in the post-partition era was of majoritarian policies producing oppressed minorities, of membership and citizenship creating statelessness, of borders giving rise to illegal but natural cross border transfers and of development strategies uprooting many. This entire process resulted in South Asia becoming the fourth largest refugee concentration in the world excluding the internally displaced and the migrants. Weiner argues that some countries perceive borders as open for economies, promotes free trade and easy movement of capital but when it comes to movement of

¹ Mahendra Chakma, “Open Letter: Dear Rajnath Singh the ‘limited citizenship’ for Chakmas is too little too late,” *Scroll.in* September 21, 2017.

² Thanas are police stations that the non-Muslims wanted to be the basic unit of partition

people across borders, even those states desire to maintain sovereign borders (Weiner 1993). The demarcation that took place immediately after the transfer of power from the British colonial regime, came with suddenness and led to uncertainties in the lives of people who shifted from their original homes in search of livelihood and newer terrains (W. V. Schendel 2004). There are more who want to leave their countries and settle in a different state than there are countries which are capable or willing of accepting them (Weiner 1992). Weiner argues that the consequences of these population transfers are not only economic but also political, raising concern that an inflow of people belonging to different ethnic community may create xenophobic sentiments, demographic changes sparking issues of majority and minority; native and settler; insider and outsider. Weiner claims, "Most of the movement has been from one developing country to another; the world's largest refugee flows have been in Africa, South Asia, Southeast Asia, and most recently Persian Gulf. In South Asia alone, 35 to 40 million people have crossed international borders within the region" (ibid, 1737). Population movement is a forced activity, which is far from being a natural occurrence (Weiner 1992). The states make different rules subject to movement of people, while the state grants freedom to their citizens to exit but no states grant freedom to enter. At times some states have forced their citizens to exit their states and enter neighboring states. A large number of forced population movement has been caused by the attempt to attain cultural homogeneity by asserting authority and control of one ethnic group over the other. This process resulted in large numbers of minority groups who were compelled to leave their countries of origin that were neither accepted as citizens in the country of residence. Thus, many lingered as stateless people with no political status nor any rights and benefits.

Most governments perceive the idea of sovereignty and statehood attached to the notions of citizenship and exclusion marking the distinction between those who belong and those who do not (Weiner 1993). Therefore the idea of citizenship emerges straightaway with the idea of modern state. In order to exclude those who do not belong, the idea of building the modern states was accompanied with demarcation of borders. Therefore, the idea of citizenship is inevitably linked with demarcation of borders. In the words of Jayal, "In the process of delineating the territorial boundaries of the political community of

citizens, every state creates a default category of those who live outside these boundaries and are by definition beyond the pale of membership” (Jayal, *Citizenship and its Discontents: An Indian History* 2013). In South Asia, it is after the partition of the Indian subcontinent that the modern state building process and the creation of borders thereafter created conditions of inclusion for some and exclusion for others. This abrupt and unplanned demarcation of borders after partition of India and Pakistan marked deep impression in the memories and lives of the people living on both sides of the border. The haphazard border creation gave birth to many minority groups in both the states who were considered as spies of the other state and hence they were treated with the presumption as treacherous and infiltrator of the new state and furtive messengers of the neighboring state (W. V. Schendel 2005). Similar was the case with the small minority groups of the Chittagong Hill Tracts and were amongst some of the worst sufferers of the modern nation state building process. Territorial division that occurred between India and Pakistan was much more than just drawing imaginary outlines on the map, while it was total demographic alteration caused by reshuffling and relocating the people as Hindus, Sikhs and Muslims from one side of the border to the other side. A Boundary Commission administered the massive and complex job of boundary demarcation. It was the Bengal Boundary Commission with Cyril Radcliff as the head who was assigned the task despite no idea about the composition, character and complexities of the place and its people that he was about to divide (Kudaisya 2000). It was a very technical way of completing the task within limited time frame without contemplating the social composition and other nuances of the place. The superficial nature of the demarcation and division task is apparent from the fact that the territorial unit on the basis of which the division would occur remained undefined. The primary instruction that the Boundary Commission had to follow was that, the Muslim majority areas had to be separated from the non-Muslim majority areas. But what do ‘areas’ actually connote was unclear. This resulted in many unwanted outcomes after partition actually happened and borders between the two countries were created. There were Muslim majority provinces comprising of non-Muslim majority districts (W. V. Schendel 2004). These districts again comprised of *thanas*² which were both Muslim and non-Muslim majority areas.

² Thanass are police stations that the non-Muslims wanted to be the basic unit of partition

There were barely any areas with sharp discontinuities between the Muslim regions in Pakistan and the non-Muslim regions in India (W. V. Schendel 2004). Only 26 percent of the border separated a Muslim majority area in East Pakistan from a Hindu majority one in India, and an additional 15 percent separated a Muslim-majority area in East Pakistan from a Christian or Buddhist majority area in India. Hence the border was seen mostly cutting through the areas of the same religion on both the sides. Although the communal implication of the border portrayed a Hindu-Muslim divide, many other communities (neither Hindu nor Muslim) were also affected by the border creation in the region. Three-fifths of the populations on the Indian side were Hindus while two-fifths were Buddhists and Christians who were also affected by the border creation. This resulted in some new set of identities, national identities as well as some sub national identities based on ethnicity, language, religion and so on. What has largely been ignored by mainstream literature on nationalism and identity formations was that of ‘transterritorial identities’ (W. V. Schendel 2002). When the Muslims were asked to identify with the ‘Pakistani nation’ and non-Muslims with the ‘Indian nation’, there were many places where there was a mismatch between religious community, territory, and national identity as there were millions of non-Muslims and Indian Muslims (Hindus, Buddhists, Christians etc.) in East Pakistan whose self-identification was not territorially determined but varied immensely. These two groups Schendel describes as ‘citizens’ and ‘proxy citizens’. In Pakistan, India’s proxy citizens were the Hindus, Buddhists, and Christians and in India, Pakistan’s proxy citizens were the Muslims. Loyalty of the proxy citizens to their territorial nation was questioned, who were later subjected to various atrocities terming them as traitors and spies of the states of which they were proxy citizens. Similar was the case with Burma. A Muslim minority group, the Rohingyas, living in the borderlands of Arakan was also questioned for their loyalty to the Burmese state as they appealed to merge Northern Arakan with East Pakistan (W. V. Schendel 2004). Many third world countries also excluded their ethnic minorities, particularly when the minorities comprised of an industrious class of migrant origin in contest with a middle-class ethnic majority. Minorities are often seen exposed to the state’s antagonistic

as argued by Willem van Schendel in *The Bengal Borderland*, 2004.

policies toward their culture, language and religion, as the state sought to impose a hegemonic religious or ethnic identity on its citizens (Weiner 1992).

The border cuts across many ethnic communities in the Northeastern part of India, i.e. Assam, Tripura and the neighboring states of Bangladesh and Burma which have been very less explored in academic discourse. For instance, the Garos living on both sides of Bangladesh and India's northeastern state of Meghalaya and the Rakhine Buddhists living on both sides of Bangladesh and Burma. Similarly, population movements took place between the borderlands of Chittagong Hill tracts and the Indian state of Tripura. Schendel argues that the Commission was responsible for all the inadequacies and deficiencies of border creation as the Commission was functioning completely on its discretion. Schendel further argues that the false assumption of identifying the Bengal border as a Hindu-Muslim divide draws attention to two biases. One that East Pakistan and West Bengal divide was highlighted more, ignoring other parts like Assam and Tripura. And also the separation was narrowed down to separating Bengalis ignoring others and ignoring the fact that most of its length, the border did not separate the Bengalis, there were other ethnic communities, like the Buddhists in Chittagong Hill Tracts and Mizoram, Garo (Christians) in now Meghalaya, Buddhists in Rakhaine state amongst others. Garos inhabit at the margins of two different states, India and Bangladesh. They identify themselves as cross border imagined community on the one hand and on the other hand as divided over and evidently rooted into two distinct states. Which means, although different courses of nation state formation resulted in dissimilar trajectories of identification and self-assertion, at the same time Garos of India and Bangladesh are connected across the border (Chambugong 2014). This is how the Garos responded to the sudden imposition of borders. There are various borderland communities that responded differently to the sudden changes that were brought by the state building process. As a result of the indiscriminate drawing of borders, the state formation process in South Asia witnessed massive population movement on both sides of India and Pakistan. It was estimated that for at least few decades after partition, approximately 35 to 40 million people cross the national boundaries in South Asia (Weiner 1993). Similarly, in Bangladesh, Chakmas an indigenous community in the

Chittagong Hill tracts were forcefully included in the state of Pakistan despite the fact that they considered themselves separate and some as a part of the larger Indian community (D. K.Singh, *Stateless in South Asia* 2010). With continuous religious and political persecution from the majority Bengali speaking Muslims, the Chakmas crossed the borders and fled to India in huge numbers. In the course of the formation of the state and in an attempt to control the borders, the process of inclusion and exclusion left the Chakmas stateless in parts of South Asia.

This study is an attempt to understand claims for citizenship as status, rights and identity by the stateless Chakmas of Arunachal Pradesh. In the present day world, the concept of citizenship has been changed with increasing migration as has been argued by many (Jopkke 1999, Brubaker 1989, Jayal 2013, Bloemraad 2008). In India, the state building process after decolonization designed the dynamics of citizenship. As Chowdhory rightly puts that the state legalizes “belonging” by allocating political, economic and social rights to the members whom it considers as citizens and refraining the others (Chowdhory, *Assessing "Belonging" and Claims of "Home" among Refugees: A Note on Repatriation in South Asia* 2012). So how do these ‘others’ make claims to become members of the political and social community and how do the receiving state and society response to the incoming community is the focus of the study.

Statement of the problem:

The dissertation attempts to explore the claims for status, rights and identity of the Chakmas and the responses of the state towards them. These victims of the modern state building process are neither accepted by the host state, nor can they go back to the state of their origin and therefore they linger as stateless people. This leads to a state of dilemma of being either a ‘refugee’, ‘immigrant’ or a ‘citizen’. The thesis revisits the concept of ‘citizenship’ for stateless communities like the Chakmas and attempts to explore what citizenship would actually mean when it is viewed from the standpoint of the Chakmas itself.

Objectives of the study:

- (i) To understand the border creation and state building process in postcolonial South Asia.
- (ii) To understand border creation followed by population transfers and creation of newer forms of identities ‘statelessness’, ‘refugees’, ‘immigrants’, and ‘limited citizens.’
- (iii) To examine the cross-border movement of Chakmas from Chittagong Hill Tracts to India’s state of Arunachal Pradesh using a historical analysis.
- (iv) To investigate claims and counterclaims for political status, socio economic rights and identity by people crossing borders particularly the Chakmas.

Research Questions of the study:

- Q: How does creation of postcolonial borders impact the political status and the construction of identity of people crossing the borders?
- Q: How do the people crossing the borders perceive and make claims for citizenship?
- Q: How do the receiving state respond to the claims of people crossing the borders?

Chakmas in India:

The Chakmas fled to India and are presently found in Mizoram, Tripura, Arunachal Pradesh and a very small number in Assam. It is interesting to notice that the same communities are living under different political status in different parts of India. As the Chakmas in Mizoram, Tripura and Assam are not only Indian citizens but also recognized as Scheduled Tribes under the Constitution of India. But those in Arunachal Pradesh are still lingering as stateless with no political, social and cultural rights. However, it does not establish that the Chakmas in Mizoram and Tripura are not marginalized and are smoothly accommodated into the social fabric of the states. It reiterates that political status of a community is far from determining its access to socio-economic rights and integration into the society. As the study discusses the case of the Chakmas in Arunachal Pradesh in the following chapters, the following section will briefly shed light in the Chakmas in Mizoram and Tripura, their past and present.

The second largest number of the Chakmas is found in the Northeastern states of India, first being the Chittagong Hill Tracts. In India's Northeast, the Chakmas are settled in Arunachal Pradesh, Mizoram and Tripura. The world knows too little about the Chakmas, in Bangladesh their number is insignificant now compared to the mainland population; they are minuscule in numbers and so scattered that in Tripura that they are not even considered in the State's politics; and in Mizoram they are in continuous tussle with the Mizo-dominated State Government. In Arunachal Pradesh, the Chakmas are stateless, marginalized to the worst possible extent. The Chakmas in all the other states of India are bona fide citizens of India except those living in Arunachal Pradesh. The differential conduct meted out to the people of the same ethnic group is partially explained by the different entry time under different circumstances. This difference in the time of arrival have resulted in different political status of the community in different states but at the same time it cannot be ignored that they are somewhat marginalized in each of these states, may be in different degrees. Therefore, while they are legal citizens of India in all the states except Arunachal Pradesh (now they are in the process of getting enfranchised) yet in terms of their access to socio-economic and other human rights, the Chakmas all over the country are in a state of denial.

Chakmas in Mizoram:

Mizoram is situated on the Northeastern part of India, surrounded by Manipur and Assam to its north, Myanmar to its east and south, Tripura and Bangladesh to its west (K. Singh 1995). Mizoram shares 404 km of its international border with Myanmar and 318 km with Bangladesh. Mizoram, earlier known as Lushai hills was first brought under the British rule in 1891. The first boundaries of the hills were drawn by the British annexation of the Lushai hills in 1891 and later it was redrawn in 1900. At that time the north Lushai district was attached to Assam and the south Lushai Hill district was attached to Bengal (ibid. p.1). In 1898, the two districts were amalgamated and brought under Assam. On April 29, 1954, by an Act of Parliament, Lushai Hills district got its new name as Mizo Hills District. Again by Northeastern Reorganization Act of 1971, the status of Mizo Hills district was changed and made a union territory thereby ceasing to be a part of Assam on January 21, 1972. With it, the Mizo Hills district came to be known as

Mizoram. Finally on February 20, 1987 by the fifty third Constitution Amendment Bill and the State of Mizoram Bill (1986), Mizoram was upgraded to a full-fledged state of India.

The British first came in contact with the Chakmas during the reign of Bhagya Manik Roy (1776-1787) (K. Singh 1995). This relationship was of conflicts and confrontations until the reign of Kalindi Rani (1844-1873). Chakmas' first encounter of the Lushais was recorded in 1871. It was the result of the assistance extended by the Chakma Queen Kalindi Rani to the British in order to overpower the Lushai chiefs. The assistance came in the form of 500 coolies supplied to the British army to conduct the expedition. The British conducted a military expedition known as the Lushai Expedition (1871-72), which was in response, by the British to the many raids that were carried by the Lushais on the plain districts (Talukdar 1988). This implies that the hostile relationship between the Mizos and the Chakmas is not a recent development but is a result of many historical manifestations. As a good gesture for the assistance extended by Kalindi Rani to the British, the boundaries of the territory of Kalindi Rani was expanded and some parts of Chittagong Hill Tracts were transferred to South Lushai Hills and that is how the Chakmas became the natural residents of the Lushai hills (K. Singh 1995). So, in 1947, after partition of India and Pakistan, the Chakmas in the Lushai hills automatically became the citizens of India.

In 1953, an autonomous body known as the Pawi-Lakher Regional Council (PLRC) was created in Southern Mizoram. Later in 1972, the Regional Council was abolished and succeeded by three new District Councils. The three new District Councils are the Pawi District Council with its headquarter at Lawngthlai, the Lakher District Council with its headquarter at Saiha and the Chakma District Council (K. Singh 1995). In 1972, the Chakma District Council was changed to a Chakma Autonomous District Council (CADC) under the Sixth Schedule of the Constitution. In Mizoram, the Chakmas mainly inhabits in four different Administrative units, namely, Chakma Autonomous District

Council, Lai Autonomous District Council, Aizawl district and Lunglei district.³ Which implies that a substantial number of Chakma populations inhabits in areas outside CADC. According to the 2011 census, out of total population of 10,97,206 persons, 10,36,115 constitutes of tribal population. Therefore, with 94.43% tribal of the total population, Mizoram becomes the state with highest proportion of Scheduled tribe people.⁴ As per the 2011 census, out of the total population of Mizoram, the Chakmas constitute 96,972 people, i.e., 9.35 percent of the total Scheduled Tribe population of the state. It has been reported by the State Government of Mizoram that in 1946, the Chakmas were confined to two circles only. 93 families were settled in Circle XII and 857 families in Circle XVIII, making a total of 950 families with 5000 populations.⁵ The State Government of Mizoram has also reported that due to absence of proper mechanism to check infiltration, the Chakmas after independence started migrating into Mizoram from Chittagong Hill Tracts. It has to be mentioned here that the present day anti-Chakma movement in Mizoram is not against the India Chakmas who have inhabited in Mizoram since pre-independent time but against those who are alleged to be coming in till today. The upsurge of population from 5000 before India's independence to almost one lakh in seven decades has created fear and animosity among the Mizos in the state of Mizoram. The Mizos argue that the growth of Chakma population at a rate of 100 to 500 percent cannot be a natural growth. Therefore, they urge the Government of Mizoram to put necessary checks on the alarming population growth of Chakmas, which may otherwise pose serious threat to their identity and culture.

In Mizoram, the anti-Chakma movement gained momentum only in 1990s after an all party meeting was called by the ruling Congress (I) Chief Minister Lalthanhawla and attended by Mizo National Front (MNF) on April 15, 1993 at Aizawl where it was

³ See 'The Hundred and Fifth Report of Rajya Sabha Committee on Petition'. The Petition was signed by Smt. Snehadini Talukdar of Mizoram and Shri Subimal Chakma of Delhi on the Petition pertaining to problems being faced by the Chakma Tribal population in Mizoram and Arunachal Pradesh. The report was presented on August 14, 1997.

⁴ See Ministry of Tribal Affairs, Statistical profile of Scheduled Tribes in India 2013, p.5.

⁵ See 'The Hundred and Fifth Report of Rajya Sabha Committee on Petition', August 14, 1997, p. 13.

unanimously decided to detect and eliminate the “foreigners” from the electoral rolls (D. K. Singh, *Stateless in South Asia* 2010). This detection and deletion drive of Chakmas from electoral rolls was in view of checking illegal influx of Chakmas in the state and thereby deporting the “illegal foreigners” staying in the state.⁶ In the entire anti-foreigner uproar, along with the state government of Mizoram, another important role was played by the apex students’ body of the state, the Mizo Zirlai Pawl (MZP). Both, the ruling party, Congress (I) and MZP decided January 26, 1950 as the cut off date to identify foreigners. As a result of mounting pressures on then Mizoram Chief Minister Lalthanhawla by organizations like MZP and MNF, the government of Mizoram conducted detection drive in 1995. As a result of this detection and deletion drive names of alleged illegal immigrants most of which were Chakmas were deleted from the electoral list. However the actual numbers of those deleted from the electoral list is debatable as the government of Mizoram claims that number to be 15,000 but other sources put that figure to be 38,866.⁷ Animosity between both the communities was heightened to such an extent that Chakmas have also reported of burning of houses by the Mizos.⁸ Not only that MZP also demanded abolition of CADC.⁹

Tensions between the Mizos and the Chakmas were intensified after the Chakmas demanded for a separate administrative unit for the Chakmas to be governed directly by the Central Government. This demand was proposed through a memorandum to the Rajya Sabha by Snehadini Talukdar of Mizoram and Subimal Chakma of Delhi where the petitioners appealed to look into the problems that are being faced by the Chakmas in Mizoram and Arunachal Pradesh. Highlighting the problems faced by the Chakmas in Mizoram, the petition reads as under,

⁶ Ibid, p. 14.

⁷ Deepak. K. Singh, *The Chakma Issue in Arunachal Pradesh: Realities, Perceptions and Policies*, Thesis, Punjab University, 2003.

⁸ ‘The Hundred and Fifth Report of Rajya Sabha Committee on Petition’, August 14, 1997. p.15.

⁹ Mumeninaz Zaman “Amidst CAA protests, BJP eyes Chakmas to keep its hold in Mizoram,” *Northeast Today*, February 18, 2020.

“That, although the 80,000 Chakma tribal population have been inhabiting in this contiguous area of Mizoram, they have been put under four separate Administrative units- namely, Aizawl district, Lunglei district, Chakma Autonomous District Council and the Lai Autonomous District Council. As a result, the cultural, social and political unity of the Chakmas has been disrupted leading to gross under development of Chakma-inhabited areas.”

And therefore,

“The ancestral homeland of the Chakmas bordering Indo-Bangladesh on the Western belt of Mizoram, and all the 80,000 Chakmas inhabiting therein should be put in a single administrative unit and administered separately through a suitable Central Government agency such as Chief Commissioner/Administrator etc.”¹⁰

The State Government of Mizoram on the ground negated this demand that “no part of Mizoram was ever the ancestral homeland of the Chakmas. The demand for carving out from Mizoram state a separate administrative unit for the Chakma is totally unjustified and completely out of question.”¹¹ On the other hand, this demand was responded positively by the Rajya Sabha Committee on Petition that presented its hundred and fifth report in August 14, 1997. The Committee stated,

“The Committee after considering all facts, feels that the expansion of the area of Chakma Autonomous District Council may be considered after taking into account the density of population, the percentage of Chakmas in those areas and their overall conditions etc. the Committee feels that the Autonomous District Council after expansion may be put under the direct control of the Centre for a period till the Chakmas’ living conditions come at par with other inhabitants of the state.”¹²

¹⁰ ‘The Hundred and Fifth Report of Rajya Sabha Committee on Petition’, August 14, 1997. p.25.

¹¹ Ibid, p.15.

¹² Ibid, p.18.

On citizenship...

“The Committee recommends that the Chakma refugees who came to the state of Mizoram prior to 25.3.1971 may be granted citizenship. The Committee further recommends that the Chakmas, who are born in India, should also be granted citizenship. The Committee also recommends that the Chakmas who are granted the India citizenship, be declared as Scheduled Tribes. As regards the refugees who came to the state after 25.3.1971, the Committee recommends that negotiations be held... ..be persuaded to accept them as all of them came from that country.”

The ethnic tensions between the Mizos and the Chakmas centers on the question of indiginiety (Roluahpuia 2016). The Mizos claim that the Mizos are the only indigenous community of Mizoram, which automatically implies that the Chakmas are non-indigenous. The recent tussle between the Mizos and the Chakmas over the question of indigeneity sparked off from inclusion of 38 Chakma students and 3 non-Mizo students under category I of the State Technical Entrance Exams (STEE) for medical and engineering courses (Roluahpuia 2016). The Mizo Zirlai Pawl (MZP), Mizo Student Association vehemently criticized this decision of the state government. Category I is a reserved category with 85% seats reserved for “local permanent resident of the state,” referring to the indigenous people who are permanent residents of the state of Mizoram. Not only once but many times Chakmas were debarred from educational facilities like in 2017 when 4 Chakma student from Mizoram, Darshan Chakma, Nibir Chakma, Mini Chakma and Nibir Thongchangya, selected to study MBBS and BDS under Mizoram Quota through National Eligibility Entrance Test (NEET).¹³ MZP claimed that only Mizo student be allowed and prevented the Chakma students from entering the counseling. Organisations such as All India Chakma Students’ Union (AICSU), demanding for the rights of the community, have gone as far as Delhi and urged the Mizoram government to

¹³ Rahul Karmakar, “Students denied MBBS seats: End Racism against indigenous Chakmas by encouraging merit, Mizoram CM urged,” *Hindustan Times*, August 7, 2017.

end “oppression and racial discrimination” against indigenous Chakma minorities.¹⁴ When animosity and mistrust between the two communities is at the peak, there are others taking advantage of the divide. Political parties like BJP are seen intensively campaigning in the Chakma dominated areas, which led to winning five seats in CADC election in April 2018. That was for the first time that BJP had won a seat in any election in Mizoram.¹⁵ In the wake of the present protest against Citizenship Amendment Act (CAA) too, the Chakma issue was at the core in Mizoram. MZP was seen observing a ‘black day’ to protest against CAA where the general secretary of MZP, Lalnunmawia Pautu alleged that after CAA is implemented, Chakmas would acquire citizenship and migrate to Mizoram from neighboring states. This long standing ethnic divide between the Mizos and the Chakmas rest on the question of indigeneity that on one hand the Mizos see them as the only indigenous tribe and on the other hand Chakmas make their claim of indigeneity on the basis of their status as Scheduled Tribes as recognized by the state of India. This is a complex situation, which has only deteriorated, in the present time.

Chakmas in Tripura:

Tripura is situated in the northeastern part of India, surrounded by Assam and Mizoram on the east, Comilla and a part of the Noakhali district of Bangladesh on the west and south, the Chittagong district of Bangladesh and a part of Noakhali on the south-east, and the Sylhet district of Bangladesh on the north-west (K. Singh 1996). Unlike the Chakmas in Arunachal Pradesh and Mizoram, those in Tripura are on the other side of the gamut. In Tripura, the Chakmas are perceived as indigenous at par the Tripuris as the Chakmas are one of the earliest settlers who moved into the region in the sixteenth and seventeenth centuries (K. Singh 1996).

Chakmas became the natural citizens of India much like those of Mizoram, after the erstwhile princely state of Tripura merged with India in 1949. The Chakmas of Tripura

¹⁴ Mumeminaz Zaman “Amidst CAA protests, BJP eyes Chakmas to keep its hold in Mizoram,” *Northeast Today*, February 18, 2020.

¹⁵ Ibid.

were subsequently recognized as Scheduled Tribes under the Indian Constitution. The marked difference between the Chakmas of Mizoram and that of Tripura is that there is a presence of resentment among the Mizos and the Chakmas in Mizoram because of which the Chakmas in Mizoram are yet not considered as indigenous to the place despite the fact that the Chakmas are residing in Mizoram since pre independence and therefore are Indian citizens with Scheduled Tribe status. The Chakmas in Tripura are seen as natives to the place and therefore are represented in the Autonomous District Council, the only autonomous council for all the tribal areas of Tripura. Therefore, in Tripura, the native vs. settler tussle is not between the Tripuris and the Chakmas but against all the tribals against the Hindu Bengali settlers.

Problems began with the newly migrated Chakmas who migrated from CHT in Bangladesh to Tripura in India in 1986. It was in April 1986 that the first batch of tribal refugees from Bangladesh entered Tripura.¹⁶ Again from May 1989 to July 1989, there was a fresh influx of around 25,000 persons making the total number of refugees to 67,000, which however later decreased to 53,418 persons.¹⁷ As 70 percent of the refugees were Buddhist Chakmas, rest were communities belonging to Mog and Tripuri communities. About 56,564¹⁸ Bangladeshi tribal refugees, took shelter in six South Tripura camps, five relief camps under the jurisdiction of SDO Amarpur and the sixth under Sabroom, for eight years from 1986 after they were uprooted from their homes following alleged atrocities and killings by Bangladesh Army and Muslim settlers.¹⁹ Another fresh influx of about 3146 tribal refugees happened on April 25, 1992.²⁰

Initially Bangladesh did not even acknowledge the refugees as belonged to their land, let alone ready to repatriate them. It was only under the Indira-Mujib agreement, 1972 that Bangladesh agreed on the repatriation because the agreement states that all those who

¹⁶ See “The Hundred and Fifth Report of Rajya Sabha Committee on Petition,” August 14, 1997, p.12.

¹⁷ Ibid. p.12.

¹⁸ The exact number of refugees is debatable. Different sources show different numbers.

¹⁹ “104 refugee families repatriated,” *The Assam Tribune*, Agartala, February 20, 1994.

²⁰ See “The Hundred and Fifth Report of Rajya Sabha Committee on Petition.”, August 14, 1997, p.12.

came to India from Bangladesh after March 25, 1971 will be repatriated. However, the pressure on Bangladesh from various international human rights organizations to take back the Chakma refugees escalated considerably in 1993, which was also declared the Year of Indigenous Peoples (D. K.Singh, *Stateless in South Asia* 2010). The Government of Bangladesh was also under pressure from western donor countries to accept its citizens back. All these developments finally culminated in the formation of a popular government in Dacca in 1992 which later on led the process of repatriation the Chakma refugees by initiating a series of talks between the representatives of Indian government and Upendralal Chakma, the President of the Chittagong Hill Tracts Jumma Refugee Welfare Association on the one hand and the Bangladeshi counterparts on the other (D. K.Singh, *Stateless in South Asia* 2010). The second round of Indo-Bangla meeting was held on February 3, 1994 at Ramgarh under Khagracharu district of CHT.²¹ This meeting finalized several modalities for repatriation of first batch of four hundred Bangladeshi refugees from February 15. The first batch would be repatriated from the Kathalchari refugee camp, one of the six camps in South Tripura. Sri S. Chakrabarty, Welfare Officer, Jumma refugees of Kathalcherri camp in Sabroom sub-division of South District, said

*“85 Chakma refugee families would leave for Ramgarh, under Khagracherri District of CHT in the morning of February 15. He said the other 320 refugee families would return to their homeland from Silacherri camp in Amarapur sub-division of South Tripura District on February 15 and February 17 next respectively.”*²²

Human Rights Organization claimed help and assistance from United Nations and other International Organizations for repatriation of 56,000 ‘Bangladeshi tribal refugees’ sheltered in six South Tripura camps. Finally on February 15, repatriation of Chakma refugees took place in the border town of South Tripura, amidst assurances from the

²¹ “Modalities for Chakma repatriation finalized,” *The Assam Tribune*, Agartala, February 4, 1994.

²² “85 Chakma families to leave for Bangla on Feb 15,” *The Assam Tribune*, Kathalcherri (South Tripura), February 7, 1994.

Bangladesh government that their safety and security would be ensured. The numbers were such that seventy-seven families from Kathalcharri evacuee camp numbering to 282 refugees out of whom 154 were women trekked over a bamboo bridge erected temporarily by Bangladesh to Ramgarh on the other side.²³

The second round of repatriation did not start immediately as there were apprehensions of non-fulfillment of promises by the government of Bangladesh. A lot of discrepancies in the repatriation process delayed the entire process. There was serious dissension over paying of arrears and unsupplied rations. Tripura Relief Commissioner K. Arya reported,

*“...the second batch of 104 refugee families, comprising about 540 men, women and children, could not be sent in the scheduled time as the evacuees wanted the arrears of Rs. 30,000 per family and the unsupplied rations.”*²⁴

There is a doubt in the nature of this repatriation, if it was voluntary as Sri Ravi Nair, Executive Director of South Asia Human Rights Documentation Centre reported that the Chakma refugees were in great fear and anxiety to return to their CHT.²⁵ He further stated that the only demand of the refugees is safety and security of their lives and restoration of their original property but the Bangladesh government did not give any written assurance to India or to the refugees in this regard.²⁶ India based Humanity Protection Forum (HPF) president Bhagya Chandra Chakma alleged that the Bangladeshi tribal refugees, mostly Buddhist Chakmas, were returning to their motherland at CHT of South East Bangladesh under heavy pressure. This statement questions the voluntary nature of repatriation as has been claimed by Indian government.²⁷ Criticising the Union Government’s role regarding the repatriation, Sri Chakma alleged the P.V Narasimha Rao Government with forcibly pushing the refugees back. Sri Chakma said that without

²³ “77 Chakma families repatriated,” *The Assam Tribune*, Sabroom (Tripura), February 16, 1994.

²⁴ “104 refugee families repatriated,” *The Assam Tribune*, Agartala, February 20, 1994.

²⁵ “Chakma repatriation: UN involvement urged,” *The Assam Tribune*, Agartala, February 9, 1994.

²⁶ *Ibid.*

²⁷ “Chakmas returning under pressure,” *The Assam Tribune*, Agartala July 29, 1994.

the political solution to this long-standing problem of CHT, the refugee problem and the problem of the trouble-torn hill tract would remain unresolved. He alleged that the Bangladeshi Government was playing with the tribal people, and without fulfilling the demands of the refugees; the Begum Khaleda Zia government had taken back the evacuees with false promises.²⁸ Although the Bangladesh government proposed to raise agricultural and household grants, free ration for prolonged periods once the refugees got back but the Government did not even recognize the demands made by the refugees let alone fulfill them. Some of the demands of the refugees were the withdrawal of 70,000 Bangladeshi Army and four lakh Muslim resettlers from the CHT and these demands were presented by Upendralal Chakma in a 13-point Charter of Demands. Shi Bhagya Chandra Chakma, president of the Humanity Protection Forum (HPF), a Chakma Human Rights Organization said that the refugees were unwilling to go back without a political solution of the three-decade long problem of the CHT. He also alleged that the claim that the repatriation was spontaneous and voluntary is “totally false” and that the refugees were pressurized to go back to their homeland in South East Bangladesh which was still under the control of the army and Muslim settlers.²⁹ Although normalcy was reported in CHT but it was a temporary situation resulted from the ceasefire agreement between the Bangladesh government and the Parbatya Chattagram Jana Samhati Samity (PCJSS), fighting for the regional political autonomy of the tribals since 1971. However, it was still reported that even during the ceasefire, Bangladeshi security forces carried out ‘oppression’ on tribals like house-to-house search and torture being perpetuated by the Bangladeshi forces bore ample testimony to the insecurity of the tribal people and lawlessness in CHT.³⁰ As part of the second phase of repatriation, a total of 320 refugee families including 1735 people had been sent back in the second phase, which began on July 21.³¹ In total, there are 56,000 tribal refugees sheltered in six South Tripura camps since 1986. The centre government had given Rs. 2500 to each of the 320 families. The 108th Rajya Sabha report held that incidents like Langadu massacre do not happen in future and the Chakma refugees in Tripura should be granted citizenship on similar

²⁸ Ibid.

²⁹ “Chakmas unwilling to go back,” *The Assam Tribune*, Agartala, February 1, 1994.

³⁰ Ibid.

³¹ “546 Chakmas repatriated,” *The Assam Tribune*, Agartala, July 29, 1994.

grounds as Sri Lankan refugees became Indian citizens.³² The committee also recommended that special schemes should be launched for complete upliftment of Indian Chakmas in Tripura for which the committee urged the Central government to deliver adequate financial assistance to the government of Tripura. Thus, we see that the Chakmas living in different parts of India with different political status are marginalized at different levels.

Understanding concepts: border creation and citizenship.

Conceptualizing border creation:

The English word ‘border’ derives from the French term *bordure* (seam, edge, border), which originally denoted to the external edge of particular things (e.g of a shield). Its geopolitical use originated in the seventeenth century and, from the nineteenth century onwards ‘border’ came to refer to a clear-cut and fixed line both on the map and on the land (Haselsberger 2014). Haselsberger further states that a border confines the outer edge of something; it divides units, such as nation-states, from another in the form of a clear and ‘fixed’ line on the map as well as in the territory (Haselsberger 2010). Borders are traditionally defined as international boundaries between nation states (Robert R. Alvarez 1995). Early anthropologists considered border as real and natural boundary. “A border is a line that separates one nation from another or in the case of internal entities, one province or locality from another” (Mertinez 1994). This is a very Western way of understanding borders where borders are seen as fixed lines on the maps as well as in the territory dividing nations, states and people. However, borders can at the same time be very fuzzy, imagined as well as fluid.

Different scholars have perceived borders differently. Whereas some perceives the world as borderless and hence border act as bridge in a highly globalized world where borders connects rather than divides (Newman 2003). On the other hand borders are seen as barriers by some protecting the ‘us’ i.e. the insiders from ‘them’ the outsiders. In this

³² Ibid.

sense, borders prevent the entry of undesired elements be it people, arms, goods, drugs, information and so on. Denouncing the idea of a borderless world, Willem Van Schendel in his book, *The Bengal borderlands* (2004) brilliantly laid out the political significance of borders and how the Bengal borderlands have been increasingly fenced, policed and patrolled (W. V. Schendel 2004). Borders are much more than mere lines dividing two areas. Borders reflect the interplay of historical developments and various social undercurrents of the border regions that have a role to play in the changing territorialization of the states (M. B. Schendel 1997). At the same time borders have also witnessed various activities like flows of migrants, refugees, labor, goods and information. Borderlands are also places where multiple identities emerge and where past identities of border landers are reimagined and reconstructed over time. Border creation is a dynamic process, constantly changing in response to historic development and constantly being transmuted by and transforming the cultural, political and social contexts, of the very nature of the limit. Baud and Schendel (1997) argues that national borders are political constructs, which are only imaginary projections of territorial power. The ways borders are projected on the maps are very different from actual consequences in practice (M. B. Schendel 1997).

Border is a modern concept, unfamiliar to pre-colonial South Asia. It was introduced in South Asia only with the modern nation state building process. The process of territorialization of border areas through modern way of map making was first introduced in Europe. Gradually its application has been widely spread to the newly decolonized states in Asia and other regions beyond Europe (M. B. Schendel 1997). In fact, physical boundaries were fluid before colonization. Colonization introduced drawing of well-defined borders through cartographic representation of territories and their limits. However, borders are not mere “visible lines” in space or on a map, but they consist of complex social constructions, with various functions and meanings imposed on them. Borders are places where the presence of the state is the most apparent (Donnan 1998). As Deepak K. Mishra contended while exploring the borders in the north eastern states of India, “The state has tried to consolidate its position not only by strengthening its military presence along the borders but also by making special efforts to bring the tribal

communities and their organizational structures within the fold of the civil administration” (Mishra 2014). State, in the name of development was seen, reworking of the traditional community identities under the influence of state-led modernization drive.

Conceptualizing citizenship:

In more general terms, citizenship is defined as a membership in a political community within a territorial restraint (Irene Bloemraad 2008). However there are many debates, which perceives citizenship beyond just the idea of membership in a political and geographic community (Roy 2000, Brubaker 1989, Joppke 1999, Turner 1993). Citizenship, in the Western tradition was first born in the city-states of Greece. In these Greek city-states, citizenship was seen in the form of political participation. As in Aristotle’s polis, political participation was restricted only to men. Others like women, slaves, those without property and foreigners were either considered as sub-citizens or non-citizens who were not eligible to become full citizens of the state. Later during the time of Enlightenment, subject hood was seen in the form of Lockean notion of contract and consent whereby members of the state should give away some of their rights to the government by a contract and keeping some rights to themselves. This led to the emergence of what liberals call ‘individual rights’ (Irene Bloemraad 2008). Liberal understanding of citizenship follows from a relationship between the state and its individuals, whereby the individuals create a contract with the state, both sides having rights and duties towards one another (Janoski 1998). Again neo-liberal thinkers have argued that citizens must ‘earn’ their rights and hence duties precede rights, thereby challenging the classical liberal ideas.

The institution of citizenship underwent a significant transformation with the increasing numbers of migration beginning from the 20th century. The universal nature of citizenship was challenged and questioned by various scholars. Citizenship is more often viewed as a legal or formal status with a national identity as a member of the nation state, with rights derived from this status and protected by the constitution and duties laid down by the constitution (A. Roy 2010). However, the idea of citizenship goes beyond the formal or legal membership to a more substantive membership and terms of belonging concerning

to socio-economic inequalities based on class, caste, gender, race, ethnicity, sexuality and the like. As Joppke argues that citizenship is increasingly becoming multicultural and Marshallian citizenship universalism is not practicable any more due to rising immigration (Joppke 1999). As the nation-state model gets more complex when immigrants of dissimilar nationalities enter the territory of the state. In order to protect the minority rights of immigrants, multicultural approach has come up with its definitions of citizenship. These minorities are the outcome of the inclusion and exclusion process of state building. Jayal argues that in the process of demarcating the boundaries of the political community, the state always leaves out some who are not included within the purview of membership of that territory (Jayal, *Citizenship and its Discontents: An Indian History* 2013). The membership into a community is therefore connected to outlining boundaries of a territory. Therefore Jayal argues that citizenship is not only about states' engagement with their own citizens but also those who are pressing on their borders. However, although the modern nation state system regulated membership only in terms of one single category i.e. national citizenship but the present era of diversity due to unprecedented scale of migration has given rise to new modalities of membership. Literature on transnationalism and postnationalism has critiqued the overemphasis of territorial boundaries to define identity and have responded to the processes of globalization as has given rise to new forms of identity, loyalties and animosities across borders (Isin 2007). They argue that with growing globalization tendencies, citizenship can be seen as transcending nation state borders in line of postnationalism and cosmopolitanism and also citizenship straddling to multiple nations-states giving rise to transnationalism and dual citizenship (Brubaker 1989, Soysal 1994, Joppke 1999).

Research design and Methodology:

Both qualitative and quantitative methods can be adopted to understand social realities in social sciences research. Whereas some studies adopt purely quantitative approach, others may adopt only qualitative approach but there are also studies that adopt a mixed method approach. The basic difference between qualitative and quantitative methods is that qualitative research is a research strategy that generally stresses words rather than quantification using numbers in both the collection and analysis of data (Bryman 2012).

As a research strategy, qualitative approach is broadly interpretivist, inductivist, and constructionist but qualitative researchers do not always advocate to all three of these features (ibid, 380). Both the methods also broadly differ in the tools of data collection and analysis, however there are also common tools that are used by both the approaches.

This study adopts qualitative method for both data collection and analysis. Data was collected from both primary and secondary sources. Qualitative research is a positioned activity that places the observer in the world where the world is turned into a series of representation, including interviews, conversations, field notes, memos to the self, photographs, and recording (Lincoln 2005). In qualitative study, researchers study things in their natural settings, trying to make sense of, or interpret, occurrences in terms of the meanings people bring to them unlike experiments that are studied under artificial setting in the laboratories (ibid. 3). Researchers have face-to-face interaction in the natural setting, with the respondents over time. In this study, natural settings were Chakma inhabited villages as well as villages of other neighboring communities in Diyun Circle under Changlang district in the state of Arunachal Pradesh.

Sources of data in a qualitative research can be multiple such as data collected through interviews, historical documents, observations, oral history, field notes and documents collected from the field. In this study, primary sources of data collection included in depth interviews using semi structured questionnaires, group discussions, informal conversations, observation (both participant and non-participant) and field notes. In qualitative research, interviews are mostly unstructured or semi structured. In semi structured interviews, although there is a broad framework but the questions are mostly open ended and the researcher exercises less control over the respondent. In qualitative research, interviews are usually unstructured or semi structured because it gives a way to people to open up and allow them to express themselves in their own terms and at their own pace (Bernard 2013). The questions in semi-structured or unstructured interviews are mostly open ended giving the respondent full liberty to convey what he/she thinks is the most important. There are some predetermined questions at the beginning of interviews but responsiveness and reflexivity to the questions during the interview ultimately

produces data appropriate for understanding the culture of the respondent (Ryan L. Nelson 2013). Also the responses of the respondents may lead to more relevant questions which were not present in the somewhat semi structured questionnaire. Data collected during interviews are either recorded electronically or written down similar to field notes in participant observation. These data collected through interviews are later transcribed and analyzed. I first approached the field with some unstructured questions, which helped to build rapport and get general idea about the research problem. In the next visits some semi-structured questions were used to interview the respondents. Semi structured interviews were also conducted in Itanagar where the target group were the student leaders of the state of Arunachal Pradesh, particularly the present and former members of All Arunachal Pradesh Students Union (AAPSU).

Observation is another important tool of data collection in qualitative research. There are debates on the types of observation as data collection method. Scholars have also identified participant observation with ethnography, while for some ethnography and participant observation are the same thing, others see participant observation as one of the methods of data collection and ethnography can be both the process and product of a study (Bernard 2013). Scholars have also argued that participant observation is one of the methods used in ethnographic research, in fact one of the primary data collection tools of ethnography (Ryan L. Nelson 2013). Observation can work as a significant check against what people report about themselves during focus groups and interviews (Natasha Mack 2005). Data attained through participant observation work as a check against participants' subjective reporting of what they believe and do. Participant observation is also useful for acquiring an understanding of the social, cultural, physical and economic contexts in which study participants live; the relationship and connections between and among people, ideas, norms, contexts and events; and people's activities and behaviors- what they do, how frequently and with whom. Often a distinction is also made between participant and non-participant observation. Participant observation is referred to observation that is carried out when the researcher plays an established participant role in the scene studied (Hammersley 1994). However, this dichotomy between two types of observers has been questioned as because it implies that the non-participant observer

plays no recognized role at all. Scholars have also identified four typologies of participant and observer; complete participant, participant as observer, observer as participant and complete observer (Gold 1958). So in participant observation, the position of the researcher is very important where the researcher has to maintain the balance between the insider and outsider experience (Ryan L. Nelson 2013). Participant observation is again not only about observation but accompanied by conversations and interviews, as it would be a strange and unnatural behavior on the part of the researcher if he/she only observes and refuses to talk (Paul Atkinson 2001). Observing and participating are integral to understanding the range and intricacies of the human experience. In this study, observation as a tool of data collection was used to observe inter-group relations, day-to-day activities, cultural practices and political interactions. In some cases, I participated in the everyday lives of the respondents whereas in others I only observed as an outsider. There were instances where I was only an observer and in some cases I was both a participant and an observer. As during my fieldwork I lived at my field site with a Chakma family, I was a participant in their day-to-day activities. I participated in their household chores like helping in the kitchen, this helped me to attain two things, one I acquired knowledge of their food habits and second kitchen was the space where many informal conversations occurred. These informal conversations ranged from their history, culture, and religion to inter community relations. I was also a participant observer at one of their cultural festivals *Bizu*.³³ I participated on the day of *Ful Bizu*, wore traditional Chakma dress and accompanied the family I was staying with to the *Nao Dihing* River where the entire ritual of *Ful Bizu* was celebrated by offering flowers to the river. A chain of people was formed with all Chakma women draped in their tradition

³³ *Bizu* is celebrated in the month of April. The first day of *Bizu* celebration is known as “*FulBizu*”. On the day of *Ful Bizu*, the Chakma people get up early in the morning, clean their houses, decorate them with flowers and go to the river banks and float flowers in the water to seek blessings from God for peace and prosperity. In the evening, they go to Buddhist temples and light candles. The second day is called “*Mulbizu*”. On this day, various traditional food items are prepared and the most important among all is called “*Pajon*”. “*Pajon*” is a dish, which must consist of minimum of five different vegetables. The last day is known as “*Goiija Pojjya Din*”. This day is spent by taking rest and going to monasteries for offering prayers to live happily throughout the New Year.

*Phinon Xaadi*³⁴ and Chakma men on both sides of the river. Buddhist monks who recited prayers at the occasion also graced the event. At the entire event, I was both a participant and an observer where I observed different cultural practices; like how women still preserve their traditional dress unlike men; preparation of various traditional foods when friends and family gathers and help each other; greetings and visiting families and friends during festival and inter group interaction during festivals. I was also an observer as an outsider when I was invited as a guest attending *Bizu*. Where I should mention the hospitable nature of Chakma community that makes one feel at home as soon as you enter their homes. Hence, I was a participant observer at times and only observer at others. However, it cannot be ignored that the transition from a participant observer to just an observer is difficult to apprehend. Hence there is a thin line between an insider and an outsider, where one stops being an insider and becomes an outsider is an act of balance. In the first, the researcher can remain an “outsider” and simply observe and document the behavior or event being studied. In the second, he/she can take part in the activity while also documenting the observations (Natasha Mack 2005). It is however very difficult to maintain the balance as it is tricky to regulate one’s participation as an insider or an outsider, to determine when one ends and the other begins. In order to understand inter-community relations in public gatherings, I also visited a weekly hut the *Innao bazar*³⁵. At this market I interviewed some sellers as well as buyers and also observed the entire set up including the conversations among the people. It was understood that the buyers were mostly the local³⁶ communities whereas the sellers were the Chakmas implying the hierarchical nature of the society. The Chakmas were the cultivator class on which the entire population of Diyun relied on. These are the areas where we see interdependence between the stateless community, the Chakmas and the local community, the non-Chakmas. These are also the spaces of cooperation rather than

³⁴ Phinon Xaadi is the traditional dress of Chakma women.

³⁵ Innao is a village under Diyun circle. Innao is a predominantly Singpho and Khamti inhabited area. Innao market opens only on Thursdays in the week. The market starts somewhere around 5 in the morning till the stock lasts. Innao market was selected as a site to observe inter community relations because people from different communities gather here, some as buyers and some as sellers.

³⁶ Arunachal Pradesh Scheduled Tribes (APST) is referred to as locals. Singphos, Khamtis and Tangsas in this context.

confrontation.

Group discussions and informal conversations were also an important data collection tools employed in this study. Group discussions took place in public spaces like teashops, market places and also in private spaces like in the veranda and kitchen of houses. Many a times, it so happened that the interview begins with an individual but eventually more people join the conversation after they come to know that a guest is in the neighborhood. One after the other joins as they develop interest in the conversation thereby turning it into an engaging group discussion. Informal conversation is another tool of data collection that helps in building rapport and trusts between the researcher and the respondents and also may deliver rich data for research. Informal conversations sometimes produce information that is not acquired through structured interviews.

The study also collected data from secondary sources like books and journals, newspapers, historical documents from archives. For this, various libraries and archives were visited. Libraries and archives were visited in Assam, Delhi and Arunachal Pradesh. In Delhi; National Archives, The Nehru Memorial Museum and Library, and Jawaharlal Nehru University libraries were visited. In Assam, The Assam State Archive, The Lakshminath Bezbarua Library (IITG), North Eastern Social Research Centre (NESRC), Nabin Chndra Bordoloi Library and Directorate of Historical and Antiquarian Studies. Data was also collected from Rajiv Gandhi University (RGU) Library in Arunachal Pradesh.

Qualitative content analysis is a process where large amounts of raw data are condensed into different themes or categories built on valid inference and interpretation. So, in qualitative researches, at the early stage of data analysis process, the researcher first transcribes the data verbatim. Then the researcher tends to organize the data collected into file folder, computer files or index cards (Creswell 1998). After organization and transcription of the data, the researcher 'read the transcripts in their entirety several times. Immerse themselves in the details, trying to get a sense of the interview as a whole before breaking it into parts' (Agar, *The Professional Stranger: An Informal Introduction to*

Ethnography 1980). Scholars have suggested that writing short phrases, ideas or key concepts in the margins of field notes helps in the initial process of exploring a data base (Creswell 1998). After this come the describing, classifying and interpreting the data. Then the data collected are described in detail and developed themes out of it through classification of the data. Detailed description involves description of what is seen within the context of the setting of the person, place or event. Classification pertains to taking the text or qualitative information apart, looking for categories, themes, or dimensions of information. Creswell (1998) argues that in qualitative data analysis, ideally classification involves five or six general themes. Interpretation of data involves making sense of the data. Creswell identifies several forms of interpretation based on hunches, insights, and intuition. This process of data analysis uses inductive reasoning because categories and themes are generated from the raw data collected from the field and not from previous studies or theories. Qualitative research is a method of inquiry in which researchers make an interpretation of what they see, hear, and understand. Qualitative researchers attempt to develop a complex picture of the issue or problem under study. This includes reporting multiple standpoints, identifying the numerous factors involved in a situation, and generally outlining the larger picture that appears. Researchers are bound not by tight cause-and-effect relationships, but rather by finding the complex interactions of factors in any situation. The final written report or presentation contains the opinions of participants, the reflexivity of the researcher, and a complex account and interpretation of the research problem, and it extends the literature or signals a call for action.

In this study, qualitative content analysis method was applied to analyze the data. After transcription of the raw data, important words, lines and statements were highlighted which were later arranged into different categories. Field notes were also separately categorized, which were intertwined with the data for analysis. There were three sets of questionnaire targeting three sample groups. These were however not homogenous but heterogeneous groups. One set of questionnaire was exclusively for the Chakmas, another set for the non-Chakma neighboring communities like the Singphos, Khamtis, Tangsas and Deoris. And the third set was for the target group; AAPSU. This set of questionnaire was exclusively designed for the former and present members of AAPSU for generating

data on the history, objectives, functional strategies and their prolonged involvement on the Chakma issue. After arranging the data into different categories, different patterns were drawn to see the connections between the categories. These patterns were then discussed linking with the theories reviewed from the existing literature. The method of analyzing the content is both descriptive and interpretative. The chapters begin with description of events following a chronological order and then the data collected from the field are analyzed to substantiate the events.

Into the field:

Fieldwork is the quintessence of qualitative research as qualitative research is conducted in the natural setting unlike experiments that are studied under artificial setting. The first thing while entering the field is rapport building. Rapport building is instrumental to a fieldwork as it is the trust building mechanism. Rapport building helps in building trust between the researcher and the respondents. Distinguishing between rapport building and friendship Glesne argues that while friendship is based on liking, rapport is based on trust and confidence (Glesne 2006). Building trust among the respondents is very crucial as that determines the supply of information, how much actual information is revealed and how much not. Rapport building can be challenging when field participants refrain from believing the researcher and considers him/her under suspicion. Under such circumstances it becomes utterly difficult to extract genuine information from the field respondents. However, the sufficient amount of trust for rapport is again contextual and it depends on research goal; age, personality, gender and ethnic identity of the research participants (Glesne 2006). In my case, I developed different levels of rapport with different participants. Like in the Chakma villages I interacted, shared stories and meals with them, also got invited to weddings, funerals and religious functions. Many a times I became an insider with my participants participating in their functions and customs in addition to observing and interacting with them. On the other hand, during my fieldwork in Itanagar, the interviews were conducted either in a guesthouse lobby, in a restaurant or in the foyer of some hotels. These were mostly formal interactions, information directed to the questionnaire. In the field works conducted in non-Chakma villages, I had to be careful and conscious as I was putting up with a Chakma family. For building rapport in

those villages, I took the help of local interpreter from each community. In all three settings; I built, developed and maintained rapport. I made my first preliminary visit in April 2016 to develop an idea of the field site, get introduced to my research population and built rapport. I interacted with few people, exchanged numbers, and developed contacts over time, which were of utmost assistance in my subsequent visits.

Presentation of self in the field is important. Whether the researcher presents oneself as a friend or as someone who is sympathetic or as a friend or someone non-judgmental or as a professional depends on the nature of the project. At times, maintaining a neutral position becomes utmost important. Also one cannot maintain the same position in all situations. Like if I was sympathetic towards the Chakmas while interviewing them, I could not maintain same position of being sympathetic to the Chakmas while interviewing non-Chakmas. During my field visits, as I was based with a Chakma family, and living in a Chakma village, my position as a researcher might have been questionable when I visited non-Chakma villages. Therefore, I took the assistance of local (non-Chakma) interpreter while conducting interviews in those villages.

Language plays an important role while conducting interviews. Language is a barrier when the respondents speak a language different from what the researcher speaks. In my case, almost all the Chakma people speak Assamese. Only those from the older generation especially those who migrated to India from Chittagong Hill Tracts from erstwhile East Pakistan speaks only Chakma language. In that case I took the help of interpreters who accompanied me during my field visits. Local interpreters also play a very significant role in building trust between the respondent and the researcher. However, the educated lot especially the young girls and boys are well versed in Hindi and English. Therefore interviews for this study were conducted in four languages, Assamese, English, Hindi and Chakma. Interviews were either noted down or recorded and sometimes both. Prior to recording, due permission of the respondent was taken. Field notes were always taken and sometimes due to paucity of time, could not take note of observations in the field; pictures were taken and jotted down after coming back from the field. Field notes are an important source of data to get an idea of the social setting of

the field. The focus of a qualitative study is in a few numbers of cases in order to facilitate an in-depth study. This is a single case study, an attempt to unearth the nuances of a single case through an in depth study of the case. For which several visits were made to the same field site till there was saturation of data.

Length of fieldwork engagement:

Selection of cases:

While selecting the samples for the study, it adopted purposive and snow ball sampling. Purposive sampling is a non-probability method and the purpose of the study determines who the respondents would be (Bernard 2013). By using purposive sampling, I determined the respondents like the student leaders of both All Arunachal Pradesh Students Union (AAPSU) and Arunachal Pradesh Chakma Students Union (APCSU); members of other organizations that are leading the Chakma movement like Committee for Citizenship Rights of Chakmas in Arunachal Pradesh (CCRCAP) and Chakma Rights and Development Organization (CRDO); common Chakma villagers across different age groups and other neighboring communities like Singphos, Khamtis, Tangsas, Deoris and Hajongs. In snowball sampling, the researcher by using key informants or documents, locate one or two people in a population first and then asks the first respondent to list others in the population (Bernard 2013). Thus, one person leads to another and the sampling frame develops with each interview. Eventually, the sampling frame gets saturated when no new names are suggested. In this study, snowball sampling was a primary sampling method used as many respondents were selected in the process of the fieldwork that led from one to another.

To explore the case of the Chakmas in Arunachal Pradesh, the Changlang district was chosen for the fact that the largest numbers of Chakmas in the state are found in Changlang district. Similarly, due to largest concentration of Chakma villages in Diyun circle in Changlang district, villages for the study was selected from Diyun circle. The selection process of the villages is discussed in the following section.

In this study, village sampling was random and samples were collected from six Chakma villages, *Avoipur*, *Jyotipur I*, *Shantipur*, *Mudoj Dweep*, *Dumpather III*, *Jyosnapur* and *Aranyapur*. All the villages have their unique histories and also one of the reasons why these villages were selected. *Avoipur* and *Jyotipur I* are among the first five blocks that were created under the *Khagam* settlement under the rehabilitation program of Government of India. *Shantipur* is in a flood prone zone, where every year vast area of land is washed away during flood. *Shantipur* is only one among many Chakma villages that are eroded by flood every year. Erosion is a major cause of encroachment of forestland in these regions. *Mudoj Dweep* is a village, which is predominantly inhabited by the Singphos and the Khamtis. But there are also small numbers of Chakma families living there who mostly work as sharecroppers in the lands of the locals. So this village was selected to see inter community relations and perceptions of Chakma people who live among the locals. *Dumpather III* was selected because this village was created from lands donated by the Singphos much later. *Jyosnapur* village was selected because this village was carved out of Diyun reserved forest and is just adjacent to the forest area. *Aranyapur* village is located within Diyun reserved forest, which has been acquired through encroachment by the Chakmas. *Aranyapur* is one of the four villages that are located in the reserved forestland; other three are *Madhukhyonala*, *Sukhanala* and *Shillong Pahar*. These villages are not recognized and hence these areas lack basic amenities like electricity and drinking water facilities. Those Chakma families living in the reserved forests are the most deprived amongst all. The debate on encroachment of forestland and the claims and counter claims of the Chakmas and the non-Chakmas on the issue are dealt in chapter 4. Among the non-Chakma villages, samples were collected from two Hajong villages, Madhupur III and Haripur III. Two Deori villages were visited Kumchai Deori and Sompoi II. Samples were also collected from two Singpho villages Dumba Singpho and Innao, one Khamti village Innao Khamti and one Tangsa village Balupather. Interviews were also conducted at Itanagar to collect data from the members of AAPSU. Few interviews were also conducted at Guwahati while interviewing members of Chakma Rights and Development Organization (CRDO). And one interview was conducted at North Guwahati of an individual who played a prominent role in transferring the Chakmas from Tripura to then NEFA through Assam.

Citizenship claims of Chakmas include their claims for political rights like right to vote; social rights like right to education, health, access to welfare schemes like ration cards; economic rights like right to employment, land rights; cultural rights like right to preserve their identity, culture and recognition as scheduled tribes. In order to explore each of these sub sections, it becomes imperative to understand intercommunity relations between the Chakmas and the non-Chakmas, economic interdependence between the Chakmas and the non-Chakmas, accessibility to land and transferability of land; villages like *Mudoi Dweep* and *Dumpather III* were selected. Besides being two of the earliest settlement blocks, *Avoipur* and *Jyotipur I* were selected because the torchbearers of the citizenship movement of the Chakmas inhabited mostly in these two villages. To understand the question of encroachment and the citizenship claims of the landless people, the encroached village *Aranyapur* and the flood prone village *Shantipur* were selected.

To identify the actual numbers of Chakmas in Arunachal Pradesh is a complex issue. As different sources have come up with different numbers. While the Asian Centre for Human Rights by referring the 2011 census, reported that the total number of Chakmas and Hajongs as 47,471 persons in the state of Arunachal Pradesh. But the AAPSU in a pamphlet mentioned that total number of Chakmas and Hajongs in the state would be over 60,000 persons.³⁷ Again the Chief Minister of the state, stated in the legislative assembly, referring to a special survey carried out in 2015-16 that the total number of Chakmas and Hajongs in the state is 65,875 approximately.³⁸ As has been reported by the White Paper out of total number of 14,888 Chakmas and Hajongs; 1,192 Chakmas were resettled in Lohit; 1,133 Chakmas in Subansiri and 11,813 Chakmas and 750 Hajongs in Tirap district. As we see, the maximum numbers of the Chakmas were resettled in Tirap (now Changlang district). A ‘Special survey on Chakma-Hajong population’ (2010-11) reported that the Changlang district alone consists of a total number of 44,276 persons. In

³⁷ “Why Arunachalees are opposed to permanent settlement of Chakma and Hajong refugees in Arunachal Pradesh?” a pamphlet issued by AAPSU.

³⁸ “Chakma-Hajong population: It’s beyond numbers,” *Arunachal Times*, Nani Bath, January 28, 2020.

the Changlang district, the Chakmas are spread over four circles; Diyun, Bordumsa, Miao and Kharsang. Out of all the four circles, the Diyun circle comprises of the maximum concentration of Chakmas taking the numbers up to 26,443 persons.³⁹

A preliminary visit was made to the field in Diyun circle, Changlang district from April 19, 2016 to April 21, 2016. The next visit to the field was made from December 26, 2016 to January 9, 2017. Third visit to the field was made in the month of July in 2017, from July 28, 2017 to August 28, 2017. I have also conducted three interviews in Guwahati in the month of July 1st to 3rd, 2018. The last visit to the field in Diyun circle was made from April 8, 2019 to April 16, 2019. Finally, I wrapped up my fieldwork with a visit to Itanagar to interview members of AAPSU. The visit was made from November 20, 2019 to November 28, 2019.

S.L No.	Date	Year	Place	No. of days
1	April 19-21	2016	Diyun	3
2	Dec 26-Jan 9	2016-2017	Diyun	15
3	July 28-Aug 28	2017	Diyun	31
4	July 1- July 3	2018	Guwahati	3
5	April 8-16	2019	Diyun	9
6	Nov 20-28	2019	Itanagar	9

The total number of samples collected is 63. The research samples include 33 in depth interviews of Chakma respondents collected from 7 Chakma inhabited villages. 15 in depth interviews of Non-Chakma respondents collected from 2 Singpho, 2 Hajong, 2 Deori, 1 Khamti and 1 Tangsa villages. And 15 in depth interviews collected from the members of AAPSU in Itanagar.

According to the 2011 census, in the circle, there are fourteen Chakma settlement areas and four Hajong settlement areas. Some of these settlement areas are again divided into

³⁹ Ibid.

different parts; for example, the Udoipur village is again has four parts in it Udoipur I-IV. The figure below shows the villages and the numbers of population across the villages in the circle.

Table 1.2: Size of population and number of households according to the communities in Diyun circle				
Chakma villages				
SL No.	Name of village	Number of households	Total population	Percentage of population
1	Diyun (Total)	5,949	32,007	
2	Diyun H.Q. Bl. I&II	424	1790	5.59
3	Manabhum H.Q.	103	464	1.45
4	Maitripur Bl. I-III	363	2117	6.61
5	Gautompur Bl. I-III	396	2426	7.58
6	Kamakhyapur	126	688	2.15
7	Shantipur	152	886	2.77
8	Jyotipur Bl. I-III	418	2164	6.76
9	Avoipur Bl. I-III	364	1969	6.15
10	Rajanagar	80	410	1.28
11	Jyotsnapur Bl. I&III	442	2407	7.52
12	Dumpathar Bl. I-III	386	2136	6.67
13	Dumpani Bl. I-III	412	2311	7.22
14	Udoipur Bl. I-IV	567	3203	10.10
15	MudoiDweep Bl. I&II	352	2109	6.59
	Total	4585	25080	78.44
Hajong villages				
16	Madhupur- I	103	534	1.67
17	Madhupur-II	80	457	1.43
18	Haripur	177	894	2.79
19	Srirampur	87	480	1.50
	Total	447	2,365	7.37
Deori villages				
20	Kumchaikha	60	303	0.95
21	Sompoi- I	149	765	2.39
22	Sompoi- II	51	282	0.88
23	KumchaiDeori	26	155	0.48
	Total	286	1,505	4.70
Ahom Villages				
24	InnaoAhom	41	176	0.55
Khamti villages				
25	InnaoKhamti	38	170	0.53
26	InnaoSengmai	17	91	0.28
	Total	55	261	0.81

Singpho villages				
27	Innao Bl. I & II	167	853	2.67
28	InnaoPathar	63	301	0.94
29	Mudoi Bl. I & II	200	919	2.87
30	DumbaSingpho	42	240	0.75
	Total	472	2,313	7.23
Tangsa villages				
31	Balupather	34	158	0.49
32	DumbaMossang	29	149	0.46
	Total	63	307	0.95
Source: Census 2011				
Note: The communities namely Chakmas, Hajongs, Deoris and Ahoms are mentioned in the Resettlement report of Chakmas, 1979 with the allotted villages. However, the Singphos, Khamtis and Tangsas are not mentioned in the Resettlement report of Chakmas, 1979 and are based on field information.				

Although the above table displays the villages in the circle with its population figures yet it is difficult to ascertain the exact numbers of Chakmas in the circle because two units; Diyun Headquarter and Mudoi Dweep consists of mixed population. However, it is clear from the table that the largest community residing in the circle is the Chakmas with other communities like the Singphos, Khamtis, Deoris, Tangsas and Ahoms. Among all these communities residing in Diyun circle, Chakmas, Hajongs and Deoris were resettled by the 1979-resettlement programme. Whereas, Chakmas and Hajongs migrated from erstwhile East Pakistan to then NEFA, Deoris are believed to be migrated from across the state of Assam. The Chakmas and Hajongs are claiming for Indian citizenship and various rights associated with it, and the Deoris are appealing for Arunachal Pradesh Scheduled Tribe status, which is a category exclusively for permanent residents who are 'original inhabitants' of the state.

The following section provides an overview of the administrative division of the Changlang district where the Diyun circle is located.

An overview of Changlang district:

The Changlang district covers an area of 4,662 sq.km. and bounded by Myanmar to its East and South.⁴⁰ On its north are the Tinsukia district of Assam and Lohit district of Arunachal Pradesh, in the West lies the Tirap district and towards its Southeast is Myanmar (Baseline Survey of Minority Concentrated Districts, Changlang).⁴¹ The main river that flows through the district is Noa Dihing that rises from the Patkai hills and flows to the west then north to meet the Lohit river (Census, 2011). It is divided into four subdivisions: Changlang subdivision, Bordumsa subdivision, Miao subdivision and Jairampur subdivision (Census, 2011). The lowest unit of administration is a circle under the supervision of an Extra Assistant Commissioner or a circle officer. A circle is basically defined as a group of villages and not as a territorial unit. The Changlang district has undergone gradual administrative development. Prior to November 14, 1987, Changlang district was a part of the Tirap district. Before 1914, Tirap was a part of Lakhimpur District of Assam. In 1919, the name of the eastern and central section of the North East Frontier Tract was changed into Sadiya Frontier Tract. In 1943, few areas of Sadiya Frontier Tract and Lakhimpur Frontier Tract were cut out to form the Tirap Frontier Tract. The Tirap Frontier Tract was rechristened as Tirap Frontier Division in 1954 and in 1965 again changed it into Tirap district. Changlang and Miao, the two subdivisions of then Tirap district were combined to form the new Changlang district on 14th November, 1987. Whereas the Census report of 2011 mentions that the Tangsas, the Singphos and the Lichus predominantly inhabit the district; the Chakmas do not find a mention. Nor the Chakmas of Arunachal Pradesh are mentioned in any official document of refugees. The whole district is hilly with hills ranging from 200 to 4500 metre in height, except Diyun, Miao, Bordumsa and Kharsang circles and a few parts of Nampong, Namtok, Changlang, Vjoynagar and Jairampur circles. In Changlang district, Diyun Circle, Miao Circle and

⁴⁰ See 2011 Census report

⁴¹ Baseline Survey of Minority Concentrated Districts is a study commissioned by the Ministry of Minority Affairs. This Baseline Survey was planned for 90 minority concentrated districts (MCDs) identified by the Government of India across the country, and the Indian Council of Social Science Research (ICSSR), New Delhi coordinates the entire team. Omeo Kumar Das Institute of Social Change and Development, Guwahati has been assigned to carry out the Survey for four states of the Northeast, namely Assam, Arunachal Pradesh, Meghalaya and Manipur.

Bordumsa circle are predominantly inhabited by Chakmas. Besides the Chakmas; Singpho, Tangsa, Nocte, Tutasa, Deori, Lisu, Khamti and few Adibasi tribes are found.

The Changlang district was chosen as a case under study because majority of Chakmas are inhabited in this district. The table 1 shows the administrative division of the district with total number of population in each circle and highlighting the circles where the Chakmas are found.

Table 1.3: Administrative Division of Changlang District (Total population: 1,48,226)				
Diyun circle in Changlang district consists of the highest number of Chakma population				
Sub-Division Name	Block Name	Circle Name	Population (Total)	Population (Chakma)
Changlang	Changlang	Changlang	14,163	NIL
		Khimiyang	3,012	NIL
		Namtok	3875	NIL
		Yatdam	2793	NIL
Miao	Khagam, Miao	Miao	25,921	10,670
		Kharsang	14,516	550
		Vijoyagar	4438	NIL
Jairampur	Nampong-Manmao	Nampong	3636	NIL
		Manmao	2632	NIL
		Renuk	715	NIL
		Lynkok-Longtoi	757	NIL
		Tikhak Rima	1344	NIL
		Putok		
		Jairampur	9804	NIL

Bordumsa	Bordumsa- Diyun	Diyun	32,007	25,080
		Bordumsa	29,045	5,262
Source: Census 2011				

Organization of the chapters:

Chapter I: Introduction

This chapter introduces the study providing a background of the study and contextualizing the problem under study. The chapter discusses how the modern state building process and demarcation of borders in South Asia displaced and created the categories of the ‘other.’ It also briefly discusses under what conditions the Chakmas, the case under study became the ‘other’ and is lingering as stateless people in India. The history and present status of the Chakmas in the other two states, Mizoram and Tripura are also dealt in the chapter. The chapter then discusses the methodology and research design including the methods of data collection and analysis and selection of cases. The chapter ends by proposing the objectives and research questions of the study and giving brief outline of the chapters.

Chapter II: Review of Literature

This chapter reviews the existing literature on various concepts used for the study. It will theorizes different concepts like border, territorialization, state building and how is it linked to the idea of citizenship. Citizenship as a concept understood by various scholars in different regimes is discussed. Beginning from citizenship discussed in Greek city-states, by classical liberal theorists, liberal and neo-liberal theorist to multicultural, transnational and post national understanding of citizenship. Also different literature to understand the responses of the host state has been reviewed. The framework of the study is discussed where citizenship is argued as political status, socio-economic rights and identity. Drawing from various literature the study attempts to comprehend the idea of

citizenship from the standpoint of the stateless Chakmas in Arunachal Pradesh as well as the responses of the host state and society.

Chapter III: Tracing the Historical Background of the Chakmas: Chittagong Hill Tracts to Arunachal Pradesh

This chapter provides a historical background to the case under study. This chapter draws from archival sources, newspapers and historical materials. The chapter traces the migration of the Chakmas from Arakan (Myanmar) to Chittagong Hill Tracts (Bangladesh) and to India. Different administrative and political developments of the places under pre colonial, colonial and post-colonial times and its impact on the Chakmas are discussed. The chapter ends with a deliberation of the various administrative, political, economic and social developments and homogenizing practices of the government of erstwhile East Pakistan that led to the migration of the Chakmas in present northeastern states of India.

Chapter IV: Claims of the Chakmas: Findings from the Field

This is a case study chapter based on data collected from the field. This chapter begins with a historical sketch of the state of Arunachal Pradesh from North East Frontier Agency to present day Arunachal Pradesh. The political and administrative developments of the state have a lot to do with the present plight of the Chakmas. Beginning from the settlement of the Chakmas under Rehabilitation and Resettlement program of the Union government, the chapter elaborates on the various phases of the Chakmas' struggle for citizenship. Then the chapter analyses the idea of citizenship from the lenses of the Chakmas.

Chapter V: Competing Claims and Resistances of All Arunachal Pradesh Students Union (AAPSU): Findings from the Field

This chapter particularly focuses on the competing claims of the AAPSU. A special emphasis on AAPSU is given because it is the spearhead organization that has been fighting the anti-Chakma movement in the state. The chapter discusses the evolution of

the organization in phases to see the way it functions and when and how the anti-Chakma sentiment grew among the members. The chapter then based on data collected through interviews in the field analyses the grounds of resistance among the members of AAPSU.

Chapter VI: State Responses: Findings from the Field

This chapter analyses the various government documents in order to explore the different takes of the state government of Arunachal Pradesh, the Union government and the Judiciary. The lack of unanimity while dealing the issue of the Chakmas has a major role to play in present status of the problem. Divergent attitudes of both the governments on the issue have revealed that despite strong judgment by the Supreme Court of India and Gauhati High Court have failed to resolve the issue.

Chapter VII: Conclusion

This chapter summarizes the study. It discusses the findings of the study including the significance, limitations and future scope of the study.

Chapter 2

Review of Literature

Introduction:

This chapter will give an account of detailed review of literature. It will theorize different concepts like border, border creation, territorialization, state building, construction of identities of people crossing the borders and negotiation with the ideas of citizenship. Border making in postcolonial South Asia, had varied consequences ranging from uprooting families, alienation of land, religious and political persecutions, to fragmentation of identities (W. V. Schendel 2004). The state building process and post colonial border creations that began in late 1940s in South Asia, still after seven long decades have an impact on people crossing the borders who has been deprived of the opportunity to determine their identity and are continuously battling for their social and political status. Borders perform as physical barricades between the people, their families, their land and their identities generating disputes of native-settler, majority-minority and insider-outsider. It is under these circumstances that the question of identity becomes more important, the question of belonging in a particular territory comes in, the question of political and social citizenship transpires. The history of citizenship has remained a struggle and negotiation over how citizenship is to be defined and who should be included and who are to be excluded (Kabeer 2005). This makes citizenship not only highly contested but a constantly changing institution. While citizenship is frequently acknowledged in terms of formal or legal status; with a national identity as a member of a nation state, but citizenship is not just limited to that (A. Roy 2010). The idea of citizenship goes beyond from just a formal member of the nation state to more of a substantive membership. Substantive membership refers to membership based on ascriptive categories, which pertains to socio-economic inequalities like caste, gender, class, ethnicity and the like. Therefore citizenship aspires for not only a political recognition but also a social recognition of membership. In the 20th century, citizenship has taken new forms as Jayal puts it, “The history of citizenship in 20th century India is a history of a new way of thinking about the relationship of

individuals to the state” (Jayal 2013). As citizenship laws are highly determined by the divisive legacy of partition. In South Asia, the process of state building after partition have resulted in birth of many “excluded groups” who are either termed as “denizens”, or “stateless people”, or “aliens” and so on (Benhabib 2004, Baruah 2004, Paula Banerjee 2016). One such community is the Chakmas of the Chittagong Hill Tracts who migrated to India from erstwhile East Pakistan due to religious persecutions and submergence of their arable land due to construction of Kaptai Hydel Dam. The Chakmas make constant efforts to determine their status, rights and identity negotiating with the host state, host community and the Union government. One of the host regions of these transborder communities is India’s Northeast. The Chakmas have mostly settled in Arunachal Pradesh, Mizoram, Assam and Tripura.

Review of existing literature:

Schendel in his book, *The Bengal Borderlands* (2004) laid down the political significance of borders and how the Bengal borderlands have been increasingly ‘policed, patrolled and fenced’ (W. V. Schendel 2004). The social dynamics of the border regions has a role to play in the changing territorialization of the states. At the same time borders have also witnessed various activities like flows of migrants, refugees, labor, goods and information.

This study is based on South Asia, particularly the Chakmas of India’s eastern borderlands. Europe followed a different path of state and nation building that resulted out of the process of industrialization. Europe’s idea of building nation and state was based on homogenous ideas of uniting people with a single imagined history or culture confined into specific political and territorial domain (Maaker 2014). While South Asia is a different case with its diverse history, language, culture, religion, and race, which problematizes territorial demarcation of areas into fixed blocks. With colonization, map making and territorial demarcation of areas were introduced in South Asia. This European model of political space and its ordering was followed largely in making borders in the colonial world. These colonial borders were the by-product of European imagination of political space and bureaucratic considerations rather than considering

local concepts of organizing political space and this resulted in imposition of some mathematical lines, curves and arcs. Gradually its application has been widely spread to the newly decolonized states in Asia and other regions beyond Europe (M. B. Schendel 1997). After the borders are drawn, it becomes the places where the presence of the state is more apparent (Donnan 1998).

In South Asia, it is after the partition of the Indian subcontinent that the modern state building process and the creation of borders thereafter created conditions of inclusion for some and exclusion for others. This abrupt and unplanned demarcation of borders after partition of India and Pakistan marked deep impression in the lives and memories of the people living on both sides of the border. The haphazard border creation gave birth to many minority groups in both the states who were considered as spies of the other state and hence they were treated with the presumption as treacherous and infiltrator of the new state and furtive messengers of the neighboring state (W. V. Schendel 2005). Similar was the case with the small minority groups of the Chittagong Hill Tracts and were amongst some of the worst sufferers of the modern nation state building process. Territorial division that occurred between India and Pakistan was much more than just drawing imaginary outlines on the map, while it was total demographic alteration caused by reshuffling and relocating the people as Hindus, Muslims and Sikhs from one side of the border to the other side giving rise to dilemma of citizenship, rights and identity.

In more general terms, citizenship is described as a membership in a political community within a territorial restraint (Irene Bloemraad 2008). However there are many debates, which perceives citizenship beyond just the idea of membership in a political and geographic community (Jopkke 1999, Brubaker 1989, Jayal 2013, Bloemraad 2008). Citizenship, in the Western tradition was first born in the city-states of Greece. In these Greek city-states, citizenship was seen in the form of political participation. As in Aristotle's polis, political participation was restricted only to men (Aristotle 1992). Others like women, slaves, foreigners and those without property were either considered as sub-citizens or non-citizens who were not eligible to become full citizens of the state. This is the republican notion of citizenship. A juridical concept of legal status as

citizenship developed among Romans in order to include disparate people within the empire (Irene Bloemraad 2008). Later during the time of Enlightenment, subject hood was seen in the form of Lockean notion of contract and consent whereby members of the state should give away some of their rights to the government by a contract and keeping some rights to themselves. This led to the emergence of what liberals call 'individual rights' (Irene Bloemraad 2008).

The evolution of the concept of citizenship have provided with four dimensions of citizenship, which are not mutually exclusive and are interlinked with one another. Bloemraad argues that these four dimensions sometimes complement and sometimes contradict each other (Irene Bloemraad 2008). And the concept of citizenship lets us to analyze the extent to which immigrants and their decedents are incorporated into receiving societies (ibid. 154). They are; legal status, rights, participation and identity. Citizenship as a legal status can be attained either at the time of birth (*jus soli*) or by decent (*jus sanguinis*) or both. During the time of commencement of the Indian constitution, India adopted citizenship based on *jus soli*. Over time, legal citizenship in India has moved towards a more exclusionary model based on blood decent i.e. parental origin. Another way of acquiring legal citizenship for those residents who could not acquire through birth and decent is through naturalization. The process of naturalization differs from country to country. Then comes citizenship as rights; rights form a fundamental aspect of liberal understanding of citizenship as it guarantees equal civil, political and social rights to all its citizens (T. Marshall 1992). Liberal understanding of citizenship follows from a relationship between the state and its individuals, whereby the individuals create a contract with the state, both sides having rights and duties towards one another (Janoski 1998). Classical liberal theory argues that rights are universal to humans and they acquire rights by virtue of being humans. Classical liberal theory upholds individual rights than community rights and claims that individuals are the ultimate bearer of rights irrespective of their socio-economic status in the society (Kabeer 2005). According to this school of thought, political and civil rights are the 'true' rights of individuals as it promotes freedom of individuals and this is the sphere where there should be no state intervention. While classical liberal theory prioritizes rights of

individuals over duties, liberal theory on the other hand advocates that duties go hand in hand with rights. Again neo-liberal thinkers have argued that citizens must earn their rights and hence duties precede rights, thereby challenging the classical liberal ideas. Another aspect of citizenship discussed by scholars is participation. Traditionally, participation as a variant of citizenship was understood as participation in political governance (Baubock 2005). Historically, participation was not universal and limited on the basis of gender, class, religion, race and ethnicity. However, with time, some of these exclusions were eliminated at least formally if not literally. Countering the exclusions, political participation has been perceived by the liberals as individual right. Whereas citizenship is not only limited to political participation but also extends to other modes of participation in the economic sphere, social inclusion that reinforces people's competence as citizens (T. Marshall 1992). Finally, citizenship can be understood as a sense of belonging. The sense of belonging is inherently associated with some amount of inclusions and exclusions. In that process some are excluded from a community of belonging on the justification of need of social cohesion and some special rights that is guaranteed to a particular community in that manner. However, the kind of social cohesion required by contemporary societies is questionable (Joppke 1999).

These are the four dimensions in which citizenship has been discussed and debated by various scholars. All the four dimensions of citizenship, existing together, are reflected in Marshall's notion of citizenship (T. Marshall 1992). As Marshall posits, Citizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed (T. Marshall 1992). Therefore Marshall suggests for a universal notion of citizenship where the citizens are full members of political community with civil, political and social rights. Marshall's idea of citizenship is divided into three types that develop chronologically in different periods of time. First being civil rights emerged in the seventeenth century in reply to absolutism with the growth of legal institutions like courts, habeas corpus and individual rights for fair trial in the court of law (Turner 1993). Then emerged political citizenship in the eighteenth and the nineteenth centuries under the newly developed regime of parliamentary democracy. The political rights constituted of the right to vote,

right to participate in the government and rights of association. The last in the chronology was development of social rights in the twentieth century extending the rights of citizens to the social and economic sphere with rights to education, health and employment (T. Marshall 1992). While drawing a historical evolution of rights, Marshall advocates that civil rights were the results of economic changes. Although civil rights were universal, political rights were the privilege of limited economic class. However, in the 20th century by the Act of 1918, by accepting manhood suffrage, the basis of political rights was shifted from economic substance to personal status. In the recent discourse of citizenship, the Marshallian citizenship has been exposed to severe criticism. Marshall's citizenship has been criticized as largely for "middle-class, English, male and white" (Irene Bloemraad 2008). Marshall has also been criticized for leaving out the idea of economic rights completely (Turner 1993). The chronological evolution of Marshall's citizenship has also been vehemently criticized as in many societies; women's political rights came much later than social rights.

Till mid twentieth century, individual was at the core of understanding citizenship and the liberal notion of citizenship conceives citizens as rights bearing individuals where all citizens can equally exercise of their rights of citizenship without considering the circumstances of inequality i.e. socio-economic categories like caste, class, gender, nationality, race, etc. This notion of citizenship constitutes an all-inclusive category where all person is equal before the law and no person is legally privileged. Therefore, every individual citizen is seen as possessor of equal rights like right to life, liberty, freedom of speech, conscience, movement and so on. There are no shades in assigning citizenship rights and all enjoy equal rights, as all are equal before as well as in the eyes of law (Jayal 2013). However, this liberal notion of citizenship has been criticized for overlooking actually existing inequalities. Since nineteen eighties, notions like heterogeneity, plurality, multiculturalism, and difference emerged in understanding the idea of citizenship. As the modern societies began to be recognized as multicultural, the liberal idea of citizenship was under significant criticism. The differences of socio-economic status, race, class, caste, language etc. that the liberal theory of citizenship ignored; gained prominence under the multicultural and plural society giving rise to the

notion of differentiated citizenship. Differentiated citizenship is guaranteed in various institutional forms like minority rights, affirmative actions, language rights, rights to guaranteed representation in governing institutions (Jayal 2013). Iris Marion Young used the term, differentiated citizenship for the first time in 1989 (Young 1989). Under the regime of differentiated citizenship, different communities establish a common identity while at the same time retaining their cultural provenance. Therefore, citizenship is not only about rights and duties of individuals, but also cultural rights of communities. Hence, individuals are perceived as not only citizens but also as part of community and the rights of community. Thus citizenship is internally conflicting playing two contradictory roles. On the one hand it is based on the epitome of equality and on the other hand it legitimizes inequality.

The institution of citizenship underwent a significant transformation with the increasing numbers of migration beginning from the 20th century. The universal nature of citizenship was challenged and questioned by various scholars. This section of the literature will review the debates on changing meaning of citizenship after large-scale immigration in different contexts, Europe, North America and South Asia. As Joppke argues citizenship is increasingly becoming multicultural and Marshallian citizenship universalism is not practicable any more due to rising immigration (Joppke 1999). Because the immigrants are many a times not considered as full members of the receiving state and therefore despite of being a safe member they may not enjoy equal rights. Thus, Joppke claims that in a post Marshallian light, in a highly migration prone era, citizenship as a legal status excludes people rather than it includes (Joppke 1999). As the nation-state model becomes more complex when immigrants of dissimilar nationalities enter the territory of the state. In order to protect the minority rights of immigrants, multicultural approach has come up with its definitions of citizenship. Multicultural approach to citizenship upholding group rights claims for accommodation and recognition of cultural minorities including immigrants (Kymlicka 1995). And for integration of culturally different minority groups like immigrants, equal citizenship rights are not enough and therefore Kymlicka proposes for 'polyethnic rights' that exempts these groups from laws that disadvantages them (Joppke 1999). Therefore Kymlicka asserts for differential minority rights for immigrants

and through it, “the liberal states are no longer assimilating their immigrants, but as respecting and protecting the ethnic identities of the latter” (ibid. 631). However, critics of multiculturalism claims that it reifies cultural differences, making them seem more important than they actually are (Irene Bloemraad 2008). They feel that multiculturalism aggravates socio-economic and cultural differences. As Jayal puts it, “Special rights for minorities almost invariably generate apprehensions among members of the majority community, as well as various sub groups within minorities, that they may become second class citizens” (Jayal 2013, 202). These minorities are the outcome of the inclusion and exclusion process of state building. Jayal argues that in the process of demarcating the boundaries of the political community, the state always leaves out some who are not included within the purview of membership of that territory (Jayal 2013). The membership into a community is therefore connected to outlining boundaries of a territory. Therefore Jayal argues that citizenship is not only about states’ engagement with their own citizens but also those who are pressing on their borders. As the territorial boundaries define some as members whereas others as aliens and the role of state is imperative in outlining the boundaries of the state. However, the dynamisms of globalization have questioned the relevance of the state. Emphasizing the role of the state, Benhabib claims that political membership of a state refers to principles and practices by which the “aliens and strangers, immigrants and newcomers, refugees and asylum seekers” are incorporated into the existing polities (Benhabib 2004). However, although the modern nation state system regulated membership only in terms of one single category i.e. national citizenship but the present era of diversity due to unprecedented scale of migration has given rise to new modalities of membership. Jayal states that the unparalleled scale of global migration in recent periods has challenged the congruence between membership and borders by fetching many such outsiders into the territorial extent of the nation (Jayal 2013).

Citizenship is more often viewed as a legal or formal status with a national identity as a member of a nation state. According to this idea of citizenship, rights are derived from the legal status and protected by the constitution (A. Roy 2010). However, the idea of citizenship goes beyond the formal or legal membership to a more substantive

membership and terms of belonging concerning to socio-economic inequalities based on class, caste, gender, race, ethnicity, sexuality and the like. Roy argues that since citizenship is identified with an ideal of equality, it is elusive to achieve that equality in a multiple layered society characterized by hierarchies and inequalities with the mere idea of citizenship as a legal status. As Kabeer argues based on her work on landless women and men in Bangladesh, claims for substantive citizenship like rights to shelter, food, land, health and education becomes the basis of struggle for equality rather than claims for formal citizenship. Guru is another scholar who distinguished between legal citizenship and 'substantive citizenship' in the context of India. While discussing the plights of Dalits in India, Guru questioned the constitutional provisions of Indian citizenship. He argues that although the Dalits are legal citizens of the state yet they are deprived of 'substantive citizenship' (Guru 2005). Guru makes yet another significant observation regarding the state sphere and the civil society sphere as to which is the more important domain for the Dalits to establish their citizenship. He states that the constitutional citizenship for the Dalits is both enabling and constraining. It is enabling because various constitutional provisions have detached them from the low-caste stigmas that they were attached with and the right to vote and participation in the political process has at least brought them at par with the other citizens as legal citizens. However, Guru reinstates that Dalits continue to feel exiled in India despite being political citizens and that they have not yet been able to establish their claims over passive citizenship. As in states like Bihar, Rajasthan, UP and Haryana Dalits are not allowed to contest election (ibid. 265).

A parallel can be drawn with the case of the Chakmas in Arunachal Pradesh who are deprived of 'substantive citizenship' like access to employment, permanent residency, trade license and ownership of land even after the fact that Chakmas already are eligible for citizenship by the constitutional provisions and some are already enrolled in the voter's list if that means being a legal citizen of a country. As there can be no reason why foreigners would be enfranchised. Drawing a correlation between legal citizenship and social citizenship in the context of increasing movement of people across the borders, Jayal states that after a certain point of time, the migrants and refugees start claiming for

legal citizenship as a member of the state and then there are also demands of social citizenship with substantive social and economic rights as a member of the society. These different claims for membership have been perceived as contestations to the regime of citizenship by Jayal. Therefore, there have been several contestations on the system of citizenship like when the disadvantaged claims for social citizenship; when the minorities claim for differentiated citizenship; when illegal immigrants claim for legal citizenship (Jayal 2013). So, Jayal perceives claims for citizenship, as a step-by-step process like the illegal immigrants may not claim for social citizenship first without becoming legal citizens. Legal citizenship for the immigrants, according to Jayal is a tool to attain social and economic entitlements. Substantive social and economic rights are considered as necessary conditions of social citizenship. Social citizenship in the states of Europe, comprises of access to public education, public health, social security schemes, old age pension schemes and so on. But in India delivery of social citizenship has been contentious and there are no constitutional provisions that guarantees these rights. Jayal therefore, identifies two types of citizenship claims, one, are the claims of the denizens who have stayed in a particular country for many years and so start demanding for legal citizenship and the other, are those who are already legal citizens but are claiming for more substantive rights. These two types of citizenship claims, Jayal perceives as negotiation with two kinds of borders. First the international state border, with which migrants have to negotiate and enter into a territory and become a member of the state. And the second border is that of the society by which he/she attains the membership of the society at large. Brubaker also talks of membership in two circles however with some difference from that of Jayal. What Jayal misses out here is that one can demand for more substantive rights without becoming a legal citizen and in many cases, legal status plays no role in delivery of other rights (social, economic or cultural).

Brubaker on the other hand detaching citizenship as formal/legal status from social and economic sphere claims that citizenship is important but only in political sphere and not much in social and economic sphere (Brubaker 1989). As Brubaker states that the exclusion of immigrants from formal citizenship leaves a significant fraction of the population without electoral voice and the interests of disenfranchised groups do not

count for much in the democratic political process. But how much does citizenship matter outside the political sphere? Clearly, citizenship status is not what matters most in the economic and social sphere (ibid. 146). According to Brubaker, for immigrants, it is permanent resident status is more important than citizenship status (Brubaker 1989). As the status of “privileged,” “established,” or “permanent” resident guarantees a nonrevocable residency rights with wide range of civil, economic and social rights (ibid. 147). Brubaker identifies emergence of a dual membership structure in Europe and North America where membership exists in two circles. The outer circle consists of members of the national social and economic community that includes not only citizens but also permanent residents who may not be citizens. This means that Brubaker perceives citizenship in terms of political citizenship only as according to him it is concerned only with the political aspect of citizenship. And the inner circle comprises only of the citizens who are the members of the national political community. The members of the outer circle may not be eligible for political rights but their permanent residency status gives them access to social services and other economic rights. Therefore, Brubaker argues, “The main line of division is not between citizens and noncitizens, but between permanent residents and others” (ibid. 151). However, Brubaker is of the view that boundaries of membership are differently designed according to different nationhood traditions and it is contextually different. Brubaker’s idea of permanent residency is contextual and cannot be generalized, as it is not applicable to states where permanent residency status is linked to questions of legal citizenship. However, at the same time it cannot be stated that legal citizenship delivers permanent residency status in all cases.

Whereas for Jayal, citizenship is a negotiation between two kinds of borders, one being external and the other internal, for Brubaker citizenship is perceived in two circles; inner and outer. The difference between the two is that for Jayal, the internal boundary is that of social citizenship but for Brubaker the inner circle comprises only of political citizens. In Brubaker’s two-circle theory of citizenship, the outer circle is of social and economic rights, which is both for citizens and non-citizens unlike Jayal’s external boundary, which makes one eligible for legal citizenship. So the point where both the scholars differ is that for Jayal, legal citizenship is an instrument for more substantive rights, but for Brubaker

legal citizenship has no role in guaranteeing social and economic rights. The point that both the scholars miss out and that the study argues here is that citizenship as legal status or permanent residency status and citizenship as social and economic rights are mutually exclusive and one does not lead to the other. The citizen-noncitizen or citizens-permanent residents binary cannot be generalized and therefore calls for a case-to-case analysis.

Citizenship as identity:

Identity is the moral sense of belonging that is the moral right to belong, just as the legal right to citizenship is conferred by the state. Convergence of both legal and moral right, results in a sense of legitimate citizenship, making an individual feel both legally entitled and morally engaged (Mitra 2010). In the absence of any one will lead to either a situation where legal citizenship lacks a sense of identification or a situation where there is primordial attachment to the land with no legal sanction. However, there might also be situations when one might not be aware of their legal entitlement or even if aware, may not have possessions of rights and benefits generates more meaningful citizenship, or one might scrap the legal rights of citizenship and get motivated by some inherent force of loyalty towards a different authority other than the national state. Identities are again not static but are constantly changing as Vandenhelsken and Karlsson argues, identities are always in the making and that individuals constantly struggle with who they are and where they belong (Karlsson 2015). Therefore, identifying oneself with a place or people is a continuous process. Similarly, Eriksen (2010) holds that identities are situational and he argues that social identities are relative and situational as there are conditions where ethnicity does not always matter (Eriksen 2010). Therefore, there are no fixed identity markers but it is determined by various social positions based on education, economic status and access to political power. As his study talks about Mauritian Hindus and Creoles who goes beyond their ethnic identities at situations like at workplace as colleagues or business partners. This therefore implies that the category of ‘us’ versus ‘them’ may vary situationally. Hence, Eriksen claims that, “Individuals have many statuses and many possible identities, and it is an empirical question when and how ethnic identities become the most relevant ones”. Identities are not a single entity but multiple and therefore in different situations, different identities may become more

relevant and overpower other markers of identity. This 'us' versus 'them' debate in India centers very much on the 'indigenous' versus 'non-indigenous' debate.

Scholars have argued that collective identities, those one carries and those are entrusted to the migrant communities play a major role in determining migrants' claims for citizenship (Ruud Koopmans 2005). Koopmans and Statham distinguish four main types of identities. First, migrants may identify themselves with different types of identity categories that the receiving state assigns them like asylum seekers, foreigners, ethnic minorities or immigrants. These identities that migrant communities identify in the host state, may be newly assigned by the receiving state, which were unknown in the country of origin (Ruud Koopmans 2005). Usually migrants arrive with several identities that are competing, overlapping and crosscutting with one another. Immigrants from Bangladesh, for instance, may see themselves as Bangladeshi, Muslim, Hindu, Indian, Bengali, depending on which religious, racial or ethnic group in Bangladesh they belong or which of their manifold identities they hold as the most important. By supporting and rewarding some of these migrant identities and discouraging others, receiving states may change the balance among such multiple identities and shift migrants' primary allegiance (ibid. 114). Second, migrants may identify themselves with a "racial" group like blacks, Africans, Asians and so on. Koopmans et al argues that such race-based identities are more noticeable in Britain. Third, is religion that migrants may identify themselves with. Religious identity also contributes to the process of integration of migrants into the host state. However there are also arguments on the other side of the spectrum that religious identities are transnational category, not connected and prior to migrants' integration into the host society (ibid. 115). Fourth, citizenship claims of migrants may also be identified with ethnicity or nationality claims of their places of origin. Fifth is the identity of ethno religious groups for whom ethnicity and identity are indistinguishable, for e.g. Jews and Sikhs. Finally Koopmans et.al discerns a type of hyphenated identity. This hyphenated identity is a combination of the five types of identities discussed above with the country of residence, for e.g., Indian Muslims, Asian American, African American and so on. Koopmans et al. claims that such identities are more prevalent in America than in Europe (ibid. 116).

However claims for citizenship is not always based on cultural identities. In fact cultural identity becomes irrelevant at times while making citizenship claims. As for identity of migrant groups that Jayal discusses, neither caste, nor religion, but statelessness and displacement becomes their primary identity, the basis for a new collectivity (Jayal 2013). Therefore their claims for legal status is not of belonging or for claims of voting rights but for basic entitlements to subsidized food, employment reservations, and social welfare schemes which are inaccessible due to unavailability of ration cards and caste certificates. Scholars have also pointed out some adverse outcome of failure to acquire legal status like lack of right to vote, education, healthcare, employment, travel and so on and so forth (Paula Banerjee 2016). Banerjee et.al argues that legal status is the threshold to other rights and benefits. In India the idea of citizenship is largely constructed in the context of India's partition and the consequent state and nation building process thereafter. And arguing citizenship as a colonial construct Kapur in the context of Bangladeshi immigrants in India, claims that cultural identity increasingly conflated with religious identity (Kapur 2007). Similarly for the Hindus, as Ritu Menon argues those who arrived to India during partition were not considered as outsiders but as 'natives returning home' (Menon 2008).

Citizenship as a sense of belonging is also tied with territory both of residence and of origin. It cannot be however denied that shared ethnicity and culture determines refugees' sense of belonging to a host state (Chowdhory 2018). But at the same time it is the 'loss of cultural identity' as a result of 'loss of homeland' that refugees tend to 're-root' with ties to 'home' or 'homeland' while in exile. Scholars have also argued that common interest of both the sending and the receiving countries in maintaining migrants' homeland ties may result in 'institutionally sponsor the activities of sending-country organizations in the country of settlement (Ruud Koopmans 2005). Different scholars have differently argued whether identities of refugees should be tied to their country of origin, with both the country of origin and the country of residence or with any country at all. Identity is belongingness and is intrinsically linked to one's land. As natural resources play a significant role in the relationship between states, individuals and communities as it holds economic, political and social values (Adrian Martin 2011). A sense of

belonging, associated with popular expressions like ‘motherland’ and ‘fatherland’ are rooted in one’s strong social and cultural sentiments (Ejigu 2006). The significance of territorially bounded nation state in determining political identity has been put forward by Isin, “At the heart of the relationship between identity and the state is the construction of a binary between the citizen resident in a bounded national community and therefore the proper subject of political life, and its archetypal ‘other’, the refugee” (Isin 2007). After occupation or inhabiting in a particular territory for a certain period of time, people tend to claim ownership of that territory and assert certain rights over the territory (Jayal 2013). Claims of exclusive territory by a particular group may lead to overlap of territorial claims by various communities. Although not indigenous, the later settlers attain certain attachment to the land they have inhabited for long consequently claiming their rights over those lands. Therefore, contesting claims over land give rises to instances of conflict. This is one notion, where the migrant communities are linked to territorial claims and their idea of citizenship is within nation state borders. Whereas the role of state has always been inevitable in guaranteeing status and rights to its citizens and therefore much of the discussions on citizenship; be it rights, legal status, participation or belonging has been limited to the boundaries of the state where the immigrants settle. However, in recent decades, a set of literature has emerged that questions the significance of the state borders. It has been witnessed that with global developments, the traditional nation-state boundaries in Europe and also in other states has been increasingly challenged. This gives rise to membership based on global human norms rather than institutional norms. These new ways of understanding citizenship questions membership and belonging based on state based citizenship or beyond. Should belongingness be confined to a single state or can be promoted beyond and across boundaries?

Literature on transnationalism and post-nationalism have critiqued the overemphasis of territorial boundaries to define identity and have responded to the processes of globalization as has given rise to new forms of identity, loyalties and animosities across borders (Isin 2007). According to these scholars, with globalization there is a decreasing relevance of the state. They argue that with growing globalization tendencies, citizenship

can be seen as transcending nation state borders in line of post-nationalism and cosmopolitanism and also citizenship straddling to multiple nations-states giving rise to transnationalism and dual citizenship (Brubaker 1989, Soysal 1994, Joppke 1999). Political cosmopolitanism argues that rights of individuals do not remain confined to nation state borders but transcend national boundaries (Bosniak 2000). In this line, Soysal explains on the basis of her work on guest workers of post-war Europe that citizenship is not a matter of concern for the immigrant guest workers who can attain safe membership status without becoming citizens (Soysal 1994). This gives rise to a new type of 'post national membership' where the members strive for not a national belonging but belonging to a world of universal human rights that goes beyond national citizenship. Therefore, the post-national theorists decouple political identities from national membership where identities transcends national boundary (Chowdhory 2012). In the post war period, as contrary to rights defined in adherence to membership of a particular nation-state, a broader dimension of membership based on personhood and human rights emerged (Soysal 1994). Accordingly the new disaggregated concept of citizenship allows individuals to develop and sustain multiple allegiances and networks across state boundaries, in inter as well as transnational context and leads to a cosmopolitanism that can sustain different communities of language, culture, etc. (Chowdhory 2012). Arendt very robustly states that loss of citizenship rights is very equivalent to loss of human rights and every individual irrespective of which community one belongs to have the right to have rights (Benhabib 2004). Many immigration states, specifically European states have opened up if not political sphere of voting and contesting elections but economic spaces like labour markets, housing areas, permanent domicile for foreign residents (Hammar 1986). Hammar term this group of people as "denizens". He argues that denizens who have domiciled in the host state for long should be automatically included in the naturalization process. Similarly as Brubaker, Hammar too argues that residency status should be the primary determinant of membership rather than citizenship. The case of Romani minorities in Europe is directed towards a post-national membership that is not limited to one nation state but member of European Union as a whole (Verneuil 2016). The position of the Romani minorities in the post-Yugoslav citizenship regimes after disintegration of the Socialist Yugoslavia was challenged

(Sardelic 2015). Claim of Europe's Roma for EU citizenship who considers them as a nation but without a national homeland. 'Romani nation' is non-territorial and Romas are trans border minorities. For this non-territorial transborder minority, imagination of nationality goes beyond the membership of a single entity making it a clear case of post-national citizenship rather than classical citizenship based on a single state.

However, it cannot be ignored that these studies on cosmopolitanism, post-national, transnational and dual citizenship has been based largely in the context of Europe. Although scholars have found diminishing relevance of nation state borders yet they have agreed that territoriality and its boundedness cannot be ignored altogether. In post-national and multiple citizenship, legal status is assigned not on the basis of territory but on the basis of personhood. This questions the connection between citizenship and a single nation-state (Irene Bloemraad 2008). This raises the question of state being the guarantor of rights. How will the state guarantee rights of the citizens who claims for multiple and post-national citizenship? Furthermore, post-national citizenship advocated by Soysal is also limited to citizenship of European Union. Therefore, holding on to post-national idea of citizenship beyond a broad yet confined entity like European Union raises doubts. As In the context of Asia, borders are still strictly regulated and citizenship is still strictly linked to one's territory, to uphold post-national or deterritorialized idea of citizenship is problematic.

Citizenship as a negotiation between the incoming community and the receiving community⁴²

While understanding the idea of citizenship from the standpoint of the stateless, it is equally important to comprehend the responses of the receiving society as that majorly contributes to the integrationist policies of the receiving state. In addition to that, the responses of the receiving state and community also play a considerable role in the citizenship status of the incoming people in the receiving society in determining the extent of the stateless people's accessibility to citizenship rights and benefits. Scholars

⁴² This study uses the ideas of host state, host community, receiving state and receiving community interchangeably.

have pointed out various factors that determine the host community's response towards the incoming people. Therefore, this section discusses the causes how and why a host state and the receiving community responds the way they respond. Some of the factors include; relation of the host country with the sending country, international assistance, absorption capacity of the host society and national security concerns amongst other (Jacobsen 1996). These factors play a significant role in determining if the receiving state would be generous guaranteeing the incoming people's safety or are rigorous on restricting their entry and settlement in the host state. In international parlance, three probable solutions have been widely debated; local integration in the host country, repatriation and resettlement in a third country (Jacobsen 1996). However, these solutions are not free from anomalies. Repatriation is a difficult and prolonged process often leading to discontentment among the agencies accountable for the refugee outflow and uncertainty of refugee's safe return (Harrell-Bond 1989). Moreover, returning of refugees to home becomes more difficult if the time of stay in exile is longer. Repatriation is also the best possible solution when it is voluntary, as every refugee should have the right to return to her/his homeland.

Resettlement in a third country might not be a viable solution if the number of refugees are too large and it may be resisted by the refugees too who want to return to their places of origin. Local integration is often accompanied by resistances by the host state and its communities. Theorists have argued that there are three primary factors that determine refugee integration, they are; length of time of refugee stay, shared ethnicity and economic sustainability (Kunz 1981, Fielden 2008). Of all the three factors, most of the theorists agree that co-ethnicity is the most important element for integrating two communities into one (Kunz 1981). Many border communities share kinship and ethnic ties, creating a condition of increasing possibility that refugees from other side of the border would be welcomed and accommodated. As scholars have argued that there are greater chances of peaceful coexistence and integration if the refugees belong to similar cultural, linguistic or religious groups like the receiving community (Chimmi 1999, Kunz 1981, Fielden 2008). Chimni (1999) maintains that European states were way more open to local integration of refugees rather than returning them when refugees were of European descent. Drawing instances from her work based on displaced Greek Cypriot

refugees, Brubaker argued that the non-displaced Greek Cypriots had kept their homes open, shared schools and also opened other measures to integrate the displaced co-ethnics into the host society (Brubaker R., 2010). Similarly, in the context of South Asia, Chowdhory observes that ethnic identity plays a major role in determining treatment of refugees in the host state and hence in the integration process. Citing examples of Sri Lankan Tamil refugees in India, she argued that ethnic affinity between the host community and the refugee helped the Tamil refugees from Sri Lanka to get better aid packages in Tamil Nadu (Chowdhory 2018). However, ethnicity is neither static nor homogenous (Barth 1969, Anderson 1991). Rather identities shift, withers, re emerges in new forms; it is also situational and relative as there are circumstances where ethnicity does not always matter (Eriksen, 2010). There are also situations when ethnic identities are strongest which Barth points out, is at the times of threat. During times of threat, ethnic identities play not only as a dividing force but also a uniting force.

The economic capacity to absorb refugees of a host state is determined by such elements like employment opportunities, availability of resources like land, carrying capacity of the land, infrastructure (Jacobsen 2001, Soysal 1994). A refugee inflow affects both the availability and quality of land by generating shortages of land, food, water and firewood and by damaging the eco system (Jacobsen 1994). Therefore, heavily populated areas are less likely to support huge numbers of newcomers. Soysal (1994) argues that host states with abundant land and developing economies are more likely to welcome refugees irrespective of their ethnic identity. Soysal believes that the positive response of such host communities is based on their prospect to see the refugees as potential labours. Therefore, local people are less likely to be threatened by the influx if the refugees are seen as potential source of resources like capital, labor and agricultural skills.

Another significant element determining refugee integration is the duration of the stay of refugees in the host state. Opinion and response of the host community towards the incoming community changes after a certain period of refugee stay. Although at the beginning after the arrival of refugees, the host community is welcoming and generous, however, gradually after many years of stay, the host community starts resisting. In such a situation, the host community starts complaining of scarcity of economic opportunities

like jobs, rising of housing prices and overburdening the welfare system (Brubaker, 2010). Similar findings have been derived from a work based on Iraqi refugees in Syria where the host community's generosity premised on "Pan-Arab" sentiments gradually transformed into resentment for bearing foreign load (Aahraf al-Khalidi, 2007).

Discussion:

Citizenship is a constructed category and in India, it has been largely constructed in the context of the partition of the Indian subcontinent and the consequences of building of modern nation state thereafter. Drawing from Brubaker (1989), the study will try to analyze the significance of legal citizenship for the Chakmas in Arunachal Pradesh. The study will further try to explore in line with Brubaker (1989) if citizenship for the Chakmas is important only in the political sphere and not much relevant in the social and economic sphere. The question of permanent residency of migrant groups will also be brought in, in the discussion to explore whether it is 'permanent residency status' as Brubaker argues or is it 'legal status' of the migrants that works as an instrument to access social and economic benefits. Unlike the West, 'permanent residency' in India, specifically in some of the states of India such as Northeast, is intrinsically linked to 'land ownership'. Again, rights to own land or land rights depend on the question of 'indigeneity'. As Betellie claims, "The designation of any given population in a region as indigenous acquires substance when there are other populations in the same region that can reasonably be described as settlers or aliens" (Betellie 1998, 188). However, the term indigenous is again debatable. Keeping India's history of conquest, colonization and immigration in mind, the identification of indigenous people has been a difficult process. There is a widely accepted belief that all tribes are indigenous. However, this might not always be the case (Xaxa 1999, Beteille 1998). Drawing from Xaxa (1999) and Beteille (1998), the study will analyze the 'indigenous- nonindigenous' and the 'tribal-nontribal' debate in the case of Chakmas vis-à-vis the locals in the state of Arunachal Pradesh.

Taking all these into account, Brubaker's notion of 'permanent residency' for non-citizens will be reflected upon for the case of the Chakmas in Arunachal Pradesh. Similarly, drawing lessons from Jayal's (2013) deliberation of citizenship as negotiation

between two sets of borders; of the state and the society, the case of the Chakmas will be examined and if legal citizenship have acted as instruments for acquiring 'Suvidhas' as Jayal (2013) claims. If legal status is actually the threshold for social and economic benefits or attaining both are mutually exclusive. As Kabeer (2005) investigates citizenship from the lens of the 'excluded', the study following Kabeer (2005) attempts to explore what actually citizenship constitutes from the standpoint of the stateless Chakmas. According to Guru the Dalits in India still lack 'substantive citizenship.' I will try to explore if legal citizenship to the Chakmas are assured of a more substantive citizenship or are the Chakmas still considered as 'second class citizens'. While analyzing claims for group rights by both the Chakmas and the locals, Roy's analysis of Arunachalis' claims for differentiated citizenship and Chakmas' claims for universal undifferentiated citizenship will be discussed and debated.

While analyzing Chakmas' claims for citizenship as belonging, the role of collective identities like religion; race; those entrusted by the receiving communities like 'foreigners', 'refugees' and identities tied to homeland will be explored drawing from scholars like Koopmans et al. (2005). The study will also investigate how the Chakmas' imposed identities also determine the way Chakmas perceive themselves. In order to analyze national identity claims of the Chakmas, their ties with the state of origin and the state of residence will be explored. Drawing from scholars debating citizenship as a post-national and transnational identity, the study will attempt to understand Chakmas' claims for membership and identity. If the Chakmas' perceive and claims for deterritorialized citizenship like transnationalism or post-nationalism membership or membership within the nation state boundaries will be debated and discussed. Chakmas' claim for dual citizenship within nation state borders will also be dealt upon. The identity of the Chakmas face a paradoxical situation; whereas the Chakmas see themselves as citizens; under the law of Indian citizenship, they are perceived as refugees, immigrants or aliens by the state of Arunachal Pradesh (place of residence), again the state of Bangladesh (place of origin) do not even recognize them. Whether the Chakmas identify themselves with the national identity of India or they form a part of an 'imagined community of

Chakmas' all over the world or they may negotiate for a transterritorial identity with their state of origin; becomes a matter of investigation.

Finally discussing various integrationist policies by the host states as discussed by scholars like Kunz (1981), Fielden (2008), Chimni (1999), Soysal (1994), Chowdhury (2018) the study will explore how in the case of the Chakmas' integration in the host society, co-ethnicity has contributed in their integration. Also it will analyze the other debated factors like economic sustainability, and length of refugee stay have unfolded in the case of the Chakmas' integration process by drawing from scholars like Jacobsen (1996), Soysal (1994) and Brubaker (2010). Discussing and debating the various theories on citizenship, this study aims to revisit the idea of citizenship by a stateless community like the Chakmas and the responses of the receiving state and community.

Case study literature:

The literature reviewed above will be deployed to understand the case of the Chakmas, presently inhabiting in the state of Arunachal Pradesh. The historical development of the Chakmas and their migration from the erstwhile Arakan to Chittagong Hill Tracts (CHT) to Indian state of Arunachal Pradesh will be discussed in the next chapter. So, here I will briefly discuss the case under study.

Chakmas form a dominant group of the 'jumma' community living in the Chittagong Hill Tracts (CHT). The Chittagong Hill Tracts is in the Southeastern part of present Bangladesh. The Chittagong Hill Tracts, cover 10 percent of the land of the state of Bangladesh (Chowdhury 2008). Three districts that mainly compose Chittagong Hill Tracts are, Bandarban in the South, Khagrachari in the North and Rangamati in the centre (Chowdhury 2008). This region is a home to numerous ethnic communities; some of them are Chakma, Lushai, Mru, Marma, Chak, Bawm, Tripura, Tanchangya and Pankhu (R. C. Roy 2000). While these ethnic communities collectively identify themselves as 'Jummas', but the Bengalis of the plain see them as 'tribes' (Chowdhury 2008). Some other communities who were not the indigenous inhabitants of the region were the Bengalis, Baruas and Arakanese (W. V. Schendel 1996). Chittagong was for

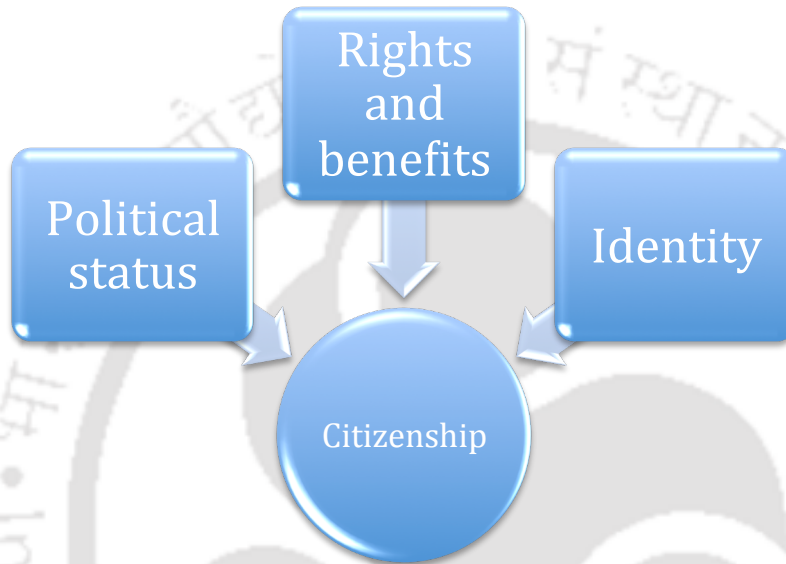
the first time annexed temporarily by the Mughals in the 13th century, where the Mughals were defeated by the king of Tippera and re conquered the territory (Meyer 1909). Between 1560 AD and 1570 AD, Chittagong was annexed by the king of Arakan as a tributary province. However, again in 1582, with the annexation by the Mughal minister Todar Mal, it became a part of the Mughal empire (Meyer 1909). During Mughal rule, the only connection, hills had with the plains were the contribution of cotton production. Under the British rule, the earliest records of the people of the hill first coming in connection are seen during the reign of then Governor General Warren Hastings (Hutchinson 1909). It was not under any formal state administration till 1860 (W. V. Schendel 1996). The first intervention into the administration of the hill tracts came from the British in 1860 in the form of appointment of the Superintendent of the hill tracts. The British policies initiated an indirect interference into the hill affairs and it was an attempt to bring it under the control and administration of the colonial power. For which the British, had assigned some special status to the hill tracts ensuring their protection from the rest of the regions. As a result, the CHT Regulations, 1900 popularly known as the Hill tracts Manual was introduced. According to the Manual, the CHT was divided into four circles; 1) the Chakma Circle, 2) the Bohmong Circle, 3) the Mong Circle, 4) Several Government Forest Reserve (Hutchinson 1909). A tribal chief was appointed as the head of each circle and was assigned with the duty to collect revenues and control the internal affairs of the circles. The chiefs were the agents of the state with centralized power indirectly controlling the hill people. It was a policy to keep the hill people isolated and away from rest of Bengal (W. V. Schendel 1996). Schendel termed this as a process of 'enclavement' by which the hill people were repudiated access to power and were suppressed and exploited by the British overlords (ibid. 111). Schendel argues that the changes in social circumstances of the 'jummas' living in CHT led to change of their group identities (W. V. Schendel 1996). Schendel identifies the hill people as 'jummas' as they were engaged in jhum cultivation and did not refer to them as 'tribes' because according to him the term 'tribe' homogenizes all into a single category (W. V. Schendel 1996). In the writings of British anthropologists and writers from Bangladesh, these hill people were labeled as 'wild hill tribes', 'savages', and 'primitive' and it gave birth to a very unusual relationship between people in the hills

and the plains. The relationship between hill people and the Bengalis is seen as one of subordinates and guardians, as the Bengalis assume the responsibility to 'uplift' the 'jummas' and bring them into connection with the modern world (W. V. Schendel 1996). They consider the hill people as backward and illiterate and therefore needed to be uplifted and civilized.

The identities of the Chakmas were re constructed when the Chittagong Hill Tracts, which was practically devoid of Muslim population, was made a part of Pakistan, although the inhabitants wanted to be a part of the state of India. The Chakmas gained the political identity of the citizen of Pakistan until 1971, when East Pakistan was separated from West Pakistan. Their identities were reconstructed as citizens of Bangladesh. However, many migrated to India in 1964 when the special status of the Chittagong Hill Tracts was withdrawn and the state of Pakistan encouraged the settlement of the Bengali speaking plain people in the hills. This led to religious atrocities and exploitation of the hill people by the majority Bengali people. This was a new policy by the new government of Pakistan to exploit the hills and extract more resources from those areas (W. V. Schendel 1996). A large hydroelectric power project was undertaken which flooded and submerged large areas of land leaving many hill people homeless. Gradually the Chakmas crossed the national borders in search of security and shelter in the Indian states of Mizoram and Tripura. Many were also rehabilitated in Arunachal Pradesh by the government of India. As Singh (2010) claims, "Chakmas are historically denied an opportunity to determine their own identity, and physically dissociated from the very source of citizenship- the present Bangladeshi state- they continue to strive for a political identity" (K.Singh 2010, 3). In the states of Mizoram and Tripura, they have been granted political citizenship and also have acquired scheduled tribe status, although if they have been integrated into the social fabric of the local communities is a matter of question. In Arunachal Pradesh, Chakma people are deprived of civil, social as well as political rights. The task of defining citizenship is related to the task of drawing borders (Jayal 2013). The border determines the external limit within which political membership of a particular state would be granted. In the process of delineating the territorial boundaries, some are left outside the

scope of this membership. With the global flow of population across the borders, many from outside enter into the territorial space of nation. The imposition of borders results not only in territorial but also human consequences.

Framework of the study:



In my study, I have tried to explain ‘citizenship’ and have attempted to investigate ‘how status, rights and benefits, and identity’ have an impact on their understanding of the idea of ‘citizenship’. There may be various factors that determine the idea of citizenship as a whole but in this study I have particularly dealt with ‘legal or political status’ referring to political rights, ‘rights and benefits’ indicating social and economic rights and ‘identity’ being their cultural identity upholding a sense of belonging and identifying one self with a place and people. These factors will be examined separately and also in relation to each other and investigated how they impact understanding of citizenship from the standpoint of the Chakmas and how are their claims responded by the host state and society.

Summary of the Chapter:

This chapter discusses the theoretical debates on border creation, state building, citizenship; its introduction, its evolution as a concept, immigration and its influence on

the meaning of citizenship and the process of integration. Theories of citizenship discussed by various scholars in different states of Europe and Asia has been reviewed. The chapter then proceeds towards an understanding of how modern state building process and border making have resulted in problems of citizenship for people crossing the borders like Chakmas and how they have been negotiating with the changing meanings of citizenship. The chapter comprehends citizenship in terms of legal status, social and economic benefits and identity and tries to see how the changing meaning of citizenship has impacted their understanding. And drawing from existing literature, the chapter attempts to theorize all the three concepts as understood in different contexts. Then I have briefly discussed the case under study, the Chakmas as partition victims and briefly touched upon the developments under which the Chakmas migrated from the Chittagong Hill Tracts in Bangladesh to India. The third chapter of the dissertation will discuss the historical background of the case study.

Chapter III

Tracing the Historical Background of the Chakmas: Chittagong Hill Tracts to Arunachal Pradesh

Introduction:

This chapter will give an overview of historical background of the case study. The chapter begins with debates and discussions of demarcation of post colonial borders in Bengal and Assam. It explores the spatial construction of colonized places surrounding the Chittagong Hill Tracts. It discusses the different memorandums that were submitted by various Muslim and non-Muslim organizations to the Bengal Boundary Commission recommending inclusion and exclusion of areas. Encountering various pressures and counter pressures finally the Radcliffe Award was declared. As a consequence, killings, bloodshed, population movements, hatred, mistrust became an everyday scenario on the newly drawn borders. Amongst many, one misstep created by the Bengal Boundary Commission was to hand over Chittagong Hill Tracts to Pakistan despite the fact that 98 percent of their populations were non-Muslims. The chapter will also discuss the developments under which CHT was made a part of Pakistan after partition despite continuous efforts by the Chakma leaders to stay in India. The chapter then takes up the case study and attempts to locate the origin of the Chakmas in the Arakan and trace their movement under different periods; pre colonial, colonial and post colonial from Arakan to the hills of the Chittagong (now Bangladesh) and finally some migrating to India. In India, Chakmas are mostly found in Mizoram, Tripura, Arunachal Pradesh and few parts of Assam as well. The various circumstances under which the Chakmas fled to northeastern India will also be examined.

Creation of borders in South Asia

On 30th June 1947, the Governor General of India announced to set up two Boundary Commissions, one for Punjab and the other for Bengal. The Boundary Commissions were created to divide the subcontinent. The Boundary Commission for Punjab was

responsible for partitioning the province of Punjab in western India, whereas the Bengal Boundary Commission was entrusted with the task of dividing Bengal in eastern India. Sir Cyril Radcliff headed both the Boundary Commissions. Sir Cyril Radcliffe neither had any experience in Indian administration nor any knowledge of the areas that he was going to divide. Hence, the consequences of the border created by the Commission as headed by Radcliffe are borne by many till today. Paragraph 3 of the announcement reads as follows;

“For Bengal, the Boundary Commission is instructed to demarcate the boundaries of the two parts of Bengal on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so it will also take into account other facts.”⁴³

However, the term ‘other facts’ was never clearly defined throughout the report and this ambiguously termed clause was applied in order to include such territories, which conceivably could not have been demanded on the basis of contiguous majority areas (Chatterji 1999). The Hindu Coordination Committee and the Muslim League were in continuous tussle on claims over areas. The Muslim League was in an attempt to include as much territory as possible of Bengal and Sylhet into East Bengal. For this, the Muslim League insisted that the extent of the term ‘contiguity’ should not exceed Bengal; i.e. if a Hindu-majority area is not contiguous to any Hindu-majority area of Bengal, although it may be contiguous to Hindu-majority area outside Bengal in the Indian Union, then that area should go to East Pakistan (ibid. 198). On this ground, three Muslim minority districts namely, Jalpaiguri, Darjeeling and Chittagong Hill Tracts should go to East Bengal. However, Jaipauri and Darjeeling were retained by the Indian Union but Chittagong Hill Tracts was handed over to East Pakistan by Radcliffe award. The intention behind handing the CHT to East Pakistan is debatable and it is dealt elaborately in later part of the chapter.

⁴³ Memorandum submitted by non-Muslim Judges to the Bengal Boundary Commission on Sylhet, Ministry of External Affairs, Pakistan Division, Section III. File No. 24 (15)-Pak.III/55. Partition Secretariat No. BC (2)/47. 1955.

Chatterjee argues that whereas the aim of the Muslim members was to extract as much territory as possible for East Pakistan, the Hindus aimed for a 'homeland' for the Hindus of Bengal (Chatterji 1999). On this ground, the Hindu members of the Commission demanded that along with the ten Hindu majority districts namely; Howrah, Hoogly, Burdwan, Bankura, Midnapore, Khulna, Birbhum, 24 Parganas, Jalpaiguri and Darjeeling, and two Muslim-majority districts; Murshidabad and Malda and parts of Dinajpur, Nadia, Rajshahi, Faridpur and Rangpur be included in West Bengal (ibid. 201-202). However, CHT being a non-Muslim majority district, was never claimed to be a part of West Bengal. Thus, CHT remained excluded from Bengal's imagination of a 'Hindu homeland.'

Finally reflecting some and refuting other demands and pressures, the Radcliffe Award was declared. According to the Award, West Bengal was given an area of 28,000 square miles, constituting of nearly 5.3 million i.e. 29 percent were Muslims out of a total population of 21.19 million (Chatterji 1999). On the other hand, East Bengal acquired 49,000 square miles making a total population of 39.11 million, out of which 11.4 million i.e. 29.1% were Hindus (ibid. 213). Whereas the primary task of the Radcliffe line was to divide Muslim majority areas from non-Muslim majority areas, but East Bengal and West Bengal emerged as two states where there was not much difference in the of majority to minority population. There were also Muslim majority districts like Nadia and Murshidabad allotted to West Bengal i.e. Indian union and Hindu majority districts like Khulna handed over to East Bengal i.e. Pakistan.

Similarly, in case of Sylhet, the Boundary Commission was directed only to demarcate the Muslim majority areas of that district and the contiguous Muslim majority areas of the adjoining districts. There were four districts in Assam that adjoined Sylhet, viz., Cachar, Garo hills, Khasi and Jaintia hills and Lushai hills. And the last three districts were not bound by any Muslim majority areas of Sylhet district. As in the case of Bengal, there were debates on inclusion and exclusion of areas and so various memorandums were submitted by Hindu and Muslim members of the Commission. The memorandum

submitted by Muslim members demanded for inclusion of the whole of Sylhet district and other Muslim districts adjoining Assam with East Pakistan. It stated;

“Under section 3(3) of the Indian Independence Act, from the day of declaration of the result of the referendum by the Governor General, majority of votes has decided in favour of amalgamation, the Assam district of Sylhet shall be treated as the territories which are to be comprised in the new province of Eastern Bengal, and the district of Sylhet shall be excluded from the Province of Assam. The memorandum further adds that according to the terms of the Act, the district of Sylhet, which is a Muslim majority area, has got amalgamated with the province of East Bengal and there is no question of dividing the district of Sylhet itself.”⁴⁴

The report demonstrates that Sylhet is a Muslim majority district with 60.7% of Muslim population out of 31,16,602 total population and therefore be amalgamated with East Bengal without question. Furthermore, there are only eight thanas out of 35 thanas in Sylhet that are non-Muslim majority. Two out of these eight non-Muslim thanas, are not contiguous to any non-Muslim majority thanas of Sylhet or Assam and therefore must go to East Bengal. These six thanas, with an area covering 1271 square miles comprises of a total population of 5,31,817 with Muslim population of 2,17,521 and 3,14,296 non-Muslims. However, Muslim organizations argued that out of the total non-Muslim population, 1,36,503 are tea garden laborers and therefore non-indigenous excluding which makes the total non-Muslim population of only 1,87,893. Hence, excluding the tea garden labourers, indicates a majority of Muslim population in four out of six *thanas*. And six of the non-Muslim majority *thanas* are not contiguous but in pockets, therefore they should be taken together and included with the Muslim majority districts. However the Bengal Boundary Commission held that division of Sylhet on these lines would sternly affect the whole district as it will completely detach the six non-Muslim *thanas* of

⁴⁴ Memorandum submitted by Muslim organizations and other parties before the commission on Bengal Boundary Commission on Sylhet. Ministry of External Affairs, Pakistan Division, Section III. File No. 24 (21)- Pak.III/55. Partition Secretariat file no. BC (20)/47.

Sylhet from the rest of Assam if the Muslim majority *thana* Hailakandi goes to East Bengal. Again, according to non-Muslim members, the *thanas*, Srimangal, Kamalganj, Kalaura, Barlekha, Patharkandi and Ratabari are all non-Muslim majority *thanas*. The total area of the six *thanas* is 1,271 sq. miles, and the total population 5,32,601 of whom 2,17,627 are Muslims and 3,14,974 are non-Muslims, the Muslim percentage being 40.86 and the non-Muslim percentage is 59.14.⁴⁵ Finally, Radcliff claims that in order to adopt a workable division, some non-Muslim *thanas* should go to East Bengal whereas some Muslim territories must be kept by Assam.⁴⁶ Accordingly, Radcliff decides and claims;

“A line shall be drawn from the point where the boundary between the Thanas of Patharkandi and Kulaura meets the frontier of Tripura State and shall run north along the boundary between those Thanas, then along the boundary between the Thanas of Patharkandi and Barlekha, then along the boundary between the Thanas of Karimganj and Barlekha, and then along the boundary between the Thanas of Karimganj and Beani Bazar to the point where that boundary meets the River Kusiya. The line shall turn to the East taking the River Kusiya as the boundary and run to the point where that river meets the boundary between the Districts of Sylhet and Cachar. The Centre line of the main stream or channel shall constitute the boundary. So much of the District of Sylhet as lies to the west and north of this line shall be detached from the Province of Assam and transferred to the Province of East Bengal. No other part of the Province of Assam shall be transferred.”⁴⁷

The changing course and names of river Kushiya proved to be a cause of trouble as a boundary, which was not taken care of by the Radcliffe Award. The Barak river flows west through the district of Cachar in Assam to the Sylhet-Cachar border, where it bifurcates; the northern stream is called the Surma, the southern one is the Boglia or the

⁴⁵ Memorandum submitted by non-Muslim Judges to the Bengal Boundary Commission on Sylhet, Ministry of External Affairs, Pakistan Division, Section III. File No. 24 (15)-Pak.III/55. Partition Secretariat No. BC (2)/47. 1955.

⁴⁶ Reports of International Arbitral Awards: Boundary disputes between India and Pakistan relating to the interpretation of the report of the Bengal Boundary Commission, 26 January 1950.

⁴⁷ Ibid.

Kusiyara (Ahmad 1953). Just northeast of Karimganj town the Boglia in turn bifurcates into two branches; one flowing westward was to the north of Karimganj town, the river continued to be known as Boglia. The name of the river Boglia changes as it further flows southward, it is known as Noti Khal and further Pooran Kushiyara or Sonai. The changing name of the river created contention between India and Pakistan did not identify the northern branch of the river i.e Boglia as Radcliffe's Kushiyara river. The changing course of river proved to be a cause of trouble as boundaries. This has been true particularly in case of the rivers of the northern plains of India and Pakistan that flow over alluvial plains and are prone to flood erosion, extreme meandering and changing of courses (Ahmad 1953). Therefore, when rivers were considered as a line of separation, the changing courses of river also keeps shifting the boundary with no consistent main channel.

And finally, by referendum held on 6 and 7 July with 56.5 percent of people from Sylhet voted for joining East Pakistan and 43.3 per cent voted to remain in Assam. Resulting this, most of the Sylhet district was ceded to East Pakistan. However, after borders were drawn, large numbers of Sylheti Hindus from the parts that joined East Pakistan, began to relocate to parts of Assam where they had established considerable social and economic networks. Hence a deterritorialised Sylheti identity emerged in Assam (Bhattacharjee 2009). While Punjab and Bengal were divided on the basis of religion, the Sylhet referendum was based on vote of two concentric issues of Assam on a linguistic basis and of the reorganization of India on a communal basis (Dasgupta 2008).

The four districts in Assam adjoining Sylhet are Cachar, Garo Hills, Khasi and Jaintia Hills and to the South are Lushai Hills and Tripura. Except Cachar, the other three districts, the Khasi, Jaintia and Garo hills had very less numbers of Muslim populations. However, there was still tussle going on between the Muslim and non-Muslim members regarding the Khasi, Jaintia, Garo and North Cachar hills. As the Muslim members held that all the hill districts be included with East Bengal and the non-Muslim members claim that they be left with the Assam province. However, the Federation of Khasi States signed an agreement on 8th August 1947 to accede into the Indian Union. According to

the Garo Hills Act (Act XXII of 1869), it was extended to the Khasi- Jaintia Hills District in 1871. There were also protests by Garo leaders of partition of Garo hills between India and East Pakistan. The state of Tripura was a small princely state that did not come under direct British rule but the process of revenue extraction from the state by the British rulers was prevalent. Although Tripura was never a part of India, after the death of its last independent king, Bir Bikram Manikya on 17th May 1947, the Queen of Tripura signed the Tripura Merger Agreement in September 1947. Finally Tripura became one of the “Part-C” states. To the south of Tripura state was the CHT. Historically CHT was an independent territory until it came under colonization in the 18th century. CHT was under colonial rule from 1760 to 1947 and after decolonization CHT was made a part of East Pakistan (Now Bangladesh). The Buddhist communities like the Chakmas of CHT became minorities in a Muslim dominated state, who later migrated to different parts of India. The development of CHT under different periods, which led to migration of Chakmas will be elaborately dealt in the later part of this chapter.

Who are the Chakmas?

There are various debates regarding the origin of the Chakmas and their origin is very much doubtful. Talukdar (1994) traces the origin of the Chakmas to 1052 A.D when the Chakmas started moving from Arakan by the hills and rivers flowing from Arakan to the areas adjoining Bengal, then settling in the plains of Chittagong. The principal rivers of Arakan that marked their passage from Arakan to Bengal are Sangoo, Thega, Raing-Khyong, Matamouree and Tuichong on the banks of which they created their villages. Because of their close association with rivers, the British officers assigned them a name ‘Chakmas Kyangtha’ meaning ‘children of the river’ (Talukdar 1994). T.H Lewin (1984)⁴⁸ again categorized the tribes of the Hill Tracts into two; (i) as ‘the children of the river’ were called Khyoungtha and (ii) ‘the children of the hills’ as Toungtha (Lewin 1984). Those, which settled by the river, were of Arakanese origin following Buddhism and the later was of mixed origin. And Lewin classed the Chakmas with the Khyoungthas due to similarity of location of villages built near the riverbanks and also sharing similar habits

⁴⁸ T.H Lewin’s book, *Wild Races of the Eastern Frontier of India*, published by Mittal publication in 1984 was originally published as ‘*Wild Races of South-Eastern India*’ in 1870.

(Lewin 1869). The term 'Chakma' or 'Chuckma' is a generic term that was used by then British administrators and scholars who travelled, ruled and researched over the hill tracts and its inhabitants; to identify predominantly the hill people living in the Chittagong Hill Tracts along the corridor linking Arakan (Talukdar 1988). The Chakmas were also known by different names to different communities.⁴⁹ They are a Tibeto Barman descent, belonging to Khyeng-tha race of Mongolian family. The Chakmas are divided into three sub tribes namely, Chakmas, Tung Jainya and Doignak. It was reported that the Doignak branch of the Chakmas got separated from the main branch and fled to Arakan (Myanmar). However, later they returned and joined the Cox Bazar division of the Chittagong district. The Tung jainya fraction had entered the Chittagong as late as in the 18th century (Talukdar 1988).

Captain Lewin (1869) claimed that the Chakmas are divided into forty clans or Goza. They are as follows:

1. Molima Goza, 2. Wangza Goza, 3. Dammey Goza, 4. Toynya Goza, 5. Phaksa Goza, 6. Larma Goza 7. Koorra Goytia, 8. Phey-dang-sirri Goza, 9. Loskra Goza, 10. Khambey Goza, 11. Borseygey Goza, 12. Saygey Goza, 13. Bongo Goza, 14. Boga Goza, 15. Dachjea Goza, 16. Poa Goza, 17. Baburah Goza, 18. Rangyen Goza, 19. Boongza Goza, 20. Sadonga Goza, 21. Anghu Goza, 22. Khiongjey Goza, 23. Ooksurry Goza, 24. Mohma Goza, 25. Fema Goza, 26. Theya Goza, 27. Poma Goza, 28. Katoo Goza, 29. Segowa Goza, 30. Leba Goza, 31. Durjea Goza, 32. Pheydoongsa Goza, 33. Borbow Goza, 34. Mo-oo Goza, 35. Dunya Goza, 36. Lambacha Goza, 37. Karrooa Goza, 38. Mongla Goza, 39. Ongyo Goza, 40. Millong Goza 41. Huduk Goza. (Lewin 1869). Over each Goza is a Dewan or headman and he represents the head of the family from which it is believed that the clan sprang.

⁴⁹ The Chakmas were known as Thek by the Burmese and Tui-Thek by the Kukis; R.H Sneyd Hutchinson, *Chittagong Hill Tracts*, Vivek Publishing Company, 1909; p 21. Alexander Mackenzie in '*The North-East Frontier of India*,' Mittal Publication, 1999, p 330, mentions that branches of the Chakma tribe was known as Doingnak and Toungjynyas.

The Chakmas were one of the largest groups inhabiting the Chittagong Hill Tracts. Their status of being the largest group is however in question after the migration of plains people into the hills and demographic alteration thereafter. The present condition of the Chakmas in various states of India, as stateless refugees and various other predicaments that have captivated the Chakmas into a long drawn struggle bears its root into the various political, social and economic developments that CHT has undergone at different points of time. Therefore this chapter will set off with a chronicle of events that led to evolution of Chittagong Hill Tracts and its land relations at different period and relation of the Chittagong Hill Tracts with its neighboring districts during both colonial and post colonial times.

A Geographical account of CHT:

The Chittagong Hill Tract (CHT)⁵⁰, now in Bangladesh, covers an area of 5138 sq. miles (Talukdar 1994) and an area of approximately 13,189 sq. kilometers of Bangladesh, it lies between latitude 21° 25' and 23° 45' and 91° 45' and 92°50' east longitude (Mackenzie 1999, Hutchinson 1909). The Hill Tracts cover 10 percent of the total area of present Bangladesh. Sharing international boundaries on its three sides, the Indian state of Tripura is in its North, the state of Mizoram of India is in its east, the Arakan of erstwhile Burma and now Myanmar lies in its South and on its West lies the Chittagong district of Bangladesh. It is a land of hills and forests possessing characteristics, which are geographically at par from the rest of the country.

The hill tract got its name in '1860 when by Act XXII of that year the hilly and forest tracts to the East of the Chittagong District were withdrawn from the jurisdiction of the revenue, civil and criminal courts and offices of the Regulation District, and placed under the supervision of a Superintendent of the Hill Tribes' (Hutchinson 1909). Earlier, this region was known as '*Jum Bungoo*' or '*Kapas Mahal*' in the revenue records of the British and the Mughals (S. B. Chaudhury 2003). The general topography of the region is a combination of hills, rivers and cliffs with dense forest growing bamboo and other trees

⁵⁰ An abbreviated form of Chittagong Hill Tracts as CHT will be used in the text.

and creepers. The four major rivers flowing through CHT are the Karnaphuli, the Sangu, the Pheni and the Matamuri, originating all in the Arakan mountains in Burma (Talukdar 1994). The Sangu and Matamuri rivers flow parallel to the ranges, until they enter the plains and thus forming two well-defined valleys. Whereas the Karnaphulli and the Pheni flows transversely cutting across the lines of the hills and forming several valleys at the right angles where the tributaries of the Karnaphuli river cuts (Hutchinson 1909). The important tributaries of the Karnaphuli river are the Thega, the Kaptai, the Subhalong, and the Rhainkhyong on the left and the Harina, the Chengri and the Kasalong on the right bank. During the rains, these rivers are unnavigable due to heavy currents; otherwise these rivers are a good means to carry out trade both on its upper and down streams. In the words of Hutchinson,

“The river Karnaphuli known to the hill people as Kynsa Khyong derives its name from the Sanskrit ‘Karna’ ear and ‘phuli’ flower, literally the ear flower or earring. The daughter of a Muhammadan Wazir of Chittagong during the Moghal rule is credited with dropping her earring into the river while out on a pleasure trip. The river rises in the hills to the north of Lungleh in the subdivision of the Lushai Hills District and has a length of 170 miles. After a most tortuous course through the hills, the river emerges into the plains of Chittagong at Chandraghona, and, flowing past Chittagong, falls into the Bay of Bengal.” (ibid. 2).

The region was a home to a wide variety of wild species like, two horned rhinoceros, elephants, tigers, snakes, bears, leopards, Sambard deers, jungle fowls, wild buffaloes, monkeys, wild pigs, and variety of birds like; Himalayan goats, pigeons, (Talukdar 1994). Hutchinson mentions that the region had a wide variety of game birds like, bluebreasted quail, bush-quail, hill partridge, swamp partridge, imperial pigeon, the pin tailed green pigeon, polipectrum and kalij pheasant (Hutchinson 1909). The migratory birds include teal, snipe and woodcock. Vultures, hawks, kites, owls, shahin falcon, peregrine falcon and others come under predatory birds. However, in the course of time, many species are decreasing and many are also extinct. The region was also very rich in

flora and fauna, which in recent years have been greatly affected due to ecological changes. The hill tract is also rich in minerals. Sandstone is found in abundance and a variety of blue rock is found in limited quantity among the sand stone (Hutchinson 1909). The harder sandstone and the rock has been used by the river revetment work in the improvement of the Chittagong port. There are also instances of finding coal and lignite in the region. Lignite deposits were mainly found in the rivers; Sangu, Pheni, Matamuri and Chengri. An inferior quality of limestone is found in two places (Hutchinson 1909).

Before 1989, the CHT comprised of only one district, Rangamati, which was later divided into three. Three districts that mainly compose CHT are, Bandarban covering 1,738 sq. miles (4,502 sq. km) in the South, Khagrachari with 1000 sq. miles in the North and Rangamati with an area of 2,351 sq. miles (6,089 sq. km), as the Administrative headquarter in the center (Chowdhury 2008). These three districts are under Autonomous District Council which gives only nominal powers to the districts as has been argued by Talukdar (1994). Historically, the hills covered an area that was larger than the present day Chittagong Hill Tracts. It comprised of the Cox's Bazar districts, some regions of the present day Chittagong (Sitakunda, Rangunia and Ramu areas), and Mizoram (Lushai hills) (Lewin 1984).

Migration of the Chakmas:

Pre-colonial period:

Historical records suggest that people belonging to the Tibeto Barman race were the first to move from Central Asia to India and residing there from much earlier than the birth of Lord Buddha (Talukdar 1988). Historical records also show that there were repatriation of people from Central India to Burma through Southern Bengal and Arakan. Hence, this to and fro movement along this passage is commenced in distant past is a continuing process. The earliest traces of people moving from Central India to Arakan were found among the tribes, 'Tha-Kya', belonging to Sakya clan (Talukdar 1988). Talukdar narrates,

“When Abhiraja, the first Sakya Prince of Kap-pi-la-wet (Kapilavattu or Kapilavastu) entered Burma with his army as early as 903 B.C. i.e. 206 years before the birth of Gautama Buddha, he founded for the first time his kingdom called Thenga-tha-rata (Thengat-tha-ngae or Sanga-Sara-ttha) in the Tagaoung (old Pagan city now lying in ruins situated on the Irrawady river) on the upper valley of Irrawady” (ibid. 11-12).

After the death of the Sakya Prince, Abhiraja, his two sons, Kan-radzagyee and Kan-radza-ngay competed for the throne. After some competition between the two, the throne was occupied by the younger son. The elder son accepted his defeat and moved to North Arakan, conquered Udigurate in Pali (Udaya-giri-rastra in Sanskrit) and proclaimed himself as the king of the country. The Sakya kingdom ruled Arakan for a longer period. Another group of Sakya race entered Arakan during the reign of the thirty-third descendant of King Abhiraja. This group was led by King Binnaka Raja. It shows the long rule by the Sakya clan kings in Northern Arakan and similarly this area had a strong hold on Buddhism. Talukdar (1988) argues,

“Even during the reign of Ashoka the Great in 272 B.C., a Prince named U. Cancha Uparaja came to Arakan and lived there like a monk which was believed to be a great sign of rejuvenation of people’s faith in Buddhist traditions which later were firmly entrenched there” (Talukdar 1988, 17).

Two major routes through which Indian culture penetrated into Arakan were through sea coast of Bengal (Chittagong) to Akyab, and overland through northeast India (Assam) to Pagan going down along the sea routes (Talukdar, *The Chakmas : Life and Struggle* 1988). The British administrator, Lewin (1869) referred to two letters, which records the first dealing of the British Government with the Burmese. One was written on 24th June, 1787 by the Rajah of Arakan⁵¹ to the Chief of Chittagong asking him to send back two inhabitants of Arakan who were absconding and taking refuge in the Chittagong Hills. One among them was a Chakma hill tribe and the other was a Mrung hill tribe. So, it was

⁵¹ Arakan was also referred to as ‘Aracan’ or ‘Arracan’ by Lewin.

in these letters that Lewin mentions the first reference of the Chakmas when they started moving from the Arakan to the Chittagong Hill Tracts (Lewin 1869). The Sangoo, Matamouree, Thega, Raing Khyong and Tuichong are the principal rivers of Arakan, which flow to Chittagong and joins Karnafule. The valleys formed by these rivers and the hill slopes formed the primary wandering places of the Chakmas where they build their villages and settled down. They first entered these valleys in the 12th century and gradually moved westwards, when they arrived into other river tracts like the Sazek, Feni, Barharina and so on. Historical records also states of various disputes that occurred in the frontiers of Chittagong and Tipperah with the Burmese army due to emigration of hill tribes from Arakan to the hills of Chittagong (Lewin 1869). By the 16th century, the rulers of Arakan extended their dominion over Chittagong after realizing weakened position of the neighboring rulers from Bengal. Their passage continued as far as to the Meghna River, presently in Bangladesh. This marks the beginning of the movement of people from Arakan through the river valleys to the hills and their slopes in CHT.

The districts of Chittagong and CHT were often changed hands under rulers of Tipperah and Arakan. According to an account, Bira Raja, the founder of Hill Tripura Raj dynasty in 590 A.D., defeated the king of the hill Chittagong, occupied Chittagong establishing its capital at Rangamati (Ishaq 1971). Again in 953 A.D., a king of Arakan, Tsula Tsandra occupied CHT and Chittagong districts till 1240 A.D., when the king of Tripura conquered this province again. This shows that the region of Chittagong was a contested land between Arakan and Tripura rulers for a long period of time till it came under the Bengal Sultans. In 1338 Sultan Fakhruddin Mubarak Shah conquered the region and ruled till 1349 (Ishaq 1971). In 1374 A.D, the Chakma king, Marekyaja accepting defeat by King Minto, fled to Bengal and acquired shelter under the Nawab of Bengal, Jalaluddin Mohammad in South Chittagong. It was here for the first time the Chakma Raja had established his capital in Chittagong at Alikadam in the upper part of River Matamouree (Talukdar 1988). Later the Chakmas emerged victorious against the Arakanese king with the help of the Nawab of Bengal and his forces. Adoption of Muslim titles by Chakma rulers is manifested from the close ties that the Chakmas shared with the Nawab of Bengal. However, the Buddhist Chakma chiefs had never embraced Islam and Buddhism

was an intrinsic part of their lives. Another account mentions that the Chakma king Mwun Tsni was alleged of disrespecting Buddhism and thus thrown out of Upper Burma in 1418, who then took refuge under the Muslim Officer and settled the Chakmas at Ramu and Teknaf (Talukdar 1988). However, Mengkhari alias Ali Khan (1434-39) successfully drove out the Chakmas from Ramu and Teknaf. This region was under disputed possession of the Arakanese and the Bengal Sultans for few years. In 1515 A.D, again the Tripura King Dhanya Manikya established the authority of the Tripura dynasty over the districts of Chittagong and the Hill Tracts. The contest of possession between the rulers of Tripura and Arakan over the occupation of Chittagong Hill Tracts went on until 1666 A.D when the Mughal Governor of Bengal, Shaista Khan under Emperor Aurangazeb Alamgir, conquered the district from the Arakanese rulers (Ishaq 1971). Until 1760 A.D, the districts of Chittagong and the Hill Tracts were under uninterrupted possession of the Mughals till a Governor under the Mughals, Mir Qasim ceded the region to the East India Company.

Colonial period (1760-1947):

The Mughal Empire had an uninterrupted control over the Hill Tracts till 1760, when it was finally ceded over to the East India Company by the Governor of Mughal Empire Mir Qasim Ali Khan (Ishaq 1971). Although the hill tracts came under direct supervision of the British from 1860, yet British traces in the hill tracts can be located back from the 1700s. Hutchinson mentions that the earliest record of the communications of the British with the people of the hill tracts is found on a letter to Warren Hastings, the Governor-General, from the Chief of Chittagong dated 10th April 1777, in which he states,

“A mountaineer named Ronu Khan who pays the Company a small revenue on their cotton farm has, since my being here, either through ill usage from the revenue farmer, or from a disposition to revolt, for some months past committed great violence on the Company’s landholders, by exacting various taxes and imposing several claims on them, with no grounds of authority or legal demands” (Hutchinson 1909, 8).

Later this was dealt in by stopping all supplies from the plains to the hills and restricting the access of the hill tribes to the bazars of the plains (Lewin 1869). Thus, this shows a division between the upland and the lowland. There are also mentions of the Chief of Chittagong ordering Captain Ellesker to send some sepoy from the Twenty-second Battalion to protect the inhabitants of the plains from the kukis in the hills. Further, in 1784, Government wrote to the Chief of Chittagong, Mr. Irwin, ‘the inhabitants of the hills might not be induced to become peaceful subjects and cultivators of the lowlands’ (Lewin 1869). Although till 1860, the hill tracts did not come under direct control of the British, but since 18th century revenues were collected from cotton produced in the hills through a third party (Lewin 1869). The relationship between the hill people and the government in Chittagong was scanty as the administration was more directed towards Chittagong Proper and only during breakout of lawlessness or default in payment of tribute that British government interfered in the hills. On 21st April 1829, Mr. Halhed, Commissioner, writes that he finds that the hill tribes are not subjects, are merely tributaries.

“I do not recognize any right on our part to interfere with their internal arrangements. We have no authority in the hills; the payment of the tribute which is trivial in amount in each instance is guaranteed by a third party, resident in our own territory, and who is alone responsible. He derives his own profit from the arrangement under stipulations, which have no place in his agreement with us. He is merely an agent, or mooketar, or medium of communication between his constituents and the authorities. He is not the ruler of the clan he represents, and possesses no control over the member of it.” (ibid. 22)

During that period, an important occurrence in Chittagong was the raids carried out by various tribes that emerged as a possible ground for the British to intervene as the protector of the inhabitants. The Chittagong Proper had been under several raids by independent tribes living far in the east. There were also wars for occupation of Chittagong by various external forces like the Arakanese, the Portuguese, the Pathans, the Afgans, the Mughals and the British (Talukdar 1988). But none could attain supremacy over Chittagong for a longer period of time and therefore there was quick succession

from one ruler to another. As a result of constant raids, and one carried out in the Kaptai River by some hill tribe, the Commissioner in 1859, ordered the separation of the Hill Tracts from the Regulation District and in 1860, by Act of XXII the Hill Tracts were separated from Regulation District (Hutchinson 1909). The Commissioner also commanded for appointment of a Superintendent to administer the hill tribes. Later after that, many raids were undertaken by the Kukis and other tribes in Tippera and Magh villages. A major expedition was carried out by the Government into the hills. Hutchinson (1909) states,

“Two military columns entered the Lushai country simultaneously; one from Cachar under General Bouchier, the other from Chittagong under General Brownlow. The Cachar column consisted of 500 men each from the 22nd Punjab Infantry and 42nd and 44th Assam Light Infantry, with half a mountain battery and a company of Bengal Sappers and Miners, while the Chittagong column had the 27th Punjab Infantry, 2nd and 4th Gurkha Rifles and half a mountain battery. Each of the columns was accompanied by a hundred armed police. Mary Winchester and several other captives were surrendered to the Chittagong column. The expedition penetrated as far as the village of Lalhura, the son of Colonel, a noted Chief of Haulong tribe who dwelt in the North Lushai Hills” (ibid. 11).

Because of several outrages carried by the Kukis on the British subjects, in 1847, 1848, 1859 and 1860; the British termed these events as the “Great Kuki Invasion” (Talukdar 1988). Another military expedition was carried out from Burma and Chittagong in the Chin-Lushai Hills in the year 1890. Before the hill areas came under direct control of the British, various military expeditions were operated into the region. In 1891, South Lushai Hills was made a Bengal district and later in 1898, the South Lushai District was again assigned to Assam. British officials like Hutchinson perceived the frequent military expeditions into the hills as an attempt by the British to ‘restore peace in the Chittagong Hill Tracts which are now secure from the raids which harassed their people for over a century (Hutchinson 1909).

It is argued that CHT came under formal state administration of the British in 1860 (W. V. Schendel 1996). The first intervention into the administration of the hill tracts came from the British in 1860 in the form of appointment of the Superintendent of the hill tracts. The British officials considered this appointment as important in order to secure the inhabitants of the hills from the aggression of the frontier tribes and therefore,

“The Lieutenant Governor recommended that the whole country east of the cultivated plain country of Chittagong should be removed from the operation of the General Regulations, and that an officer, to be called the Superintendent of the Joom Tract, should be appointed” (A. Mackenzie 1999, 341).

In 1867, the designation of the British officer in charge of the hills was altered from Superintendent of Hill Tribes to Deputy Commissioner of Hill Tracts and it gave him complete control over the hills, matters inclusive of revenue, law and justice. Gradually, the administration of the Hill Tracts was taken over by the colonial rulers thereby diminishing control of customary laws. In 1900, the Chittagong Hill Tracts Manual formulated rules, which brought significant changes in the administration of the Hill Tracts. It introduced an unusual status to the Hill Tracts for which it restricted the ‘outsiders’ i.e., those who are not original inhabitants of the hill tracts from entering and settling in CHT. Rule 52 of the manual stated,

“(a) Save as hereinafter provided, no person other than a Chakma, Mogh or a member of any hill tribe indigenous to the Chittagong Hill Tracts, the Lushai Hills, the Arakan Hill Tracts or the state of Tripura may enter or reside within the Chittagong Hill Tracts unless he is in possession of a permit granted by the Deputy Commissioner at his discretion” (S. B. Chaudhury 2003, 252).

The manual was amended in 1920 and a special status was assigned to CHT under the Chittagong Hill Tracts (amendment) Regulation 1920 whereby the district was declared an ‘excluded area’. The Government of India Act, 1935, elevated this special status to ‘totally excluded area’. Schendel argues it as a policy to keep the hill people isolated and

away from rest of Bengal (W. V. Schendel 1996). Schendel termed this as a process of 'enclavement' by which the hill people were repudiated access to power and were suppressed and exploited by the British overlords. Willem Van Schendel argues that the changes in social circumstances of the 'jummas' living in CHT led to change of their group identities (W. V. Schendel 1996). Schendel identifies the hill people as 'Jummas' as they were engaged in jhum cultivation and did not refer to them as 'tribes' because according to him the term 'tribe' homogenizes all into a single category (W. V. Schendel 1996). The colonial attempts to classify, rate and bracket them into different categories had left an impact on the process of identity formation in South Asia (Bal 2002). In the writings of British officials and writers from Bangladesh, these hill people were labeled as 'savages'⁵², 'wild hill tribes', 'primitive' and it gave birth to a very unusual relationship between people in the hills and the plains. The relationship between the hill people and the Bengalis is seen as one of subordinates and guardians, and Bengalis assume the charge to 'uplift' the jummas and bring them into connection with the modern world (W. V. Schendel 1996). They consider the hill people as backward and illiterate and therefore needed to be uplifted and civilized.

Movement of Chakmas from CHT to Tripura during colonial period:

During the colonial period, the settlement and movement of the Chakmas was not confined to the Hills of Chittagong but many had also emigrated from Chittagong hills to the Hills of Tipperah (present day Tripura). Tripura was a princely state until 15th October 1949 when it was merged with the Union of India. During the colonial rule, Tripura was divided into two parts; the hill part was known as 'Hill Tipperah' as called by the British and other part was 'Chakla Roshnabad', under the possession of the Zamindars. Later in 1947, when the Indian subcontinent was partitioned, the zamindari of Chakla Roshnabad became a part of erstwhile East Pakistan. India was left with the hilly Tripura alone. Despite being a princely state, Tripura had an adverse affect of partition particularly in terms of mass population transfers.

⁵² R.H Sneyd Hutchinson in 'Chittagong Hill Tracts' (1909) has mentioned the hill communities who are the aboriginal inhabitants as 'more or less savages.' Alexander Mackenzie in 'The North-East Frontier of India,' Mittal Publication, 1999, p 330 has stated the hill communities 'savages of various clans.'

Tripura under the Manikya dynasty shared a good socio-economic relation with Colonial Bengal. Maharaja Birchandra Manikya was in favor of transferring Tripura into a modern entity for which he maintained a close affinity with the British. Thus in 1871, the first move was taken by appointing an English officer to advise and assist the Raja. However, this post was abolished later. Another reason for Tripura's interest to stay in good terms with colonial Bengal was because the rulers of Tripura wanted to bring the educated Bengalis into the territory of Tripura to run their administration and satisfy British requirements. Thus various educated intelligentsia of colonial Bengal like Rai Umakanta Das Bahadur, Babu Nilamani Das, Rai Bahadur Mohini Mohan Bardhan, Ishan Chandra Gupta were assigned various positions to assist the rulers of Tripura. With the help of this educated intelligentsia from Bengal, Maharaja Bir Chandra Manikya attempted to modernize its administrative system. Thus the educated Bengali people and the members of Royal family of Tripura absorbed all the lucrative posts in Tripura. Not only educated Bengalis but the rulers of Tripura also encouraged the cultivators to immigrate into Tripura from adjoining territories. The rulers offered various incentives, which attracted the cultivators to migrate. The rulers of Tripura encouraged the cultivators mainly for two reasons, "Firstly, they wanted to boost up the revenue of the state by giving out land rights to persons settling in Tripura for farming and to increase the total production of the agricultural products. Secondly, the rulers of Tripura were always inspired by the culture and literature of Bengal and therefore, they always tried to sustain a cultural bridge between the people of Bengal and Tripura" (De 2012). Settled cultivation was encouraged by the rules of Tripura in order to boost economic condition of the state. For this purpose, the farmers from Colonial Bengal were summoned to operate the plains land of Tripura in lieu of rent to be paid to the ruler of Tripura. Those tenants were identified as Ziratia. The Ziratia, were British subjects from colonial India, but they owned land in the independent state of Hill Tipperah. They used to temporarily migrate to Tripura to cultivate during the agricultural season. They arranged for temporary stay by building small huts and produced crops by cultivating plots of land.

Immigration to Tripura was not confined to Bengalis alone but various other communities who were skilled plough cultivators also immigrated in large numbers. One such community was the Manipuris. There was also an exodus of many people belonging to various tribes like Chakma, Moghs, Munda, Garo, Santhal, Khasi, Kurmi, Bodo, Kosta, Kora, Brinijhia, Cavhari, and Oraon (De 2012). Those practicing Jhum cultivation like the Chakmas and Moghs were migrated from the Chittagong Hill Tracts to Hill Tipperah. W.W Hunter states that in 1872, about 400 Chakma people emigrated from the Hills of Chittagong to Tipperah Hills (Hunter 1876). Hunter further claims,

“The reason assigned by the immigrants for changing their place of residence was that they had exhausted all the land fit for jhum cultivation near their former villages, and that they were tempted to Hill Tipperah by the splendid opportunities afforded them for juming” (Hunter 1876, 493).

In Tripura, the Chakma immigrants settled on the upper waters of the Gumti, and the rulers of Tripura considered them as a great gain to Hill Tipperah. As Tripura is known for its vast land for jhum cultivation, which were deserted for many years because of increasing raids carried out by the Lushais and thus the Chakmas would turn the desolate land into highly productive zone and thus boosting the economy of Tripura. Other migrant communities that were engaged in tea plantation were the Santhals, Mundas, Oroans, Kours, Kandas, Binjhia, and Khandaet tribes. All the migrant communities were received by the Government of Tripura and encouraged to cultivate.

It has been noticed that although these communities were attracted by the resources and advantages available in Tripura unlike their places of origin, yet there were other political, economic and social factors which pushed this mass flow of population to Tripura (De 2012). Unavailability of services was a major factor for this exodus as most of the lucrative jobs were occupied by the educated Bengalis and the qualification of the unemployed youths were not sufficient to meet the occupational requirements. Moreover in the economic sector, the poor peasants were under the economic pressure of the moneylenders, landlords, zamindars and the British government. Another push factor was

the thick density of population in the districts of Bengal adjoining Hill Tipperah. De (2012) states,

“The neighboring districts of Colonial Bengal like Tipperah (Comilla), Sylhet, Noakhali and CHT were over populated during the period and that huge population created pressure on the cultivable lands of those territories. Thus, due to that over burden on the land, the people were bound to leave their place of birth and search for a better place for living and Hill Tipperah became an easy target for those land hungry people” (ibid. 4).

Not only immigration but large number of emigration from Hill Tipperah to Chittagong Hill Tracts also occurred. W. W Hunter in his book, A Statistical Account of Bengal referred to the statement made by the Deputy Commissioner of Chittagong Hill Tracts, “in 1869, a yearly emigration took place from Hill Tipperah to the Chittagong Hills; and that the number of Tipperahs within his jurisdiction amounted to some 15,000. According to the census returns there were, however, in 1872, only 8100 Tipperahs in the Chittagong Hill Tracts. In the year 1872-73, upwards of 2500 Tipperahs of Riang class fled from their own country, and took up land on the Myani river, in the Chittagong Hill Tracts” (Hunter 1876). This movement of population from Hill Tipperah to Chittagong Hill Tracts was encouraged by the Deputy Commissioner of Chittagong Hill Tracts in order to increase the number of cultivators and populate the Myani valley. In 1872, there were also reports of Kuki tribes who formerly dwelt in northern part of Hill Tipperah have moved to the Lushai hills but for raids in the hills many had again migrated to Sylhet. It has been noticed that at that period of time movement of population was a common phenomena and it was encouraged by the rulers to populate the sparsely populated area and the migrated people were considered as an important source for cultivation and production and thus improving the economy of the region. Due to constant raids by the Lushais in the vast tract of Jhum land, it lay unoccupied and hence a waste. Therefore, the rulers encouraging the tribes to settle in the hills turned out to be a policy to populate the isolated land.

Post-colonial period:

The movements of population over the irregular, blurred and indistinct borders to the neighboring region was curtailed and checked after partition. Whereas partition was believed to settle differences but it created more differences by dividing people, their lands, their families and also identities. The borders demarcated in 1947, divided the Indian subcontinent into two separate nations of India and Pakistan, making a non-Muslim majority district, the Chittagong Hill Tracts, a part of Pakistan. The Radcliff line dividing India and Pakistan separated families and lands of several communities dwelling by the sides of the newly imposed border, putting them in a state of dilemma either to join India, the country with which they want to be a part of or to join Pakistan of which they were imposed to be a part of. This was both unaccepted and unexpected that came as a blow to the dwellers of CHT who even after pleas to remain in India, was forcefully attached to Pakistan. Despite the fact that CHT is a non-Muslim majority region with 98 percent of Buddhists and few others being Christians and Hindus; were transferred to East Pakistan (K. Singh 2010). The ethnic hill people, a religious minority in a Bengali majority state, were exposed to unparalleled political and religious persecutions at the hands of the new government. Many pleas and efforts were exerted by the Chakmas to transfer CHT to India, several telegrams and letters were written by Sneha Kumar Chakma to Sardar Vallabhbhai Patel. Sneha Kumar Chakma was the General Secretary of the Chittagong Hill Tracts People's Association and Sardar Vallabhbhai Patel was the Chairman of the Advisory Committee on Minorities and Excluded Areas. Sneha Kumar Chakma after being confirmed by Sardar Vallabhbhai Patel that CHT remains undoubtedly a part of India and that Patel stands by the place and its people, Chakma hurries back to inform his people (D. Chakma 2013). And finally following due permission and instructions from the Deputy Commissioner, Col. G.L Hyde, the Indian Tricolor was hoisted at Rangamati, the district headquarter of CHT on August 15, 1947. This demonstrates strong willingness on part of the people of CHT to remain Indians. However, to the shock and surprise of the people of CHT, 'On 18th August, Pakistani soldiers marched into Rangamati, pulled down the Indian flag, and instead placed the star and crescent of Pakistan' (S. B. Chaudhury 2003). This uncovers the sudden and inadvertent nature of partition, with lack of unanimity on the decisions of the leaders.

This had adversely affected the people who were misled by the inconsistent decisions of the officers and leaders. It was bewildering for the Chakma leaders when a Buddhist majority region was transferred to Pakistan. The Radcliff Award created deep and lasting tremor for many that continues even after more than 70 years of partition, still fresh in the collective memories of many and its reverberations are still lived by many. The appeals of the CHT People's Association were rejected on very flimsy grounds. One justification put forward by the leaders of partition was that CHT was far and therefore inaccessible from India. Another argument was an exchange of Calcutta for Chittagong port and hence, by giving Chittagong town to Pakistan compensated the loss of Calcutta as a consequence of partition (K. Singh 2020). Yet another explanation was exchange of Ferozpur district in Punjab, which is a Muslim majority district to India for CHT to Pakistan. The cost of all these bargaining between the newly formed two countries were borne by numerous minority communities on both sides of the border.

After partition, in a new country, the minority hill people fell prey to the new government's assimilationist policies aimed at marginalization of the ethnic minorities in the hills at the hands of the majority Bengali speaking Muslims. These assimilationist policies of the government and processes of amalgamation of people from the plains to the hills resulted in not only demographic changes but also gave rise to fear and insecurities among the hill people. CHT underwent several administrative changes under the government of Pakistan. Till 1956, Pakistan continued to recognize CHT as an Excluded area; a special status conferred by the colonial powers to CHT, this status was later upheld in 1962 (S. B. Chaudhury 2003). The administrative status of CHT was then changed to Tribal area, bringing it under the discretion of the President for any kind of amendment. However, after numerous years of special status in CHT, a protected zone with minimal outside interference, was suddenly lifted in 1964. As a result of which this erstwhile protected area, was left open and emerged as a hub of activities from people living in the plains. These changes not only interrupted the lives of the ethnic hill people economically, socially and politically but also resulted in violent persecutions at the hands of the majority Muslims. The entire hill district of CHT was overrun by the people from mainland Bangladesh as migration from the plains was encouraged by the

government altering the Buddhist majority areas. Now, the Bengali-speaking people constitutes of 99% of the total population of Bangladesh turning the ethnic hill people into a small minority of 1 percent of the total population (S. A.-a. Chakma 1989). Chakma et.al argues the government's assimilationist policies to which the minority ethnic hill people have fell victim to as 'faulty nation building strategies undertaken by past and present governments' (S. A.-a. Chakma 1989). There have been drastic demographic changes in CHT after the people from the plains settling in the hills. According to 1991 census, CHT comprised of 51 percent of indigenous hill people of total population in CHT and the rest 49 percent were the Bengali speaking Muslim settlers from the plain regions of Bangladesh (K.Singh 2010). The government of Pakistan took various measures to integrate the hill people with the Bengali speaking Muslims of the plains. Thus the post-colonial developments of nation state building in addition to the sway of developmental activities made the hill people, minority and alien in their own land. The Kaptai Hydrel dam in the Karnaphuli river came as a development initiative by the government of Pakistan making inroads of huge numbers of Bengali speaking Muslims from plains to the hills. The policy of the government encouraging the non-tribals from the plains into the tribal dominated hill regions was the result of a well-planned policy of the government (Talukdar 1988). This well planned policy was executed through developmental policies like construction of dam and thus conspiring the settlement of Bengali speaking Muslims in the hill district and thus fluster out the tribal hill people from CHT. Not only dams, as part of the developmental policies of the government, other projects like establishing industries; hydroelectric projects and paper mills were carried out. The developmental projects acted as pull factors encouraging the people from the plains to engage in various job opportunities in the hills. Whereas this on the other hand, put the lives of the hill people on stake as the Kaptai Hydrel Project submerged a vast area of land inhabited by the indigenous hill communities including the Chakmas and thereby uprooting many families. A primary objective of the government was to change the economy of the highland by installing dams and industries from a self-sufficient economy to a market oriented economy. The new Bangladesh government formed in 1971 carried these exploitative policies towards the upland and its people forward. In 1971, when East Pakistan was liberated from West Pakistan, the independent

state of Bangladesh followed similar exploitative policies in view of assimilating and homogenizing the hill people with the plains. In protest of these exploitative moves, many leaders of different tribal communities had come forward. The leaders first demonstrated peacefully against the atrocities against them, however, it later turned violent. One such initiative was taken in 1972, by a group of 18 tribal leaders headed by Manabendra Narayan Larma, a member of Legislative Assembly of East Pakistan, who went to meet the first President of Bangladesh, Sheikh Mujibur Rahman in order to set forward and discuss the demands of the tribal population of the Chittagong Hill Tracts (Talukdar 1988). The demands included; a separate autonomous council for CHT with a legislature of its own, constitution of office of Tribal Chief, retention of the Chittagong Hill Tracts Manual, 1900 in the present constitution of Bangladesh and restricting any kind of amendments to the manual and lastly, restricting the entry of non-tribal population into CHT (Talukdar 1988). To the disillusionment of the tribal leaders, none of the demands were accepted and in fact they were rejected with scorn. This attitude of the government highly disappointed the hill people of CHT and generated a deep nationalistic feeling among them. As a result, an underground political party was formed on 16th May 1972 under the banner of 'Communist Party of Rangamati' and the over ground wing was named 'Jana Samhati Samiti' under the leadership of Manabendra Narayan Larma. An armed wing of 'Jana Samhati Samiti' was formed on 7th January, 1973 by the name 'Shanti Bahini (peace force).'

The government for successful implementation of this new endeavor undertook a planned and phased initiative of development. This modernization of the hills was conducted in a phased manner starting in 1953. In 1953, the Karnaphulli paper mill was constructed at Chandragona. The environment had to bear the cost of it as huge numbers of soft wood and bamboos were cut for manufacturing paper. The second phase started in 1959 to 1963 with the construction of hydroelectric projects including the Kaptai Dam with foreign aid extended by USAID and the World Bank (Arens 1997). The most persuasive argument by the government for the hill tracts and its people was that these developmental industries and dams are for larger benefit of the hill people with large amount of energy generation. It was declared that the hydroelectric projects would generate 80,000 kilowatts of energy

covering the entire Chittagong area. However, the reality depicts a complete opposite scenario where majority of the hill people have no access to electricity. As Aren (1997) remarks, “Only one percent of the energy generated by the Kaptai project (which provides only a very small percentage of the total energy consumption in the country) is used in the CHT. Besides most of the indigenous people do not have electricity in their homes” (Arens 1997). Construction of dam and other developmental projects had both direct and indirect impact on the hill people. It had a direct impact on the lives of many Chakmas as well as other hill communities by uprooting and displacing them from their lands. The dam submerged around 40 percent of arable land including 21,853 hectares of agricultural land. These manipulative policies of the government led to ‘progressive alienation of land and resources, and resulted in disempowerment and pauperization of the indigenous peoples’ (K.Singh 2010). It displaced around one lakh people with no measures of rehabilitation and compensation leaving them with no choice but to migrate to India. Around 90 percent of the displaced were Chakmas who were never adequately rehabilitated (K.Singh 2010). Out of the rest of 10 percent, Bengali settlers comprised of 8,000 and a small number of 1000 people belonged to Mogh hills community.

The modernization and development initiatives undertaken by the new government of Pakistan aimed not only at changing the demography of the place but also altering the entire economic system of CHT. The Chakmas and other hill communities were detached from their land. Land not only has economic significance but also holds moral significance, as land is something with which the indigenous hill people identify. Land is not mere piece of earth for them but it provides the source of one’s identity. Land assigns a sense of belonging to a place, land upholds aesthetic values and carries cultural meanings and land also provides livelihood to its people. Jhum or swidden cultivation, the bedrock of ‘jummia’ identity, was strategically attempted to dismantle by the government initiatives. Not only individual families but also community of households practiced Jhum cultivation as it interlinks kinship ties among communities, authority and status (Abul Barkat 2010). Overuse of land by Bengali settlers and construction activities resulted in scarcity of land for the indigenous hill communities. As a result of over use of land, scarcity of land for cultivation affected the jhum cycles, thereby leading to ‘depletion of

soil fertility, loss of forest cover, serious erosion and further increased pressure on the remaining land' (Arens 1997). Hill people, dependent on land for cultivation were forced to obtain means of living like working in the industries, daily wage earners, and made them dependent on the farmers for food who practices settled cultivation. The rehabilitation programme undertaken by the government was biased as it favoured only the displaced Bengali speaking Muslim settlers at the cost of the large number of uprooted indigenous Chakmas (Sopher 1963). This again came as a result of the government's assimilationist policy that the displaced Bengali speaking Muslims were given land and allowed to settle in the hill tracts. Thus, Zaman (1982) observes that in the name of larger 'national interest', the interests of the local inhabitants were terribly compromised (Zaman 1982). It shows how the ethnic minority communities of CHT have been victims of partition and thereafter government policies leaving them in complete alienation of land. They have been the sufferer during the British rule and in the hands of the government of Pakistan and later by the Bangladesh government. The policies undertaken by the governing institutions in CHT have never been for the interest of the indigenous communities but for the benefits of the government itself and the majority Muslims. The post partition developments transpired so detrimental for the indigenous communities of CHT that the policies during the British period appeared less problematic. Gradually, the Chakmas in order to escape the unremitting atrocities to the religious minorities and in search of better alternative ways of livelihood, crossed borders and migrated to different parts in India.

Chakmas in India:

The Chakmas migrated to India during 1964-69 from erstwhile East Pakistan (present day Bangladesh). The Chakmas, during their migration followed two routes to reach India; one through Tripura and the other through Lushai Hills district (present day Mizoram). In few years, the numbers of Chakmas increased from five thousand to fifteen thousand in

Mizo district of Lushai district creating an alarming situation among the Mizos⁵³. The District Commissioner of the Mizo district declared,

*“Chakmas are a mobile community and therefore it is difficult to keep track of the new entrants as Chakmas are present on either side of the border and their fellow brethren on the Indian side always gives them cover. Therefore, the local government of the Lushai district came up with an idea of issuing ‘passes’ to the Chakmas of the Mizo district in order to identify the migrants.”*⁵⁴

As they moved to Assam, the State Government of Assam stated its incapability to accommodate the Chakmas as many new refugees settled already in Assam. Before the Chakmas were settled in NEFA, they were proposed to be sent to Bihar and Dandakaranya, which included parts of Andhra Pradesh, Odisha, Chattisgarh and Telangana. About 139 Chakma refugee families were forcefully resettled in Bihar but within two years all were brought back and resettled in NEFA with others who were already settled in NEFA. A letter No.GA-71/64 date April 10, 1964, Shri Vishnu Sahay, then Governor of Assam, wrote to then Chief Minister of Assam, Shri P.B Chaliha regarding the settlement of Chakma refugees in the Tirap frontier division.⁵⁵ Another letter No.RHM-24/6410 dated April 27, 1964, Shri A.N Kidwai, Chief Secretary, Government of Assam, responded and wrote to the Advisor to the Governor of Assam (who was in charge of NEFA) to make necessary arrangements for settlement of 10,000 Chakma refugees. Again in April 21, vide letter No.RR-17/64, the Advisor to the Governor General of Assam, sought proposals from Political Officers for resettlement of refugees along the Indo-China border to strengthen the frontiers and remonstrate China’s claim over Arunachal Pradesh and its continuous attempt to occupy Arunachal⁵⁶ (ibid). As a result, 2,902 Chakma and Hajong families consisting of 14,888 persons were settled in Changlang (former Tirap), Papum Pare (former Subansiri) and Namsai (former Lohit)

⁵³ Report on migration of Chakmas from East Pakistan to settle in Circle XVII under Demagiri police station in Mizo district.

⁵⁴ Ibid.

districts of Arunachal Pradesh in various batches. The primary drive behind the settlement of Chakmas in the empty lands was to populate and strengthen otherwise deserted border regions. Therefore the lands, which were impenetrable jungles, were cleared by the refugees and converted into agricultural lands. It was only in 1973 that the Chakmas were officially allotted plots from 3 to 5 acres per family. However, they argue that no family was allotted 5 acres of land and who could appease the officials was allotted more land than others.

In the initial years after the settlement of the Chakmas, between 1964-1986, there was no resentment by the locals against the Chakmas. Das et.al argues that this could be due to two reasons; one, NEFA being very sparsely populated; there was enough land for the Chakmas to settle away from the locals. Second, since till 1979, NEFA was kept away from the sphere of elections, the consent of the indigenous people was never taken on the issue of the settlement of the Chakmas (S. K. Chaudhury 2016). The resentment against the settlers was first circulated and most powerfully exercised by the AAPSU (All Arunachal Pradesh Students Union).

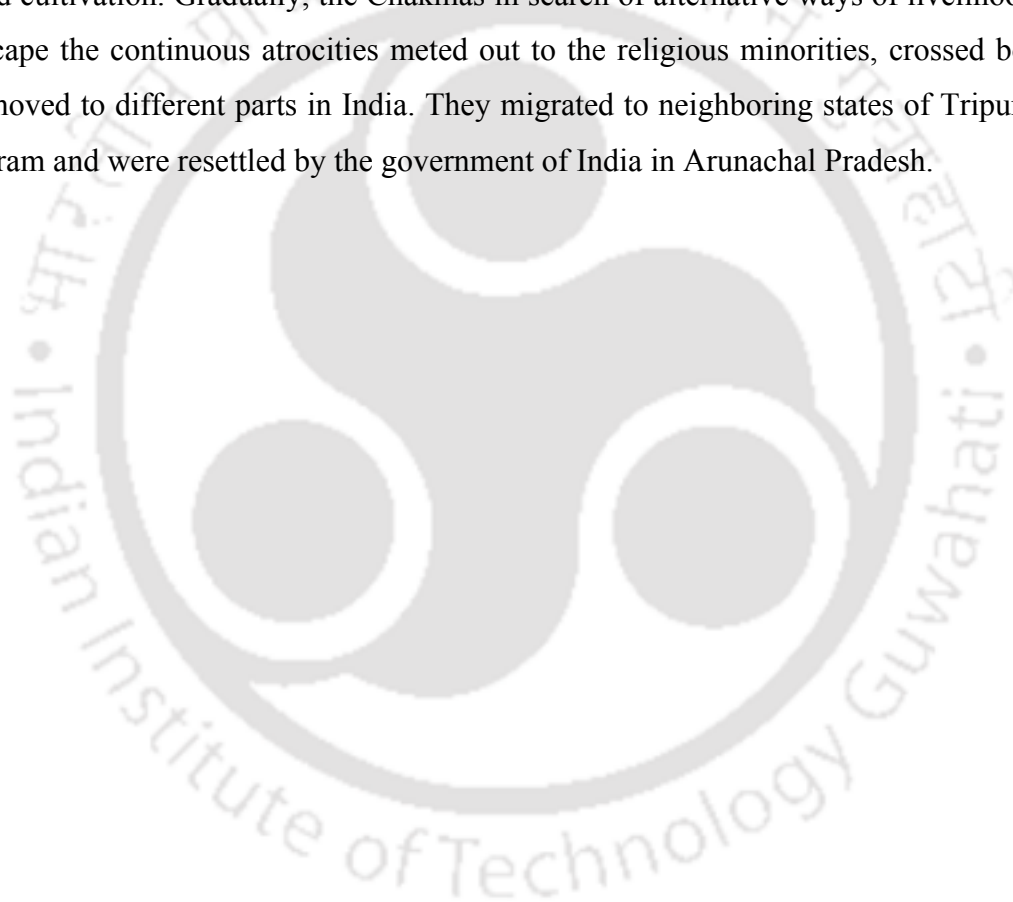
A sudden change in the attitude of the state government and the local population towards the Chakmas was evident in the 80's. In 1980, Chakmas and Hajongs were banned from government services and Chakma and Hajong children from government schools. The ration cards that were given to the Chakmas as refugees were taken away in the 80's. Therefore, Chakmas are now left in a situation where they can neither avail the benefits of refugees nor the benefits of being citizens. Chakmas are denied of even birth certificates, hence no domicile provided. Therefore, they are incapable of applying in any kind of government jobs. They are also not included in the Public Distribution System (PDS), hence no ration card to buy items at subsidized rates. Thus the Chakmas in Arunachal Pradesh are extremely marginalized; deprived of basic social and economic rights, with no legal status, their claims for political status and land rights are curtailed every time; albeit, the fact that the Chakmas in Arunachal Pradesh are residing there from last 6 decades meeting all the requirements to become citizens of India. However, acquiring citizenship is not the ultimate demand of the Chakmas, neither it is the only

ground on which they are being resisted every time by the other Arunachali communities. The larger question is about 'land'; the claim for land rights by the Chakmas on the one hand, and continuous resistance by the local communities of Arunachal who observe land as their indigenous right and see the Chakmas as threat to their Arunachali identity; on the other. Hence, the struggle of the Chakmas has become a part of their everyday politics. There are various claims and counter claims by the Chakmas and the indigenous Arunachali communities with respect to land rights, land use and land distribution which forms the basis of identity for both the communities. These questions would be elaborately addressed in the next chapter, which is extensively on Chakmas in Arunachal Pradesh.

Summary of the chapter:

The chapter began with debates and discussions on creation of post-colonial borders in South Asia. The chapter deals primarily with demarcation of borders after decolonization in Bengal and Assam. The chapter reflects on the debates on the Radcliffe Award and its consequences. Memorandums that were submitted to the Bengal Boundary Commission by various Muslim and non-Muslim organizations are analyzed. Division of the Bengal and Sylhet, integration of Khasi –Jayntia-Garo hills and Lushai hills into Indian union are discussed. The colonial technique of compartmentalization of colonial places has altered not only the demography of the places but also the livelihood patterns, economy and land relations. So the chapter traces the origin of the Chakmas, to and fro movements between Arakan and Chittagong Hill Tracts and the hills of Tripura and finally their migration to India from erstwhile East Pakistan. The rulers of Chittagong Hill Tracts and those of Hill Tipperah shared a cordial relationship when the rulers of Tipperah encouraged the flow of people from Chittagong to cultivate in the empty lands of Tipperah. However, with the intervention of colonial powers, the indigenous ways of livelihood and land relations were altered. After decolonization, the new government of Pakistan and later Bangladesh also followed similar policies of marginalization and alienation of land from the indigenous hill people like the colonial powers. The development projects introduced by the new independent government of Pakistan in CHT aimed not only in changing demography of the place but also changing the economic system from self sufficient agriculture based

economy to market economy. Government efforts were aimed at marginalization of the Chakmas by isolating them from their land with which they identified. The construction of the dam and settlement of the Bengali Muslims made land scarce for the indigenous hill communities. As a result of land scarcity, over use of land for cultivation affected the jhum cycles, thereby leading to ‘depletion of soil fertility, loss of forest cover, serious erosion and further increased pressure on the remaining land’ (Arens 1997). Hill people, dependent on land and agriculture were forced to acquire means of livelihood like daily wage earners, working in the industries, and depend for food on the farmers who practice settled cultivation. Gradually, the Chakmas in search of alternative ways of livelihood and to escape the continuous atrocities meted out to the religious minorities, crossed borders and moved to different parts in India. They migrated to neighboring states of Tripura and Mizoram and were resettled by the government of India in Arunachal Pradesh.



Chapter IV

Claims of the Chakmas: Findings from the Field

Introduction:

This chapter analyses the data collected from the field and other sources like newspapers and government documents. The chapter begins with a historical background of the state of Arunachal Pradesh and the various political developments that led to the evolution of the territory of North East Frontier Agency (NEFA) into the state of Arunachal Pradesh and with it the shifting nature of state's attitude towards the Chakmas. The political developments under NEFA were different than under the state of Arunachal Pradesh, which has a very significant impact on the status of the Chakmas today. The geographical outline of the state and its strategic location, which plays an important role with the dynamics of Chakmas' settlement in Arunachal Pradesh, will also be discussed. This chapter highlights the Chakmas' journey from Chittagong Hill Tracts shelter in different refugee camps and finally landing in NEFA. The Chakmas in Arunachal Pradesh are stateless people, some are considered as legal citizens but they do not have social, economic and political rights.

Therefore, the focus of the chapter is the Chakmas' claims for citizenship, social and economic rights and benefits and construction of identity as negotiation with the state and other ethnic communities of the state. The Chakmas are still demanding their citizenship status even after more than six decades of their migration from Chittagong Hill Tracts (part of then East Pakistan) to India. The various formal demands of citizenship claims put forward by the Chakmas, role of various Chakma organizations, responses of the state will be deliberated and discussed in this chapter.

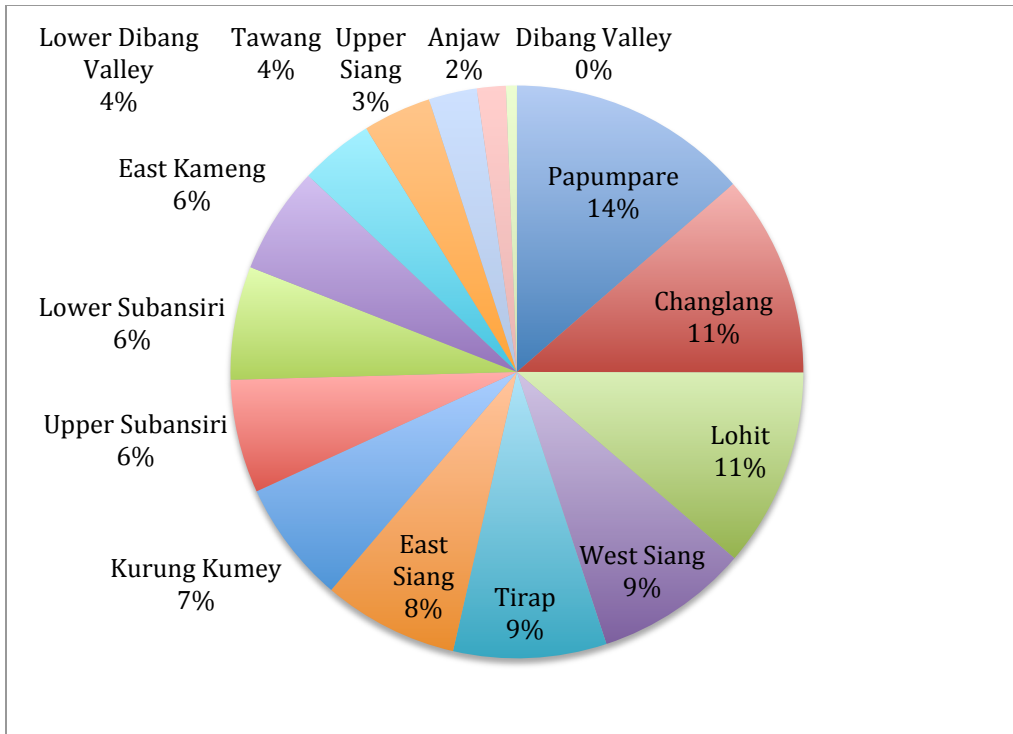
Historical background and evolution of the state of Arunachal Pradesh:

With a total land area of 83,743 square kilometers, the state of Arunachal Pradesh emerges as the largest state among the eight states of northeast India.⁵⁷ Located far east of India, Arunachal Pradesh is known as the 'Land of Rising Sun'. Its location on the northeastern border of India is of strategic importance, as it shares three international boundaries on its three sides. Towards its north is the Khams or Khamsyul states of Tibet separating Arunachal Pradesh by a 700 mile long border known as Macmohan line till 1914, on the west lies Bhutan, towards its south and southeast is the Indian state of Assam and Nagaland and it shares its eastern border with Myanmar with the Patkai range separating the two states (Bose, History of Arunachal Pradesh 1997). Of the total population of 10,91,117, according to 2001 census, 63.7 percent constitutes the indigenous population (K.Singh 2010). The state is divided into eighteen districts; they are; Papumpare, Upper Subansiri, Lower Subansiri, Anjaw, West Kameng, East Kameng, Changlang, Tirap, Lohit, West Siang, East Siang, Kurung Kumey, Dibang Valley, Lower Dibang Valley, Tawang, Upper Siang, Longding and Namsai (Census, 2011).

Figure 4.1: District-wise percentage of population in Arunachal Pradesh

According to 2011, the total population of Arunachal Pradesh is 13,82,611. According to 2001 census, ST population of Arunachal Pradesh is 64.63%.

⁵⁷ See Census of India 2011, Provisional Population Totals, Arunachal Pradesh, Series 13.



Source: *Census of India, 2011 Provisional Population Totals, Arunachal Pradesh, Series 13.*

Note: Two districts were newly formed. Longding district was carved out of South Western part of Tirap district in 2012. Namsai district was created on 25th November 2014, which was earlier, a part of the Lohit district.

The state of Arunachal Pradesh is marked by high level of heterogeneity in terms of its culture, tradition, language, religion, dress, food habits and so on. Before getting the name of Arunachal Pradesh in 1972, it was known as North East Frontier Agency (NEFA). As in the case of the Chittagong Hill Tracts, British applied similar strategies in case of NEFA. In the beginning, the British government proceeded through an indirect type of administration for the hill areas and its people. The British government understood the strategic importance of the Northeast frontier⁵⁸ and therefore in order to

⁵⁸ Northeast Frontier as a term began to emerge when in 1875-76 the British government specified the Inner Line of Lakhimpur and Darrang districts. British subjects could go beyond a certain frontier that was drawn along the foot-hills of the north eastern and south eastern borders of the Brahmaputra valley, inhabited by the hill tribes without a

strengthen its position first constructed police and military outposts. Northeast Frontier, was termed as a 'boundary line' and a 'tract.' When it was termed as a tract, it comprised the entire hill ranges east, north and south of the Assam valley (Brahmaputra valley) as well as the western slopes of the great mountainous system falling between Bengal and independent Burma (Mackenzie 1981). The British then introduced minimum administration keeping the tribal people away from the general administration (Singh 1989). First it intervenes in the plains predicting and portraying themselves as a protector and hence intervening to protect the plains people from the raids of the people of further hills. Therefore, Assam was first taken over from the Ahoms in order to protect from the raids by people from northern hills (K.Singh 2010). Later expeditions into the hills were undertaken in order to transfer them into administrable units, thereby converting the hill tracts into Non Regulation Province of British India under direct regulation of the Deputy Commissioners.

Another significant move in this direction taken by the British in 1873 was the inception of the Inner Line System. Thus the Inner Line System, which is prevalent even today in some of the hill states of India's Northeast, is a brainchild of the British colonizers. The Inner Line passed through many districts of then undivided Assam. In the very beginning, this line started from Kamrup to Goalpara district towards Bhutan; the Darrang district towards the Akas, Bhutias and Daflas; the Lakhimpur district towards the Daflas, Abors, Miris, Mishmis, Singphos, Khamtis, and Nagas and Sibsagar towards the Nagas (Reid 2013). The territories that fell under this Inner Line were treated as the territories of the Outer Line (Singh 1989). The British rule stated that certain classes of British subjects and foreign residents couldn't enter into the territory demarcated by this line without license (K.Singh 2010). It did not end there, another British effort came in the year 1882, when the post of political officer was introduced making Sadiya its headquarter with an attempt to bring the entire region under British administration. However, it should be noted here that initially, the Inner Line Regulation had authorized the Government of India the control for summary legislation of the backward tracts. At that time, the British

pass or license issued by the authorities of the Government. For more details see, Chandrika Singh, *Emergence of Arunachal Pradesh as a State*; Mittal, 1989.

Government did not intent to draw a definite territorial boundary line between the hills and the plains people (Singh 1989). The sole purpose was to prohibit the plains people from entering the into the hill territories without permission of the Government for administrative conveniences of the Government. The British Government followed a ‘no interventionist policy’ until 1912. In 1912, they mapped the area under Arunachal and surveyed during the great Abor Expedition (Singh 1989). It was during the Abor Expedition that the British Government got an idea of the hill areas under the Arunachal, which helped them to split the hills into different political circles for administration. So, the British initiated their effective control over the area by creating political divisions of the area and placing them under different Political Officers. This was how the colonial powers were penetrating into this region (or into Eastern India).

In 1914, the Chief Commissioner proposed “to constitute a new North-Eastern Frontier tract, which will comprise two political charges and at the same time to define a new Frontier Tract in which the Deputy Commissioner of Lakhimpur will exercise jurisdiction” (Singh 1989). Thus the three new charges were known as the Central and Eastern Section, Northeast Frontier Tract and the Western Section (ibid, 81). Consequently, following the new developments, new boundaries were decided on September 1914. Thereupon, the Chief Commissioner by issuing notification prescribed “rules for the administration of justice in the Central and Eastern Sections Northeast Frontier,” adding that “these rules will only be enforced in the areas under loose political control to the extent which may from time to time appear expedient.” (Singh 1989) The primary interest of the British while controlling the hill areas of the Northeast frontier was to win the confidence of the hill people, annex their territories, explore new avenues of trade and establish British outposts in this region (ibid, 82). There were no genuine concerns on the part of the British Government for welfare of this region or its people, hence no efforts were made to either to open schools for the children, or provide assistance in the agricultural sector or any other forms of welfare in the region. In the name of welfare, the British, in order to gain confidence of the tribal hill people, distributed some edible materials and clothes just to ensure that the British are on a good-will mission (Singh 1989). This act of distributing some clothes and basic items like salt,

sugar, rice, kerosene among the hill tribals in order to gain confidence of the hill people did its part as the hill tribals considered this as an act of great benevolence of the British.

To have firm control of the hill tracts by the British Government, the Montague-Chelmsford Report introduced reforms in the hill tracts in 1917. The Report recommended that the hill areas, which are typically backward tracts, should be excluded from the jurisdiction of the Reformed Provincial Government and bring directly under the jurisdiction of the Governor. The Government of India agreed to this recommendation but with slight modification. It further recommended that the excluded areas to be divided into two categories; partially excluded area and wholly excluded area. The wholly excluded areas should be under the control of the Governor and the Governor General-in-Council would govern the partially excluded areas. However, with further reformatations, it was declared in the Government of India Act, 1919 that the Governor General-in-Council shall announce any territory in British India to be backward area under Section 52 A of the Government of India Act, 1919. Thus, the Governor General-in-Council made a declaration on January 3, 1921 whereby the British occupied Garo Hills, Khasi and Jaintia Hills, the Mikir Hills in Sivasagar and Nowgaon districts, the Naga Hills, the North Cachar Hills, the Lushai Hills, the Balipara Frontier Tracts, the Sadiya Frontier Tracts and the Lakhimpur Frontier Tracts as Backward Tracts (Singh 1989). It further declared that the Governor General-in-Council would directly administer these backward tracts. This is how the backward tracts of Assam came under complete control of the British Government thereby excluding it from the jurisdiction of the Indian administration.

Stating the difference between people living in the hill regions and those inhabiting the plains, the Assam Government submitted a memorandum to the Simon Commission affirming that the Backward Tracts should be excluded from the plain areas of Assam. It was also recommended that the hill tribes of the Backward Tracts should be administered by the officers of British origin because “the tribals did not want to be ruled by the Indian officers” (Singh 1989). Following the recommendations made by the Assam Government, the Simon Commission declared exclusion of Backward Tracts from

general administration of Assam. The Commission further divided the Backward Tracts into Excluded and Partially Excluded areas. Finally, the Government of India Act, 1935 on Part 92, clause I of the Act stated, “Notwithstanding anything in this Act, no Act of the Federal Legislature or of the Provincial Legislature, shall apply to an Excluded Area or Partially Excluded Area unless the Governor in giving such a direction with respect to any Act may direct that the Act shall in its application to the area or to any specified part thereof, have effect subject to such exceptions or modifications as he thinks fit.”⁵⁹ The Clause II further mentioned, “The Governor may make regulations for the peace and good Government of any area in a Province which is for the time being an excluded area, or a partially excluded area.”⁶⁰ The Government of India, following the orders of the Government of India Act 1935, passed the Government of India (Excluded and Partially Excluded Areas) Order, 1936 (Singh 1989). This Order specified the areas to be covered under Excluded and Partially Excluded areas thereby notifying that these areas were now under the direct control of the Governor of Assam and excluded from the purview of the Central and State Legislatures. What might be the reason for this separation and exclusion of the hill tracts from the rest of India? Scholars have argued that the British had sinister design to institute separatist tendency in the minds of the tribal people of Assam by keeping them in prolonged separation and isolation (Singh 1989). This created mistrust between hills and plains people.

After India’s independence from the British rulers and after the commencement of the Indian Constitution, the Governor who worked again directly under the President of India administered the Northeast Frontier Tracts. So, there was no Legislative Assembly to make laws in these tracts and the Union Parliament framed it at the Centre. The Frontier tracts of the Northeast India had again undergone a new territorial and administrative change in 1954. These changes were recommended by the Northeast Frontier Areas (Administration Regulation), Act that gave birth to NEFA (Singh 1989). It was only after the passing of this act that NEFA came into being. This 1954 Regulation specified the areas that NEFA would cover and therefore delivered that “The North East Frontier

⁵⁹ See Part 92, Clause I, Government of India Act 1935.

⁶⁰ See Part 92, Clause II, Government of India Act 1935.

Tracts including Balipara Frontier Tract, the Tirap Frontier Tract, the Mishmi Hills District shall be known as the Northeast Frontier Agency. The Balipara Frontier Tract shall be divided into two separate units of administration called the Subansiri Frontier Division and the Kameng Frontier Division” (Bose 1997). Thus, the areas under the North East Frontier Tracts were for the first time consolidated under a single designation called the North East Frontier Agency, popularly known as NEFA. Another development with the birth of NEFA was that a common name as ‘Divisions’ was assigned to all the ‘tracts’, ‘districts’ and ‘frontiers’. Hence, there were six administrative Divisions under the NEFA. Another significant territorial change that was made in 1957 was that the Tuensang Frontier Division was bifurcated from NEFA and added to the Naga Hills under a new administrative unit, known as the Naga Hills Tuensang Area on December 1, 1957 (Singh 1989).

These regions however, could draw the interest and attention for development of neither the British Government nor the Indian Government only until China showed its interest in the region. During the Chinese aggression in 1962, the Republic of China not only claimed a large part of territories of NEFA but also marched ahead and captured till Bomdila. Only then, the Government of India considered the intensity of the matter and the strategic importance of the Northeast Frontier that they began to vacate NEFA as well as the foothills of Assam. As a result of Chinese incursions into parts of NEFA, the Government of India decided to adopt measures that will strengthen the Frontier regions. For the first time economic development of this region was on the list of the Government of India and thus decided to undertake construction works in this region like building roads and bridges and also strengthening its control and presence in the region by installing police and military posts (Singh 1989).

By the North-East Frontier (Administration) Regulation, 1965, the names of administrative Divisions were changed to Districts. Thus, the term district was for the first time used in 1965 with five districts in NEFA; Kameng District, Siang District, Subansiri District, Lohit District and Tirap District. With naming the districts, the administration of this region was brought under the control of the Deputy

Commissioners. Another administrative change by the Administrative Regulation Act 1965 was transferring the administration of NEFA from the Ministry of External Affairs to that of Home Affairs (Bose 1997).

Vast changes in the political as well as territorial aspect of NEFA took place when it was transformed to a Union Territory by the North- Eastern Areas (Reorganisation) Act, 1971. The Union Territory came to be known as Arunachal Pradesh. Thus, Part I, Clause (7) of the Act states,

“On and from the appointed day there shall be formed a new Union Territory, to be known as the Union territory of Arunachal Pradesh, comprising the territories which immediately before that day were comprised in the tribal areas specified in Part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution and known as the North-East Frontier Agency and thereupon the said territories shall cease to form part of the existing State of Assam.”⁶¹

Various provisions were introduced by the Act of 1971, as soon as the status of NEFA was uplifted to a Union Territory. The most important development made was offering one seat in the Lok Sabha and one seat in the Rajya Sabha. So for the first time, representation of people in the Centre was introduced in the region. The North-Eastern Areas (Reorganisation) Act, 1971 converted the Agency Council of Arunachal Pradesh into the Pradesh Council. The Pradesh Council consisted of the members of the Rajya Sabha and the Lok Sabha representing Arunachal Pradesh, all the Vice-Presidents of all Zilla Parishads as well as three more representatives of the Zilla Parishads and three persons to be nominated by the administrator to represent those tribes, which had no representatives in the Zilla Parishads. K.A.A. Raja was appointed as the Chief Commissioner of Arunachal Pradesh who was also the Chairman of the Pradesh Council with all the powers to summon, preside, adjourn and prorogue the Council.

⁶¹ See The North-Eastern Areas (Reorganisation) Act, 1971.

In 1980, for the first time, election was held on the basis of universal adult franchise. This was the first general election in Arunachal Pradesh in order to compose the Legislative Assembly. It becomes evident from here that, till 1980, the people of Arunachal Pradesh were not familiar with political party system, political representation, and political activities and therefore political consciousness was lacking in them. Although there was the Pradesh Council, yet its membership was not based on universal adult suffrage. Gradually, the political scenario of Arunachal Pradesh began to change. The first general election for the formation of the Legislative Assembly of Arunachal Pradesh during its tenure of Union Territory was held on January 3, 1980 (Singh 1989). From the very beginning, the Indian National Congress had its branch in Arunachal Pradesh. Along with Indira Gandhi's Indian National Congress, a local political party also emerged at that time. Both the parties participated in the election campaign with full might and strength. Both the parties secured equal number of seats. Later, with defection of Gegong Apang from People's Party of Arunachal to Congress (I) resulted in formation of government by Congress (I) under the Chief Ministership of Gegong Apang. In the next general election in 1985, along with Congress (I) and the People's Party of Arunachal Pradesh, the Bharatiya Janata Party (BJP) was also seen showing interest for the first time in the state's election and therefore appointed few candidates in some of the constituencies in the state. In this election Congress (I) won more than majority i.e. 21 seats and hence Gegong Apang as the Chief Minister again formed the government. The new government formed, adopted various measures for the all-inclusive development of the state and to ensure well-being of the people. This second opportunity was taken to its fullest effort by Apang to win the hearts of the people by changing their fate. So many development plans were undertaken like construction of new roads, building new schools and colleges, expansion of towns, upgrading the postal and communication services, and the general improvement of the district administration and Panchayats. The number of Panchayat and Anchal Samitis were increased and more funds were delivered to the local level for its smooth functioning. It ensured delegation of more power to the local level. Thus development in every aspect like economic, social, political and educational sector gradually altered the entire profile of the state along with political and social attitudes of the people. The emergence of democratic institutions and development of democratic

processes created among them a sense of political participation and common responsibility, which they had never experienced before (Singh 1989). This gave rise to a sense of collective responsibility among the people of Arunachal Pradesh. As the people of Arunachal Pradesh were rapidly marching towards political and economic growth, they also felt the necessity of a full-fledged state under the Indian Government. The need of a full-fledged state was also felt because Arunachal Pradesh had everything that requires qualifying for a state; there were political parties, a State Legislative Assembly, Council of Ministers and also a High Court with other states of Northeast in Guwahati. Thus, after a series of discussions and debates in both the houses of the Parliament, and after final assent by the President of India, Arunachal Pradesh emerged as twenty-fourth state of the Indian Republic (Singh 1989).

This is also the time when state government of Arunachal Pradesh along with the student organization, AAPSU started raising its voice against the alleged foreigners for its deportation from the state. Even after various administrative and political developments which resulted in the formation of the present state of Arunachal Pradesh, the laws, rules and regulations which were applicable during the British period continued to be in use even today.⁶² These rules and regulations forbid settlement of Indian citizens let alone refugees in certain ‘partially excluded’ areas. However, the Chakmas were, with full assistance and support were settled in those ‘partially excluded’ areas. The strategic location of NEFA and this ethno-religious composition had a lot to do with the settlement of Chakmas in NEFA (Chaudhury 2016).

Background to the question of resettlement of the Chakmas in NEFA (1964-74)

The total population of Chakmas in Arunachal Pradesh is a controversial figure as different sources claims different numbers.⁶³ Not only Chakmas but also around 1,40,000 people belonging to minority religion, Hindus, Buddhists and Christians entered

⁶² See White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996, p.3

⁶³ The 2011 Census mentions the total population of Chakmas in Arunachal Pradesh is 45000 whereas the 105th Rajya Sabha Report of the Committee of Petitions mentions it to be around 65,000.

undivided Assam from East Pakistan from 1964-1969. As discussed in the previous section, after India became independent, Arunachal Pradesh was under direct control of the Central Government through the Governor of Assam. And this facilitated for smooth and easy settlement of the Chakmas in NEFA. Due to Assam Government's inability to accommodate this large number of refugees, around 15,000 Chakmas and Hajongs were sent to then NEFA (now Arunachal Pradesh) by the Government of Assam in consultation with the administration of NEFA.⁶⁴ The Government of India also endorsed rehabilitation assistance of Rs. 4,200 per family to Chakmas and Hajongs.⁶⁵

The Chakmas migrated during 1964-69 from erstwhile East Pakistan (present day Bangladesh) to India, with full support and security by the government of India. On April 10, 1964 Shri Vishnu Sahay, Governor, Assam in the letter No. GA-71/64 to Shri B.P Chaliha, then Chief Minister, Assam suggesting Tirap Division of NEFA for settlement of Chakma to avoid likely trouble between the Mizos and the Chakmas. In response, vide letter No. RHM-24/6410 dater April 27, 1964, Shri A.N Kidwai, Chief Secretary, Government of Assam, had written to the Advisor to the Governor of Assam (who was in-charge of NEFA) to make necessary arrangements for settlement of 10,000 Chakma refugees. Then, Utanga Moni Chakma, who was then posted as a Political Officer in Pasight, in a letter dated May 26, 1964, informed his superior officers about the willingness of the local headman of Miao-Vijoyagar valley to accommodate the Chakmas. Vide letter no. RR-17/64 dated April 21, 1965, Advisor to the Governor of Assam formally sought proposals to the Political Officers for resettlement of people in the vacant areas along the India-China border in order to strengthen the frontiers. It is in this context that 2,902 Chakma families comprising 14,888 persons were given settlement in Changlang (formerly Tirap), Namsai (formerly Lohit) and Papumpare (formerly Subansiri) districts of Arunachal Pradesh in different batches. However, there is incongruity of numbers as the records furnished by the Ministry of Home Affairs reveals that the Government of India had approved a scheme for settlement of about

⁶⁴ For details see the 105th Rajya Sabha Report of the Committee of Petitions, and the 7th Report on Committee on Petitions (Tenth Lok Sabha).

⁶⁵ Ibid. p.13.

3,000 Chakma and Hajong families in Arunachal Pradesh. According to the Government of Arunachal Pradesh, about 4012 families of Chakma and Hajong were settled in the state. These people were resettled in the large tracts of vacant land where they could be accommodated without affecting the interests and livelihood of the local people. Each family was allotted up to five acres of land, which were virgin jungles.⁶⁶ The 7th Report of Committee on Petitions of Tenth Lok Sabha, clearly stated that the refugees were settled in empty jungles, which were made conducive for habitation by the refugees themselves. As Ranjan Chakma (name changed) expressed,

“When we first came here, this place was all jungles. The jungle was so dense and the trees were so tall that it was almost impossible to see the sky. This place was not at all habitable. We have put a lot of hard labour to make this place habitable by clearing the jungles. Had we not been here, its only animals would have lived here, not humans. So it is total nonsense when the locals now claim that we have trespassed into their land.”⁶⁷

There were two routes that the Chakmas followed to reach India. One via the Lushai hills (present day Mizoram) and the other via Tripura.

Through Lushai Hills (now Mizoram):

The present state of Mizoram was known as Lushai Hills during the British period. The British for the first time annexed the Lushai Hills in 1890 under the supervision of a British Superintendent. However, by the Indian Act of 1935, Lushai Hills was declared as an ‘excluded area’ thereby restricting entry and activities by ‘outsiders’ in the region. Again the Hill district was assigned an autonomous district status under the Sixth Schedule of the Constitution of India. Later in 1954, by an Act of Parliament, the Lushai Hills District (Change of Name Act), 1954, the Hill district was rechristened as Mizo

⁶⁶ See the 7th Report of Committee on Petitions (Tenth Lok Sabha).

⁶⁷ Ranjan Chakma, interviewed at Dumpather village, Diyun Circle, Changlang District, Arunachal Pradesh, 30 July 2017.

district. In 1972, the district of Lushai hill was upgraded to a Union Territory. And finally in 1986, Mizoram became a full-fledged state.

Three districts of Mizoram; Aizawl, Lunglei and Chhimituipui shares contiguous borders with Bangladesh. The Chittagong Hill Tracts and the Lushai hills are contiguous areas and the Chakmas are found on both the places. The two hills were separated by the Radcliff line thereby leading to division of territory, people and their identities. The contiguous borders between Chittagong Hill Tracts and Lushai Hills, offered a gateway to India for many minority communities of East Pakistan escaping persecution. Similarly, the Chakmas took two routes to reach India. One through the Lushai Hills (present day Mizoram) and the other through the state of Tripura.

The journey from the Chittagong Hills Tracts to the Lushai Hills began in the month of March in 1964. After entering the Lushai hills, the first place they reached was Demagiri (a place bordering Bangladesh and India). The whole passage from their native villages in CHT to Demagiri was undertaken by foot by the refugees. Demagiri was the place of association of all the incoming Chakmas where they had their first camp. Demagiri is also the place where the Chakmas were registered and provided a document of registration. A total number of nineteen camps were erected by the government for the Chakmas at a distance of every five to six miles. The refugees were held at Demagiri for about a month and after registration, the refugees were sent towards Aizawl and from there in batches to the next camp. At the Demagiri outpost, few Chakma persons were assigned the task of leading the batches.⁶⁸ Chakma youths were engaged in building the refugee camps for which they were paid meager amounts. The entire process of registration was maintained by *Kusum Kanti Chakma* in the Khante Base Camp. He had to maintain a record of the total numbers of population according to which ration and other basic amenities were allotted. *Kusum Kanti Chakma* stayed back at Demagiri for maintaining the register and later he joined the government services in then NEFA.

⁶⁸ Sunil Chakma interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

Another leader who led the groups of Chakmas was *Shisir Kanti Dewan* and an associate of *Shishir Kanti Dewan* was Kripadhar Karbari. K. Karbari is believed to be the oldest surviving Chakma in Arunachal Pradesh who came from then East Pakistan. Other leaders who were associated are Shisir Kanti Dewan were Sumoti Ranjan Talukdar and Sanjay Chakma.

The Chakmas deny the identity of ‘illegal immigrants’ because they didn’t cross the border illegally but with full Indian government’s support and security. With security personnel at the front as well as at the back of each batch, the groups of Chakmas were assured of safeguard against the probable turbulences caused by groups like Mizo National Front (MNF). As Sunil Chakma (name changed) narrates,

*“We walked all the way and this MNF used to throw stones from the hills at us. When the stones roll down, it blocks all the roads. In order to avoid all these, the government provided security for us. We had to walk for five to seven kilometers per day. From Demagiri to the next point, we had to walk 7 km and we had to walk slow as there were infants and women with us. The camp at the next point was created according to the number of people supposed to arrive at the camp. After a night halt at one camp, the next camp was exactly same distance away. In that way we walked for eighteen days and were in twenty-one camps. The last was the Khante camp.”*⁶⁹

Kripadhan Karbari, one of the leaders of the refugee groups, narrated his journey from across the border,

“ We were the 16th batch when we started our journey from Demagiri on 2th May 1964. First batch consisted of 800 people, next batch was of around 1000 people and so on. We got the news of death of Pt. Jawaharlal Nehru in the middle of our journey. We walked to Aizawl. Jeeps were provided for ill, week and old

⁶⁹ Sunil Chakma interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

*people. From Aizawl we moved to Khanti Base Camp. All were provided registration certificate in the Khante Base camp.”*⁷⁰

The groups of Chakmas were issued ‘Refugee Registration Certificate’ at *Khante* base camp. At the camps, they were provided with ration and other basic amenities, like food, utensils, medicines, cloths and so on. The next stop from *Khante* camp was at Aizawl. From Aizawl they were loaded in trucks and brought to Cachar district (Assam), Patharkandi division. At Patharkandi subdivision, two camps were created, ‘Dolai camp’ and ‘Bagai camp’. From there, they were carried by trucks to Badarpur. From there, one group was sent by boarding the train to Ledo in Lakhimpur district, Assam and the other group was sent to Subansiri district in Arunachal Pradesh. The Ledo camp existed for about six months until the Chakmas from Monacherra Camp, Chargolla Camp and Silkuri Camp of Cachar district arrived and regrouped. And finally the journey that started in the early months of the year ended at Miao transit camp in the month of December. The Ledo Refugee Camp was a base camp for all the Chakma refugees except for the Subansiri Chakma refugees. From here majority of the Chakmas were transported to Miao Refugee Camp in Tirap district and rest were sent to Chowkham in Lohit district.⁷¹

Through Tripura:

Another route followed by the Chakma refugees to reach India was via Tripura. They arrived in three groups; there were around 400 persons in the first group and they were among the first people who landed in NEFA. They began their journey from CHT, from there through the India-Bangladesh border landed in Govind Bazar in Tripura. In Tripura, the first refugee camp that the Chakmas entered was the Munu camp from where through Darmanagar landed in Badarpur in Assam. The next stop in Assam was Margherita and from there they were directly transported to Miao camp in NEFA. The next group was a large group consisting of around 1500 persons. This group was split onto two and one

⁷⁰ Kripadhan Karbari interviewed at Shantipur village, Diyun circle, Changlang district, Arunachal Pradesh, 29 December 2016.

⁷¹ Kripadhan Karbari interviewed at Shantipur village, Diyun circle, Changlang district, Arunachal Pradesh, 29 December 2016.

group was sent to Bihar and the other to NEFA. In Bihar, the refugees were put up in two refugee camps; the Bitya camp and the Punya camp.⁷² However, these groups of people later returned to NEFA due to difficulty in adjustment as the climate, food and habitation was not conducive to the Chakmas. As Jotin Chakma (name changed) laments,

*“Our group was sent to Bihar. I lived in Bihar for a year and a half. We faced many difficulties there. The weather was very different there; very hot, food habit was different and also we did not look like them. We could adjust in that totally alien place. So, later government brought all of us to Changlang district, Arunachal Pradesh.”*⁷³

The other group was sent to the Ledo camp in Lakhimpur district in Assam and subsequently resettled in NEFA in the month of December in 1964. The first batch from Tripura to NEFA was led by Kantamuni Chakma and Sulomuni Chakma. Before the arrival of the Chakmas, a resettlement drive of the Government of India was already issued. This is evident from the letter No. PC 13/64 dated 13.02.1964, the Secretary, P&D directed the Director of forests and Ex-Officio Resettlement Officer to prepare a list of thousand families of Koch, Garos and Hajongs for rehabilitation in the Miao-Vijaynagar area. After the then Deputy Commissioner of Pasighat, Udanga Muni Chakma, came to know about the resettlement plan, he thought this would be a good opportunity to resettle the Chakma refugees who have already reached India and are taking refuge in different refugee camps. For this purpose, U. Chakma sent a telegram to the Chakma leader from CHT, Sneha Kumar Chakma who was at that time in Tripura, to come and meet him at the Dibrugarh Circuit House, Assam.⁷⁴ Sneha Kumar Chakma again sent a telegram to Prannath Chakma in Tinsukia, Assam asking the whereabouts of the Chakma refugees from Tripura. Thus, in the month of April 1964, three of them, U

⁷² Sunil Chakma interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

⁷³ Jotin Chakma interviewed at Jyosnapur village, Diyun circle, Changlang district, Arunachal Pradesh, 7 January 2017.

⁷⁴ Prana Nath Chakma, interviewed at Amingaon, Guwahati, Assam, 11 August, 2018. He also played an active part along with U. Chakma and Sneha Kumar Chakma in transferring the Chakma refugees from Tripura through Assam to NEFA.

Chakma, Sneha Kumar Chakma and Prannath Chakma met at the Dibrugarh Circuit House. They discussed about the Government's plan to rehabilitate hundreds of people in the Tirap division of NEFA. U Chakma then asked if Sneha Kumar Chakma could bring Chakma refugees to resettle in NEFA because U Chakma had already promised Col. P. N Luthra, then Adviser of NEFA to the Governor of Assam. Another reason that it was believed to be suitable to transfer Chakma people to empty lands in NEFA because Chakmas' belong to same religious groups as the local people of Tirap division and so there would be less chances of clash between the two groups. So the first batch of refugees sent by Sneha Kumar Chakma consisted of 44 families. There were two political groups in Tripura and the refugees were also divided between the two. One was led by the Congress Party leader, Ghanashyam Dewan who was an MLA of Congress and the other group was led by Sneha Kumar Chakma, who was a leader of a Tribal group. The Congress Government of Tripura decided to transfer all the Chakma refugees to Bihar. And as Ghanashyam Dewan was a Congress leader, he had to follow the government orders. But Sneha Kumar Chakma vehemently opposed this on the ground that the climate and vegetation of Bihar would not be conducive to the Chakmas. So he insisted on sending the refugees to NEFA. At this moment, the Government of Tripura came up with plan to distribute ration and some cash to those who agreed to go to Dandakaranya⁷⁵ and not to those who decides to go to NEFA. Therefore with the immediate facilities set by the administration, maximum numbers of families, around 200 families decided to go to Bihar. And the rest, 44 families refusing to follow the Government of Tripura's orders got into a train in order to go to NEFA. However, due to unavailability of confirmed tickets, the refugees were held guilty in Badarpur, Karimganj district of Assam and issued fine by the TT. Due to inability on the part of the refugees to pay the fines, they were sent to jail in Nagaon district, Assam. It was here that Prannath Chakma played an instrumental role in making all the arrangements from buying tickets for the refugees and transferring them to NEFA via Margherita, Assam. They were first taken to Namphai

⁷⁵ Dandakaranya extends over an area of about 35,600 square miles and it includes parts of Chhattisgarh, Telangana, Andhra Pradesh and Orissa states.

area, where they were kept for more than six months and later shifted to Miao refugee camp. And by the end of 1964, they were resettled in the 'Deban Area.'⁷⁶

It is noteworthy that the Chakma refugees entered India with an intention to settle in Mizoram and Tripura where their brethren already inhabited from pre-colonial times, but not in Arunachal Pradesh. Transferring the Chakma refugees from Tripura and Mizoram to NEFA was a decision of the Government of India on showing disinterest by the Government of Tripura for resettlement of refugees in their state. Thus the Government of India deliberated over a scheme to rehabilitate these displaced people in the sparsely populated regions of NEFA 'considering the fact that by providing them shelter, a section of these Chakmas could be utilized in the near future by the Indian military and intelligence agencies to monitor and contain, if not control, insurgency in the area (Chaudhury 2016, 135). Also the fact cannot be ignored that just two year back in 1962, the scars left by the Chinese incursions into India was still afresh.

Resettlement and rehabilitation of Chakmas in NEFA:

The first settlement was carried out by the central government in 1966. Three settlement blocks were created. First is the Khagam⁷⁷ Settlement Block. This block is known as 'Community Development' (CD) block. Under this block, originally six villages were created. The villages are; Block 1- Moitripur, Block 2- Gautampur, Block 3- Shantipur, Block 4- Jyotipur, Block 5- Avoipur, Block 6- Dumpani. The second settlement was 'Deban Settlement' under which eight villages were formed. They are namely; Mpen I&II, Punyabhumi, Pakhan, Kamalapuri, Nandakanon, Anandapur, Bodhisatta I & II and Brazapur. Third settlement was 'Namdapha settlement'. At that time, people did not settle at the Namdapha settlement because of its remoteness, inaccessibility and lack of basic amenities like medical facilities and educational institutions. Infertility of land was another reason for the Chakmas to move from those areas. One of my respondents also lamented that many people also died due to unavailability of food and other basic

⁷⁶ Prana Nath Chakma, interviewed at Amingaon, Guwahati, Assam, 11 August 2018.

⁷⁷ Khagam settlement is named after a person who agreed for settlement of Chakmas in this land to the administration.

amenities. Also due to dense forests, Deban and Namdapha area were habitat of wild animals like elephants and tigers, which created fear and tense like situation among the people living there. Therefore, many among those who were settled in those remote areas by the resettlement program of the government, later came down to other places like the Khagam settlement under Miao circle (now under Diyun circle), Dharmapur under Miao circle, Bijaypur under Bordumsa circle; Milanpur, Ratnapur and Golokpur under Kharsang circle. Each Chakma family was allotted upto 5 acres of land, depending on the size of the family.

In Lohit (now Namsai) district, the Chakmas were directly transported from Ledo Refugee Camp. They were settled in three settlement blocks under Chongkham circle. They were namely; Chakma Basti I, II and III. In the settlement of the Chakmas in this district, three persons played an instrumental role; the Khamti Chief who was then Member of Parliament (MP), Shri C.K Gohain and a Buddhist monk Ven. Raj Guru Bhante.⁷⁸

In Subansiri (now Papumpare) district, the Chakma refugees were brought from Cachar district of Assam. They were transported from different camps in the Cachar district; namely, Chorgola, Monachera, and Silkuri camps. This group of Chakma refugees arrived from CHT through Lushai hills following the route from Demagiri to Aizawl and then to Cachar district in Assam. They were then resettled in the Kokila area of Subansiri district in ten settlement blocks; namely, Block no. I, II, III, IV, V, VI, VII, VIII, IX and X. But over the years, due to various reasons many Chakmas migrated from this region to Changlang district as a result of which two of the blocks, IV and VII do not exist anymore.

It has to be mentioned that in the state of Arunachal Pradesh, not only the Chakmas but other communities like Hajongs, Deoris, Ahoms and Bhutias were also resettled by the

⁷⁸ Interview with Prana Nath Chakma at Amingaon, Guwahati, Assam, 11 August 2018. He had witnessed migration of Chakma refugees and also played an important role in the transfer of Chakma refugees from Tripura to NEFA, during the time of his service in Indian railways in Tinsukia, Assam.

government of India. All these communities along with the Chakmas were resettled again under the Rehabilitation and Resettlement scheme of 1979 after the Chakmas had lost their lands to flood and erosion. A committee was created in 1979 in order to resettle Chakmas, Hajongs, Deoris, Ahoms and Bhutias. The committee comprised of the Deputy Commissioner of the district, who was the chairman of the committee with eight members being the District Agricultural Officer, Divisional Manager of Forest Corporation of Miao, Asst. Engineer of Rural Works Sub-Division, Miao, Extra Asst. Commissioner, Miao, Shri Tingwanong, Member, Anchal Samiti, Miao, Shri Muntit Khimhun, Vice- President, Anchal Samiti, Miao, Shri J.C. Deori, Member, Anchal Samiti, Sompoi village, and Chowtang Gam, brother of then GB of Innao.

It was only in 1973 that the Chakmas were officially allotted plots from 3 to 5 acres per family. However, they argue that there was no equal distribution of land. What amount of land to be allotted was also based on the amount of forest that a family could clear and make it habitable. Thus, clearing and cleaning the forest was totally the responsibility of the Chakma settlers who had to make the forestland conducive to live in. It should be mentioned that not all the Chakma refugees were settled or allotted land for settlement. There were many who remained landless. Amount of land to be allotted to a family was also depended on rapports that one shared with the officials. This ascertains that the process of land allotment was not a smooth and a fair process, which benefited some with as much as 5 acres of land per family and some remaining just landless.

Settlement not in camps:

After the arrival of the Chakmas in then NEFA and for few years until it became a full-fledged state, they were treated at par the other local communities in the state. As has been discussed above, the Chakmas, after transferring from one refugee camp to another, were finally rehabilitated in then NEFA by Union Government of India with assistance from the local administration. The Chakma people were allotted plots of land to settle. It has to be mentioned here that these settlement blocks were not '*refugee camps*' as has been defined by the United Nations High Commissioner for Refugees (UNHCR). The UNHCR defines a refugee camp as "a refugee camp is intended as a temporary

accommodation for people who have been forced to flee their home because of violence and persecution. They are constructed while crises unfold for people fleeing for their lives. These hastily built shelters provide immediate protection and safety for the. Camps allow UNHCR to deliver lifesaving aid like food, water and medical attention during an emergency (UNHCR).”Agamben in his work on Nazi concentration camps have described camp as a space where most absolute inhuman condition is realized, a space with restricted or no mobilization and deprivation of rights and where questions of citizenship and individual rights are overruled (Agamben 2000). Similarly exploring everyday lives in camps through social, political and spatial lenses Sigona studying Roma refugees based in camps in Italy drew narratives of wretched livelihoods within confined spaces (Sigona 2015). On the contrary to the above explanation of refugee camps, the Chakma refugees were relocated in vast area of empty lands allotting five acres of land to each families. These lands were covered with dense forest and the Chakmas cleared them to make it habitable. Apart from clearing the forests, Chakmas also had all the rights to process these lands and cultivate for livelihood. Having said that, Chakmas were given not only lands to settle but also other social and economic benefits to lead a dignified life. As Subimal Chakma remarked:

“Before the anti-foreigners agitation against the Chakmas that started from late 70’s, we never had any problem. In fact we were showered with all benefits that other Arunachali communities have like government jobs, ration cards, trade license and students also used to get education stipends.”⁷⁹

Not only that, Chakmas was also recruited in government services including defense services. This leaves a very ambiguous conduct of the state towards the Chakmas. Where on the one hand Chakmas are called by the state as “not nationalist and

⁷⁹ Subimal Bikash Chakma, President, CCRCAP, interviewed at Avoipur village, Diyun circle, Changlang district, 14 August 2017. He is the President of CCRCAP from 1991 to present.

therefore a security risk.”⁸⁰ On the other hand the Chakmas were considered as the protector of the nation. This duality in the state’s attitude towards the Chakmas trapped them in a veil where they are neither fully refugees nor fully citizens.

Why NEFA?

As the Chakmas moved to Assam, the State Government of Assam expressed its incapability to accommodate the Chakmas due to its already existing refugee problems. A letter No.GA-71/64 date April 10, 1964, Shri Vishnu Sahay, then Governor of Assam, wrote to Shri P.B Chaliha, then Chief Minister of Assam regarding the settlement of Chakma refugees in the Tirap frontier division. Another letter No.RHM-24/6410 dated April 27, 1964, Shri A.N Kidwai, Chief Secretary, Government of Assam, responded and wrote to the Advisor to the Governor of Assam (who was in charge of NEFA) to make necessary arrangements for settlement of 10,000 Chakma refugees. Again in April 21, vide letter No.RR-17/64, the Advisor to the Governor General of Assam, sought proposals from Political Officers for resettlement of refugees along the Indo-China border to strengthen the frontiers and remonstrate China’s claim over Arunachal Pradesh and its continuous attempt to occupy Arunachal. As a result, 2,902 Chakma and Hajong families consisting of 14,888 persons were settled in Changlang (former Tirap), Papum Pare (former Subansiri) and Namsai (former Lohit) districts of Arunachal Pradesh in various batches. In NEFA, Chakmas were landed at Miao. However, the Miao camp was not supposed to be a long lasting one as the refugees were soon asked to search for habitation. The primary drive behind the settlement of Chakmas in the empty lands was to populate and strengthen otherwise deserted border regions. Therefore the lands, which were impenetrable jungles, were cleared by the refugees and converted into habitable and agricultural lands.⁸¹

⁸⁰ See the White paper for details, p. 81.

⁸¹ Kripadhan Karbari interviewed at Shantipur village, Diyun circle, Changlang district, Arunachal Pradesh, 29 December 2016.

Chakmas' Citizenship Movement:

Claims for citizenship (1975-1985):

It was People's Party of Arunachal (PPA) which first raised the Chakma issue in the first popular elections to the Agency Council in 1975 (Singh 2010). The primary concern raised by People's Party of Arunachal was concerning granting of citizenship and voting rights to the Chakmas. Although not in a very organized way, Chakmas made claims for citizenship from late 1970's onwards. The Chakmas initiated the first delegation for Citizenship in 1975. For the first time the delegation was put forward by three persons, K.Karbari, Kusum Kanti Chakma, and as a student representative, Nitya Ranjan Talukdar. K.Karbari, Sishir Kumar Dewan, Sonaram Talukadar and Kusum Kanti Chakma led the second delegation that went to Delhi for the claim of citizenship. Anil Chakma, Pritimoy Chakma, and Purnendu Chakma led the third delegation.⁸²

In the initial years after the settlement of the Chakmas, between 1964-1979, there was no resentment by the locals against the Chakmas. This could be due to two reasons; one, NEFA being very sparsely populated; there was enough land for the Chakmas to settle away from the locals. Second, since till 1979, NEFA was kept away from the sphere of elections, the consent of the indigenous people was never taken on the issue of the settlement of the Chakmas (Chaudhury 2016). Immediately after NEFA became a Union Territory and later a full-fledged state, the process of withdrawal of rights of the Chakmas began.⁸³ The resentment against the settlers was first circulated and most powerfully exercised by the All Arunachal Pradesh Students Union (AAPSU), a significant student-led pressure group. And since then, very systematically and in a consistent way, AAPSU has been resisting the settlement and granting citizenship to Chakmas in Arunachal Pradesh. The counter claims and resistances from the state of Arunachal Pradesh and AAPSU will be discussed in detail in the next chapter.

⁸² Sunil Chakma (name changed) interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

⁸³ Mahendra Chakma, An Open Letter to the Home Minister, Rajnath Singh, regarding granting of so-called Citizenship to Chakma and Hajong tribes of Arunachal Pradesh, 21 September 2017, p.4

The Chakmas were allotted agricultural land by the Ministry of Rehabilitation (later merged with Ministry of Home Affairs), sanctioned cash grants and free rations as rehabilitation assistance.⁸⁴ The educated Chakma youths were absorbed in services in various government departments, including defence and security agencies of the Union and the NEFA administration. Until 1980, Chakma students received stipends, book grants and so on. The government also issued trade licenses to the Chakmas. Some Chakma people who were in government services and living in urban areas were also enrolled as voters and exercised their adult suffrage during 1978 elections to the Union Territory Legislative Assembly. Subimal Bikash Chakma, the President of CCRCAP reflects,

“Since the Chakmas enjoyed amenities almost at par with the native communities, the then Chakma leaders did not feel the need for citizenship.”⁸⁵

This implies the Chakmas never encountered questions about ‘citizenship,’ ‘statelessness,’ ‘refugee,’ or ‘illegal immigrant’ until they were retracted of the entire social and economic benefits thereby questioning their identity and political status. Every facility previously enjoyed by them was gradually withdrawn and with Arunachal Pradesh becoming a full-fledged state in February 1987, discrimination towards the Chakmas increased. Minoti Chakma (name changed) brushed her memories and rather poignantly described the relationship between Chakma students and the ‘tribal students’ and how she felt unwanted as a student:

“We were not allowed to participate in school week programs. The tribal boys used to attack Chakma boys and the tribal boys also had good relation with the teachers. During my school, one incident I have noticed is that, a group of Chakma boys were locked up in a room and bitten by tribal boys. It also occurred

⁸⁴ See the document, CCRCHAP: Celebrating 25 years of Community Service, p 6.

⁸⁵ Subimal Bikash Chakma, President, CCRCAP, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 14 August, 2017.

that gates were locked and Chakma students were not allowed to enter. This may be an incident of 1978. Finally DC was summoned for help and police forces were employed and the tribal students were lathi charged by police. In the process a Chakma CRPF was killed. Those who had money could study further. As we did not have money, I could not complete my studies.”⁸⁶

Citizenship and organizational activities (1986-1996)

This period has been marked as the darkest period by the Chakmas with gradual stripping of all citizenship rights and facilities one after another abating them to a state of susceptibility. The Chakmas citizenship movement geared momentum under the flagship of the Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh (CCRCAP) on October 2, 1991. Claims for citizenship, before the inception of CCRCAP were made under the banner of few Chakma community based organizations. Prominent among them were the Arunachal Pradesh Chakma Students Association, Arunachal Pradesh Chakma Youth Federation and Arunachal Pradesh Chakma Welfare Society. All these organizations worked hard but due to lack of consistency and continuation in leadership, the citizenship rights movement faced discontinuation. Lack of resources and several other factors often interrupted their work with the authorities in Delhi and Itanagar, the much-desired momentum in the movement broken.

The CCRCAP also provided continuity and consistence in leadership and intervention, which was missing in the previous Chakma community organizations. Although the Hajong community supported the CCRCAP since its inception, yet the name of the community was not included in CCRCAP. In view of their long-standing request, their community name was incorporated on September 27, 2007 and the organization came to be known as “Committee for Citizenship Rights of Chakmas and Hajongs of Arunachal Pradesh (CCRCHAP).” While first campaigning for citizenship rights, the CCRCAP met with many challenges, one was to educate a section of the politicians, media fraternity

⁸⁶ Minoti Chakma, interviewed at Shantipur village, Diyun circle, Changlang district, 29 December, 2016.

and bureaucrats; first, about the existence of Chakmas in the state of Arunachal Pradesh and second, about their plight. As, till then most Members of the Parliament and media persons were not even aware that there was a community named the Chakmas in Arunachal Pradesh. They had obscure knowledge about the Chakma refugee from Bangladesh who had take shelter in Tripura in 1987 but no knowledge about Chakmas in Arunachal Pradesh. As CCRCAP succeeded in highlighting the plight of the Chakmas in Arunachal Pradesh and demanded citizenship and basic amenities, the issues were thereafter raised in the floor of the Parliament. Reacting to news stories on the plight of the Chakmas and CCRCAP's demand for citizenship in the national print media, Members of the Parliament from Arunachal Pradesh raised demands for deportation of the Chakmas from the state.

Problems of the Chakmas aggravated in 1994 in the wake of "Quit Arunachal Notices" served by the AAPSU on the Chakmas and Hajongs to leave the state by September 30, 1994.

*"AAPSU volunteers frequented to the Chakma villages in Kokila area under Papumpare and erstwhile Lohit districts threatening the Chakmas to leave the state or face dire consequences. AAPSU youth also checked vehicles plying through their areas and beat the Chakmas and Hajongs, if found. Even 'shoot at sight' warning by Assam government failed to deter the state authorities and AAPSU led mob from physical attacks on Chakmas aimed at their expulsion."*⁸⁷

The loss met by the Chakmas during this period was enormous and profound. Complete economic blockade and social boycott was initiated against the Chakmas by AAPSU. Chakma people were forbidden from moving out of their settlement areas and also the Chakma students studying out of Arunachal Pradesh had a very tough time, as remittance from home could not reach them for months. It had been particularly a serious crisis for the patients who required urgent treatment; many succumbed to illness for want of

⁸⁷ Rajani Chakma (name changed) interviewed at Mudoj Dweep village, Diyun circle, Changlang district, Arunachal Pradesh, 22 August 2018.

medical treatment. Around 300 persons, mostly children, died in malaria and jaundice epidemic without treatment during August to November 1994.⁸⁸ About 100 odd houses of Chakmas were burnt down at *Mudoi Dweep* and *Bet camp* area of *Bijoypur-I*.⁸⁹ After this was reported, the Union Government advised for immediate supply of essential commodities to Chakma settlement areas. Although the AAPSU and the state government refused, but an inquiry conducted by NHRC revealed the whole situation.⁹⁰ In one of my interviews with Sri Subimal Bikash Chakma, President of CCRCHAP, he remarked,

*“After 1980’s the issue of chakmas was politicized by Gegong Apang. Apang bribed AAPSU to agitate against the chakmas. Later government was also involved and local people were also influenced. In 1995, ‘Quit Arunachal’ notice was issued against the chakmas. During that period chakmas faced many atrocities, Chakma houses were burnt, there was economic blockade as chakmas were not allowed to sell items in markets, many suffered of malaria and death toll increased.”*⁹¹

These eviction drives by AAPSU were again protested by members of the All Arunachal Pradesh Chakma Students Union (AAPCSU) led by CCRCAP General Secretary forming human chains. The aggressors were alleged of carrying country made guns, long *daos*⁹² and spears and were protected by police forces, including CRPF personnel who were actually sanctioned by the Central Government for the protection of Chakmas.⁹³

The atrocities were still afresh in the minds of the Chakmas as they lamented and narrated the incidents one after the other. Sunil Chakma (name changed) observed in grief that not even educational institutions were spared and he continues;

⁸⁸ See CCRCHAP: Celebrating 25 Years of Community Service, p 8.

⁸⁹ Ibid. p 8.

⁹⁰ National Human Rights Commission v. State of Arunachal Pradesh and another, p.5.

⁹¹ Subimal Bikash Chakma interviewed at Avoipur village, Diyun circle, Changlang district, 14 August 2017. He is the President of CCRCHAP from 1991 to the present.

⁹² A broad bladed weapon used for cutting or slicing.

⁹³ See CCRCHAP: Celebrating 25 Years of Community Service, 2016, p 8.

“In early 1990’s, schools like the Miao Higher Secondary School, Kharsang Higher Secondary School were totally banned for Chakmas. These schools were not open for us even after the 1996 Supreme Court judgment. Only in 2015 it started enrolling Chakma students again. From this you can imagine for how long we were deprived from basic education.”⁹⁴

Another Jiten Chakma (name changed) from Jyotsnapur village narrates;

“On the one hand, there very less numbers of schools. The Miao school is 25 km from Diyun. So we had to walk all the way. On the other hand, Chakmas were not allowed to enroll in these schools from early 1990’s till recently. See the plight of Chakmas and how deprived we are.”⁹⁵

Furthermore, ration cards that were issued to the Chakmas were discontinued in 1991 and therefore deprived from basic amenities at subsidized prices for families living below poverty lines. And, the appointment of Gaon Burha under the Panchayat system was annulled in 1994. All trade licenses that were issued to the Chakmas in 1960’s were also seized in 1994 leading to complete economic blockade and dismantle of basic social infrastructure. During the social and economic boycott, these refugees were beaten and looted, women were molested in market places, harassed in public transports and elsewhere. Moreover, the Chakmas are denied documents that can prove their domicile like Birth Certificates and Permanent Resident Certificates (PRC).⁹⁶ Therefore, they are incapable of applying in any kind of government services. Hence, Chakmas are now left in a situation where they can neither avail the benefits of refugees nor the benefits of being citizens. This period, they refer to as the ‘darkest period’ of their lives. In order to protest the atrocities against the Chakmas, the Delhi Chakma Students’ Union (DCSU) on September 30 1994, staged a “*dharna*”. The slogans that were raised in the “*dharna*”

⁹⁴ Sunil Chakma interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

⁹⁵ Jiten Chakma interviewed at Jyosnapur village, Diyun circle, Changlang district, Arunachal Pradesh, 7 January 2017.

⁹⁶ See CCRCHAP: Celebrating 25 Years of Community Service, 2016, p 7-8.

were “*We want Justice,*” “*Stop burning Chakma houses,*” “*Give Citizenship to the Chakmas,*” and so on.

The helplessness and atrocities against the Chakmas were doubled with the 1992 High court verdict on the *Khudiram Chakma v. Union Territory of Arunachal Pradesh and others*. This was the case where the verdict contested the citizenship status of the Chakmas and hence forbade them from claims to fundamental rights. With this backdrop of increasing atrocities and human rights violations, the Chakmas too geared up with organizational activities in order to formulate their claims in a more systematic way. It was only under the umbrella of CCRCAP that the beginning of an organized movement for citizenship for Chakmas took shape. In view of the growing attacks on the Chakmas and in the wake of “Quit Arunachal Notices” threatening the lives and liberty of the Chakma people, the CCRCAP approached human rights organizations like National Human Rights Commission (NHRC), People’s Union for Civil Liberties (PUCL) and South Asian Human Rights Documentation Centre (SAHRDC) and appealed for protection from growing instances of human rights violations by the AAPSU and the State government. During the period between August 1994 and December 1995, CCRCAP filed many petitions with the NHRC alleging the AAPSU of human rights violation of the Chakmas. Efforts of the Chakmas accompanied by judicial activism has led to much positive rulings in favor of granting citizenship status to the Chakmas yet dubious character of the Central government and continuous hostility by the state and AAPSU had spawned impediments not less difficult to overcome. CCRCAP’s appeals now stretched to another level for inclusion of Chakmas who are born in India in the electoral rolls under Section 3 (1) (a). In the following section, we will discuss the citizenship claims of the Chakmas that undergoes substantive changes with judicial intervention.

Legal status and judicial intervention (1997-2007)

Advocacy with successive governments at the Centre failed to yield any significant result in respect of expediting the processing of the citizenship applications. According to the Constitutional provisions, the Chakmas who were born in India after migration of their

parents during 1964 till 1 July 1987 are citizens by birth under Section 3(1) (a) of the Citizenship Act, 1955 and are hence eligible for inclusion in the electoral rolls. But the election authorities in Arunachal Pradesh refused their inclusion citing the Chakmas are not Indian citizens. Against this denial, the CCRCAP moved a petition before the NHRC on December 12, 1997. This petition aimed at seeking instructions from the NHRC to the Government of India regarding issuance of notification declaring the Chakmas and Hajongs those were born between 1964 and July 1, 1987 as citizens of India. NHRC registered the petition as Case no.26/2/97-98 and sought responses from the Government of India and also from the state government of Arunachal Pradesh. In its response, the state government submitted that citizenship being a central subject, whatever action or decision is to be taken, has to be taken by the Government of India while the Ministry of Home Affairs, Government of India, stated that the Chakmas and Hajongs those born in India after migration of their parents during 1964 are citizens by birth and are eligible for enrollment in the electoral rolls.

Pursuant to the above statement by the Ministry of Home Affairs before NHRC, CCRCAP organized to file thousands of claims for inclusion of names in 14 Doimukh, 46 Chowkham, 49 Bordumsa Diyun and 50 Miao Assembly constituencies during the Summary Revision of 1997 with January 1, 1998 as qualifying date but none was included. In 1998, CCRCAP complained to the Election Commission of India and thousands of Chakma eligible voters again submitted claims for inclusion during the Summary Revision of 1998 with January 1, 1999 only to be rejected summarily. CCRCAP again filed petition before the Election Commission but none was included. Eventually, 1,497 Chakma and Hajong voters exercised their right of adult suffrage in the Parliamentary and State Assembly Elections in 2004.⁹⁷ But the state government sought to delete the names of all those Chakma voters through a Cabinet Resolution that required to have six months valid Inner Line Permit to get included in the voters list. In other words, the state government invoked the Bengal Eastern Frontier Regulation, 1873 in case of the Chakmas.⁹⁸ To the utter shock of the Chakmas, names of 500 voters were

⁹⁷ See CCRCHAP: Celebrating 25 years of Community Service, 2016, p. 12.

⁹⁸ Ibid. p 13

deleted from the electoral rolls.⁹⁹ This challenges the cogency of the status and rights that are guaranteed as well as momentary at the same time.

There is a popular belief among the Chakmas that they are citizens of India since by constitutional provisions they are eligible for citizenship. The government has also undertaken the processes of issuing voter identity cards to Chakmas although with a much slower approach. But a concern has also emerged among the Chakmas referring to the benefits of acquiring voter identity cards. Because, let alone other benefits, for the Chakmas, the voter id cards have failed to fulfill its most basic function of ‘allowing the Chakmas to vote.’ Narrating his experience in disgust, Mohan Chakma (name changed) commented;

“In 2004, my name was enrolled in the voter list. Again my name was deleted later. But the MLA for whom I voted won the election but my name has been deleted from voting list, so sometimes I wonder that what kind of a system is this? I also appealed for that, but did not receive any reply. If I am ‘duplicate’ and not a legal citizen then how come someone who because of our votes is still ruling, there should be a re-election. He won from our votes, that means he is also ‘duplicate’.”¹⁰⁰

The intense desire to see one’s name getting enrolled in the voters list and thus be legally declared a citizen was described by one of the respondents in the field, Mohan Chakma. He enunciated the whole affair as a festive season when Chakma people living in different parts of the country gathered every year at Diyun;

“Every year, in the month of October, people gather at Xerox shops to photocopy their documents. The small area of Diyun circle gets all crowded for Xerox in the month of October every year. It is big hassle every year to Xerox the

⁹⁹ Subimal Bikash Chakma, President, CCRCAP, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, August 14 2017.

¹⁰⁰ Mohan Chakma, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 3 January, 2017.

same documents, if we apply also our names doesn't come and if we don't apply also people ask why didn't we apply. It has become a regular phenomenon now. People who live out of this state in places like Delhi, Chennai also come down to their hometown to apply for voter id. Then they go back. Again their name is not included. So at the time of hearing again they are asked to come. So lot of money is wasted in the whole process. After this continuous task from 2004, after 13 years, this year I saw my name enrolled in the list. In a year only 200-300 people's names are enrolled from Diyun. Again many names get rejected.”¹⁰¹

From the field investigation, it has been revealed that there is a heightened desire of getting legalized among the Chakmas. However some perceives citizenship as legal status as a ladder to all other rights and benefits and some do not. This argument will be discussed further in the next section.

Debate on limited citizenship (2008-2018)

The present state of the Chakmas' citizenship status has rested on the abstruse notion of 'limited citizenship'. Conferring the status of limited citizenship to the Chakmas came as a result of Supreme Court's order on September 17, 2015 to finalise the conferment of citizenship to the eligible Chakmas and Hajongs at the earliest within three months. Following the Supreme Court's judgment, on September 13, 2017, the Centre came up with a solution after deliberations and discussions. The Union government trying not to totally disenchant any of the parties followed a middle ground. This middle ground came in the form of 'limited citizenship,' by which the Chakmas and the Hajongs would be granted citizenship without access to special rights that have been imparted to the 'indigenous people' like ownership of land and Arunachal Pradesh Scheduled Tribe status (APST). However both the parties, the AAPSU and the Chakmas, vehemently criticized the resolution of 'limited citizenship'. As the idea of 'limited citizenship' is half-baked without any clear definition of what it stands for. It created more confusion and fear rather than offering any resolution to the already existing problem.

¹⁰¹ Ibid.

Immediately after the Centre's decision of 'limited' citizenship to the Chakmas, the state witnessed massive protests and *bandh* calls throughout the entire state. Protests took violent turns resulting in burning down of public properties, pelting stones on police van and clashes between security personnel and protesters.¹⁰² In return, the protesters were also lathi charged by the security forces leaving few wounded. Not only public properties, the outrageous protesters also damaged private properties of people. The protest was not confined only to the state capital, Itanagar but had widely spread over the state including Nirjuli, Daporijo, Roing, Namsai and Ruksin.¹⁰³ While AAPSU was not ready to accept any decisions that may dilute indigenous people's rights and change the demography of the state. On the other hand, Chakmas were left in dilemma about ownership of land, perplexed on what did it actually signify. As observed by Mahendra Chakma,

*“As a common Chakma man, I am not clear as to what this ‘citizenship without land rights’ really mean and what does it entail. Nowhere in the world have I heard of such a concept. As I think of its implications, I am really anxious to know whether we will continue to have ownership rights over the land allotted to our parents and previous generation at the time of rehabilitation.”*¹⁰⁴

Amidst all these perplexity and detestation, some educated Chakma intellectuals with larger objectives to work for the development and rights of the Chakma community merged together and formed an organization by the name, Chakma Rights and Development Organization (CRDO). CRDO is an amalgamation of educated intellectuals of the Chakma society formed in the month of April 2018. On 17 and 18 April, 2018 about 18 *Gaon Burhas* (GBs) and more than 250 public leaders and activists came together at Dumpather Buddhist temple and declared the formation of CRDO to fight for

¹⁰² Staff Reporter, 'Arunachal erupts against Centre's decision to grant citizenship to Chakma-Hajong Refugees,' *The Arunachal Times*, September 20, 2017, retrieved on December 24, 2017.

¹⁰³ Ibid.

¹⁰⁴ See Mahendra Chakma, "An Open Letter to the Home Minister, Rajnath Singh", regarding granting of so-called Citizenship to Chakma and Hajong tribes of Arunachal Pradesh, 21 September 2017.

rights and development of the beleaguered Chakma and Hajong tribes in Arunachal Pradesh who have been deprived of basic rights and access to development schemes in the name of citizenship.¹⁰⁵ It was formed under the leadership of Shri Mahendra Chakma as the President, Shri Udayan Chakma and Shri Somiral Chakma as Vice Presidents and Shri Anton Chakma as the General Secretary of the organization. This nascent organization is based on the belief that rather than just political status; it is poverty, economic deprivation, pulverization of cultural rights, social exclusion and dispossession of social benefits are the crucial problems that the Chakmas are entangled with. Therefore, it is not demands for mere political rights like right to vote but restoration of social, economic and cultural rights appear at the center of their objectives. CRDO claims that there is absence of an organization to spread awareness and work for restoration of rights and development of the population at the grassroots and is where CRDO stands to fill the void. CRDO laid the foundation first through a systematic data sensitization drive to make every family aware of their existing documents and identify errors in the documents if any. CDRO aimed at maintaining a database regarding enrollment of voter list including the rejected and pending applications, registration of Birth certificates, Aadhar cards, land holding size and so on. With this initiative CRDO aimed at measuring the size of the problem by determining the social, economic and political state of the Chakma community. They believe that understanding the current state of the community is of utmost importance before advancing further. In order to develop cultural affinity with other tribal communities and to build social relations with them, CRDO also participated in the 58th Bodo Sahitya Sabha.¹⁰⁶ The main objective behind this participation was to maintain social harmony, friendly and cordial relationship with all neighbors for peaceful coexistence. CRDO also believes that there has been lack on the part of other organizations and leaderships working for the cause of the Chakma community because of which there has been no progress rather than waiting for hearing on pending legal cases in the courts.

¹⁰⁵ See the CRDO Newsletter, Issue 1, October 24, 2018.

¹⁰⁶ Bodo Sahitya Sabha is a literary and cultural event of the Bodos of the state of Assam.

Therefore the President of CRDO made an appeal through a letter to the Prime Minister of India, Shri Narendra Modi requesting for political representation of Chakmas as citizens of India by implementation of the Supreme Court order and enrollment of about 25,000 eligible voters. He further appealed for inclusion of all Chakma areas under local self-government; socio-economic rights and access to development schemes under the MGNREGA, NRLM, PMJSY, etc. He also requested for restoration of government employment for the Chakmas, Permanent Resident Certificates and ration cards that were withdrawn from Chakmas one by one. Lastly, he also demanded for recognition of Chakma tribes as ST in Arunachal Pradesh under article 342 of the Indian Constitution and a one-time special package to compensate for the historical injustices done during the last five decades.¹⁰⁷ CRDO claims that Chakmas of Arunachal Pradesh are already citizens of India as 90 percent of the total Chakma population qualify for citizenship by birth under section 3(1)(a) of the Citizenship Amendment Act, 1955 and remaining 10% by virtue of the fact that they are legal migrants who came to India as refugees from East Pakistan but were later rehabilitated by the Government of India permanently in the erstwhile NEFA during 1964-69.¹⁰⁸ Therefore rather than keeping the claims confined to only citizenship status, CRDO claims for restoration of rights of the Chakmas.

Citizenship as a negotiation between political status and social and economic rights

At present there are two prevailing views on citizenship among the Chakma community. One group of people believes that citizenship is a legal status that one and all those who have been legalized are citizens. They perceive the voter identity cards as proof of their citizenship, which assures their legal status and therefore acts as a ladder to acquire other socio-economic rights and benefits. A member of Arunachal Pradesh Chakma Students Union, Subir Chakma (name changed) complains,

¹⁰⁷ See CRDO Newsletter, Issue 1, October 24, 2018, p. 5.

¹⁰⁸ See CRDO Newsletter, Issue 2.1, January 7, 2020, p. 1.

“Since we have voter id cards, that means we are citizens. Would a government give voter ids to refugees? But still we do not get the benefits of citizens. That is very pathetic.”¹⁰⁹

With utter disgust Minoti Chakma (name changed) questions if citizenship is only about voting rights;

“Citizenship is an ambiguous term for us. In Arunachal Pradesh, those chakmas who have voting rights are considered as citizens or not is also a question. Because they just have voting rights and no other rights are given to them. Is citizenship about only voting rights?”¹¹⁰

However, they believe that the legal status of citizenship will automatically one by one lead to other social and economic benefits like government jobs, free health care facilities, availability of goods at subsidized prices and so on. Hence, in this case it can be analyzed as Jayal argued in her case study on refugees in Jodhpur that they perceive legal status as instrument to attain social and economic benefits. Similarly for some Chakmas, legal status is their primary claim and they believe that once they acquire legal status as citizens of India, they will gradually have access to other social and economic rights. As Shanti Chakma (name changed) observes,

“First we will have to become citizens and only after that we can demand for other things like ST status. So citizenship is like a threshold to other rights and benefits. Despite of Supreme Court orders to grant us citizenship, the State government do not implement, there are some local politics involved in it. So now for us, citizenship has become the primary motive, only after attaining citizenship,

¹⁰⁹ Subir Chakma, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 8 January, 2017.

¹¹⁰ Minoti Chakma, interviewed at Shantipur village, Diyun circle, Changlang district, Arunachal Pradesh, 29 December, 2016.

we can demand for other rights. We cannot ask for ST status right away without becoming citizens.”¹¹¹

Another prevailing argument on citizenship among the Chakmas is that citizenship is not only about legal status but more about entitlements and benefits that citizens are entitled to. This group of people have also realized that granting citizenship i.e. becoming legal citizens does not inevitably open doors for other and more substantive rights and benefits. This has been very well reflected in Arunjit Chakma’s response during my interview with him;

“What I feel is the organizations like CCRCAP emphasizing more on the question of citizenship, have forgotten that there are more important issues as well. They have ignored the aspect of social assimilation of the Chakmas with the local communities and also the fact that economically Chakmas have remained deprived and poor. Their understanding was if we get citizenship, all other issues would be resolved so their focus was mainly on citizenship issue. We have begun to realize probably only a decade back that not promoting our traditions and culture is keeping us back.”¹¹²

He added,

“Even at present we have very good judgments from the court but then again the implementation part is vested on government who is not doing it. It can keep us hanging for years and years just like they did. Almost the same thing happened in 1996, 1997 when they did not process the application forms for more than 15 years. Now only they have started processing the fresh citizenship application forms. Now again they are repeating the same thing as they are again stuck somewhere now in Itanagar. Nothing is moving actually. So now I think rather than focusing on citizenship issue, if we would have focused more on social

¹¹¹ Shanti Chakma interviewed at Shantipur village, Diyun Circle, Changlang district, Arunachal Pradesh, 29 December 2016.

¹¹² Arunjit Chakma interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 19 August 2018.

and economic development, cultural development, educational development for which we need access to social, economic and cultural rights.”¹¹³

This group of Chakma people feels that citizenship, as a legal status is not the main cause of concern. They argue that by various provisions of the Indian constitution, those who migrated to India are eligible for citizenship under section 5 (a) of the Act, 1955 and those who are born in India are already citizens by birth under section 3(a) of the said Act. 90% of the total Chakma already fall in the second category. Thus their primary concerns are the rights and benefits that are assigned along with citizenship and not citizenship itself. I would like to quote one of my respondent’s words here, Anton Chakma narrates,

*“At this point of time I think we should stop demanding citizenship. I asked what actually comprises of citizenship? Since we have everything from the Supreme Court, its not implemented. The executive is the state, so the state has to execute the Supreme Court orders. Since the state is not executing, from center everything is fine. So the problem is at local level. Personally, being a citizen by birth like more than 90 percent of our community, all I am inclined to care about is having equal access to opportunities of quality foundational education, higher education as well as access to economic well-being and job opportunities.”*¹¹⁴

Drawing an analogy, he continues,

“Our situation is like a small fish in an ocean that is swimming in the ocean and in the ocean itself the fish is looking for an ocean. He thought he is in a pond and so he is looking for an ocean but the fish didn’t know that he was already in an ocean. Same is the case with us, we don’t know that we are already citizen of India by the virtue of law or by the virtue of the judgment of the court.

¹¹³ Ibid.

¹¹⁴ Anton Chakma, General Secretary of CRDO, originally a resident of Diyun circle interviewed at Guwahati, Assam, 1 July 2018.

So we are already citizens and what we require is rights, the citizenship rights and not citizenship. We need the rights that a citizen is entitled to.”¹¹⁵

Highlighting the irrelevance of citizenship just as a legal status, Pritom Chakma (name changed), a member of CRDO exclaims;

“Around 5000 Chakma people from the state of Arunachal Pradesh are enrolled. Still there is no change even after the card of citizenship. That is the paradox. Why are we fighting for citizenship? What is the change are we expecting? Legal status and rights are two different things. My issue is not citizenship but restoration of rights (ROR).”¹¹⁶

The distinction and separation of social and economic rights on the one hand and civil and political rights on the other hand has continued and maintained in today’s context too. In the case of the Chakmas, the struggle for social and economic rights and benefits has not been less severe than political rights but even more. The case of the Chakmas is peculiar in this respect because it is not that the Chakmas were never granted any rights and benefits, but it was delivered at one point of time and taken back at the other. So, this section will discuss the various social and economic rights and benefits that the Chakmas availed earlier and are deprived of it at the present context. They are:

Land:

Land relations, today are revised by immigration, encroachment and other changes that are the product of the modern state building process (Fernandes 2002). In Arunachal Pradesh, lands are either held by community as common property or by individual as per the customary rights. The Section 7 of the Bengal Eastern Frontier Regulation 1873 governs traditional land rights of people in the state of Arunachal Pradesh. According to

¹¹⁵ Ibid.

¹¹⁶ Pritom Chakma, originally a resident of Diyun circle, Changlang district, interviewed at Guwahati, Assam, 1 July 2018.

this Regulation, transfer of tribal land to non-tribal people of the state is prohibited. The tribal rights over Jhum land is protected by the Jhum Land Regulation Act, 1947. However, there is a provision of leasing out land for industrial purposes under the Industrial Policy of State Government for initial thirty years, which can be later extended to thirty more years for industrial purposes.¹¹⁷ A system of issuing Land Possession Certificate also exists in Arunachal Pradesh for privately owned land. Land revenues are collected from the allotted lands. Chakmas had also paid rents on land. Although selling of land not allowed, yet transfer of land by way of gift is practiced which was allowed only among blood relations but now it is witnessed also to non-tribal people. Against the land transferred as gift, a receipt is issued in the name of the buyer. The receipt of the amount to be paid for the land purchased is issued as a 'maintenance fee' for clearing and maintaining the land for so long. In the state of Arunachal Pradesh, there is no proper statute governing land laws like the Land Revenue Act or Land Reforms Act prevailing in other states of India.¹¹⁸

It was only in 2000 that the government of Arunachal Pradesh came up with a land settlement act in order to manage land and its records including survey, settlement records and also to facilitate land use for different kinds of land based activities.¹¹⁹ Another objective of this Act was to increase marketability of land by conferring formal ownership rights to individuals and to community over lands. This would encourage entrepreneurs to mortgage land for securing loans. This was an attempt for gradual industrialization of the state. Regarding the Chakmas' ownership over land, in 2017 the Union government came up with an order of granting limited citizenship to the Chakmas without land rights. This declaration has left the Chakmas in a dilemma if they will still own the land that was allotted to them during resettlement.

¹¹⁷ See The Arunachal Pradesh (Land Settlement and Records) (Amendment) Bill, 2018.

¹¹⁸ Ibid.

¹¹⁹ See, The Arunachal Pradesh (Land Settlement and Records) Act, 2000.

Government documents:

The Chakmas have been always deprived of their right to determine their identity. The struggle for documental evidence proving their domicile has been a never-ending process for the Chakmas. As one by one like all other rights, the papers were taken away by the Arunachal state government. In 1991 trade licenses were revoked, ration cards were snatched in the name of renewal and never given back, appointment of *Gaon Burhas* under the Panchayati Raj system was rescinded in 1994 just on the basis of mere suspicion that they were foreigners. It was in 1990s by vide circular CS/PR-154/89/99, the Government of Arunachal Pradesh had issue of new ration cards and also ceased the already existing ration cards from Chakmas.¹²⁰ A complete economic blockade has been initiated by discontinuing issuance of trade licenses for the Chakmas. Even birth certificates for their newborn had always remained a far cry for the Chakmas. As it was mandatory that birth certificates are to be applied within 21 days of the delivery of the child. Therefore, mothers standing in queues with their infants in their hands had been a regular sight few years back. Fulfillment of all requirements too did not qualify Chakmas for birth certificates. Just randomly some were fortunate enough to receive while others were not. This practice was widespread during the reign of C.C Singpho as the MLA of Diyun Bordumsa constituency. Many were of the view that getting birth certificate was not a problem earlier but the indifferent attitude of the administration towards the Chakmas increases under the pressure of the student organization and local people.

The practice decreased when a new MLA was elected in 2014, Nikh Kamin, belonging to Nyshi community from Itanagar. Being a Nyshi, not a local inhabitant of Changlang district, he was free from favoritism and all communities were treated equally. However, this does not resolve the problem of those who had crossed the required age limit and are still without a birth certificate. Birth certificate as a document plays a crucial role in school admissions as well as during enrollment of names in the voters list.

¹²⁰ For details see, 'The Hundred and Fifth Rajya Sabha Report of the Committee on Petitions' August 14, 1997.

Grieving over the pitiable condition of the Chakmas, Boni Chakma (name changed) conveyed,

“Being a human, there are some basic human rights, like those who have also come from Bihar or West Bengal, if they are born here, they get birth certificate. If an Assamese person comes from Assam and his son/daughter is born here, he/she will also get a Birth Certificate. But we are even deprived of Birth Certificate.”¹²¹

Expressing the plight of students, Shanti Chakma (name changed) stated,

“When I was studying in Dibrugarh (Assam), at class 9 during registration, I had to submit birth certificate. Since I did not have one, I made a simple document from a medical center in Assam. So that is how we manage. Some colleges ask for Permanent Resident Certificates and Scheduled Tribe certificates, since we cannot provide those documents, we are barred from admission.”¹²²

Education:

Education is a basic human right, as enshrined in the 1989 Convention on the Rights of the Child and the 1951 Refugee Convention. Education facilities in Chakma inhabited areas are in deplorable condition with increasing number of students, less teachers and dilapidated infrastructure. The condition deteriorated when the whole education system was shut on the face of the Chakmas thereby banning their entry into schools.

When the Chakmas first arrived in the 1960s, there was only one school at Miao, Changlang (then Tirap district) and one at Namsai (then Lohit district). In 1964, The

¹²¹ Boni Chakma, interviewed at Dumpather village, Diyun circle, Changlang district, Arunachal Pradesh, 4 August, 2017.

¹²² Shanti Chakma, interviewed at Shantipur village, Diyun circle, Changlang district, Arunachal Pradesh, 29 December, 2016.

Innao Higher Secondary School was established at *Innao*¹²³, the Sompoi Secondary School was established in 1965 at *Sompoi*¹²⁴, and Diyun Higher Secondary School in 1985 at main Diyun area. Back then; all the three schools were elementary schools. The Diyun Higher Secondary School was upgraded to Higher Secondary level only in 2015. Since primarily non-Chakma communities inhabit Innao and Sompoi also because they were far away from Chakma inhabited areas, therefore these schools were not easily accessible for the Chakmas. However, it has to be mentioned here that Chakma students were welcomed and treated at par the local students in these schools only till late 1970's.

In the wake of 'Quit-Arunachal' notice served in 1994 to the Chakmas when the atrocities against the Chakmas in Arunachal Pradesh was at the peak, along with other rights and benefits, right to education was also withdrawn from the Chakmas. The Arunachal Pradesh Chakma Students' Union (APCSU) accused the Arunachal Pradesh Government of depriving and denying education to the Chakma students in the state.¹²⁵ Chakma students were being systematically denied admissions to schools, thrown out of the Miao Higher Secondary School and the hostels for the Chakma boys were burnt down into ashes. The Bijoypur Government Middle School, catering to students of around 1500 Chakma families, the only primary school for Chakmas in Lohit district and the Government Primary school at Deban in Changlang district have been abruptly shut down.¹²⁶ The Chakma students were stripped off the educational benefits like free education, free books, stipends and scholarships. It did not end there; Chakma students were banned from admissions into the Miao Higher Secondary School, which continued till the year 2015. AAPSU had vehemently opposed the granting of admission to 39 students belonging to Chakma and Hajong refugees in Kharsang and Miao Higher Secondary Schools.¹²⁷ It is only in 2015 that Chakma students are again allowed

¹²³ Innao is a village under Diyun circle. Innao is predominantly inhabited by Singphos, Khamtis and Tangsas.

¹²⁴ Sompoi is a village under Diyun circle. Sompoi is predominantly inhabited by people from Deori community.

¹²⁵ "Chakma students allege discrimination," *The Assam Tribune*, September 5, 1996.

¹²⁶ *Ibid.*

¹²⁷ "AAPSU protests school admission of Chakma-Hajong students," *The Arunachal Times*, July 9, 2012.

admission in the school. This transpired as a result of the Gauhati High Court Judgment (PIL No. 32/2012) on denial of admission to Chakma students and subsequent notification issued by Government of Arunachal Pradesh, 2013. This letter petition was filed with the Gauhati High Court by Tejang Chakma, former President of APCSU (Arunachal Pradesh Chakma Students Union), following denial of admission to Chakma students at Government Higher Secondary School, Miao, Changlang district. The letter petition was converted into a PIL and on November 27, 2012, the Division Bench of Chief Justice Shri. A.K Goel and Shri Justice N. Kotiswar Singh disposed the PIL No. 32/2012 after the counsel for the State Government of Arunachal Pradesh informed the Court that a general notification not to deny admission to Chakma students in the state should be issued. Subsequently, the Government of Arunachal Pradesh issued a notification;

“In compliance of Judgment of the Honorable Gauhati High Court, dated 27/11/2012 passed in PIL-32/2012 the Government of Arunachal Pradesh, is pleased to notify that the Chakma students are entitled for admission to Government schools located in their inhabited area as per the norms of catchment area/jurisdiction/feeder schools as per normal practice/provisions of the Government of Arunachal Pradesh in force/issued time to time. Further, the admission of students in the concerned schools shall be carried out in conformity with the prescribed admission rules/procedures of the Central Board of Secondary Education (CBSE). Henceforth, all the DDSEs and Principals/HMs of the schools are directed to ensure that no genuine/eligible Chakma students are deprived of their educational rights.”¹²⁸

The case is worse when the students complete the middle level and has to study beyond eighth standard. The Diyun High School was upgraded to higher secondary only in 2015. Moreover, the limited number of schools is unable to cater the needs of large number of

¹²⁸ See No. EDA/107/2012-13 (Vol-I), Government of Arunachal Pradesh, Department of Education, Arunachal Pradesh, February, 19, 2013.

students. To their dismay, many students were not accommodated even after they were admitted. As, Sukhamoy Chakma (name changed) of Jyotipur I village recalled in agony;

*“Education is a basic human right but our children are struggling for that. Once I remember, some of our boys and girls were sent back from school for lack of space and facilities. We have children who have hopes and aspirations and the will to study further but there are lack of institutions to cater their needs. The schools become overcrowded that once few students were sent back even after admitted to school in higher classes. I still remember the day when not only the parents of the students but the whole village cried in agony. That is the future of our children.”*¹²⁹

At present a handful private schools have come up but higher education is still a distant dream from the Chakmas. Some of the well functioning private schools in Diyun circle are Sneha school established in 2003 and managed by Sneha Trust based in Delhi, Mahabodhi school established in 2003 and managed by Mahabodhi Matri Mandala, Bengaluru and St. Jude school established in 2006 and managed by private unaided organization. It shows the initiation of private institutions only in the 2000s after the anti-Chakma movement in the state had taken a backseat. However, private institutions are not the luxury of the poor who still struggles to walk many miles, get admitted and learn. Therefore in the midst of denial and uncertainty, it is the poor sections of the Chakma community, who are the worst sufferers.

In the government schools a major challenge that persists till today is the lack of adequate number of teachers. A glaring case of discrimination is while the Government Diyun school in Chakma inhabited area has only 7 teachers for 1100 students and 9 teachers in the Khagoan Middle school in a tribal area attends only 200 students.¹³⁰ The prerogative of learning is so intense that the Chakmas have come up with a stimulating coping

¹²⁹ Sukhamoy Chakma interviewed at Jyotipur I village, Diyun circle, Changlang district, Arunachal Pradesh, 3 August 2017.

¹³⁰ “Chakma students allege discrimination,” *The Assam Tribune*, September 5, 1996.

mechanism. As inadequate number of teachers at schools was a common problem in many government schools, to overcome which the institution would recruit few private teachers. These private teachers in government schools would be paid remuneration out of the tuition fees of the students. Although the remuneration paid is very scanty to level their service, it shows their heartfelt yearning for the good of their community is undisputed.

Persistence of de naturalization and denial of education to stateless communities like the Chakmas is evident from the recent denial of MBBS admission to 4 Chakma students in clear violation of the National Eligibility Cum Entrance Test (NEET) admission process. Surprisingly enough, this was an incident not in the state of Arunachal Pradesh but in Mizoram where Chakmas are a Scheduled tribe including its Indian citizenship status. It reveals that Chakmas are continuing to live in a state of denial and dejection even in places where they are original inhabitants.

Health:

Health problems are experienced by most of the displaced population either through natural calamities or man-made disaster pose major challenges for public health system worldwide. Furthermore, unavailability of adequate health facilities in the refugee-inhabited regions only aggravates the situation.

Two health centres operate in the whole Diyun circle with minimal facilities. At main Diyun market area is situated a Community Health Center (CHC) and a Primary Health Center (PHC) is located at *Innao*. Both the health centres are substandard, lacking adequate medical equipment to cater critical needs of the patients. Because of which those with better economic background has to travel out of the state for as long as three hours to Tinsukia district of neighboring Assam. And those and majority of Chakma people belong to poor economic background who cannot afford the luxury of travelling out of the state to access advanced medical facilities and because of which traditional means of medication is a popular way to mitigate illness. The lack of medical facilities often tends the Chakma people to rely more on traditional way of medication. Medication

through traditional means like using herbs and medicinal plants available in the jungles with is more prevalent rather than going to health care centers. It has been observed that to cure diseases like jaundice and fractured bones or any bone related ailments, most of the people opt for traditional method of cure and medication.

Lack of potable water, poor hygiene and inadequate sanitation amenities have been major causes of poor health conditions. It also has to be mentioned that a kind of differential treatment is meted out towards the Chakmas in the health centres. Local communities like the Singphos, Khamtis and Tangsas predominantly inhabit the area where the Primary Health Centre (PHC) is located at Innao. While treating the diseased, often the locals are preferred than the so-called refugee communities; Chakmas and Hajongs. At many instances, the Chakma respondents said that they feel neglected by health staffs at the health centres.

Employment:

Along with other social and economic rights and benefits, Chakmas were also deterred of employment benefits in 1980. Prior to 80's, Chakmas had full access to government services including defence services. But in 1980, suddenly right to government services was withdrawn from the Chakmas by a circular issued by the Government of Arunachal Pradesh.

Other welfare schemes:

Government schemes like Public Distribution System (PDS) for social and economic welfare of Chakmas was also withdrawn in 1994 thereby leaving the Chakmas to a debilitating situation.

Citizenship as an identity:

There are again various factors, which may influence identities, and in case of migrants, the policies of integration undertaken by the receiving states may largely determine migrant identities (Ruud Koopmans 2005). Receiving states may directly impact migrant

identities by offering and labeling new categories of identification like foreigners, asylum seekers, illegal immigrant, refugees, ethnic minority and so on which were hitherto unknown in the state of origin. Similarly, in the case of the Chakmas, it has been noticed that identities assigned by the receiving state has time and again constructed the identity with which the Chakmas identify themselves. As in Arunachal Pradesh, although the Chakmas consider themselves as ‘locals’ of the state as most of them are either born there or those who had migrated, it has been more than five decades now. Yet, the continuous labeling of the Chakmas as ‘refugees’ both by the government and the other ethnic communities of the state have created a subconscious self-identification of ‘refugee’ among the Chakmas who identify the other neighboring communities as ‘locals’. The Chakmas are not seen identifying themselves as ‘locals’ neither do they identify the *Deoris* and *Ahoms* residing at Diyun circle as ‘locals’ despite the fact that they are Indian citizens. This implies that being citizen and being indigenous are two different things. The *Deoris* and *Ahoms* are believed to have migrated from the neighboring state of Assam. Another blotch on their identity of not identifying as ‘locals’ have emerged from the fact that they have not been assigned the status of ‘tribals’ and thereby excluding them from the Arunachal Pradesh Scheduled Tribe Status (APST). Having said that, it is only the Singphos, Khamtis and Tangsas who are referred to as ‘locals’ of the place. Referring to marking Chakmas with different identifiers by other communities in the state, Udoy Chakma (name changed) from Dumpather village remarks:

“The ‘local’ people think that Chakmas are ‘nirjat’ (belonging to a lower community). Chakmas at that point of time (80’s and 90’s) used to remain in fear. Suppose we want to go to different districts like Tezu or Namsai, we were called as ‘refugee’ and treated as ‘third class’ person.”¹³¹

It should also be noted that migrants or refugees also do not arrive with just one identity but several competing, cross cutting and overlapping ones. Like the Chakmas see

¹³¹ Udoy Chakma, interviewed at Dumpather III village, Diyun circle, Changlang district, Arunachal Pradesh, 30 December 2016.

themselves as not only Chakmas but also Buddhist, minorities, Indians; whereas again others may perceive them as refugees, illegal immigrants, Bangladeshis or Pakistanis.

Furthermore, postnational and transnational theorists have argued that in the wake of a highly globalized and interconnected world, has given rise to new forms of identity, loyalties and animosities across borders (Isin 2007). They argue that with growing globalizing tendencies, citizenship can be seen as transcending nation state borders in line of postnationalism and cosmopolitanism and also citizenship straddling to multiple nations-states giving rise to transnationalism and sometimes dual citizenship (Brubaker 1989, Soysal 1994, Joppke 1999). Soysal explains on the basis of her work on guestworkers of post-war Europe that citizenship is not a matter of concern for the immigrant guestworkers who can attain safe membership status without becoming citizens (Soysal 1994). This gives rise to a new type of 'post national membership' where the members strive for not a national belonging but belonging to a world of universal human rights that goes beyond national citizenship. Transnational theorists again argue that migrants may strive for dual citizenship where they identify themselves as strongly to their state of origin as much to the state of settlement. Lack of strong identification with the country of residence and occasions to powerfully improve their condition, in such cases, migrants will parallel the state's rejection of them by staying strongly connected to their countries of origin (Ruud Koopmans 2005). The case of the Chakmas has revealed that there is no national identity crisis. It has been observed that the Chakmas' homeland claims are strongly attached to their state of residence rather than to their state of origin. A strong sense of 'Indian-ness' is observed among the younger generation. The older generation connects to CHT referring as 'Desh' but not to Bangladesh or East Pakistan.

“Unlike the Tibetans who have come here as guests, and will go back to their homeland once Tibet is free, for us it is like homecoming to our motherland, India, where our forefathers have fought for independence and sacrificed their

lives to gain freedom and create a better future together.”- Mahendra Chakma, Bijoypur village.¹³²

Discussion:

At present, we see emergence of factionalism on the issue of citizenship among the Chakmas. There are two ideologies that are dominating the Chakma society. One is based on ‘citizenship as status’ and the other on ‘citizenship as rights’. On the one hand, there are the supporters of CCRCHAP (Committee for Citizenship Rights of Chakmas and Hajongs in Arunachal Pradesh) who believes that citizenship, as legal status is the ultimate goal of the Chakmas. On the other hand, there is another organization, Chakma Rights and Development Society (CRDS) and now rechristened to Chakma Rights and Development Organization (CRDO), formed in April 2018, with Mahendra Chakma as its President. This organization has been renamed as Citizenship Rights and Development Organization (CRDO) in 2018. The ultimate concern of this organization is not citizenship but rights that are entitled to a citizen. They firmly claim that Chakmas are citizens of India, so they don’t have to fight for citizenship but for their rights. Their claim is for restoration of rights and benefits that they were assigned to. The focus should be economic development, social development and cultural development of the community. This is a recent development that has emerged among a group of Chakmas. The organization, CRDO is still at a nascent stage and therefore is still trying to articulate the primary concerns of the Chakma community and materialize their objectives. Some of their primary objectives are to equal access to government schools, healthcare institutes, government services, revival of trade licenses at par the locals and above all to lead a life with dignity. They also argue that there is leadership void among the Chakma community and lack of comprehension of the real problems of their society.

Applying Marshall’s definition of citizenship in the case of Chakmas it has been found that it follows a different trajectory than what has been argued by Marshall. According to

¹³² An Open Letter to the Home Minister, Rajnath Singh, regarding granting of so-called Citizenship to Chakma and Hajong tribes of Arunachal Pradesh, 21 September 2017.

Marshall, "Citizenship is a status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed (Marshall 1992)." Marshall advocated citizenship as a universal concept that tends to progress from civil to political and then from political to social rights. Having said that, it is not the case that Marshall's theory of citizenship is free from criticisms. Scholars have been critical about the pattern of progression of citizenship rights as pronounced by Marshall (Gran 2002). Similarly in the case of the Chakmas in Arunachal Pradesh, it has been noticed that the pattern of progression has not been as Marshall argued from political to social rights but from social to political rights. Claims for citizenship by the Chakmas, arose only after the anti-foreigners agitation in the state led by AAPSU. The anti-foreigners agitation in the state led to withdrawal of social and economic benefits from the Chakmas one by one. After the arrival and settlement of the Chakmas in then NEFA, they were assigned with all the social and economic rights and benefits those other ethnic communities in the state avail but with no political rights. Which means it was not denial of legal status that generated the fight for citizenship for the Chakmas but deprivation from social and economic rights that did. It has also been noticed here that in the case of the Chakmas, it is social and economic rights and benefits that arrived first and during this period of time, claims for political rights was a non-issue. It was withdrawal of social and economic rights and benefits that stirred the movement for citizenship.

Roy argues while citizenship is often acknowledged in terms of legal or formal status; with a national identity as a member of a nation state, but citizenship is not just that (Roy, 2016). The idea of citizenship goes beyond, from just a formal member of the nation state to more of a substantive membership. Membership into a community is asserted by public pronouncement of identity. However for active membership of a community not only affirmation by itself but also by other members of the community as identity claims as legitimate is essential (Taylor 1994). And in citizenship's promise of equality to its citizens, Jayal argues, social and economic rights are the principal means of fulfilling it (Jayal 2013). In the welfare states of Europe, social benefits are universalized unlike developing states of South Asia. In European states, social citizenship comes with a

bundle of state provided benefits like education, health, old age pensions, social security benefits and so on. Social citizenship or loosely if we say social rights are contextually different across states. As the liberal market model, found in the United States of America and also to some extent in the United Kingdom prioritizes civil rights and economic growth and minimum interest in social assistance is exercised through some means-tested 'safety-net' policy approaches (Roche 2002). Again the 'conservative corporatist model' practiced by European states like Germany, France and Austria endorses high levels of employment but are highly protective of the social rights of only the established full time male employees, and not taking into account of the same regarding women employees (ibid. 77). Then there is the social democratic model practiced by the Scandinavian countries that promotes high level of employment and these states are also high in tax levels through which they fund their social welfare services like childcare, public sector employment, with special employment opportunities for women and usually a family-supportive social and labour market setting for all citizens. However, these three welfare approaches advocated by Esping-Anderson has been limited to only the European states and the US, thereby disregarding social rights domain of other parts of the world.

In India, there had been many debates and discussions regarding the position and importance of social and economic rights as against civil and political rights. The Constituent Assembly Debates concerned around two types of rights, one that could be legally enforced i.e. the civil and political rights and the other that could not be legally enforced i.e. the social and economic rights. Two strands were formed among the members of the Constituent Assembly, the one comprising the lawyers maintained that social and economic rights are not practical and hence separated from civil and political rights (Jayal 2013, 147). And also for being impractical, unlike civil and political rights, social and economic rights are not legally enforceable. However, the other side of the debate constituted of the Gandhians and socialists who held 'the promise of the Constitution would be belied and the poor of India betrayed unless these welfare rights were constitutionally secured' (ibid. 148). The debate later resulting in division between justiciable and non-justiciable rights, in February 1947, the Sub-Committee on

Fundamental Rights had decoded a separation and inclusion of civil and political rights as justiciable Fundamental Rights and economic and social rights as non-justiciable Directive Principles of State Policy (ibid. 149). The final decision taken by the Drafting Committee of the Constituent Assembly with B.R. Ambedkar as its chairperson was to include the Directive Principles of the State Policy as a separate part in the Constitution of India. However, debates did not end here but it continued also in using the terms 'Fundamental' and 'Directive'. To some, the term Directive appeared less significant than the term 'Fundamental'. Upholding the importance of the Directive Principles, Ambedkar, in his speech of November 4, 1948, declared;

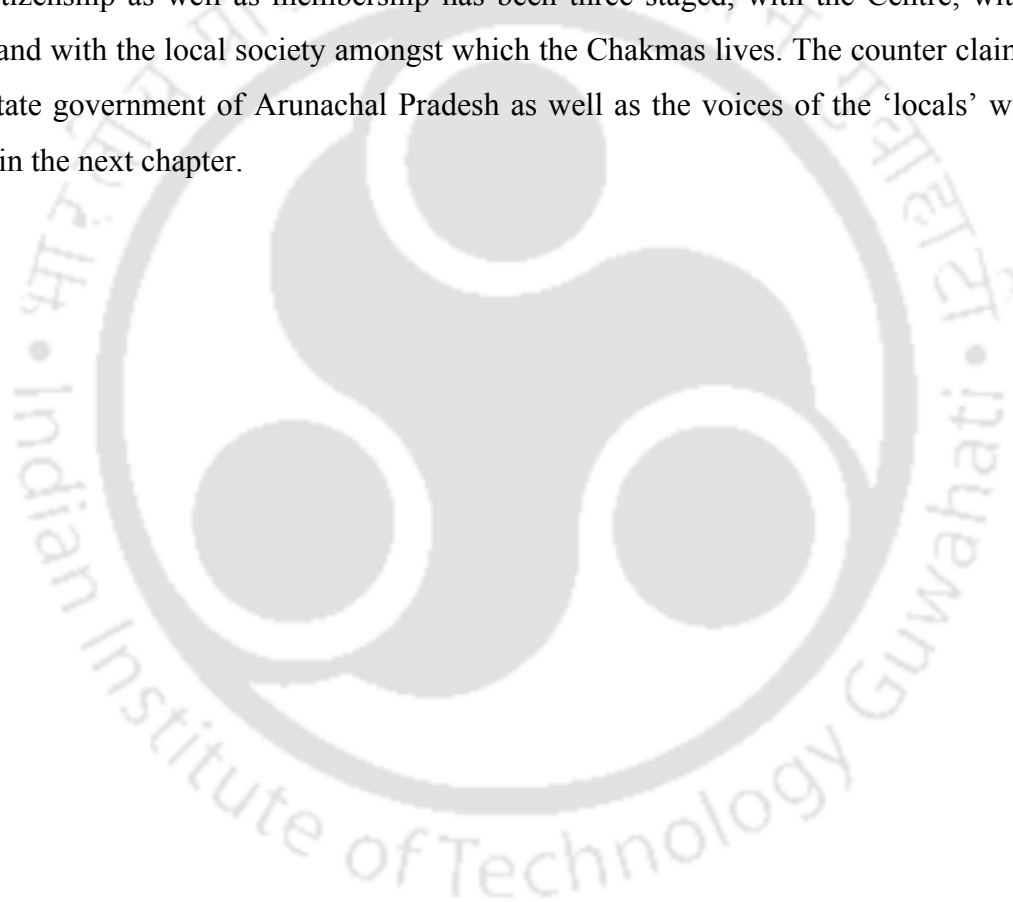
“The Directive Principles were a novel feature in a parliamentary democracy, and that there was no merit in the criticism that these were only pious declarations with no binding force. They did not have binding force in law, but that did not mean that they are useless and do not have binding force of another kind (ibid. 151).”

Summary of the chapter:

This chapter is an analysis of data collected from the field through in-depth interviews, observations and focused group discussions. This chapter specifically comprises of claims and perceptions of the Chakmas for citizenship status, their idea of the notion of citizenship and to investigate how do they negotiate with these ideas. Responses from the Chakma leaders, members of pressure groups and common people are analysed and discussed in this chapter.

The chapter begins with historical evolution of erstwhile North East Frontier Agency to the present state of Arunachal Pradesh. It discusses the administrative developments of the state that led to significant changes on how the state responded to the problem of refugees in the state thereafter. It was located that citizenship as a matter of concern for the Chakmas was realized only after the rights and benefits were withdrawn from the Chakmas one by one. This hints on the significance of citizenship for Chakmas. In order

to understand that, citizenship has been observed from three interlinked lenses; political/legal status, socio-economic rights and identity. Investigating citizenship from the standpoint of the Chakmas have portrayed that in some cases political status and rights and benefits have been interlinked where political status has been regarded as an instrument to achieve more substantive rights. However, for some, citizenship is not only about legal status and it has nothing to do with delivery of rights and benefits. With few differences from Jayal and Brubaker, who views membership as a two staged negotiation, this dissertation have come with an argument that in the case of the Chakmas, negotiation for citizenship as well as membership has been three staged, with the Centre, with the state and with the local society amongst which the Chakmas lives. The counter claims by the State government of Arunachal Pradesh as well as the voices of the ‘locals’ will be dealt in the next chapter.



Chapter V

Competing Claims and Resistance of All Arunachal Pradesh Students Union: Findings from the Field

Introduction:

The chapter seeks to discuss the responses of the receiving community, particularly the contesting claims by political organizations like the All Arunachal Pradesh Students Union who has been constantly opposing the settlement of Chakmas in the state. Despite a growing body of literature in refugee studies and refugee theory, much of it are what Chambers called “refugee-centric” and completely ignoring the impact of such refugee movements on the host countries and communities and hence their responses thereof (Chambers 1986). While analyzing the events, the chapter follows a ten-year chronology for better understanding of the changes in the responses of the State and the locals¹³³ over the years. Weiner (1993) argued that a huge number of migrants give rise to acute anxieties that the autochthonous community senses that its political control is deteriorated, cultural dominance is challenged, and its position in the labour market is weakened. This implies that perceptions and responses of the host society towards refugees are determined by the existing political, socio-economic condition and demographic order/situation of the host society. Thus, to provide a balanced analysis, it becomes important to capture the claims of the migrated community as well as responses or counterclaims of the host society. In order to find a sustainable solution to the problem of refugees, it becomes imperative to understand the perceptions of the local people towards the incoming community. Reuveny argued that if refugees are from the same cultural and linguistic groups as the local people, there are greater chances of peaceful integration of refugees into the host society and lesser chances of emergence of conflict (Reuveny, 2007). There are some similarities in cultural and religious practices among the Chakmas and the host community. How this has impacted their relationship becomes a matter of concern.

¹³³ Here, locals refer to the Arunachal Pradesh Scheduled Tribes (APST).

Competing claims and responses of the host society

Genesis of students union in NEFA (1947- 1974):

The genesis of All NEFA Student Union, now All Arunachal Pradesh Student Union was laid down in 1947 in the name of Abor-Miri Student Union (AMSU). It started with a small group of visionary student leaders studying at Sadiya Government High School with its headquarter at Pasighat. These students belonged to Abor and Miri communities living in then Abor hills towards the north of then NEFA. The erstwhile Abor hills now comprises of Upper Siang, East Siang and West Siang districts of Arunachal Pradesh. The terms Abor and Miri were later altered to Adi and Mishong for its derogatory inference by the Ahom kings and the British rulers.¹³⁴ In Assamese Abor meant barbarous and wild and Miri referred to priests and derogatory.¹³⁵ The Adi-Mishong Students Union came into being somewhere in early 1948 under the leadership of Dr. Daying Ering along with some other founding members at Pasighat, East Siang district of the state of Arunachal Pradesh. The founding members of the union mostly belonged from the Sadiya Government English High School. Daying Ering being the founding President, Martin Dai was the General Secretary along with fifteen executive members Oshong Ering, Toi Dai, Talom Rukbo, Tajum Koyo, Obang Dai, Yonggam Legu, Sushen Pao, Tamik Dabi, Magor Tayung, Lolit Doley, Biren Doley, Takap Medok, Join Doley, Dewai Medok, and Gebang Ering.¹³⁶ The executive members of the organization were then confined only to members from Adi and Mishong community groups. Later on, all these student leaders became prominent public leaders of the state and Government officials (Dutta, 2002).

At the initial stage, the objectives of the union were concentrated on creating “one identity” of the culture and tradition of all the sub tribes of Adi and Mishong community

¹³⁴ See Nyodek Yonggam, *The Genesis of All NEFA Students Union now All Arunachal Pradesh Students Union*, Eastern Horizon, Ruksin, 2017.

¹³⁵ Ibid. p. 2.

¹³⁶ See Nyodek Yonggam, *The Emergence of Student Union Movement in NEFA now Arunachal Pradesh, India*, Eastern Horizon, Ruskin, 2015.

namely Adi-Minyongs, Adi-Padams, Adi-Galos and Mishings.¹³⁷ At the nascent stage of the union, it concentrated only on these two communities thereby ignoring all other communities of then NEFA. Another important objective of the union was creating awareness of education and social change among the students. Instilling the importance of education in the minds of the local people and encouraging them to go to schools was one of the primary concerns of the students' union at that time. In order to incite the idea of social change among the people, various programmes on social services; importance of good living; ill effects of opium, tobacco; ideas of cleanliness and sanitation; cultural programmes to induce traditional norms were conducted. After a few years of its inception, somewhere around the late '50s, the students' union shifted their objectives from social change and education to developmental transformation. They started demanding for the construction of roads, building more health care centers, the establishment of more schools and higher educational institutions in far-flung villages, improvement of connectivity between different regions of the state and so on. Gradually, various branches of AMSU were created like the Adi-Galo student branch for the western part of Abor hills, the Galong-Adi branch. In Central and Eastern part of Abor hills, Adi-Minyongs and Adi-Padam student branches respectively were formed. The Mishing Students Union was constituted for the Southern part of Abor hills. The Union did not remain confined to Abor hills only but it also spread to Nyshi and Apatani dominated areas of former Subansiri Frontier Division and thus Subansiri Student Union was formed. After these expansions, the name of the union was rechristened as All North Eastern Frontier Agency Students Union (ANEFASU) in 1959 under the leadership of Talom Rukbo as the President and Bakin Pertin as the General Secretary. Till 1966, the All NEFA Students Union was a defunct student union with no written constitution, no motto emblem and flag. Election system was not introduced for selection of the members was confined only at Pasighat.

It was only in 1967, twenty years after the formation of the student union that the All NEFA Students Union started functioning actively. Hence, 16 October 1967 is known as

¹³⁷ Ibid. p.2.

the day of “Second Birth of All NEFA Student Union”.¹³⁸ Some of the events that triggered the second birth of the union were, the administrative uncertainties shifting NEFA under Ministry of External Affairs to Ministry of Home Affairs, Assam-NEFA boundary disputes, deportation of Chakma Hajong and Tibetan refugees, shifting of capital from Shillong to somewhere in NEFA and abolition of Assamese language as a medium of language in schools in NEFA and so on. Although refugee issue was identified as a matter of concern by the union but no organized movement was carried out against the refugee issue until late 1970s.

With the spread of students union into different parts of NEFA, its aspirations and demands also broadened. Some of them were: (i) to upgrade the North East Frontier Agency (NEFA) into a Union Territory (ii) to create a NEFA Headquarter within NEFA shifting from Shillong (iii) to establish higher educational institutions (iv) medium of education in NEFA to be English instead of Assamese with Hindi as second language (v) increasing rate of stipend for NEFA student (vi) improve infrastructural facilities like building hostels for NEFA students in Shillong (vii) reservation of seats for students of NEFA in various Science and technical institutions of the country (Prasad 2007). While the students' union of NEFA was seen broadening their areas of demand, yet it has been noticed that it was confined to administration and educational changes for which the union never adopted a confrontational attitude with the Government. They followed a path of pray, petition, and partnership with the Government.

It was finally in 1972 when NEFA was upgraded into a Union territory and came to be known as Arunachal Pradesh that the students' union was also rechristened to All Arunachal Pradesh Students Union (AAPSU). After the elevation of the status of the area, the burden and responsibility of the AAPSU also became harder. The preamble of the constitution of AAPSU asserts that the primary aim of AAPSU is "to promote unity and fraternity among the students in particular and the people of the state in general, to explore and exploit the energy of the student community of the state in the greater interest of the Nation and to preserve and promote the tradition and culture of the people

¹³⁸ See Nyodek Yonggam, *The Emergence of Student Union Movement in NEFA now Arunachal Pradesh, India*, Eastern Horizon, Ruskin, 2015, p. 6.

of Arunachal Pradesh" (Dutta, 2002 p.207). The preamble of the constitution of AAPSU sets out a general plan to work for the students and the people of the state in general. The foreigners' question became the sole issue around which the unions' programme centered around in the later years.

Although at the beginning, AAPSU leadership came from college students, later many were seen joining political parties. It was in 1967, after the establishment of Jawaharlal Nehru College at Pasighat that a meeting was called to re organize a strong students union in NEFA.¹³⁹ Another Government College that came up in Itanagar after few years also provided grounds for leadership for the student union. It has been noticed that students' politics functions as a foundation for grooming one for entering into state politics. In the state of Arunachal Pradesh, AAPSU was used as a platform to build their career in state politics. Many AAPSU leaders finally ended up as leaders of political parties, ministers and also the leaders of the state. The most prominent examples are; Gegong Apang, Jarbom Gamlin and Sanjoy Takam. They were all either former President or General Secretaries of AAPSU.

Rise of anti-Chakma sentiments (1975-1985)

While there were instances of resentment from the locals against the settlement of refugees in NEFA as published in the White paper published by the Government of Arunachal Pradesh, yet there were no signs of organized movement by the students' union. One reason for organized resentment in the state against the refugees started only in the late '70s because political parties found its origins in Arunachal Pradesh only in 1977 and 1978. It was in 1977 and 1978 when the first Lok Sabha and the Legislative Assembly elections were held respectively. A drastic transition in the strategies, objectives, and way of functioning of the students' union was evident from 1979 onwards from prayer and petition to agitation. The students' community and their issues was the central concern of the students' union. The demands widened with NEFA becoming a union territory thereby bringing in various issues of the state into its purview. Some of

¹³⁹ See Nyodek Yonggam, *The Genesis of All Arunachal Pradesh Students' Union*, Commemorating 50 years of AAPSU Constitution, 2017.

the new demands that AAPSU started focusing were: (i) Solving the Assam-Arunachal boundary dispute, (ii) Detection and deportation of foreign nationals from the state, (iii) Withdrawal of trade licenses and documents of land allotment from non-Arunachalees, and (iv) Stop further infiltration of foreign nationals into the state (Dutta, 2002). In the above points, it has been noticed that all the last three demands of AAPSU are related to refugees, either their deportation or withdrawing rights from them. Thus, AAPSU started converging its claims to the issue of foreign nationals and withdrawing their interest from other issues that they initially concentrated on.

This sudden interest in the question of refugees has been argued by many as the spillover effect of the Assam movement in the state of Assam. This was the time when 'party politics' against 'foreign nationals' had already acquired roots in the Brahmaputra valley in 1980. The All Assam Students' Union (AASU) started a movement for the detection and deportation of foreign nationals from the state of Assam. In 1980, the AASU set an agitational programme to oblige the government to identify and deport 'illegal foreign nationals from Assam (Mahanta, 1996). Since Arunachal Pradesh, at that time was grappling with the issue of resettlement of refugees/foreign nationals in the state, the Assam movement in the neighboring state influenced and persuaded AAPSU to launch the similar movement. In February 1982, the new office bearers of AAPSU, the President Shri Jarban Gamlin and General Secretary Shri Larbin Nashi put forward an eight-point memorandum which focused on the empowerment of the local population including 80 percent job reservation for local people of Arunachal Pradesh, the abolition of allotment of contracts to non-Arunachalees, etc. With these demands, an atmosphere of confrontation developed among the AAPSU when it declared a series of district-level bandhs and propelling the government to accept their demands.

Ultimatum to quit Arunachal Pradesh (1986-1996)

As AAPSU was gearing its agitation, highly influenced by the Assam Accord signed by the leaders of AASU and the Central Government, the newly elected duo in the AAPSUs office, the President, Shri Nabam Rebia and the General Secretary Shri Tabin Taki of

AAPSU turned out less flexible than their predecessors.¹⁴⁰ They emphasized the problem of foreigners in a six-point memorandum that was submitted to the Government in August 1985. The memorandum included a new demand, along with the earlier ones, that appeals the Government to undertake effective measures to check possible infiltration of foreigners from Assam into Arunachal Pradesh as an impact of the Assam Accord. Their urge to protect the local communities intensified with a demand for job reservations for the locals increased from 80% to 100%. APPSU's agitation gained momentum with series of *bandhs*, protests and hunger strikes. The organization decided to further strengthen the agitation and drew out a year-long programme by determining to have a poster campaign on 25 August 1986, state wide *bandh* on 7 October 1986 and a series of district-wise *bandh* from 15-25 October 1986. Along with *bandhs*, AAPSU for the first time took to a hunger strike on 5 November 1986 followed by a march to the Legislative Assembly. The union also submitted an ultimatum to the Government to fulfill their demands by September 1986. With new office bearers, President Shri Tok Bom Borang and General Secretary Shri Liki Ete, the confrontational attitude of the organization had toned down. Although pressing its earlier demands, in February 1990, the union organized a *Dharna*¹⁴¹ before the State Legislative Assembly, yet no agitational programmes were undertaken by AAPSU till 1992.

While most of the demands of AAPSU remained unresolved, in the 90's AAPSU concentrated only on the problem of the refugees in the state. The protest for the detection and deportation of refugees did not remain confined to the state alone but extended to the central capital. As in May 1994, a massive 'Delhi Chalo Movement' was organized by AAPSU where a delegation of about 400 students joined the movement, organized rallies and protested in the Centre for about a month. After this attempt to draw the attention of the Central leaders, AAPSU tried to expand its movement by joining a wider regional student organization, North Eastern Students Organization (NESO). Besides demanding central attention and action on the swift economic development of the

¹⁴⁰ For details see, S. Dutta, 'Student Movement in Arunachal Pradesh,' in A.K. Baruah (ed.), *Student Power in North-East India Understanding Student Movements*, (New Delhi: Regency Publications, 2002), p. 216.

¹⁴¹ A Dharna is a non-violent, sit-in protest that may include fast undertaken at the door of an offender.

North Eastern Region, the common demand of the Regional Student Organization is to detect and deport the 'illegal foreign nationals' from India's North East that has posed a serious threat to the demographic condition of the region.¹⁴² AAPSU then joined the NESO on 15 August 1994 in "North-East Bandh Call" demanding for the quick action of the Centre on deportation of foreign nationals and also expressing disappointment on the casual and neglecting attitude of the Centre towards the region.

In order to draw the attention of the whole region into the issue of the state of Arunachal Pradesh, AAPSU hosted the first General Council Meeting of NESO in Itanagar from 31 August 1994 to 3 September 1994. There was overwhelming participation in the meeting from more than 100 student delegates from the entire Northeast. The then AAPSU President and Co-Convener of NESO, Shri Sanjoy Takam did not fail from making good use of the platform of NESO in highlighting the state's refugee problem. This regional forum indeed assisted AAPSU in gaining popularity in the whole Northeastern region. Even today, in AAPSU's fight against refugees/immigrants, NESO works as the "Mother organization." As in the words of Pritam Bhai Sonam, the Coordinator of NESO,

*"NESO is our mother organization. AAPSU has its federal units in each district of Arunachal Pradesh and also there are Community Based Organizations; all works together under the umbrella of NESO whenever necessary."*¹⁴³

After all these developments, AAPSU's growing anti-foreigners agitation was evident from the "quit notices" that it issued against the Chakmas to leave the state. The question of deportation of the Chakmas had from the state of Arunachal Pradesh had taken a center stage when 'Quit Arunachal' notice was issued by AAPSU on Chakmas. This was followed by various atrocities on the Chakmas. The 'Refugee Go-Back' movement was based on the view that the refugees are "foreigners" and Arunachal cannot serve as the

¹⁴² For details see, S. Dutta, 'Student Movement in Arunachal Pradesh,' in A.K. Baruah (ed.), *Student Power in North-East India Understanding Student Movements*, (New Delhi: Regency Publications, 2002, p. 222.

¹⁴³ Pritam Bhai Sonam, Coordinator, NESO and former AAPSU leader. Interviewed at Itanagar, Arunachal Pradesh, 23 November 2019.

“dumping ground” and it gained momentum in the wake of the “people’s referendum rally” held on September 20, 1995 at Naharlagun, Itanagar (Prasad 2007, 1376). This rally was launched by AAPSU and supported by all existing political parties in the state, also the ruling Congress-I under Gegong Apang, then Chief Minister of the state. AAPSU successfully drew attention and support of different sections of the society of Arunachal Pradesh with a massive turnout of around 5000 supporters. The rally was organized at Naharlagun in Rajiv Gandhi Stadium. It was in this rally that the deadline for eviction of refugees from the state was decided to be 31 December 1995. AAPSU played a momentous role in the “People’s Referendum Rally” where it made all the 60 Member of Legislative Assemblies of Apang government and 2 Members of Parliament from Arunachal Pradesh resign from their posts. The leaders of the existing political parties then pledged to form a regional party for better articulation of their demands and functioning. This resulted in the formation of “Arunachal Congress” under the leadership of Gegong Apang in 1995. The referendum rally is considered as a noteworthy step on the part of AAPSU’s anti-Chakma movement, as Gumjum Haider expressed,

*“It is only after the people’s referendum rally, the state government has started listening to our pleas and have understood the importance of evicting the refugees from the land of Arunachal Pradesh.”*¹⁴⁴

The “Quit-Arunachal” notices came with threats of ‘dire consequences’ if not followed (K.Singh, 2010). Slogans of ‘Chakma-Go-Back’ and ‘no deportation, no elections’, spearheaded by AAPSU threatening the Chakmas of expelling from the state created a panic among the Chakmas and those anxious people started fleeing to neighboring districts in Assam.

In order to stop the entry of Chakma people into Assam, the then Chief Minister of Assam, Hiteshwar Saikia issued a “shoot at sight” order in Tinsukia district of Assam adjoining Changlang district of Arunachal Pradesh, followed by a night curfew along Assam’s international and inter-state boundary in mid-September 1994 on knowing that

¹⁴⁴ Gumjum Haider, former General Secretary of AAPSU. Interviewed at Itanagar, Arunachal Pradesh, 23 November 2019.

Chakmas had started coming into Assam after they were issued with eviction notice by the AAPSU.¹⁴⁵ This however led to a split in the relationship between two Congress (I) leaders, Gegong Apang, the then Chief Minister of Arunachal Pradesh and Hiteswar Saikia, then Chief Minister of Assam. This move adopted by Saikia prevented the Chakmas from fleeing into Assam and kept them concentrated in Arunachal Pradesh. Recalling the incident, Kripadhan Karbari says,

*"Hiteswar Saikia helped us in this situation, as he ordered 'shoot at sight' if any Chakmas were seen in Assam. So gradually people stopped fleeing to Assam. That helped because Chakmas feared and stopped moving out of Arunachal Pradesh to Assam."*¹⁴⁶

AAPSU's agitation against the Chakmas and Hajongs did not remain confined to the state capital alone but extended to the Chakma habituated areas. On 2 September 1995, a public rally was organized at Kokila¹⁴⁷ in Papumpare district to create awareness about refugees among people. On 7 September 1995, another rally following the previous one was held at Miao.¹⁴⁸ In all these programmes, the then President of AAPSU, Shri Sanjoy Takam expressed deep disappointment and criticism against the Central Government because of its reluctance on any action of deportation of refugees from the state.

A period of tensions and turmoil (1997-2007):

This period is marked by tensions and apprehensions on the part of AAPSU as after repetitive protests, no resolution on the problem of the refugees in the state was achieved, whereas coming up with more positive orders for the Chakmas by the central government

¹⁴⁵ For details see, Deepak K. Singh, *Stateless in South Asia: The Chakams between Bangladesh and India*, New Delhi: Sage Publication, 2010.

¹⁴⁶ Kripadhan Karbari, interviewed at Shantipur village, Diyun circle, Changlang district, 29 December 2016. He is the oldest surviving Chakma migrating from erstwhile East Pakistan.

¹⁴⁷ Kokila is a Chakma habitat at a distance of about 80 km from Itanagar. Kokila was one of the resettlement areas of the Chakmas by the Government, which was formerly in the Subansiri district.

¹⁴⁸ Miao is another circle where Chakmas are found, situated at the Changlang district of Arunachal Pradesh.

and the judiciary led to the loss of momentum in the AAPSU movement. Two important developments of granting citizenship to the Chakmas during this period came as a blow to the anti-Chakma agitation of the AAPSU. The 105th report of the Parliamentary Committee on Petitions (Rajya Sabha) ordering not only citizenship but also scheduled tribe status to the Chakmas and the enfranchisement of 1497 Chakma voters had given rise to tensions and turmoil. A rift between the AAPSU and the state Government that otherwise worked hand in hand was also noticed on the eve of the State Assembly elections in 1995. This happened when AAPSU was determined to declare a statewide Bandh opposing the then Prime Minister P.V. Narasimha Rao's visit to the state. This antagonism of the union towards the Prime Minister came as a result of his denial to meet the protesters of the 'Delhi Chalo March' in May 1994. Because of the Centre's sympathetic attitude towards the refugees and not fulfilling the demands made by AAPSU, AAPSU had shown their resentment towards the Centre by blocking the central leaders from entering the state. Later on 4 March 1994, a bandh was again declared at Pasighat in opposition to former Prime Minister V.P. Singh to campaign for his candidates in Arunachal Pradesh.

AAPSU made an appeal to the state government to workout the conditions for deportation of the Chakma and Hajong refugees including identifying the actual number of the Tibetans, Nepalese, Bangladeshis and Bhutanese. The Union members also undertook a statewide tour to create awareness on issues related to refugees among the general public. AAPSU also organized a three-day special session where it requested the state government of Arunachal Pradesh to examine the recommendations by the Parliamentary Standing Committee on granting citizenship rights to Chakma refugees with Scheduled Tribe status in the state.¹⁴⁹ AAPSU also requested the state to initiate a dialogue with the Centre for the solution of the refugee issue.¹⁵⁰ Regional political parties like the Arunachal Congress had also expressed strong resentment over the recommendations of the Parliamentary Committee and termed the report as “anti-

¹⁴⁹ “AAPSU move on Chakma refugees,” *The Assam Tribune*, September 20, 1997.

¹⁵⁰ Ibid.

Arunachal”.¹⁵¹ The Arunachal Congress President, Sri Talar Doye, maintained that the party is not adverse to granting citizenship rights to the Chakmas until the refugees are settled anywhere but the state. This implies the party’s resentment towards occupation of land and resources rather than the status and rights of the Chakmas.¹⁵² Protest against the report was also marked by a 12-hour bandh declared by the Janata Dal on September 21, 1997. The Arunachal Pradesh unit of Janata Dal President T.C. Teli, Member of Legislative Assembly commented;

*“The bandh call was given to protest among others the Parliamentary Committee recommendation granting citizenship to Chakma and Hajong refugees of Arunachal Pradesh with schedule tribe status.”*¹⁵³

The 105th report of the Parliamentary Committee on Petitions (Rajya Sabha), which recommended granting of citizenship to the Chakma refugees who came to India prior to March 25, 1971 was not only opposed by the apex student organization of the state of Arunachal Pradesh, AAPSU but also it created quite a turmoil in the state of Mizoram. In Mizoram, a joint meeting was held with all political parties and voluntary organizations on September 19, 1997 where it decided to constitute a Joint Action Committee to draft a memorandum to be submitted to the Central Government echoing strong resentment of the state to the 105th report of the Committee (Rajya Sabha).¹⁵⁴ Strong opposition came from the apex organizations of the state like the Mizoram National Front, the Mizoram People’s Conference and the Mizo National Front (Nationalist) that vehemently criticized the report and termed it “one-sided and biased.”¹⁵⁵

APCSU (Arunachal Pradesh Chakma Students Union) had alleged that some fabricated reports were published by the then President of Arunachal Congress and Shri Gegong Apang that the Chakmas and Hajongs are insisting the state government for financial assistance for leaving the state and settling down somewhere else. Responding to this

¹⁵¹ “Arunachal Congress flays Panel report on Chakmas,” *The Assam Tribune*, September 25, 1997.

¹⁵² Ibid.

¹⁵³ “Arunachal bandh today,” *The Assam Tribune*, September 22, 1997.

¹⁵⁴ “House panel report on Chakmas opposed,” *The Assam Tribune*, September 21, 1997.

¹⁵⁵ Ibid.

news, APCSU very clearly stated that the Chakmas and Hajongs would neither leave the state nor sought financial help for the same.¹⁵⁶ It has also been argued by APCSU that these kind of move is a part of the plan of a few politicians who prefers to keep the issue alive for their political survival.¹⁵⁷

In 2004 the AAPSU again geared for a movement when 1,497 Chakmas were conferred political rights to vote. Out of 25,000 eligible voters only 1,497 were granted voting rights. On the other hand, AAPSU and the Arunachal Congress protested against it by appealing all the people of Arunachal Pradesh to boycott the upcoming elections.¹⁵⁸ The AAPSU expressed their dismay over “betrayal” on the part of the political parties of Arunachal Pradesh and decided to refrain from contesting elections till a solution to the refugee problem is reached.¹⁵⁹ In continuation of its protest, in 2009 again AAPSU filed a Public Interest Litigation (PIL) in Gauhati High Court accusing the Elections Commission's guidelines to include the names of Chakma people in the electoral roll for the Lok Sabha elections as illegal. AAPSU started adopting a new way of protest to gain the lost impetus of its organization.

In June 2007, the State government of Arunachal Pradesh ruled by Chief Minister Dorjee Khandu urged the then Prime Minister of India, Dr. Manmohan Singh for constituting a high level committee to come to an amicable solution to the refugee issue.¹⁶⁰

The Joint High Power Committee (JHPC)- its formation and functioning (2008-2018):

After all the squabble and turmoil between the AAPSU and the Chakmas, AAPSU came forward for a ‘political dialogue’ with the Chakmas.¹⁶¹ The dialogue between the two

¹⁵⁶ “APCSU for early decision on Chakma-Hajong issue,” *The Assam Tribune*, October 22, 1997.

¹⁵⁷ *Ibid.*

¹⁵⁸ “Poll boycott if other parties do: Arunachal Congress,” *The Assam Tribune*, March 29, 2004.

¹⁵⁹ “Dismay over refugee issue in Arunachal,” *The Assam Tribune*, April 23, 2004.

¹⁶⁰ “Resolve contentious refugee issue: Khandu to Centre,” *OneIndia*, February 1, 2008.

¹⁶¹ *Ibid.*

parties was made possible through a Joint High Power Committee (JHPC). The JHPC comprised of representatives from the central government, state government, AAPSU, and Committee for Citizenship Rights of Chakmas (CCRCAP) and under the chairmanship of Shambu Singh, Joint Secretary for North East, the first meeting was convened on January 8, 2012.¹⁶² Singh said that the government of India is very much worried about the sentiments of indigenous people of the state and thus it is trying to resolve the problem amicably. Representative of the Chakmas present in the meeting, Santosh Chakma, the General Secretary of CCRCAP demanded citizenship rights for Chakmas and Hajong in India. On the other hand, T.T Tara, AAPSU legal advisor argued that no foreigners could be granted citizenship in Arunachal Pradesh under the established law of land and provision of Indian Constitution. The JHPC came to a conclusion considering the demand of AAPSU that the original Chakma and Hajong refugees who had arrived in the state in 1964-69 are to be identified. The JHPC further directed the AAPSU to consider their case on humanitarian ground. After a series of meetings, the JHPC arrived at an agreement that the Chakma and Hajong refugees, who arrived India between 1964 and 1969, can be accepted as citizens.¹⁶³ The Ministry of Home Affairs said that a joint committee of the AAPSU and CCRCAP would carry out a survey to identify those who came to India between 1964 and 1969 and submit its report to the Government of India for its approval. The Ministry of Home Affairs official further revealed that according to information available with the Government of India, the total population of the Chakma and Hajong refugees in Arunachal Pradesh is around 53,000. However, some refugees came to India after 1969. The fate of those arriving after 1969 was not decided in the meeting.

On October 26, 2012, the Second Joint High Power Committee Meeting constituted by the Ministry of Home Affairs, Government of India with Shambhu Singh as the Chairman, Joint Secretary (North East), Ministry of Home Affairs on Chakma and

¹⁶² “JHPC meet to resolve Chakma and Hajong refugee issue, AAPSU reiterates its stand,” *The Arunachal Times*, January 10, 2012.

¹⁶³ “Citizenship likely to Chakma, Hajong refugees in Arunachal,” *The Assam Tribune*, January 10, 2012.

Hajong Refugees of Arunachal Pradesh was held at Itanagar.¹⁶⁴ Both the stakeholders CCRCHAP and AAPSU submitted their representation by Santosh Kumar Chakma, General Secretary (CCRCHAP) and T.T Tara, legal advisor to AAPSU respectively. The JHPC formed a committee to conduct surveys of Chakma inhabited areas. Although the proposed date of the survey was November 3, 2012, it was postponed on the request of AAPSU. AAPSU President, Takam Tatung held that the proposed date for the meeting clashes with preparation for the upcoming AAPSU election from November 19-22, 2012.¹⁶⁵ After the formation of the new AAPSU body, a meeting was called by JHPC on March 16, 2013, under the chairmanship of Mrs. Indra Mallo Jain. The meeting was an attempt to conclude the issue of granting citizenship to Chakmas and Hajongs, which was vehemently criticized by AAPSU. The meeting was put to halt alleging Chakmas and Hajongs of anti-social and criminal activities. AAPSU declared that the meeting would be put on hold and withdrew from any kind of discussion until the Chakma and Hajong people stop their anti-social activities and encroachment of indigenous people's lands and rather respect the demarcated map.¹⁶⁶ AAPSU's deliberate delay of a meeting for arriving at a consensus also indicates the union's attitude to come to a solution to the Chakma Hajong refugee problem.

The committee visited the Chakma inhabited areas in Changlang and Namsai (then Lohit) districts during its ten days tour starting from July 8, 2013. According to AAPSU, Diyun town possessed the highest number of refugees with a population of more than thirty thousand.¹⁶⁷ After the visit, AAPSU appealed that the refugees have destroyed maximum areas of Diyun reserved forest and they have spread over and settled in those areas

¹⁶⁴ "Joint meeting on Chakma and Hajong held core panel for joint survey verification formed," *The Arunachal Times*, October 27, 2012.

¹⁶⁵ "Postpone core-committee meeting on Chakma-Hajong: AAPSU," *The Arunachal Times*, November 3, 2012.

¹⁶⁶ "AAPSU opposes citizenship to Chakma-Hajong refugee," *The Arunachal Times*, March 17, 2013.

¹⁶⁷ "AAPSU-JHPC team visits Chakma settlement areas," *The Arunachal Times*, July 18, 2013.

without any hesitation.¹⁶⁸ As a result AAPSU demanded them for immediate expulsion from the forestland.

On January 6, 2018, the joint high power committee met again in Delhi. There was no concrete outcome of the meeting and AAPSU expressed its disappointment mentioning it to be a letdown. Hawa Bagang, condemning the decision of the Centre to grant citizenship to Chakmas and Hajongs, President of AAPSU asserted,

*"We were clear with what the people of Arunachal wanted and told them that the indigenous people will not accept the demand for citizenship or land rights,"*¹⁶⁹

The Joint High Power Committee met for the 5th time on April 27, 2018, under the chairmanship of Ministry of Home Affairs Joint Secretary (Northeast), Satyendra Garg. The other members of the meeting were Ministry of Home Affairs Joint Secretary (Foreigners) Anil Malik, Arunachal Pradesh Home Secretary GS Meena, Deputy Commissioners, the Principal Chief Conservator of forests, AAPSU executive members, legal advisors Nabam Jollaw and Marto Karto, and representatives of Chakma and Hajong organisations.¹⁷⁰ Under no conditions, AAPSU agreed to compromise with their previous decision of not granting citizenship to the Chakma and Hajongs. There was an appeal by AAPSU for immediate deletion of the names of those Chakmas and Hajongs whose names have been already enrolled in the voters' list and requested to halt the process of fresh enrollment. In addition to that AAPSU had also requested the government to issue instructions to the local administration concerned to impede them from issuing any kind of official documents like Permanent Resident Certificate (PRC), Temporary Resident Certificate (TRC), Land Processing Certificate (LPC), Birth

¹⁶⁸ Ibid.

¹⁶⁹ "AAPSU returns disappointed from high power meeting on refugees issue," *The Arunachal Times*, January 7, 2018.

¹⁷⁰ "Arunachal will never accept Chakma-Hajong refugees: AAPSU," *The Arunachal Times*, April 28, 2018.

Certificate and so on "without the prior approval of the state government," adding that the government should "identify the original 57 Chakma families."¹⁷¹

However, the representatives of Chakmas and Hajongs appealed the committee to draw their attention to their distressing condition calling it an "issue of human misery". Furthermore, they stated that Chakmas have been settled by the Government of India in NEFA (Northeast Frontier Agency). Therefore, it is the responsibility of the government to deliver rights and benefits to the Chakmas and Hajongs who have been living in the state for more than 53 years now."¹⁷²

As per the consequence of the JHPC, in June 2018 AAPSU visited Diyun in order to visit Chakma inhabited areas and have put forward two alternatives: first, if the Chakmas and Hajongs want to stay in the state of Arunachal Pradesh, they have to remain with the status of 'refugees' where they could avail all the facilities like education and health institutions. Second, citizenship can be granted only if they are resettled out of the state of Arunachal Pradesh. Although the 'issue of citizenship' had been at the core of AAPSU's resistance towards the refugees but a shift in 'loss of land and resources' gained a center stage in AAPSU's protest in recent times. As Nepha Wangsha, the spokesperson of AAPSU reiterated during my interview with him,

*"The illegal immigrants have encroached the most fertile lands of Arunachal Pradesh. They have also encroached the Namdapha National Park. AAPSU and the people of the state are not against granting citizenship to Chakmas and Hajongs. But there is a condition, they cannot settle here permanently and claim over our lands."*¹⁷³

¹⁷¹ Ibid.

¹⁷² Santosh Chakma, General Secretary of CCRCHAP, expressed after the 5th Joint High Power Committee, *Arunachal Today News*, January 7, 2018.

¹⁷³ Nepha Wangsha, Spokesperson of AAPSU, interviewed at Itanagar, Arunachal Pradesh, 21 November 2019.

Grounds of resistance by AAPSU:*Indigenous, refugees, illegal immigrants debate:*

There has always been a point of contention that the rights of the indigenous people of Arunachal were violated with the advent of the settlement of the Chakmas into the areas of NEFA. Here emerges the question of 'indigenusness'. The term "hill and forest tribes" were widely used in ethnographic surveys (Beteille 1998). Ascribing indigenusness to tribes, the term "aboriginal tribes" was also used later but it was not left unquestioned. The government of India preferred the term "Scheduled Tribes" which now has the sanction of the constitution and the law. Many argue that "tribe" was a term used by colonial administration to refer the "aboriginals or "autochthonous" (ibid; p.189). Various characteristics like physical or racial traits, habitat, religion, language and dialect were argued to be markers of tribal identity, but they were neither clearly formulated nor systematically applied. Therefore, tribe as an entity was not homogenous as in a context, one set of criteria was used and another in a different context. The next question that emerges is if all tribes are indigenous? The conceptualization of indigenous communities consists of three primary aspects, time, only those can be called indigenous who have lived in the country of which they claim to be indigenous, before the coming of colonization or any other conquest by people from outside the geographical region (Ray 1973). Second is living status, where these groups of people have been marginalized by the conquest by people from outside the region. Third is the way of living, where these people govern their life not so much by laws of the society or country at large as much they follow their own social, cultural and economic institutions. It is problematic to claim that all tribal people in India are earlier settlers than the Aryans and that all tribal people are indigenous and non-tribals non indigenous (Ray 1973). Pointing out the distinction between tribals and indigenous, Pritam Bhai Sonam states,

“The Chakmas may be tribals but they are not indigenous. They are also Buddhists like many of us but they are illegal immigrants.”¹⁷⁴

In order to make this point clear, Xaxa argues that distinctions are to be made about settlement of a community in context of the country and in context of the particular region where they are settled (Xaxa 1999).

AAPSU perceives the Chakmas either as refugees or as illegal immigrants as against indigenous people. Considering the point of arrival being in a post independent period, AAPSU argues that the Chakmas are either refugees or illegal immigrants and cannot be treated at par the indigenous people of the state. Some argues that the Chakmas are refugees as they have crossed international borders and seeking refuge in India. However, others argue that Chakmas are procuring benefits in the name of refugees from International Organizations and National Human Rights Commission. The refugees are supposedly assisted by foreign aid and at times safeguarded by NHRC in the name of human rights violation. And therefore they identify the Chakmas as illegal immigrants and not refugees. Chakmas are called illegal immigrants because of the belief that influx of Chakmas is a continuous process till today. Nepha Wangsha in his interview expressed,

“The biggest problem is that there are more illegal ones than the genuine ones who were brought in 1964. They are still coming in from Bangladesh, Tripura everyday. There is no land in Tripura or in Mizoram; they have better fertile lands here. There are no restrictions here. The government is also very weak here. The illegal immigrants are not regulated.”¹⁷⁵

Debate on permanent or temporary settlers:

¹⁷⁴ Pritam Bhai Sonam, Former Speaker of AAPSU and Present Coordinator of NESO. Interviewed him at Itanagar, Arunachal Pradesh, 23 November 2019.

¹⁷⁵ Nepha Wangsha, Spokesperson of AAPSU, interviewed at Itanagar, Arunachal Pradesh, 21 November 2019.

Another important ground of contention of the receiving community particularly AAPSU against the Chakmas is that the settlement of Chakmas was temporary and not permanent. The grounds of this argument arises from the 'protected area' status that has been assigned to the state of Arunachal Pradesh by various laws from the colonial times. The locals perceive the British efforts to preserve the tribal society and protect it from outside interference through the rules and regulations guaranteeing a 'protected status' and exclusive rights to the resources, property, and jobs of the state to the indigenous tribes of Arunachal Pradesh.¹⁷⁶ The British effort to isolate these hill regions and prevent outside interference is prevalent even after seventy decades of decolonization. Accordingly, Part X of the constitution of India guarantees the state of Arunachal Pradesh with Scheduled Tribe Status under the Sixth Schedule of the Indian Constitution.¹⁷⁷ The special status granted to the state of Arunachal Pradesh has been contrary to the settlement of Chakmas in Arunachal Pradesh. There are various laws, which at the same time upholds the special status of the state. A colonial law that still governs this region is *The Bengal Eastern Frontier Regulation, 1873*. This Regulation has been extended to NEFA by section 7 of the Scheduled Districts Act, 1874. Section 2 and Section 7 of the Regulation introduces the "Inner Line Pass" for any outsider to enter these "excluded" areas.¹⁷⁸ Section 2 of the Act states, "The State Government may, by notification, prohibit all (citizens of India or any class of such citizen) or any persons residing in or passing through such districts from going from beyond such line without a pass under the hand and seal of the chief executive officer of such district or of such other officer as he may authorize to grant such pass; and the State Government may, from time to time, cancel or vary such prohibition."¹⁷⁹ Section 7 of the Regulation, thus prohibiting acquisition of land or any product from this district claims, "It shall not be lawful for any person, not being a native of the districts comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said 'Inner Line' without the sanction of the State

¹⁷⁶ See White Paper on Chakma and Hajong Refugee Issue, Government of Arunachal Pradesh.

¹⁷⁷ Ibid. p.7

¹⁷⁸ Bengal Eastern Frontier, 1873. Regulations made under the Government of India Act, 1870 and Government of India Act, 1915, in force in the Province of Assam, p.7

¹⁷⁹ Ibid. p.7.

Government or such officer as the State Government shall appoint in this behalf." ¹⁸⁰ The purpose of the Inner Line Permit is to foreclose the possibility of any non-native or 'outsider' to seek an interest in obtaining land of the state or developing an interest in the produce of the land. The Regulation vests with the state the sole authority and discretion to cancel or change the conditions of the Inner Line Permit. Similarly, *The Chin Hills Regulation, 1896* empowered the district administration to expel any person not being a native of the area if his presence is found injurious to the peace and good administration of Government. ¹⁸¹

These legislative measures were adopted by the British administrator and later by the central government of India to uphold the tribal character and protect the rights of the indigenous from outside intervention people of erstwhile NEFA. Therefore, AAPSU contends that the region, which forbids unrestricted entry, also for citizens from other parts of India, was made to settle migrants.

"The state of Arunachal Pradesh is under the protection of Bengal Eastern Frontier Regulation, 1873. So, the refugees should be identified and under the Bengal Eastern Frontier Regulation 1873, they should be issued Inner Line Permit. The Bengal Eastern Frontier Regulation 1873 should be made an act because now people misuses Inner Line Permit." ¹⁸²

It needs to be mentioned here that the Chakmas' settlement into these *protected* regions was not voluntary but a decision taken by the government of Assam in consultation with the central government. This interpretation of the AAPSU has been countered by the Chakmas as one of the respondents observed,

"The allegations that the AAPSU made in the White paper that the Chakmas were resettled only temporarily is utter nonsense and false. Do you think we would have travelled thousands of miles to come to this place only to

¹⁸⁰ Ibid. p.7.

¹⁸¹ See *The Chin Hills Regulation 1896* p. 235.

¹⁸² Bengia Mepu, Convener of AAPSU women's wing. Interview conducted, Itanagar, Arunachal Pradesh, 24 November 2019.

stay temporarily? Where would we go after that? It wasn't mentioned anywhere, not even once that we were resettled here temporarily. Had it been mentioned, we would have not come here."¹⁸³

Population explosion:

Another ground of defiance by the host community is the unprecedented growth of population of the refugee community, which creates fear of becoming ethnic minority among the local population. There is no certitude on the actual numbers of Chakma and Hajong population in the state as claimed by AAPSU. Some contends that the total numbers of Chakmas and Hajong refugees would be around 50,000, some say it could be more than 1 lakh and some around 4 lakhs.

Although it is important to take note of population explosion among the Chakmas over the years, it is also important to investigate if it has led to complete demographic alteration of the state of Arunachal Pradesh. The two questions of population explosion and demographic alteration are dealt in the following section.

Table 5.1: District-wise population figures of Chakmas and Hajongs in Arunachal Pradesh, 1964-69

District	No. of families	Population	Community
Lohit (Namsai)	214	1192	Chakma
Subansiri (Papumpare)	238	1133	Chakma
Tirap (Changlang)	2146	11813	Chakma
	150	750	Hajong
Total	2748	14888	Overall

Source: The White Paper, Government of Arunachal Pradesh

¹⁸³ Mrinal Chakma (name changed) interviewed at Jyotipur I village, Diyun circle, Changlang district, Arunachal Pradesh, 3 August 2017.

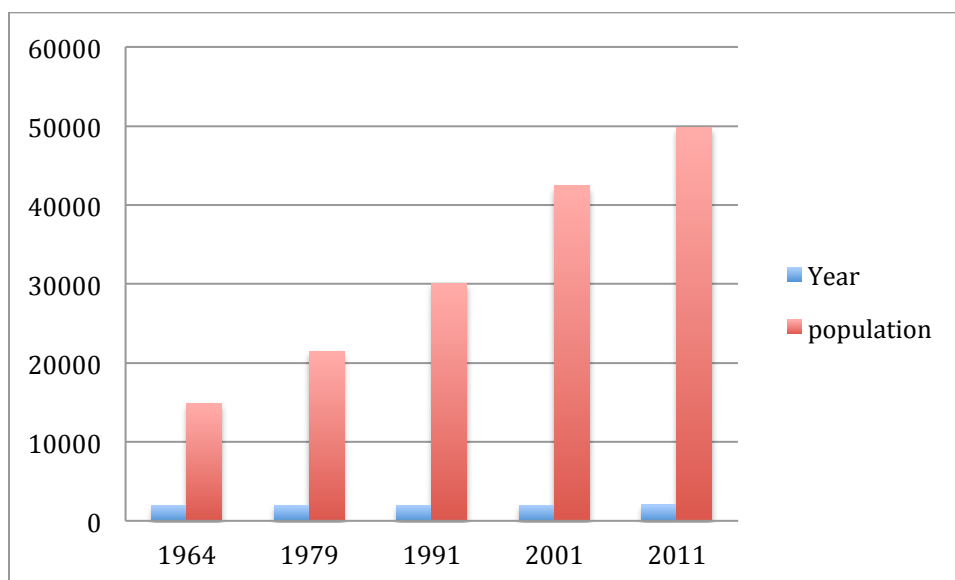
In October 1979, the government carried out a census exclusively for Chakma and Hajong refugees. The numbers of population as reported in the 1979 census is mentioned below:

Table 5.2: District wise population figures of Chakmas and Hajongs in Arunachal Pradesh, 1979

District		No. of families	Population	Community
Lohit (Namsai)		319	1900	Chakma
Subansiri (Papumpare)		290	1600	Chakma
Tirap (Changlang)	Diyun	1480	8474	Chakma
	Bordumsa	412	2248	
	Miao	1160	6131	
	Diyun	258	1141	Hajong
Total		3919	21494	Overall

Source: The White Paper, Government of Arunachal Pradesh

Fig 5.1 Growth of Chakma and Hajong population in Arunachal Pradesh from 1964-2011



Data Source: White paper published by the Government of Arunachal Pradesh and Census report

Figure 1 shows the growth of Chakma Hajong population according to the various census conducted. According to census 1991, 2001 and 2011 the number of Chakma population has gone up to 30064, 42407 and 49784 respectively. Therefore, over a period of 47 years from 1964 to 2011, there is a net addition of 34896 people. This implies a growth rate of 234 percent in 47 years or 4.9 percent per year. If we take a 50-year period from 1961-2011, the total population of Arunachal Pradesh increased from 3,37,000 in 1961 to 13,84,000 in 2011 thereby turning the growth rate to 311 percent. This makes the rate of increase per year at 6.22 percent, which is more than Chakma Hajong growth rate. If we consider the decadal growth rate of Chakma Hajong population and compare with the decadal growth rate of the state, it has been found that it is significantly low here as well. Considering the last decade, 2001-2011 the decadal growth rate of the total population of the overall state has been 26 percent whereas that of Chakma Hajong population has remained at 17 percent.¹⁸⁴ The districts with highest decadal growth are Kumung Kumei

¹⁸⁴ See Census of India 2011.

(111%) and Upper Subansiri (50.3%) both of which are not Chakma and Hajong inhabited regions. The Chakma inhabited districts Changlang and Lohit have shown 18% and 16.4% decadal growth respectively.¹⁸⁵ This implies two things here: (i) there has been an overall increase in the population of the state let alone Chakmas and Hajongs (ii) there has been influx of other linguistic communities from other states in Arunachal Pradesh.

Considering the fact that the Chakma people forms a sizeable number of non-local population compared to the small number of native population of Arunachal Pradesh, migration of non-local, population like the Chakmas may have demographic changes in the state. This is the primary issue over which the spearhead organization, AAPSU, has been mobilizing ethnic sentiments by politicizing the perceived threats of the Chakma people. In order to investigate the demographic change in the state, it is important to have a look at the population density of the state as well as changes over the percentage of Scheduled tribe population in the state. According to the 2011 census, Arunachal Pradesh ranks not only lowest in terms of density of population with 17 persons per square in the whole North east India but also in entire India.¹⁸⁶ It may be inferred from here that migration of Chakmas and Hajongs in the state and its overall impact may not be as devastating as it has been portrayed. Moreover, taking note of Scheduled Tribe population in the state as all the indigenous population of the state are Scheduled Tribe, it has been found that in 1981, two districts, Dibang valley and Lohit were the two districts with majority of non-tribal population. In 1991, 63.7 percent of its total population were Scheduled Tribes in Arunachal Pradesh. The three districts where Scheduled Tribes were not in majority were Changlang, Lohit and Dibang valley with 34.8, 37.3 and 45.4 percent respectively. This implies that there were some changes in the population structure from 1981-1991 but the most sharp decline in Scheduled Tribe population was seen in Changlang district only indicating that the presence of Chakma people have impacted the demography of Changlang district only and not the state as a whole.

Encroachment of land:

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

Along with the population explosion of refugees, the encroachment of lands by the refugees is another matter of concern reported and demanded check upon by the AAPSU. The Chakmas were alleged of encroaching reserved forest as well as the land of the local communities. The members of All Mishmi Students Union (AMSU) on March 22, 2012 met the then Chief Minister, Nabam Tuki and appraised him of encroachment of Kathan village under the Wakro circle of Lohit district by Chakma refugees.¹⁸⁷

Loss of land and resources gained center stage in AAPSU's contention against the Chakmas. The land question and the problem of encroachment by the Chakmas were aggravated by the M'Pen¹⁸⁸ incident that took place on December 23, 2012. The M'Pen case has two sides of the story. One is an account of the locals including AAPSU and the other is the one put forward by the Chakmas. This is a case of conflict over the disputed land. The Chakmas claim that the disputed land was donated by a Singpho man, Pisila Singpho to the Chakmas to inhabit in 1968. However in 1979, due to reclamation by Pisila Singpho, 4 *puras* of land was handed back to Pisila Singpho and an agreement was signed between both the parties that rest of the surrounding lands belong to Chakmas and Pisila Singpho would not have any claim over that. A map was also drawn indicating the area that was under the Singphos' and the Chakmas' possession. The said land was operated according to the deed of agreement for many years, until when in 2012, some family member of Pisila Singpho started claiming the entire land including those under the possession of the Chakmas. The Chakma families were demanded to vacate that land. This created a fissure between the two parties, as the Chakmas living in that land for many years were distressed and disagreeing to vacate. The Singpho community was involved through the Singpho Development Society. The case finally turned into a communal conflict-giving rise to violent outbreaks.

On the one hand, the Chakmas perceive this land as their own as one Pisila Singpho donated them, on the other hand, the Singphos condemn the Chakmas as encroachers claiming they encroached and occupied the land illegally. This incident was highly

¹⁸⁷ "AMSU demands action against Chakma 'extortionists'," *The Arunachal Times*, March 23, 2012.

¹⁸⁸ M'Pen is a village in Miao circle, Changlang district, Arunachal Pradesh.

condemned by AAPSU and others. On 14 January 2013, a 26-member team consisting of AAPSU President Kamta Lapung, General Secretary Biru Nasi and women wing President Aman Tayang appealed the Chief Minister Nabam Tuki to look into the matter.¹⁸⁹ In response to which the leader of the state asked the students' union to concentrate their activities on the welfare of the students alone and to investigate into the facts and to avoid creating distrust. This incident invited more revulsion from the locals and demanded eviction of the Chakmas calling them encroachers. The Singpho Development Society, Bordumsa urged the State Government to immediately 'evict illegal Chakma encroachers from entire M'Pen Singpho village.'¹⁹⁰ This incident breached the relationship between the Singphos and the Chakmas giving rise to increased tensions between the two.

Incidences of encroachment have given rise to fear and insecurity in the minds of the locals for loss of resources. However, it cannot be ignored that there are various factors underplay that leads to these encroachments, one being excessive erosion of land by floods every year. Also in the state of Arunachal Pradesh, it is not only the Chakmas that are involved in encroachment but other communities like Hajongs, Deoris, Bhutias, Nagas are also seen engaged in the encroachment of forest land.

Engaging in criminal activities:

Labeling the Chakmas as 'criminals' found a space in the White paper published by the state government of Arunachal Pradesh as well as in the present discourse of AAPSU about the Chakmas. The Chakmas are perceived as 'criminals' for their involvement in 'anti-social' activities like encroachment of community land of indigenous people and reserved forests, indulging in heinous crime of murder, arson and loot; hobnobbing with

¹⁸⁹ "AAPSU team calls on CM," *The Arunachal Times*, January 16, 2013.

¹⁹⁰ "Society demands eviction of encroachers at M'Pen, dossier on Chakma refugees," *The Arunachal Times*, January 9, 2013.

extremists, training of youths in underground activities including murder of a Goan Burha and a Circle Officer.¹⁹¹ It has been mentioned in a document compiled by AAPSU,

*“...There are altogether 76 cases registered up to November 1979 against the Chakmas and most of them were related to theft, assault and offences under Forest Act. The Chakma also encroached upon the neighboring area by unfair means and created trouble for the local people.”*¹⁹²

The above statement mentions that in most cases Chakmas were involved in offences like thefts and encroachment, which was also, the result of denial and deprivation faced by the community. The alleged involvement of the Chakmas in criminal activities has a lot to do with the continuous state of denial of rights and deprivation as has been pointed out by Shri Hota, Joint Secretary, Ministry of Rehabilitation, Government of India in 1982.¹⁹³ Shri Hota observed that the grievances of the Chakmas are related to denial of citizenship rights, non-availability of hostel facilities and book facilities to their students, non-availability of employment opportunities and also trading rights etc. he also mentioned that the State Government was not providing any developmental grants for the purpose of irrigation, water supply and so on.¹⁹⁴

Even today, the perception of the AAPSU of the Chakmas is very much influenced by their notion of Chakmas as ‘anti-social’, which is very evident from their expressions during interviews. Biru Nasi observed,

*“Our major cause of concern is their ever growing population and their involvement in criminal activities to the extent of killing our people.”*¹⁹⁵

¹⁹¹ See “Why Arunachalees are opposed to permanent settlement of Chakma and Hajong Refugees in Arunachal Pradesh,” compiled by AAPSU.

¹⁹² Ibid, p.4.

¹⁹³ See the White paper, p. 79. Shri Hota was the Joint Secretary, Ministry of Rehabilitation, Govt. of India. He submitted a report on the Chakma, Hajong and Tibetan settlement areas after visiting those areas with a team consisting of members from the Government of India and the Government of Arunachal Pradesh.

¹⁹⁴ See the White paper, page 80.

¹⁹⁵ Biru Nasi, Former General Secretary of AAPSU, interviewed at Itanagar, Arunachal Pradesh, 26 November 2019.

On a similar note, Hawa Bagang, the present President of AAPSU contends,

*“Chakmas are criminal minded people. They are mentally criminal minded and this is the reason why they were also driven out of CHT. Temporary residents do not claim for rights. Their intention is different. They want to occupy all our resources and become our masters.”*¹⁹⁶

The above discussion clearly states the grounds of resentment of the receiving community particularly AAPSU against the incoming community i.e. the Chakmas. Their point of contention is more towards loss of their land, indigenous tribal identity, employment and political threat. Having said that, AAPSU has come down to few probable explanations in dealing with the issue of Chakmas.

Firstly, AAPSU do not oppose granting of Indian citizenship to the Chakmas until the Chakmas are not permanently settled in the state of Arunachal Pradesh. So, they argue the Chakmas to be deported from the state of Arunachal Pradesh either to their places of origin i.e. Chittagong Hills Tracts (CHT) or settle them in any other state within India. Another probable resolution according to the members of AAPSU is to stay with the status of ‘refugees’ within designated areas if at all Chakmas permanently reside in the state of Arunachal Pradesh.

Tobom Dai, General Secretary of AAPSU, in one of his interviews clarified their stand on the Chakmas, an extent to which they are ready to compromise. Chakmas had to be settled outside the state. Similarly, Nabam Jollow, former legal adviser and former President of AAPSU claims,

“The problem can be resolved if the Government of India resettled them outside Arunachal Pradesh. We have not created this problem. The Chakmas have created this problem. Till 2011, there were more than 87 civil

¹⁹⁶ Hawa Bagang, President of AAPSU, interviewed at Itanagar, Arunachal Pradesh, 26 November 2019.

cases and nearly 320 criminal cases reported against the Chakmas. The Government of India marked their designated camps but they are not confined in their settlement area, like the Tibetans. Therefore, they have to be settled somewhere outside the state of Arunachal Pradesh.”¹⁹⁷

Discussion:

In Arunachal Pradesh, the self-perception of the locals rests on their assumption of being tribals who are historically ‘peace-loving’ and ignorant and the belief that their generosity has been stretched too far by the Central Government and therefore it has become inevitable for them to protect themselves from the ‘migrant communities’ that threaten their identity and land. The claims of the AAPSU are based on these assertions of becoming a minority in their own land due to unprecedented growth of the Chakma population in the state. The fear of being outnumbered runs deep within the Arunachali consciousness based on the impact that granting of citizenship and voting rights to these refugees would have upon the already fragile political scenario in Arunachal Pradesh. The issue of the Chakmas was for the first time raised by People’s Party of Arunachal (PPA) in the first popular elections to the Agency Council in 1975. The issue was raised in fear of the Chakmas politically dominating the Diyun-Bordumsa constituency where they are numerically dominant considering the Chakmas are granted voting rights. But there was no organised political voice of the local people till 1980’s because Arunachal Pradesh was directly ruled from New Delhi by the Union government. As NEFA was kept away from the sphere of elections, it lacked a political platform for the local people to raise their concerns. The introduction of universal suffrage inevitably developed a sense of awareness of political rights among the indigenous people of Arunachal Pradesh equally giving rise to fear of its dilution by the refugees. When Arunachal Pradesh attained statehood in 1987, delegation of power from the Centre to the state provided a political platform for the political as well as the student leaders to voice their concerns against the refugees.

¹⁹⁷ Nabam Jollow, interviewed at Itanagar, Arunachal Pradesh, 26 November 2019.

Another factor that fueled the anti-foreigners movement in Arunachal Pradesh was the similar mass movement in the neighboring state of Assam. Ironically enough, this was also the time when the anti-foreigner movement in Northeast India became a part of the popular discourse. Therefore, the anti-foreigner movement in Arunachal Pradesh is invariably viewed as a result of the movement against foreigners in Assam. Prior to 1980's there was no report of any organised protest against the Chakmas in Arunachal Pradesh. Also the organised demonstration of AAPSU in the lines of AASU (All Assam Students' Union) gave rise to the perception that the movement against the Chakmas in Arunachal Pradesh was an offshoot of the Assam agitation against the deportation of foreign nationals.

As already discussed in Chapter II there are three widely debated probable solutions as discussed by scholars while dealing with the influx of refugees. They are repatriation, local integration in the host country and resettlement in a third country (Jacobsen 1996). There are various factors that determine the responses and policies of the host state and its people towards the incoming group of people.

For local integration, theorists have argued that three primary factors that determine refugee integration are; length of time of refugee stay, shared ethnicity and economic sustainability (Kunz 1981, Fielden 2008). Of all the three elements, the most significant element in integration of refugee communities in the host community is co-ethnicity (Kunz 1981). Refugees belonging to similar cultural, linguistic or religious groups like the local population of the host state are more likely to emerge feelings of "belonging" and so have greater chances of peaceful co-existence and integration (Chimni 1999) (Fielden 2008) (Kunz 1981). In the case of the Chakmas, co-ethnicity i.e. religious affinity was taken into consideration while resettling the Chakmas in then NEFA in areas inhabited by communities belonging to the Buddhist religion. The Singphos and Khamtis who belong to Buddhist religion similar to the Chakmas inhabited the areas where the Chakmas were resettled. It is believed that religious affinity would promote peaceful coexistence thereby making refugee integration a smoother and easier process. The Chakmas claim that the Singphos and Khamtis were informed and they consented the settlement of the Chakmas because they share similar religion. On the other hand,

AAPSU alleges that the local communities were not informed and it was without their consent that the Chakmas and Hajongs were settled in the region.¹⁹⁸ Many inter community marriages are also prevalent between Chakmas and local communities. The same religion had however played a significant role in bringing cultural and religious cohesion among the Singphos, Khamtis, and Chakmas building social relations and interaction but it was not the same in the political aspect.

Another aspect that determines local integration is economic capacity of the host state. The economic capacity to absorb refugees of a host state is determined by such elements like employment opportunities, availability of resources like land, carrying capacity of the land, infrastructure (Jacobsen 2001, Soysal 1994). A refugee inflow affects both the availability and quality of land by creating scarcities of land, water, food and firewood and by damaging the eco system (Jacobsen 1994). Therefore, heavily populated areas are less likely to support huge numbers of newcomers. Soysal (1994) argues that host states with abundant land and developing economies are more likely to welcome refugees irrespective of their ethnic identity. Drawing from Soysal's argument it can be interpreted that in the case of the Chakmas too; availability of land was an important factor for the settlement of refugees in those areas. It was a strategic plan of the Union government to populate the sparsely populated areas of Arunachal Pradesh bordering China to secure India from Chinese incursions. There are also many instances of transfer of land between Chakmas and Singphos in Changlang district. In fact, few Chakma villages were created from lands donated by Singpho people. This inevitably leads to the point that the local people had no contention against the settlement of the Chakmas during the initial stage of settlement in 1960s. The villages Udoipur, Dumpather, and Mudoj Deep were created from lands that were donated by Singphos. It is worth mentioning here that the Singphos are the landlords and donation of lands that have been confined not only to the Chakmas but also to other communities like Khamtis and Ahoms. As Lota Maio Singpho (name changed), from Innao village, very proudly expresses the practice of donations by her families:

¹⁹⁸ See White Paper, Government of Arunachal Pradesh, Itanagar, 12 March 1996.

*"Innao was a huge village then. Later it got divided into Innao Singpho, Innao Ahom, Innao Pathar, Innao Khamti, and Innao Sengmai. Innao is the title of Singpho people. Innao Pathar and Innao Ahom were donated to Ahoms and Innao Khamti to Khamti people. Again Udoipur village was donated by my father-in-law. The village Mudoidweep was donated by the Gaon Burha of Mudoi village. In this way, we have donated a vast area of lands to other tribes."*¹⁹⁹

Although there are no legal provisions in the state of Arunachal Pradesh for transferring land from *tribals* to *non-tribals*, yet land is seen transferred as *gifts*. The seller also charges a token of money for clearing and maintaining the plot to the buyer. But it is nowhere mentioned as 'sold' in the agreement rather it writes 'transferred as gifts' this practice is widely prevalent among the Singphos and Chakmas, which is how the Chakmas have now expanded their habitats. The Chakmas are also alleged of expanding their zones by encroaching into forestland.

Most of the resistances from the local people towards the Chakmas are for their fast growth of population and encroaching into forests. Although they perceive the Chakmas as a threat for becoming a minority community, they are not for completely expelling the Chakmas out of the state. As one of the respondents from Mudoi village states:

*"We have no problem if the Chakmas remain confined to the plots of land that they are assigned and not expand and infringe into our lands. Their lands should be demarcated and refrained for encroaching into forestland."*²⁰⁰

In Arunachal Pradesh too, the Chakmas are seen as potential laborers as they are believed to be extremely hard working. Economic interdependence is seen in the domain of agricultural activities. The Singphos are owners of an immeasurable amount of land, which is humanly impossible for them to cultivate. Therefore, in the Singpho inhabited regions, sharecropping is the most common way of cultivation prevalent there. The

¹⁹⁹ Lota Maio Singpho, interviewed at Innao Singpho village, Diyun circle, Changlang district, 6 January, 2017.

²⁰⁰ Onga Singpho (name changed), interviewed at Mudoi village, Diyun circle, Changlang district, 23 August 2017.

Chakmas are hired to cultivate on the lands of the locals (mostly Singphos and Khamtis). The Chakmas are largely cultivators working as agricultural laborers in the fields of local communities. The exchange of products is such that for 1 *pura*²⁰¹ of land, one has to pay 60 tins of the yields to the owner and the cultivator himself can fetch the rest of the product. Sharecropping is mostly done for paddy and sometimes also for *papad*²⁰² and mustard cultivation.

"During rainy season we do pani kheti²⁰³ and during winter, when there is no rain, we do aau kheti.²⁰⁴ But we have no land for paddy, we have to go for sharecropping at locals' land in tribal areas. Some Chakmas have to take cows in rent for plowing, so not much of produce remains after paying."²⁰⁵

Sharecropping is not just cultivation but a community activity. This community activity is undertaken by a group of farmers who are either families or relatives or neighbors. Most of the time a farmer takes the assistance of his family or friends to complete the cultivation in lesser time. This is a kind of community service where villagers help each other and what is to be given in return is the call of the head farmer. Some might pay back in money, which is less likely; some might also give away a certain amount of the harvest but mostly it is the community lunch, which is offered as gratitude. The Chakmas in their language call this community feasting as *Maliye*.

The whole practice of sharecropping creates an interdependent network between the landlords and the farmers. The locals have to be dependent on the Chakmas to cultivate in their fields and the Chakmas are also left with no other option than working in the fields of the locals. Despite interdependence, the social hierarchy of communities has not changed. In the markets it has been noticed that the sellers are mostly the Chakmas, no

²⁰¹ A unit of measuring land.

²⁰² Papad is a crop grown widely by the Chakmas.

²⁰³ Pani Kheti is a type of paddy cultivation, which is practiced during the monsoon season usually from April to July.

²⁰⁴ Aau Kheti is a type of paddy cultivation that is practiced during the dry season with the help of irrigation facilities.

²⁰⁵ Pankaj Chakma (name changed), interviewed at Udoipur village, Diyun Circle, Changlang district, Arunachal Pradesh, 21 August 2017.

local communities like the Singpho, Khamti, and Tangsas are seen selling items in the market. The agricultural products in the market mostly include bamboo shoots, different types of leafy vegetables, potatoes, chilies, eggplants, and papayas amongst others. Diyun circle in Changlang district now produces the highest agricultural products in the state of Arunachal Pradesh, which are also exported to other places, generating the Chakmas as one of the largest producing class in the state.

Another significant element determining refugee integration is the duration of the stay of refugees in the host state. Perception and reaction of the host community changes after a certain period of refugee stay. Although at the beginning after the arrival of refugees, the host community is welcoming and generous, however, gradually after no solution is reached after years of stay, the host community starts resisting. In such a situation, the host community starts complaining of scarcity of economic opportunities like jobs, rising of housing prices and overburdening the welfare system (Brubaker, 2010). Similar findings have been derived from a work based on Iraqi refugees in Syria where the host community's generosity premised in "Pan-Arab" sentiments gradually transformed into resentment for bearing foreign load (Aahraf al-Khalidi, 2007). A similar transformation has been noticed in the case of the Chakmas where the host community claims that the resettlement of the refugees in the state of Arunachal Pradesh was meant to be "temporary" and "not permanent" in nature.²⁰⁶

Therefore there may be variation in the responses of the host community with time. The consequences of the refugee stay may not be anticipated at the initial period of settlement of the refugees. As Prof. Nani Bath rightly puts,

“The Chakmas were settled under government settlement schemes and permissions were there from the Rajas and Gaon Burhas. It is true that they allowed the Chakmas to be settled in then NEFA. But what they did not know was about the consequences. Those regions were jungles, very less population. May be they wanted to be accompanied with more people around. The question is whether

²⁰⁶ See White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996.

they knew of the consequences. They did not know that the 14000 populations would now become around 60,000. They did not know the political and economic consequences of this, about the possible demographic changes and its future implications. They did not know about the scarcity of land, as those days there were plenty of lands."²⁰⁷

We observe that despite the presence of the factors for local integration, namely co-ethnicity and economic capacity yet there is firm resistance against it. In the case of the Chakmas, it has been observed that there is a tussle between all the three probable solutions between the receiving society, particularly AAPSU and the incoming community, the Chakmas. Whereas the Chakmas have been keen about local integration into the host state and society but AAPSU has been against the integration of the Chakmas thereby demanding their repatriation or resettlement in a different place other than Arunachal Pradesh.

It has been observed that the claims of the AAPSU as probable solution of the Chakma issue and claims of citizenship, rights and identity of those of the Chakmas are poles apart. In order to come a viable solution, both the parties has to come to a middle ground through negotiations with support from both the Union Government and the State Government of Arunachal Pradesh. The responses of the Union and state government and judicial intervention from time to time will be discussed in the next chapter.

Summary of the chapter:

This chapter is an in-depth analysis of field interviews, observations from the field, government documents, newspapers, books and journal articles. The primary focus of this chapter was to analyze the resistances and counterclaims of the receiving community, particularly the AAPSU. AAPSU is the apex organization that has been spearheading the anti-Chakma movement since many decades in the state of Arunachal Pradesh. Keeping AAPSU's role in mind, the chapter has discussed in detail, the AAPSU's stand and say in

²⁰⁷ Nani Bath, former Adviser of AAPSU, Interview conducted at Itanagar, Arunachal Pradesh, 20 November 2019.

the whole issue from the very beginning of the entry of the Chakmas into the state till the present. The chapter has also brought into light that at times the AAPSU movement was at its peak whereas at times it had lost its momentum and the reasons behind. To provide a clearer understanding, a ten-year chronological order has been followed from 1964 to 2018. The chapter analyses the causes behind the responses of the host community. Drawing from various existing theories, the chapter has also analyzed different factors that determine the host's response towards refugees. The chapter also sheds light on the stand of the AAPSU on probable resolution of the Chakma issue that has been lingering for more than five decades now.



Chapter VI

State Responses: Findings from the Field

Introduction:

The chapter discusses the responses of the governments, both the Union and the State on the issue of the Chakmas. The chapter analyses various Government documents and newspaper reports in order to explore the responses of the State government, the Union government and the Judiciary towards the issue of the Chakmas. Some of the reports show that the Central government is keen to grant citizenship to the Chakmas, but the Government of Arunachal Pradesh is reluctant to provide them not only citizenship but also basic facilities.²⁰⁸ The Central Government's profound interest in conferring citizenship as well as all ensuing rights to the Chakmas have been evident from the reports on the petition of both the houses of the Parliament as well as the declarations made by the judiciary including NHRC from time to time.²⁰⁹ The State Government of Arunachal Pradesh and AAPSU, on the other hand, are relentlessly battling against citizenship or any kind of rights for the Chakmas. These two contrary stands followed by the state and the federal government make it evident to delve into the responses of the Union and the state government and the reasons behind the same.

The Chakmas and the Judiciary:

In the case of the Chakmas, judiciary delivered some judgments in favor of granting citizenship and other rights to the Chakmas yet they are far from being implemented by the Union and the state government. Judicial intervention on the issue of citizenship to the Chakmas began in 1992 after the Gauhati High Court verdict on the *Khudiram*

²⁰⁸ See the 7th Report of Committee on Petitions (Tenth Lok Sabha), May 13, 1993.

²⁰⁹ See the 105th Rajya Sabha Report of the Committee of Petitions, August 14, 1997 and the 7th Report on Committee on Petitions (Tenth Lok Sabha), MAY 13, 1993. National Human Rights Commission vs State of Arunachal Pradesh & Another, Supreme Court of India, January 9, 1996. Order of Election Commission of India on inclusion of Chakmas on electoral rolls, March 3, 2004. Committee for Citizenship Rights of Chakmas of Arunachal Pradesh vs. State of Arunachal Pradesh & Others, Supreme Court of India, September 17, 2015.

Chakma v. Union Territory of Arunachal Pradesh and others. In the *Khudiram Chakmas V. State of Arunachal Pradesh*, the petitioner filed a writ petition as *Gaon Bura* (village headman) of Joypur village, Diyun circle of Miao sub-division, Tirap district, Arunachal Pradesh for himself and on behalf of his co-villagers challenging Annexure 5 of the notice²¹⁰ issued on February 15, 1984 instructing them to shift to vacant land at Moitripur and Goutompur village in the district of Tirap, Arunachal Pradesh.²¹¹ A “local Raja” Ningrunong Singpho, the owner of Joypur village donated 1 sq. mile of his land in favour of the petitioner as per Annexure I of the document dated 20-11-72. It was mentioned in the Annexure that the land that the Raja proposed to donate was forest land and not conducive for him to cultivate due to damages caused to crops by wild beasts.²¹² The Chakmas were laborious and the locals employed the Chakmas to clear forests. As narrated by Kripadhan Karbari,

*“It is always the Chakmas who clear jungle lands for the locals. Chakmas were also asked to do jhum cultivation in the land for 2 or 3 years so that the jungle lands are made suitable for cultivation. Later the Chakmas are titled as encroachers but nobody asks why and for whom was the jungle cleared. I really wonder what would the locals do if we were not here.”*²¹³

Similarly, this time the Raja felt that if he donated his land to the Chakma people, it would be cleared and cultivated by the Chakmas which would help the Raja to protect his other lands also from wild beasts. Thus this agreement was beneficial for both the Singpho Raja and the Chakma families. The then Deputy Commissioner of Khonsa district, also approved the land donated by the Singpho Raja of Joypur village by

²¹⁰ This notice was issued to Khudiram Chakma and 56 other families to vacate Joypur village.

²¹¹ See Gauhati High Court judgment on *Khudiram Chakma V Union Territory of Arunachal Pradesh* on 30 April, 1992, p.1.

²¹² Ibid.

²¹³ Kripadhan Karbari, interviewed in Shantipur village, Diyun circle, Changlang district 29 December 2016.

Annexure 2 order dated 20-11-75.²¹⁴ From my conversation with villagers during my field visit it was revealed that the Joypur village land was very fertile and the loss is still very much deeply felt by the Chakmas even today. One Monjit Chakma (name changed) lamented,

“Once we possessed a very fertile plot of land in Joypur village. It was donated to us by Raja Ningrunong and made the best possible utilization of the plot. It was so fertile that whatever you cultivate there used to yield very good amount of harvest. But some other Singpho people did politics with us and very cleverly took away the land from us and Chakmas residing there were evicted. There are many sad stories like this one.”²¹⁵

In order to safeguard the possession of the said land, Khudiram Chakma, the village headman of Joypur village filed a writ petition. But to the dismay of the petitioner and the entire Chakma community, the verdict of the court rebuffed grant of Indian citizenship to Chakmas that all persons of Indian origin who came to Assam, before January 1, 1966 from territories included in Bangladesh immediately before the commencement of the Citizenship (Amendment) Act 1985, and who had been ordinarily resident in Assam since their entry into Assam shall be deemed to be citizens of India as from 1 January 1966. The appellant and 56 other families in the above case claimed that they were Indian citizens under the special provisions made pursuant to the Assam Accord of 1985. The Gauhati High Court in the matter of Civil Rule No. 166 of 1984, with the bench consisting of Chief Justice U.L. Bhat and Justice D.M. Baruah, in its verdict dated April 30, 1992, referring to the Indian Citizenship (Amendment) Act, 1985 in relation to the Assam Accord held that the appellant and the others do not fall under the said category as they stayed in Assam for a very short period of time and now the area where they are settled fall under the adjudication of the state of Arunachal Pradesh and not Assam. Therefore they are not citizens of India and hence lost the case. This case has been many

²¹⁴ See Gauhati High Court judgment on *Khudiram Chakma V Union Territory of Arunachal Pradesh*, 30 April 1992, p.1.

²¹⁵ Monjit Chakma, interviewed in Aranyapur village, Diyun circle, Changlang district, 1 January 2017.

times exploited by the AAPSU who emphasizes that the Chakmas are therefore not citizens but foreigners and so they should be expelled from the state of Arunachal Pradesh.

After denial of citizenship and occupation of land by the Gauhati High Court, the appellant moved to the Supreme Court of India. A similar verdict followed by the Supreme Court of India in Civil Appeal Nos. 2182/93 with 2181/93 dated 27 April 1993 known as *State of Arunachal Pradesh V. Khudiram Chakma* which upheld the verdict of the Gauhati High Court and declared the Chakmas to be non-citizens under Section 6A of the Indian Citizenship Act 1956 as they were not “ordinarily resident” in Assam and were residing in Miao Sub-Division of Tirap district, Arunachal Pradesh since 1968. Although fundamental right under Art 21 of the Indian Constitution cannot be infringed be it citizens or non-citizens but it does not comprise the right to move freely throughout and reside and stay in any part of India, as conferred under Articles 19 (1) (d) and (e). Thereby the Supreme Court held that according to the Foreigners Act of 1948 which may prohibit or restrict entry of foreigners into India and also declare any area as protected along with the Bengal Eastern Frontier Act 1873, held that no person who is not a “native” of the district, let alone refugees, can take any interest in the land beyond the “inner line” and so the above mentioned transfer as illegal.²¹⁶ However, the High Court instructed the state government of adequate compensation for the families evicted, which sadly has not been fulfilled till now. As claims Mahendra Chakma:

“The case of Khudiram Chakma and others vs. the Union Territory of Arunachal Pradesh as a classic case of blaming the victim and shifting the onus to prove citizenship on those innocent people. It is a tragedy that Khudiram Chakma lost the case and until death could not save his village from eviction as he failed to prove his citizenship and thereby the right to equality under Article 14 was denied to him. Of the 56 families evicted from joypur village, very few were

²¹⁶ See Gauhati High Court judgment on *Khudiram Chakma V Union Territory of Arunachal Pradesh* on 30 April, 1992, p.1.

given alternate land as was stipulated by the court."²¹⁷

The 1992 Gauhati High Court verdict on Khudiram Chakma case however reveals that the Indian Citizenship (Amendment) Act, 1985 is not free from shortcomings. The Act is limited in its application because it considers 'State of residence' as a basis of conforming citizenship status to an individual. Like if a Chakma or a Hajong migrated from erstwhile East Pakistan before 1 January 1996 but at the time of the Citizenship (Amendment) Act 1985, has settled in Arunachal Pradesh will be denied of Indian citizenship, whereas the one settled in Assam would be entitled to Indian citizenship. It clearly shows that Indian citizenship is determined by a particular State or Union Territory of which a person is presently a resident of and not of the country.

Again in 1996, after a writ petition by NHRC to Supreme Court, seeking protection of life and liberty of the Chakmas, the Supreme Court came out with interim directions to the State government that the Chakmas are not evicted by coercive action.²¹⁸ This landmark judgment delivered on 9 January 1996 by a Division Bench of Chief Justice A M Ahmadi and Justice A S Sen of the Supreme Court directed the State Government of Arunachal Pradesh and the Government of India and, among others, to process the citizenship applications of the Chakmas and Hajongs of Arunachal Pradesh. This judgment for the first time held that fundamental right to equality (Article 14) and right to life and personal liberty (Article 21) shall apply to the Chakmas and Hajongs and established vicarious liability of the State to protect refugees. In *Louis De Raedt v. Union of India* [(1991) 3 SCC 554] and *Khudiram Chakma v. Union of India*, the court held that foreigners are entitled to the protection of Article 21 of the Constitution.²¹⁹

The Supreme Court issued an interim order on 2 November 1995. This order directed the state government to guarantee that the Chakmas are not evicted by any coercive action,

²¹⁷ An Open Letter to the Home Minister, Rajnath Singh, regarding granting of so-called Citizenship to Chakma and Hajong tribes of Arunachal Pradesh, 21 September 2017, p.4

²¹⁸ Ibid, p.3.

²¹⁹ See *National Human Rights Commission v. State of Arunachal Pradesh and Another*, p.5.

not in accordance with law. The final order, which was issued on 9 January 1996, declaring protection of life and property of Chakmas and considering them for citizenship under Section 5 of Citizenship Act 1955. The order goes as under;

“... The State of Arunachal Pradesh shall ensure that the life and personal liberty of each and every Chakma residing within the State shall be protected and any attempt to forcibly evict or drive them out of the state by organized groups, such as the AAPSU, shall be repelled. Except in accordance with law, the Chakmas shall not be evicted from their homes and shall not be denied domestic life and comfort.

The order further mentions,

... The application made for registration as citizen of India by the Chakma or Chakmas under Section 5 of the Act, shall be entered in the register maintained for the purpose and shall be forwarded by the Collector or the DC who receives them under the relevant rule.”²²⁰

The Supreme Court also held that although the State government of Arunachal Pradesh along with AAPSU contends that Chakmas are repealed of citizenship in Khudiram Chakma v. Union of India case and so they cannot be reconsidered for citizenship that is misconceived. As in Khudiram Chakma case, the appellant and others invoked citizenship under Section 6 of the Citizenship Act, which is a special provision for the citizenship of persons covered by the Assam Accord and therefore limited in scope. Whereas, in the present case, the Chakmas are seeking to attain citizenship under Section 5 (1) (a) of the Act, where the deliberations are entirely different. Any person, who is not a citizen of India, can invoke citizenship under Section 5 by registration. The Supreme Court in its judgment, thus remarks:

²²⁰ See *National Human Rights Commission v. State of Arunachal Pradesh and Another*; p 8.

“Thus, in Khudiram Chakma’s case, the issue of citizenship was raised in a narrower context and was limited to Section 6-A(2) of the Act. In the present case, the Chakmas are seeking to obtain citizenship under Section 5(1)(a) of the Act, where the considerations are entirely different. That section provides for citizenship by registration. It says that the prescribed authority may, on receipt of an application in that behalf, register a person who is not a citizen of India, as a citizen of India if he/she satisfies the conditions set out therein. Section 5, therefore, can be invoked by persons who are not citizens of India but are seeking citizenship by registration.”²²¹

The 1996 Supreme Court judgment on the protection of life and liberty of Chakmas came as a landmark judgment not only for Chakmas but all refugees. After this judgment, significant change in the attitude of the Arunachal State government and local people towards the Chakmas was evident. The Chakmas of Arunachal Pradesh assert that after the 1996 judgment, a significant change in the attitude of the local communities towards the Chakmas has been noticed. It was after this judgment that the state and other ethnic communities of Arunachal Pradesh realized that Chakmas could reside in the state permanently with dignity. Therefore, threat to life and expelling from the state reduced. As Sunil Chakma (name changed) states;

“After the Supreme court verdict on 9th January 1996, we are freely breathing. Even after that the Chakmas are facing many atrocities but it has decreased. Before that, Chakmas were beaten up in the roads. In 1994, on a Sunday, Chakma girls went to Namsai market to sell vegetables; they were forcefully kidnapped and raped. There are many similar cases of harassment and atrocities.”²²²

²²¹ See *National Human Rights Commission v. State of Arunachal Pradesh and Another*, p.6.

²²² Sunil Chakma, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 5 August 2017.

The state government and AAPSU were very critical about this landmark judgment for Chakmas and Hajongs by the Supreme Court as petitioned by NHRC. The state government and AAPSU alleged the judgment as an outcome of over reaction of NHRC. As it reported;

*“The National Human Rights Commission (NHRC) over-reacted on receipt of complaints of alleged violation of human rights of the Chakma and Hajong refugees by the State Government machinery and All Arunachal Pradesh Students Union (AAPSU) in so much so that instead of enquiring into these allegations, the NHRC choose to file a public interest petition in the Hon’ble Supreme Court, on mere apprehension of violation of human rights.”*²²³

However, as it was declared in the 1996 judgment by the Supreme Court that under Section 5, the Chakmas can apply for citizenship under registration, the state government has always been reluctant in processing the applications.

Aggrieved by the failure of the Election Commission of India to ensure enrollment of eligible Chakma voters, CCRCAP with the help of the Peoples’ Union for Civil Liberties (PUCL) filed a Public Interest Litigation (Civil Writ Petition No.888 of 2000) in the Delhi High Court in 2000. The High Court delivered its judgment on September 28, 2000, which inter alia ruled,

*“Therefore, in case any person, who claims inclusion in the electoral roll, produces material to the effect, same shall be considered by the Commission and/or the State Commission as the case may be. It goes without saying that decision in this regard will be taken within a reasonable time.”*²²⁴

²²³ See the White paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996, p.14.

²²⁴ See Civil Writ Petition No. 886 of 2000 in the matter of People’s Union for Civil Liberties, *Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh vs. Election Commission of India*, State Election Commission of Arunachal Pradesh and Union of India.

After the above judgment by the Delhi High Court, CCRCAP put sustained pressure in the Election Commission of India for compliance of the above directions. CCRCAP also filed a petition against the state of Arunachal Pradesh and the Election Commission of India under the Contempt of Courts Act. This led to the Election Commission of India vide its order dated March 3 2004 (No.23/ARUN/2003) that it is concerned with the enrollment of those Chakmas as electors who have acquired Indian citizenship by birth²²⁵ and who are ordinarily resident in Arunachal Pradesh. Under the provisions of Article 326 of the Constitution with section 19 of the Representation of the People Act, 1950, these Chakmas are constitutionally entitled to be registered as electors in the electoral rolls of the constituencies in which they are ordinarily resident in Arunachal Pradesh. The Election Commission of India directed the Electoral Registration Officers in four Assembly Constituencies of 14- Doimukh, 46-Chowkham, 49-Bordumsa-Diyun and 50-Miao of Arunachal Pradesh to include the names of eligible electors in the electoral rolls to enable them to cast their votes. The Election Commission of India vide its orders dated March 31, 2003 and April 24, 2003 ordered a special summary revision of electoral rolls in Arunachal Pradesh with reference to 01.01.2003 as the qualifying date in the above-mentioned Assembly Constituencies. During the process of the said summary revision of electoral rolls, the concerned Electoral Registration Officers of the above said Assembly Constituencies, accepted 323, 1164 and 10 claims of the Chakmas for inclusion in the electoral rolls of 46-Chowkham (ST), 49 Bordumsa Diyun and 50-Miao (ST) Assembly Constituencies respectively after due process. But, the Electoral Registration Officer of 14-Doimukh (ST) Assembly Constituency reported that he had rejected all the 426 applications for inclusion of names received in bulk. The rejection of applications were in view of a resolution passed by the State Cabinet dated 14.05.2003 which directed that non-Arunachalees shall not be enrolled in the electoral rolls in the state without the possession Inner Line Permits under the Bengal Eastern Frontier Regulation 1873 with minimum validity of six months. In response to this, the Commission stated in a letter to the State Chief Minister that preparation and revision of electoral rolls was a constitutional duty conferred on the Commission by the Article 324 (1) of the

²²⁵ See the *Order by the Election Commission of India*, No. 23/ARUN/2003, March 3 2004.

Constitution and hence the State Cabinet Resolution dated 14.05.2003 as far as it related to the preparation and revision of electoral rolls was not in accordance with the provisions of the constitution and rules and acts governing the matter.²²⁶ The state's intervention in depriving the Chakmas of the citizenship and other rights is very much evident from the sudden resolution passed by the State Cabinet. This resulted in rejection of eligible Chakmas to get enrolled in the voters list. The Commission again instructed the Chief Electoral Officer, Arunachal Pradesh to direct the Electoral Registration Officers of the above mentioned three assembly constituencies to revive their earlier decisions and include the names of eligible Chakmas in the relevant electoral rolls. However, the instructions got a negative response from the State Chief Electoral Officer who thereby informed the Commission;

“...The Electoral Registration Officers of the said three assembly constituencies did not follow the Commission's instructions asking them to revive their earlier decisions to include the names of Chakmas found to be eligible, in the relevant electoral roll. Also the Electoral Registration of 14-Doimukh (ST) Assembly Constituency had reported that he had not received any applications for inclusion of names.”²²⁷

The above statement reveals the inconsistencies between the instructions from above and its execution at the local level. This also indicates the amount of defiance at the local administrative level on granting of citizenship and other rights to the Chakmas. Two different statements by the Electoral Registration Officer of 14-Doimukh, once declaring rejection of all the 426 applications received and again denying of receiving any application, rather augments the disparity. Moreover, according to Article 325 of the Indian Constitution, no person shall be ineligible for inclusion in or claim to be included in any electoral roll for any constituency on grounds only of religion, race, castes, sex, or any of them. Therefore, rejection of eligible Chakmas from inclusion in the electoral rolls

²²⁶ Ibid. p. 41.

²²⁷ See the *Order by the Election Commission of India*, No. 23/ARUN/2003, March 3 2004, p. 41.

on the basis of the fact that they belong to the Chakma tribe/race is in violation of the Constitutional mandate of Article 325. Having regard to these facts, the Election Commission of India, following its constitutional duty, instructed the Chief Electoral Officer, Arunachal Pradesh to direct the Electoral Registration Officers on 3 March 2004, as under-

“The Electoral Registration Officers of the above mentioned three Assembly Constituencies shall forthwith publish the electoral rolls by including the names of the aforesaid 1,497 eligible electors in the relevant parts of the electoral rolls of the respective Assembly Constituencies and they shall be eligible to cast their votes under Section 62 of the Representation of the People Act, 1951 in the ensuing elections to the House of the People. The Electoral Registration Officer for 14-Doimukh Assembly Constituency shall also publish the electoral rolls as finalized by him, forthwith”²²⁸

Following the order of The Election Commission of India in 2003, the AAPSU filed a Public Interest Litigation (PIL) in 2009 challenging the additional guidelines issued by the Election Commission of India. It mentioned that it is discriminatory and unreasonable to include the name of eligible Chakmas in the electoral roll and also contrary to the provisions of law and also in violation to the constitutional safeguards provided to the people of Arunachal Pradesh. The petitioners also claimed that the guidelines are contrary to section 13 of the Registration of Births and Deaths Act, 1969. To which, the Gauhati High Court dismissed the PIL (No.52 of 2010) and held;

“...these guidelines had been issued in conformity with the policy decision of the Government of India to settle the Chakmas in various parts of India including Arunachal Pradesh and to grant citizenship to them, and had been issued to protect the interest of these Chakmas refugees including their right of franchise as a bona fide citizen of this country. Consequently, the present Public

²²⁸ See the *Order by the Election Commission of India*, No. 23/ARUN/2003, March 3 2004.

*Interest Litigation petition is dismissed as devoid of merit, however, without any cost.*²²⁹

This was the time when the Judiciary both the Supreme Court and the Gauhati High Court came up with affirmative judgments for the Chakmas one after another. Revival of Chakma students' admission in schools was upheld by another judgment by the Gauhati Court (PIL No. 32/2012) on a letter petition filed by one Tejang Chakma, former President of Arunachal Pradesh Chakma Students Union (APCSU) following denial of admission to Chakma students at Government Higher Secondary School at Miao in Changlang district.²³⁰ A landmark judgment on conferring citizenship to Chakmas was delivered by the Supreme Court on September 17, 2015 who migrated to India in 1964-1969 and settled in the state of Arunachal Pradesh. The Supreme Court while passing the ruling reiterating the 1996 judgment asked the government of India and state government of Arunachal Pradesh to process the citizenship applications of the Chakmas who migrated during 1964-1969 preferably within three months and also ordered their protection of life and liberty and equal treatment.²³¹

The Chakmas and the National Human Rights Commission (NHRC):

The NHRC was formed by The Protection of Human Rights Act of 1993 bestowing it the right to investigate into a complaint of human rights violation either 'suo moto or on a petition presented to it by a victim or any person on his behalf.'²³² The NHRC (Procedure) Regulations provides the NHRC with 'its own team of investigation' and allows it 'in any given case (to) appoint an appropriate number of outsiders to be associated with the investigation either as investigators or Observers (Chimni, Status of

²²⁹ See *All Arunachal Pradesh Students Union & others vs. Election Commission of India & others*, Gauhati High Court, 19 March 2013.

²³⁰ See *Gauhati High Court judgment (PIL No.32/2012)* on denial of admission to Chakma students and subsequent notification issued by Government of Arunachal Pradesh, 2013.

²³¹ See *Committee for CCRCAP & Others vs. State of Arunachal Pradesh & Others*, Supreme Court, 17 September 2015.

²³² See Section 12 (a), NHRC Act, 1993.

Refugees in India: Strategic Ambiguity 2008).’ In the case of Chakmas, NHRC had interceded and investigated into the cases of human rights violations.

In view of growing attacks on the Chakmas and in the wake of “Quit Arunachal Notices” threatening the lives and liberty of the Chakma people, the CCRCAP approached human rights organizations like National Human Rights Commission (NHRC), People’s Union for Civil Liberties (PUCL) and South Asian Human Rights Documentation Centre (SAHRDC) and appealed for protection from growing instances of human rights violations by the AAPSU. The NHRC approached the Supreme Court of India through a writ petition seeking protection of life and liberty of the Chakmas after verifying the cases of human rights violations of the Chakmas by AAPSU. The NHRC, under *The Protection of Human Rights Act, 1993 (No.10 of 1994)* filed Public Interest Litigation on behalf of the Chakmas for violation of human rights.²³³ Section 18 of the said Act empowers the NHRC to approach the Supreme Court in appropriate cases.²³⁴ The Committee for Citizenship Rights of the Chakmas (CCRC), on October 15 1994, filed a representation with the NHRC complaining of harassment of the Chakmas. The petition consisted a press report carried in *The Telegraph* dated August 26, 1994, stating that the AAPSU had issued “quit notices” to all alleged foreigners, including the Chakmas to leave the state by September 30, 1995.²³⁵ The AAPSU had also threatened use of force if their demands were not complied to. NHRC also directed the Union and State Government to assess if steps were taken to protect the Chakmas on December 7, 1994. Despite reminders by NHRC, there was no response till September 1995. Finally on October 29, 1995, the NHRC logged a prima facie conclusion that the officers of the State Government were acting in cooperation with the AAPSU with a view to dismissing the Chakmas from the state of Arunachal Pradesh.²³⁶ The NHRC’s decision to approach the Court was because of its doubt as to whether its own attempts would be sufficient to withstand the Chakmas in their own habitat. As a result of it, The Supreme Court of India, issued an interim order instructing the State Government of Arunachal Pradesh that

²³³ See *National Human Rights Commission v. State of Arunachal Pradesh and Another*.

²³⁴ *Ibid.* 1.

²³⁵ See *National Human Rights Commission vs. State of Arunachal Pradesh & Anr*, Supreme Court of India, 9 January 1996.

²³⁶ *Ibid.* 2.

the Chakmas are not forcefully evicted residing in its territory, not in accordance with law.²³⁷ NHRC's crucial role in this case is worthwhile from its investigation into the matter and a prima facie finding that it recorded as under,

*...The service of quit notices and their admitted enforcement appeared to be supported by the officers of the first respondent (State of Arunachal Pradesh). ...The second respondent further notes that after the expiry of the deadline of October 30, 1994, the AAPSU and other tribal student organizations continued to agitate and press for the expulsion of all foreigners including the Chakmas. It was reported that the AAPSU had started enforcing economic blockades on the refugee camps, which adversely affected the supply of rations, medical and essential facilities etc., to the Chakmas. The fact that the Chakmas were dying on account of the blockade for want of medicines is an established fact ...On September 20, 1995 AAPSU, once again, issued an ultimatum citing 31 December 1995 as the fresh deadline for the ousting of Chakmas.*²³⁸

It was on the basis of the findings of NHRC, the Supreme Court of India came up with the historic judgment where the Supreme Court of India directed the State and the Union Government to ensure the protection of life and personal liberty of each and every Chakma residing within the state of Arunachal Pradesh and should be protected from any kind of forcible eviction from the state. It also held that the District Commissioner or the Collector who receives under the relevant rule should forward the applications for citizenship made by the Chakmas under Section 5 of the Act.

Finally, after eight years, on 17 September, 2015 a bench of Justice Anil R. Dave and Justice Adarsh Kumar Goel of the Supreme Court delivered the final judgment and order directing the state of Arunachal Pradesh and the Union of India as follows;

“... we allow this petition and direct the Government of India and the state of Arunachal Pradesh to finalise the conferment of citizenship rights on

²³⁷ Ibid.

²³⁸ See *National Human Rights Commission vs. State of Arunachal Pradesh & Anr*, Supreme Court of India, 9 January 1996.

eligible Chakmas and Hajongs and also to ensure compliance of directions in judicial decisions referred to in earlier part of this order for protection of their life and liberty and against their discrimination in any manner. The exercise may be completed at the earliest preferably within three months from today."²³⁹

Apart from the core issue of conferring citizenship to eligible Chakmas, the September 17, 2015 judgment also directed that (i) all judicial decisions delivered by the apex court and the High courts should be honored and (ii) the Chakmas should not be discriminated in any manner. Following the judgment, an Interlocutory Application [I.A. No. # in W.P. 9C) No. 510/2007] was filed by the Union of India in January 2016, requesting an extension of time for the implementation of the 2015 judgment of the Apex court.²⁴⁰ In the course of the hearing of the I.A. the bench headed by Justice Anil R. Dave had directed the State Government of Arunachal Pradesh to submit a status report on the implementation of the 2015 judgment. As a result, the two reports submitted by the state government indicated that a total of 2025 (43.67%) of the total pending applications of the Chakmas have been processed whereas only 110 applications have been forwarded to the Ministry of Home Affairs.²⁴¹ Furthermore, these forwarded applications were sent without further recommendations on the grounds that the applications did not meet the conditions as have been prescribed under the Section 5 (1) (a) of the Citizenship Act, 1955. As a result of which the Ministry of Home Affairs without the further proceeding sent these applications back to the State Government of Arunachal Pradesh.²⁴² The AAPSU opposed the judgment and held series of protest rallies in Arunachal Pradesh and New Delhi. Both the state and AAPSU filed Review Petitions seeking modification of the September 17, 2015 judgment but both were dismissed in the judges' chamber without any hearing in the open court.²⁴³

²³⁹ See Supreme Court Judgment on *CCRCAP and others vs. State of Arunachal Pradesh and others*, 17 September 2015.

²⁴⁰ See Committee for Citizenship Rights of the Chakmas and Hajongs of Arunachal Pradesh (CCRCHAP), 'CCRCHAP: Celebrating 25 Years of Community Service', Diyun, Changlang District, Arunachal Pradesh.

²⁴¹ *Ibid.*

²⁴² *Ibid.*

²⁴³ *Ibid.*

The Chakmas and the Union Government:

The Chakma issue in the state of Arunachal Pradesh has travelled through different governments at the Centre, with no significant difference in dealing with the issue. Be it the Congress (I) or the BJP-led National Democratic Front (NDA), both have maintained an indifferent approach towards the issue. Although on several occasions the Central government expressed its willingness to grant citizenship to the Chakmas yet it was not firm enough to implement despite various Supreme Court orders in this regard.

Under the Congress-led Central government, for the very first, reference of Chakmas in terms of granting citizenship to them was made in 1992 in a reply to Shri Laeta Umbrey, former Member of Parliament from Arunachal Pradesh vide D.O. Letter No. 12/16/92-MZ dated September 23, 1992, former Minister of State for Home and Parliamentary Affairs Shri M.M Jacob, inter alias, stated the official position of the Government of India on the Chakmas and Hajongs of Arunachal Pradesh as below:

“....being new migrants, viz. Refugees from Bangladesh who came to India between 1964 (25th March, 1971), they are eligible to the grant of citizenship according to the policy of the Government on the subject and most of these migrants have already been granted citizenship. Further, a very large portion of these refugees would have been born in India and, therefore, would be automatically entitled to the grant of citizenship.”²⁴⁴

Not only granting citizenship to the Chakmas, M.M Jacob also maintained that the presence of refugees have not resulted in any major law and order disruption except some isolated cases of friction between the refugees and the locals, and therefore deporting the Chakmas from the state is unquestionable. In the letter, Jacob also insisted that the state of Arunachal Pradesh should share the burden of refugees along with the entire country. Similar demands from Shri Nyodek Yonggam, former Member of Parliament from

²⁴⁴ See White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996, Annexure XI.

Arunachal Pradesh for deportation of the Chakmas was responded by Shri P.M. Sayeed, former Minister of State (States), Ministry of Home Affairs, in a letter dated July 7, 1994, being D.O. No.13/12/94-MZ, as under:

“We have examined the matter in detail and find that the Chakma/Hajong, Tibetan and Yobin refugees were settled in Arunachal Pradesh in consultation with the then NEFA Administration (now Arunachal Pradesh). Under the Indira Mujib Agreement of 1972, it was decided that the Chakma/Hajong refugees who came to India from erstwhile East Pakistan (now Bangladesh) before 25.3.1971 will be considered for the grant of Indian citizenship.”²⁴⁵

The above stated official position of the Union of India irked the dispensation in Itanagar and it deployed more harsh measures on the Chakmas. Moreover, the tenth Lok Sabha report on a petition observed that the Union government in consultation with the NEFA administration resettled the Chakmas and that they could not be sent back because East Pakistan is not willing to take them back and also because they are minorities likely of facing humiliation, death and persecution. Therefore the committee urged the government of Arunachal Pradesh not to deny the basic facilities like education, ration cards, trade and so on while exploring possibilities of granting citizenship to them as early as possible.²⁴⁶ As the pleas with the Central Congress-led Government for deportation of the Chakmas went unheeded, the State Government, with active participation of the All Arunachal Pradesh Students’ Union (AAPSU) organized referendum rallies and State political leaders threatened to resign from all national political parties if the Government of India failed to deport the Chakmas within the timeframe given by them. On August 26, 1994 ‘Quit notices’ were issued by AAPSU with a deadline to all alleged foreigners including the Chakmas to vacate the state by 30 September 1995. As the situation getting worse for the Chakmas, on September 9, 1994, the People’s Union for Civil Liberties

²⁴⁵ See the White paper White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996, Annexure XII.

²⁴⁶ See the 7th Report of Committee on Petitions (Tenth Lok Sabha), May 13, 1993. The petition was filed by Shri Uttam Chakma, regarding grant of Indian Citizenship to the Chakma and Hajong tribals of Arunachal Pradesh.

(PUCL) Delhi brought the matter to the attention of National Human Rights Commission. CCRCAP also brought out various cases of human rights violations faced by the Chakmas. When the state government did not follow the instructions of NHRC to take necessary steps to protect the Chakmas, it approached the Supreme Court of India. The Supreme Court in ‘National Human Rights Commission vs. State of Arunachal Pradesh and Another’ observed the stance of the Union government too. The Union of India had maintained its stand that the resettlement of Chakmas in the present territory of Arunachal Pradesh was the result of an extensive discussion between the Government of India and the NEFA administration. The Union of India also held that due to the Chakmas’ inhabiting in those areas for several decades, it has developed close social, economic and religious ties with the place and its people. Hence, the Union Government has argued that to uproot those people would be both inhuman and impracticable. The Union Government also reiterated its decision to confer citizenship on the Chakmas according to the Section 5 (1) (a) of the Citizenship 1955 Act. The Union Government also extended its support for citizenship by birth for the children of those Chakmas who were born in India prior to July 1, 1987, before the amendment of the Act in 1987. The Union Government also reported it about non-cooperation of the State Government in forwarding the applications of citizenship by the Chakmas thereby averting the Union of India from taking into account the issue of citizenship of the Chakmas.²⁴⁷ The Union Government clarified its position on granting citizenship to the Chakmas by informing the Court that the Union is keenly considering the issue of citizenship and has recommended the State government to take required steps to provide security to the Chakmas. Further, the Union Government also proposed ‘a dialogue between the State Government, the Chakmas and all concerned within the State to amicably resolve the issue of granting citizenship to the Chakmas while also redressing the genuine grievances of the citizens of Arunachal Pradesh.’²⁴⁸

Just a year after the Supreme Court’s order to protect the life and liberty of each and every Chakma living in the state of Arunachal Pradesh, the Rajya Sabha came up with a

²⁴⁷ See *National Human Rights Commission vs. State of Arunachal Pradesh & Anr*, Supreme Court of India, 9 January 1996.

²⁴⁸ *Ibid.* p. 3.

report on the Chakmas in Arunachal Pradesh, Tripura and Mizoram. The Rajya Sabha Committee on Petition in its 105th report presented to the Rajya Sabha Secretariat on 14 August 1997 came up with a number of recommendations on the problems faced by the Chakmas. The Committee examined the problems faced by the Chakmas on the petition filed by Smt. Snehadini Talukdar of Mizoram and Shri Subimal Chakma, President of CCRCHAP. The Committee after visiting the Chakma residing areas of the three states and after considering all the facts of the whole issue has submitted the 105th report. The report stated,

“The Committee feels that the spirit of the Indira-Mujib Accord as well as the judgment of the Supreme Court in the matter may be made applicable to all the affected States for the solution of the problem. As per the Accord, all those Chakmas who come to India prior to 25.3.1971 are to be granted Indian citizenship.”²⁴⁹

After taking the views of Chakmas, non-Chakmas and the state government into concern, the Committee advised for considering the Chakmas who migrated before March 25, 1971 as well as those who are born in India to be granted citizenship. The Committee also recommended for acceptance of the old applications for citizenship by the Chakmas, which have either been rejected or withheld by the Deputy Commissioners or the State Deputy Commissioner or the State Government. Not only citizenship but the Committee also recommended that Chakmas should be considered for Scheduled Tribe status at the time of granting the citizenship. Agreeing to the Supreme Court’s decision, the Committee requested the Central Government and the State Government that the Chakmas be not evicted from the state of Arunachal Pradesh but to stay with full

²⁴⁹ See ‘The Hundred and Fifth Report of Rajya Sabha Committee on Petition’. The Petition was signed by Smt. Snehadini Talukdar of Mizoram and Shri Subimal Chakma of Delhi on the Petition pertaining to problems being faced by the Chakma Tribal population in Mizoram and Arunachal Pradesh. The report was presented on August 14, 1997.

protection, dignity and honour until any amicable solution is arrived at.²⁵⁰ This implies the positive move of the Central government towards the issue of the Chakmas despite the fact that the Chakmas are still deprived of the status of citizenship.

The 2015 judgment, which was a landmark judgment, came after eight years of CCRCAP's writ petition {W.P (C) No.510 of 2007} directing the state of Arunachal Pradesh to forward all the applications received by the Deputy Commissioners of Changlang, Lohit (now Namsai) and Papumpare to the Union of India in a time bound manner and directions to the Union of India to immediately grant Indian citizenship to all the applicants whose applications have been received as on that date.²⁵¹ Finally on September 13, 2017 the Centre decided to deliberate upon the matter of granting citizenship to the Chakmas and Hajongs as per the 2015 Supreme Court declaration.²⁵² This decision to come to a workable solution was arrived upon in a meeting headed by Home Minister, Rajnath Singh and was presided over by the National Security Advisor (NSA) Ajit Doval, Union Minister of State for Home, Kiren Rijiju and Chief Minister of Arunachal Pradesh, Pema Khandu.²⁵³ Kiren Rijiju, Union Minister of State for Home conveyed that the Centre is hopeful of finding a middle ground in implementing the 2015 order of the Supreme Court, at the same time taking care of the indigenous people's rights so that they are protected and are not diluted.²⁵⁴ The 'middle ground' was proposed in the form of 'limited citizenship' by which the Chakmas and the Hajongs would be granted citizenship without access to special rights that have been imparted to the 'indigenous people' like ownership of land and Arunachal Pradesh Scheduled Tribe status (APST). Here, it should be mentioned that Arunachal Pradesh is a tribal state where land rights are granted only to those who acquires 'Scheduled Tribe' status, which

²⁵⁰ See The Hundred and Fifth Report of Rajya Sabha Committee on Petition, August 14, 1997.

²⁵¹ See the *Writ Petition (Civil) No. 510 of 2007, CCRCAP and others vs. State of Arunachal Pradesh and others*.

²⁵² PTI, "Government to Grant Citizenship to Chakmas," *The Wire*, September 13, 2017 retrieved on December 24, 2017.

²⁵³ TNN, "Centre grants Citizenship on Chakma-Hajong Refugees," *The Times Of India*, September 14, 2017 retrieved on December 24, 2017.

²⁵⁴ *Ibid*.

has been denied to Chakmas and Hajongs. Furthermore, the Union Minister of State for Home had also suggested the Centre that the Chakmas and the Hajongs should be treated like any other Indian or foreigners and allows them to enter the state of Arunachal Pradesh only with an Inner Line Permit (ILP).²⁵⁵

However, the Centre's decision to achieve a middle ground was vehemently criticized by both the groups, AAPSU which represents the 'non-Chakmas' in the state as well as the Chakmas. The state witnessed massive protests called by the AAPSU. Almost all tribal organizations and NGOs backed AAPSU's 12-hour-dawn-to-dusk shutdown of the state on September 17, 2017.²⁵⁶ AAPSU General Secretary, Tabom Dai expressed with abhorrence;

“The support for our agitation has sent out a loud and clear message that the indigenous people will not tolerate arbitrary decisions of the Centre that could change the state's demography. The response from the tribes of Arunachal, under threat of being outnumbered by refugees in certain areas, should make Delhi realize we are ready to fight for the rights of the indigenous peoples.”²⁵⁷

Incidences of protests and bandh calls were witnessed not only in the capital city of Itanagar but also in other places of the state like Namsai, Nirjuli, Roing, Daporijo and Ruksin.²⁵⁸ While almost all districts held a peaceful bandh, the 12-hour statewide bandh took a violent turn in the capital city when protesters clashed with security forces and resorted to damaging public property like burning down Arunachal Pradesh State Transport Services (APSTS) buses.²⁵⁹ The intensity of the protests led to clashes between

²⁵⁵ PTI, “Centre to Urge Supreme Court To Modify Order On Chakma-Hajong Refugees: Kiren Rijiju,” *NDTV*, September 18, 2017, retrieved on December 24, 2017.

²⁵⁶ Rahul Karmakar, “Arunachal Shuts Down Over Citizenship to Chakma-Hajong Refugees,” *Hindustan Times*, September 19, 2017, retrieved on December 24, 2017.

²⁵⁷ *Ibid.*

²⁵⁸ Staff Reporter, “Arunachal erupts against Centre's decision to grant citizenship to Chakma-Hajong Refugees,” *The Arunachal Times*, September 20, 2017, retrieved on December 24, 2017.

²⁵⁹ *Ibid.*

security forces and protesters when a mob pelted stones and broke windows of a police van. The security forces in turn, lathi-charged the protesters resulting few wounded.²⁶⁰ Public properties, personal assets were targeted. Mobility of vehicles was blocked by burning tires and heavy makeshift barricades. In places like Namsai where the so called refugee communities form a small number, shutdown was put into effect by active student organizations of the neighboring communities like the All Tai Khamti Students Union and the All Namsai District Students Union in association with Joint Action Committee on Chakma Hajong Issue Namsai, All Namsai Area Youth Association, Arunachal Students Federation Namsai Unit, Chongkham Youth Welfare Association and Lathao Youth Association.²⁶¹ However in places like Diyun, a largely Chakma and Hajong inhabited area, the Singphos and Khamtis participated in the bandh in their own ways but a normal day was maintained by the Chakmas where they kept the shops and markets open.

Divergent perceptions between the Union and the State created a rift between the two leading to failure of any viable solution on the issue of Chakmas. The Union government had on numerous instances shown its firm determination and keenness to granting citizenship to the Chakmas, the state government has on various occasions deliberated to hinder the process of conferring citizenship to the Chakmas. The Union government has also expressed its view for permanent settlement of Chakmas in Arunachal Pradesh. The state government's contention lies on the issue of the very settlement of the Chakmas in the state due to the existing laws governing the state of Arunachal Pradesh. The state government of Arunachal Pradesh had taken a policy decision neither to grant citizenship to the Chakmas nor any social and economic rights like employment facilities, education facilities, trade licenses, ration cards and so on.²⁶²

The Chakmas and the State Government:

The point of contention of the State Government is not so much about granting citizenship to the Chakmas as much as it is about permanent settlement of the Chakmas

²⁶⁰ Ibid.

²⁶¹ Ibid.

²⁶² See the 7th Report of Committee on Petitions (Tenth Lok Sabha), May 13, 1993.

in the state of Arunachal Pradesh. The state government contended that they had not been consulted when the refugees were settled. For the state government citizenship is not an issue if the Chakmas are settled outside the state.

The first political party that made headway into the state was the Indian National Congress when it established a unit in 1972. The People's Party of Arunachal Pradesh (PPA), the first regional party of the state was formed in 1977, in the same year when the Janata party entered the state. In 1972, after NEFA became a Union Territory, a Provisional Legislative Assembly was created in place of the Pradesh Council. During the 1977 Lok Sabha elections, all the members of the Council joined the Indian National Congress under the leadership of then Chief Minister, P.K Thungon. This led to the emergence of only a single political party, i.e., the Congress party to contest elections in the 1977 Lok Sabha elections. The Congress party contested in both constituencies, Arunachal East and Arunachal West. While a Congress candidate, Rinchin Khandu Khirme, won the West constituency who was declared elected unopposed, an independent candidate, Bakin Partin won the East Constituency (Chakma, 2012). The then chief minister of Arunachal Pradesh, P.K Thungon shifted from Congress party to Janata party with all his supporters during the Parliamentary elections of 1977. The state witnessed the first Legislative Assembly elections in February 1978 following which the first ministry was formed on March 4, 1978 under the leadership of P.K Thungon. The Janata party won the majority seats in this election. However, Thungong's Ministry had fallen prey to defections followed by the subsequent ministries. After the frequent defection, President's rule was imposed in November 1979. A regional political party by the name Peoples' Party of Arunachal (PPA) came up as a result of an all Leaders Conference at Pasighat in April 1977 (Chakma, 2012). Bakin Partin, (one of the founding member of AAPSU) the Member of Parliament from Arunachal Pradesh in the 1977 Lok Sabha elections became the President and Wanglat Lowangcha was elected as the General Secretary. Wanglat Lowangcha was a student leader who later made his way into state politics. Later in 1984, Lowangcha joined the Congress party. This is how becoming a student leader gave one the foundation to build their career in state politics. The regional party uplifting their regional agenda pledged to protect and preserve traditional culture, defend 'regional identity,' solution of Assam Arunachal Pradesh boundary

dispute, oppose the spread of 'alien culture' of refugees like the Chakmas. The Peoples' Party of Arunachal Pradesh was the first political party to put up the refugee issue in its agenda and the party also extended their support to AAPSU in this matter. PPA incorporated dual cooperation between the national parties as well as the student community. Although the Chakma issue was first seen in the agenda of PPA, it was the Congress party, which used it for political purposes under the leadership of Gegong Apang.

During this period, it was seen that much interest was shown by the then Chief Minister of the state, Shri Gegong Apang on the refugee problem when he wrote a letter then Home Minister of India, Giani Zail Singh appraised that the refugees are creating socio-economic problems and involving in anti-social activities. He wrote on April 22, 1980, vide his D.O. letter no. CM/AP/R/80 to Home Minister of India, New Delhi;

*"The presence of refugees in such large numbers in Arunachal Pradesh has been causing social tension. Their population has also been increasing rapidly. There also have been reports of anti-social activities from time to time particularly of the Chakmas."*²⁶³

In reply to the D.O. letter No. CM(AP)/R/80 dated the 22nd April 1980 of Shri Gegong Apang, Chief Minister, Arunachal Pradesh, Shri Zail Singh, Home Minister, Government of India reiterated the stand of the Union Government

*"...the Government of India had decided to settle refugees after due consultation with the Arunachal Pradesh administration should in turn had consulted the local people before deciding the settlement sites. You will appreciate that it will be difficult for the Government of India to displace now and thereafter resettle those refugees elsewhere in the country."*²⁶⁴

In reply to the Chief Minister's letter, the Home Minister clarified the stand of the Centre where the whole process of resettlement of refugees in NEFA was conducted with due

²⁶³ White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March, 1996.

²⁶⁴ Ibid.

consultation of the NEFA administration. However, if the local people were consulted by the administration has always remained a matter of contest. This was raised by Shri Gegong Apang in his reply to Shri Giani Zail Singh. He writes;

*"At the time when the refugees were settled in Arunachal Pradesh, the people were informed that this is a temporary measure and that when normalcy returns to their country, they would be sent back."*²⁶⁵

The time frame of the resettlement has emerged as an important ground of resistance. The primary ground of rejecting the Chakmas as refugees was the provision of their settlement as 'temporary' and 'not permanent.' The government of Arunachal Pradesh and organizations like AAPSU has always questioned the time frame for which the Chakmas were settled in the state. They have always alleged that the Chakmas were settled for a temporary period and hence their permanent settlement in the state has been intensely resisted. As in the white paper the state of Arunachal Pradesh mentions,

*"These refugees were temporarily settled in 10,799 acres of land in three districts."*²⁶⁶

As the state government was opposed to granting citizenship, the Deputy Commissioners of the Chakma inhabited districts viz. Changlang, Lohit (now Namsai) and Papumpare refused to receive applications for citizenship from the Chakmas. Faced with non-cooperation from the state authorities, CCRCAP held consultations with the Ministry of Home Affairs (MHA) and these led to submission of 4,637 citizenship applications through the MHA during 1997-2002. Albeit reluctantly, Deputy Commissioner of Changlang administered Oath of Allegiance to 739 applicants during 1999-2000 while Deputy Commissioner, Lohit administered Oath of Allegiance to 162 applicants in 2001. Out of these the state government forwarded 265 citizenship applications to the Central government but with adverse recommendations because of which the Central government

²⁶⁵ Ibid.

²⁶⁶ Ibid.

returned all those applications to the state government.²⁶⁷ The Arunachal Congress President, Sri Talar Doye, maintained that the party is not adverse to granting citizenship rights to the Chakmas until the refugees are settled anywhere but the state. This implies the party's resentment towards occupation of land and resources rather than the status and rights of the Chakmas.²⁶⁸ Protest against the report was also marked by a 12-hour bandh declared by the Janata Dal on September 21, 1997. The Arunachal Pradesh unit of Janata Dal President T C Teli, Member of Legislative Assembly commented;

*“The bandh call was given to protest among others the Parliamentary Committee recommendation granting citizenship to Chakma and Hajong refugees of Arunachal Pradesh with schedule tribe status.”*²⁶⁹

On August 3, 2003, when Gegong Apang formed the Government as the Chief Minister of the state and later on 30 August 2003 joined the BJP making Arunachal Pradesh the first BJP ruled the state in Northeast India. However, Apang again shifted his party interest and declared to join his parent party, the Congress for the 2004 elections.²⁷⁰ The Congress was still undecided if the Chakma-Hajong refugee problem will be at the poll plank like it dominated in the past elections.²⁷¹ The political parties were seen losing interest in the refugee issue thereby refraining from including them in their election agendas. The new government under the leadership of Dorjee Khandu was not as resistant towards the Chakmas as the previous governments. The Chakma issue also did not feature in the Congress' election manifesto under this new leader; they pledged for development, peace, and security in the state.

²⁶⁷ See Committee for Citizenship Rights of the Chakmas and Hajongs of Arunachal Pradesh (CCRCHAP), ‘CCRCHAP: Celebrating 25 Years of Community Service’, Diyun, Changlang District, Arunachal Pradesh.

²⁶⁸ Ibid.

²⁶⁹ “Arunachal bandh today,” *The Assam Tribune*, September 22, 1997.

²⁷⁰ Sushanta Talukdar, “Assembly Elections, A Volte-face in Arunachal” *Frontline*, Vol. 21, No. 19, New Delhi, September 11-24, 2004.

²⁷¹ Ibid.

The issue was however taken up by the new elected Chief Minister when he wrote a letter to the Election Commission of India for conducting electoral revision of the refugees.²⁷² AAPSU, demanding the new government's assistance in the matter, proposed revival of the Core Committee on Chakma issue and asked Khandu to become its chairman. The Core Committee was formed in 2002 in Namsai with Mukut Mithi as its chairman. The committee was inactive since then. Meanwhile, the AAPSU General Secretary Tujum Poyom, interrogated the take of the Centre and Election Commission of India and the National Human Rights Commission for favoring and encouraging the refugees.²⁷³ The Chief Minister of the state, Pema Khandu expressed his dissent on the Centre's decision to grant citizenship to the Chakmas and Hajongs in a letter addressed to the Home Minister, Rajnath Singh. This response of the head of the state came immediately after the state wide bandh maintained all over he state where his concerns also echoed the position of the local people of the state. Khandu wrote,

*“...I reiterate that the people of my state are not ready to accept any infringement on the Constitutional protection bestowed on the tribals of Arunachal Pradesh and want to ensure that the ethnic composition and the special rights enjoyed by the tribes of my state are safeguarded at all cost.”*²⁷⁴

Discussion:

The above discussion reveals that despite the apex court's order for granting citizenship to the Chakmas there are constraints in its implementation because of which the Chakmas are still lingering as stateless people. The lack of unanimity and disagreements on the decisions of the Union and the state government has failed to come to any amicable solution. The condition of refugees is deteriorated by the fact that India is not a signatory of 1951 UN Convention relating to the Status of Refugees or 1967 Protocol. In absence

²⁷² “State Government questions move of ECI on refugees, AAPSU reiterates demand,” *The Arunachal Times*, August 11, 2010.

²⁷³ Ibid.

²⁷⁴ Samudra Gupta Kashyap, “Arunachal not ready to accept Chakma citizenship, Pema Khandu tells Rajnath Singh,” *Indian Express*, September 18, 2017

of a national refugee law, the refugees in India are left in a complete state of denial of both refugee rights and citizenship rights.

The political parties are uninterested in solving the whole issue that has been persisting for more than five decades now. The issue has emerged as the most significant one when it comes to achieving greater political benefits by political parties. Observing the indifferent attitude of the governments, Bengia Mepu explains,

“The Central govt., from the very beginning has been very indifferent. Because if they were concerned, we have been fighting for this problem from 3-4 decades, there was the Chakma go back movement, so many protests, dharnas, so many representations, but the Central govt. have always been indifferent. All the responsibilities and main part lies with the state government. The state government, which is represented by the indigenous people, if they themselves do not fight for the indigenous people, then that, is very unfortunate. The state government is politically influenced and the Central government is not concerned about the issue.”²⁷⁵

Arunachal Pradesh's Congress party pledged to evict 'Bangladeshi refugees' if voted to power (Prasad, 2006). During every election, the Chakma issue was used to mobilize political support and the political parties used AAPSU as a platform for mobilization. During the 1995 elections, the election manifesto of the Congress was mainly centered on the Chakma issue and the boundary dispute with Assam. "The Congress would give top priority to solve the Chakma refugee issue and take steps to resettle them outside the state," Chief Minister Gegong Apang told IANS (Prasad, 2006). Dispelling the Chakmas out of the state remained as one of the election agendas among most of the political parties including Bharatiya Janata Dal and Arunachal Congress. While the Congress party played the 'vote bank politics', the Bharatiya Janata Party played the card of 'religion politics.' In 2004 when BJP led NDA was in power, they granted citizenship to

²⁷⁵ Bengia Mepu, Converner, Women's wing, AAPSU. Interviewed in Itanagar, Arunachal Pradesh, 24 November 2019.

1497 Chakmas and Hajongs because they are a religious minority. On similar lines, the present Bharatiya Janata Party also came up with the Citizenship Amendment Act 2019 that states,

“Provided that nay person belonging to Hindu, Sikh, Buddhist, Jain, Parsi or Christian community from Afghanistan, Bangladesh or Pakistan, who entered into India on or before the 31st day of December, 2014, 2014 and who has been exempted by the Central Government by or under clause (c) of sub-section (2) of section 3 of the Passport (Entry into India) Act, 1920 or from the application of the provisions of the Foreigners Act, 1946 or any rule or order made there under, shall not be treated as illegal migrant for the purposes of the Act.”²⁷⁶

A blame game is in the play where Kiren Rijiju was seen blaming the Congress government for the settlement of Chakmas in Arunachal Pradesh on the one hand and the media alleging of misinterpreting his statements on the other.

Keeping the blame game aside, the matter calls for an urgent conclusion by creating a dialogue between the Union and the state governments and all the stakeholders involved, the AAPSU and the Chakmas. As have been discussed in the previous chapter, the Joint High Power Committee has failed to deliver any solution to the issue. More delays will only deteriorate the situation and lead to further deprivation of the community. Furthermore, the so-called refugees very well qualify to be citizens according to the Indian Citizenship Act, 1955. As the Chakmas those who migrated are eligible for citizenship under Section 5 (a) of the Citizenship Act, 1955 and those who were born in India are already citizens under Section 3 (a) of the Act. So, the Chakmas have already been deprived of their rightful entitlements and benefits for more than five decades now. This is a case where the refugees were settled with full support and assistance by the government in a place, which is protected under a number of laws that restrict the entry and settlement of Indian citizens let alone refugees and now left in a state of statelessness. This also shows the nonchalance of the Centre towards the peripheral regions and its people. The only exercise that would possibly succeed in such a situation is to arrive at a

²⁷⁶ See Section 2 of Citizenship Amendment Act, 2019.

resolution that does not undermine the rights of both the parties. A workable resolution would be that neither challenges the rights of the locals nor denies rights and liberties to the Chakmas and Hajongs.

Summary of the chapter:

The chapter discussed the response on the issue of the Chakmas in the state of Arunachal Pradesh. It analyses from various orders by the Union government, judgments by the Supreme Court of India and the Gauhati High Court, and petitions by organizations like CCRCAP, AAPSU and also individual petitions. This chapter focuses on claims for citizenship and other rights by the Chakmas and responses of the state towards them. The role of National Human Rights Commission in the Chakma case leading to a landmark judgment has also been reflected upon in the chapter. Judicial intervention in the case from time to time, delivered judgments that directed the state of Arunachal Pradesh to protect the lives and liberty of the Chakmas and also process the applications of eligible Chakmas for citizenship has been discussed. Due to lack of cooperation by the state government the Court's order failed to be implemented at the ground level. The above discussion reveals firm determination on the part of the Union government to grant citizenship to the Chakmas, the state being opposed to the very question of permanent settlement of the Chakmas in the state. The lack of unanimity between the Centre and the State and also absence of any legal framework for refugees in the country has only deteriorated the situation. Rather than manipulating the Chakma issue for political gains and not coming to any viable solution, the state should adopt a humanitarian perspective to solve the matter.

Chapter VII

Conclusion

Introduction:

This study attempts to analyze how the creation of post colonial borders impact the political status, ideas of citizenship and identity construction of people crossing the borders. The thesis argues that citizenship is beyond just formal legal citizenship and in some cases legal citizenship does not work as an instrument to attain more substantial social and economic benefits. Furthermore the responses of the receiving community and local politics play a major role in the integration process of the incoming community thereby determining the attainment of full citizenship of the incoming community. This chapter summarizes the study by discussing the findings of each chapter and finally discussing the limitations of the study.

Emerging findings from the study:

The first chapter of the dissertation introduces the study by discussing the background and the context of the study. This chapter therefore begins with a background to border creation and modern state building process in South Asia that resulted in massive cross border movement of people. The demarcation that took place immediately after the transfer of power from the British colonial regime, came with suddenness and led to uncertainties in the lives of people who shifted from their original homes in search of livelihood and newer terrains (W. V. Schendel 2004). This process of demarcation of borders subsequently creates categories of 'included' and 'excluded' which inevitably links with the idea of who would be 'citizens' for that matter and who would not be. In an attempt to understand the idea of citizenship from the view point of the 'excluded' which the study refer to as the 'stateless people,' this study explores and analyses the case of the Chakmas living in the state of Arunachal Pradesh. The chapter also briefly sheds light on

the Chakmas living in Tripura and Mizoram and argues that despite being legal Indian citizen, the Chakmas of these two states are still marginalized at different degrees.

The first chapter also discusses the methodology of the study. This study adopts qualitative methods for both data collection and analysis. Data was collected from both primary and secondary sources. Sources of data in a qualitative research can be multiple such as data collected through interviews, historical documents, observations, oral history, field notes and documents collected from the field. In this study, primary sources of data collection included in depth interviews using semi structured questionnaires, group discussions, informal conversations, observation (both participant and non-participant) and field notes. In the beginning, I approached the field with some unstructured questions, which helped to build rapport and get a general idea about the research problem. In the next few visits semi-structured questions were used to interview the respondents.

Observation is another important tool of data collection applied in this qualitative research work. Observation can be an important check against what people report about themselves during interviews and focus groups (Natasha Mack 2005). Observing and participating are integral to understanding the range and intricacies of human experience. In this study, observation as a tool of data collection was used to observe inter-group relations, day-to-day activities, cultural practices and political interactions. In some cases, I participated in the everyday lives of the respondents whereas in others I only observed as an outsider. There were instances where I was only an observer and in some cases I was both a participant and an observer. Informal conversations and group discussions were also adopted to acquire knowledge on history, culture, religion and inter community relations. The chapter comprehends citizenship in terms of legal status, social and economic benefits and identity and tries to see how the changing meaning of citizenship has impacted their understanding.

The second chapter is a review of the existing literature. The chapter discusses the theoretical debates on citizenship, its evolution as a concept, immigration and its influence on the meaning of citizenship and the process of integration of stateless people. The

chapter then proceeds to understand how Chakmas view their political status and citizenship. The chapter argues that with increasing cross border movement of people in the twentieth century, the idea of citizenship has undergone variations, which have also changed the way the people crossing the borders perceive citizenship. Therefore it becomes imperative to study if citizenship is only formal legal citizenship or beyond and how do this group of stateless people make claims for legal status, social and economic rights and identity. The chapter also argues that legal citizenship may not be perceived as an instrument to attain social and economic benefits and rights as argued by Jayal (2013) nor it is permanent residentship status that determines ones access to rights. It is the local policies, resistances and integration process of the receiving state and society that plays a determining role in the incoming community's attainment of full citizenship. Therefore chapter V has been devoted to examine resistance and counter claims of the receiving society.

The third chapter is a historical analysis of the case under study. So the chapter proceeds to trace the origin of the Chakmas and to and fro movements from Arakan to Chittagong Hill Tracts and the hills of Tripura and finally some of them migrating to India from erstwhile East Pakistan after partition. The chapter argues that the colonial technique of compartmentalization of colonial spaces altered not only the demography of the places but also the livelihood patterns, economy and land relations. After partition, the new Pakistan government and later the government of Bangladesh followed similar policies of marginalization and alienation of land from the ethnic hill people like the British policies. Subsequently, to escape the continuous persecution and in quest of alternative ways of living, the Chakmas, crossed borders and moved to different parts in India.

The study of Chakmas' claims for citizenship reveals that social rights arrived much earlier than political rights. The Chakmas had access to various social and economic rights like employment, education, health care, welfare schemes under public distribution system, education stipends and the like much before political rights of enfranchisement surfaced. Claims for political rights emerged among the Chakmas only when access to social and economic rights were withdrawn. Only when in 1980s one by one rights to

employment, education, ration cards, birth certificates and trade licenses were seized that the Chakmas started claiming for social rights as well as political rights. It was not denial of legal status that generated the fight for citizenship for the Chakmas but deprivation from social and economic rights that did. Therefore it was only in 1991 under the flagship of Committee for Citizenship Rights of Chakmas in Arunachal Pradesh (CCRCAP) the Chakmas began to formally claim for citizenship. CCRCAP's claim for citizenship primarily constituted of claims for political rights of getting enfranchised. As it was believed that once the Chakmas are enfranchised, other rights would follow inevitably. Therefore as Jayal argued, legal status was believed to act as an instrument for attaining other substantial rights and benefits. However, the Chakmas gradually realized that citizenship, as a legal status does not act as an instrument eventually leading to other rights and benefits as *Suvidhas* termed by Jayal. At present there are 5079 Chakmas and Hajong voters in the state of Arunachal Pradesh, yet they are still deprived of socio economic benefits like access to employment, ration cards, trade licenses and so on. Which implies that being a legal citizen is not a sufficient condition for the Chakmas to become full citizens of the country. Therefore a group of Chakmas mobilized under the banner of Chakma Rights and Development Organization (CRDO) claims for citizenship as rights and not status. They firmly claim that Chakmas are citizens of India, so they don't have to fight for citizenship but for their rights. Their claim is for restoration of rights and benefits that they were assigned to at the initial period of their settlement. The focus should be economic development, social development and cultural development of the community and all these are not guaranteed with legal status of citizenship. Therefore a paradigm shift in Chakmas' movement for citizenship has been noticed where a group people under the flagship of CRDO have mobilized for restoration of rights and not citizenship as such. They claim

“It is misleading to seek grant of citizenship rights when the all-important truth is that Chakmas and Hajongs are already citizens-90% of them by birth and 10% by the fact that they were put up in refugee camps initially but finally rehabilitated as Indian nationals during 1964-69. So, it is not grant of citizenship

rights per se, but restoration of citizenship rights taken away from us especially after 1980s that we want back."²⁷⁷

Therefore, CRDO now concentrates their demands on restoration of rights like inclusion of all Chakma areas under local self government (Panchayati Raj Institutions), socio-economic rights and access to development schemes under the MGNREGA, NRLM, PMGAY, etc., government jobs, PRC, ration card and all other PDS entitlements, recognition of Chakma and Hajong tribes as ST in Arunachal Pradesh under article 342 of the Indian constitution including special revision for enrollment of about 25,000 eligible voters.²⁷⁸ It has been noticed that identities assigned by the receiving state has time and again constructed the identity with which the Chakmas identify themselves. Social construction as *refugees, foreigners, illegal immigrants* and so on impacts the way one perceives citizenship and identity. As in Arunachal Pradesh, although the Chakmas consider themselves as 'locals' of the state as most of them are either born there or those who had migrated, it has been more than five decades now. Yet, the continuous labeling of the Chakmas as 'refugees' both by the government and the other ethnic communities of the state have created a subconscious self-identification of 'refugee' among the Chakmas who identify the other neighboring communities as 'locals'. While fighting back their socially constructed imposed identity of 'refugees/foreigners', the Chakmas subconsciously upholds the identity imposed on them by referring the host community as the 'locals'. While interacting with the Chakmas during fieldwork, it was observed that the Chakmas refer to the host communities like the Singphos, Khamtis and Tangsas as locals, invariably identifying themselves as the 'non-local'. This identification has evolved out of the consistent marking of the Chakmas as the 'other' by the host society.

However, while identifying their nation and nationality, it has been observed that the Chakmas very strongly identify with India as their nation. They do not suffer from national identity crisis. The Chakmas' homeland claims are strongly attached to their state of residence rather than to their state of origin. A strong sense of 'Indian-ness' is

²⁷⁷ See CRDO Newsletter, Issue 2.1, January 07, 2020.

²⁷⁸ See CRDO Newsletter, Issue 1, October 24, 2018.

observed among the younger generation whose national identity claims are very much rooted within the territorial limits of India and it does not transcend territorial boundary claiming for transnational, post national or dual identity. However, the older generation of Chakmas particularly those who migrated from erstwhile East Pakistan connects to CHT referring as '*Desh*'²⁷⁹ but neither with Bangladesh nor with East Pakistan. This association with CHT is not political as they do not implore to go back to their place of origin nor do they claim for political membership of Bangladesh but this connection is more psychological/moral. While they strive for full citizenship and membership of only India, yet they sub consciously refer to CHT when they mention about their '*Desh*'.²⁸⁰ However, a sense of 'dual identity' surfaces where many of the Chakma people who presently resides out of Arunachal Pradesh prefer to identify themselves as either from Tripura or Mizoram and not Arunachal Pradesh. This concealing of real identity and living with dual identity is in order to escape the imposed identity of 'refugees or illegal immigrants' attached with the Chakmas of Arunachal Pradesh.²⁸¹

The fifth chapter is an analysis of field interviews, observations from the field, government documents, newspapers, books and journal articles. This chapter analyses the resistances and counterclaims of the receiving community, particularly the AAPSU. AAPSU is the apex organization that has been spearheading the anti-Chakma movement since many decades in the state of Arunachal Pradesh. This chapter discusses that the anti-Chakma movement as led by AAPSU began only in late 1970s. First, this awakening was a spill over effect of anti-foreigners movement in Assam. Second, till 1979, there were no popular elections conducted in the state. Drawing from literature on the integration process of the host state, it has been explored that there are three primary factors that determine refugee integration, they are; length of time of refugee stay, shared ethnicity and economic sustainability (Kunz 1981) (Fielden 2008). However, the scholars have overlooked the role played by local politics in the entire integration process. As in

²⁷⁹ *Desh* means country.

²⁸⁰ Ranjan Chakma, interviewed at Dumpather village, Diyun Circle, Changlang District, Arunachal Pradesh, 30 July 2017.

²⁸¹ Subir Chakma, interviewed at Avoipur village, Diyun circle, Changlang district, Arunachal Pradesh, 8 January, 2017.

the case of Chakmas, co-ethnicity and economic sustainability were not sufficient to promote the integration process. Whereas the Chakmas have been keen about local integration into the host state and society but AAPSU has been very firmly expressing their contention against integration of the Chakmas thereby demanding their repatriation or resettlement in a different place other than Arunachal Pradesh. The study argues that rather than citizenship, the ground of contention of the host community particularly the AAPSU is on permanent settlement of the Chakmas in the state. Therefore AAPSU's resistance of the Chakmas lies in the fear of loss of resources, economic opportunities and becoming ethnic minorities. Hence, population explosion and consequent demographic alteration by the Chakmas has been identified as a major problem by the AAPSU. However, in the analysis it has been found that the growth rate of Chakmas is lower than the average growth rate of the state. There were some changes in the population structure from 1981-1991 but the most sharp decline in Scheduled Tribe population was seen in Changlang district only indicating that the presence of Chakma people have impacted the demography of Changlang district only and not the state as a whole. And resistances against the Chakmas are not from the neighboring communities living in proximity with the Chakmas but more from student organization like AAPSU based in Itanagar. The chapter argues that in addition to genuine concern of AAPSU for demographic imbalance, political threat, fear of land alienation and becoming ethnic minority; the AAPSU also had other interests for clinging on to the issue of refugees particularly the Chakmas for so many years. In the state of Arunachal Pradesh, AAPSU's involvement in the issue of the Chakmas and Hajongs has been observed as using it as a platform to build their career in state politics. The most prominent examples are; Gegong Apang, Jarbom Gamlin and Sanjoy Takam. They were all either former President or General Secretaries of AAPSU. Later Gegong Apang became the Chief Minister of the state for as long as nineteen years. Sanjoy Takam, was also alleged by Student Union Movement of Arunachal Pradesh (SUMA) of using the Chakma and Hajong issue for political gain and completely ignoring thereafter. Therefore it has been observed that the student leaders use the Chakma issue for larger political benefits. Not only student leaders, the Chakma issue are also used by political parties to mobilize political support.

The sixth chapter took into account the official discourse on the issue of the Chakmas by analyzing the responses of the State government of Arunachal Pradesh, the Union government and the Judiciary. The role of National Human Rights Commission in the Chakma case leading to a landmark judgment has also been reflected upon in the chapter. Despite firm determination on the part of the Union government to grant citizenship to the Chakmas with judicial intervention from time to time with judgments directing guarantee of citizenship to the Chakmas, the state government's non-cooperation in the matter have left it unresolved. The chapter argues that the lack of unanimity between the Centre and the State and also absence of any legal framework for refugees in the country is a major cause that has failed to resolve the issue. Rather than manipulating the Chakma issue for political gains and not coming to any viable solution, the state should adopt a humanitarian perspective to solve the matter.

Limitations of the study:

The study has certain limitations. First this is an in depth analysis of a single case study so the findings are case specific and may not be generalizable. This study is also limited to just one district in Arunachal Pradesh. Therefore further studies may take all the three districts where the Chakmas are settled, into consideration.

Summary of the findings:

The Chakma-Hajong issue has been over politicized which if not met with a permanent solution at the earliest, the situation will aggravate in the state. The solution of 'limited citizenship' is half-baked, as outlines of the concept are still not defined and hence remains ambiguous. This ambiguity raises confusion and fear of the unknown both in the minds of the Chakmas as well as the non-Chakmas. Given the resentment of the locals against permanent settlement, APST status and granting citizenship only if settled out of the state, the Centre should come with a solution that is best for both the parties, where none infringes into the rights of the other. It is also important to take note here that the Chakmas and the Hajongs are the victims of unjust partition and consequent modern state building process and homogenizing tendencies, leading to a majoritarian democracy,

where the voices of the minorities have been suppressed. Furthermore, the so-called refugees very well qualify to be citizens according to the Indian Citizenship Act, 1955. As the Chakmas those who migrated are eligible for citizenship under Section 5 (a) of the Citizenship Act, 1955 and those who were born in India are already citizens under Section 3 (a) of the Act. So, the Chakmas have already been deprived of their rightful entitlements and benefits for more than five decades now. More delays will only deteriorate the situation and lead to further deprivation of the community. This is a case where the refugees were settled with full support and assistance by the government in a place, which is protected under a number of laws that restrict the entry and settlement of Indian citizens let alone refugees and now left in a state of statelessness. This also shows the nonchalance of the Centre towards the peripheral regions and its people. The only exercise that would possibly follow in such a condition is to come to a resolution that does not challenge the rights of both the parties. However, the demands made by both the parties infringes into the rights of the other. As the AAPSU and the state of Arunachal Pradesh claims for resettlement of Chakmas anywhere but in Arunachal Pradesh. On the other hand, the Chakmas claim for more inclusive policies that would declare them as Scheduled Tribes with APST status including rights to own land. While evicting around 49,000²⁸² Chakmas and resettling them at a new place is both impractical and inhumane. Again, what the Chakmas are demanding infringes into indigenous rights of the local communities of the state. Therefore a middle ground should be reached with clear-cut policies that may be beneficial for both. As directed by the Supreme Court of India applications for citizenship of the eligible Chakmas should be processed. As the Chakmas reside in plain regions of the state, a separate category of Scheduled Tribe (Plains), like in Assam can be created and Scheduled Tribes (Hills) for all the other local communities so that none undermines the rights of the other. In order to address the problem of loss of resources due to alleged population explosion of the Chakmas, an area can be demarcated out of Chakma inhabited areas of Changlang and Namsai district confining the settlement of the Chakmas to these areas only. The problem of flood and erosion should be taken

²⁸² This is the figure of total number of Chakmas in the state as stated in the Census report of 2011. However, different sources come up with different figures ranging from 49000 to 1 lakh.

care by the administration, which will inevitably reduce the problem of encroachment. This middle ground can be reached through a negotiation between both the stakeholders in presence of representatives from both the Union and the State government of Arunachal Pradesh. At this negotiation table, participation of representatives from communities living in proximity with the Chakmas like Singphos, Khamtis and Tangsas are crucial along with those representing the Chakmas and the AAPSU to reach a viable solution of this long stranding issue.



References:

Books and Journal articles:

Aahraf al-Khalidi, Sophia Hoffmann and Victor Tanner. "Iraqi Refugees in the Syrian Arab Republic: A Field-Based Snapshot." The Brookings Institution-University of Bern, June 2007.

Abul Barkat, Sadeka Halim, Asmar Osman, Md. Ismail Hussain and Manjuma Ahsan. *Status and dynamics of land rights, land use and population in Chittagong Hill Tracts*. Human Development Research Centre, Bangladesh, 2010.

Adrian Martin, Eugene Rutagrama, Ana Cascoa, Maryke Gray, Vasudha Chhotray. "Understanding the co-existence of conflict and cooperation: Transboundary ecosystem management in the Virunga Massif." *Journal of Peace Research* (Sage), 2011: 621-635.

Agamben, Giorgio. *Means Without Ends: Note on Politics (Theory Out of Bounds)*. Minneapolis: University of Minnesota Press, 2000.

Agar, Micheal H. *The Professional Stranger: An Informal Introduction to Ethnography*. San Diego: Academic Press, 1980.

—. *The Professional Stranger: An Informal Introduction to Ethnography*. San Diego: Academic Press.

Ahmad, Nafis. "The Indo-Pakistan Boundary Disputes Tribunal, 1949-1950." *Geographical Review* (American Geographical Society), 1953: 329-337.

Alavi, Hamza. "The State in Post colonial societies: Pakistan and Bangladesh." In *Imperialism and Revolution in South Asia*, by Kathleen Gough and Hari P.Sarma, 145-173. Monthly Press, 1973.

Allen, Ricky Lee. "The Socio-Spatial Making and Marking of 'Us': Toward a Critical Postmodern Spatial Theory of Difference and Community." *Social Identities: Journal for the Study of Race, National Culture* (Taylor and Francis), 2010.

Anderson, Benedict. *Imagined Communities*. London: Verso, 2006.

—. *Imagined Communities: Reflections on the Origins and Spread of Nationalism*. London: Verso, 1991.

Anderson, James. "Theorizing State Borders: Politics/Economics and Democracy in Capitalism." *CIBR Working Papers in Border studies*, 2001: 1-34.

Arens, Janneke. "Winning Hearts and Minds: Foreign Aid and Militarisation in the Chittagong Hill Tracts." *Economic and Political Weekly* 32 (July 1997): 1811-1819.

Aristotle. *Politics*. London: Penguin, 1992.

Atkinson, Martyn Hammersley and Paul. *Ethnography: Principles in practice*. London and New York: Routledge, 2007.

Bal, Willem Van Schendel and Ellen. *Beyond the "Tribal" Mind-set: Studying Non Bengali Peoples in Bangladesh and West Bengal*. Vol. 5, in *Contemporary Society: Concept of tribal society*, by Georg Pfeffer and Deepak Kumar Behera. New Delhi: Concept Publishing Company, 2002.

Barth, Fredrik. *Ethnic Groups and Boundaries: The Social Organization of Culture Difference*. Boston: Little Brown and Co., 1969.

Baruah, Sanjib. "Citizens and Denizens: Ethnicity, Homelands, and the Crisis of Displacement in Northeast India." *Journal of Refugee Studies*, 2003.

Baubock, Rainer. "Expansive Citizenship: Voting beyond Territory and Membership." *Political Science and Politics* (American Political Science Association) 38, no. 4 (Oct 2005): 683-687.

Benhabib, Seyla. *The Rights of Others: Aliens, Residents and Citizens*. Cambridge: Cambridge University Press, 2004.

Bernard, H. Russell. *Social Research Methods: Qualitative and Quantitative Approaches*. USA: Sage, 2013.

Beteille, Andre. "The Idea of Indigenous People." *Current Anthropology* (The Wenner-Gren Foundation for Anthropological Research) 39 (1998): 187-192.

Bhattacharjee, Nabanipa. "Unburdening Partition: The 'Arrival' of Sylhet." *Economic and Political Weekly* (Economic and Political Weekly), 2009: 77-79.

Biggs, Michael. "Putting the State on the Map: Cartography, Territory, and European State Formation." *Society for Comparative Studies in Society and History* (Cambridge University Press), 1999: 374-405.

Bolanos, Omaira. "Redefining Identities, redefining landscapes: Indigenous Identities and Land Rights Struggles in the Brazilian Amazon." *Journal of Cultural Geography* (Routledge), 2011: 45-72.

Bose, M.L. *History of Arunachal Pradesh*. New Delhi : Concept Publishing Company, 1997.

—. *History of Arunachal Pradesh*. New Delhi: Concept Publishing Company, 1997.

Bosniak, Linda. "Citizenship Denationalized." *Indiana Journal of Global Legal Studies*, 2000.

Brubaker, Rebecca. "From ethnic insiders to refugee outsiders: A community level ethnography of Greek Cypriot identity formation and transference since displacement." Refugee Studies Centre, University of Oxford, January 2010.

Brubaker, Rogers. "Migration and Membership." *Journal of Interdisciplinary History*, 2010: 61-78.

—. "Membership Without Citizenship: The Economic And Social Rights of Noncitizens." In *Immigration and the Politics of Citizenship in Europe and North America*, by William Rogers Brubaker, 145-162. University Press of America, 1989.

Bryman, Allan. *Social Research Methods*. New York: Oxford University Press, 2012.

C.Scott, James. *The Art of Not Being Governed*. New Delhi: Orient Blackswan Private Limited, 2010.

Chakma, D.K. *The Partition and the Chakmas and other writings of Sneha Kumar Chakma*. Pothi.com, 2013.

Chakma, Gautam. "Chakma Issue and Political Parties of Arunachal Pradesh." *Chakma Issue in the Politics of Arunachal Pradesh*. Shillong, 2012.

Chakma, Syed Aziz-al Ahsan and Bhumitra. "Problems of National Integration in Bangladesh: The Chittagong Hill Tracts." *Asian Survey* (University of California Press) 29 (1989): 959-970.

Chambers, Robert. "Hidden Losers? The Impact of Rural Refugees and Refugee Programs on Poorer Host." *International Migration Review*, 1986: 245-263.

Chambugong, Ellen Bal & Timour Claquin. "The Borders that Divide, The Borders that Unite: (Re)Interpreting Garo processes of Identification in India and Bangladesh." *Journal of Borderland Studies*, 2014.

Chatterji, Joya. "The Fashioning of a Frontier: The Radcliffe Line and Bengal's Border Landscape, 1947-52." *Modern Asian Studies* (Cambridge University Press), 1999.

Chaudhury, Sabyasachi Basu Ray. "Uprooted Twice: Refugees from the Chittagong Hill Tracts." In *Refugees and the State: Practices of Asylum and Care in India, 1947-2000*, by Ranabir Samaddar, 249-280. New Delhi: Sage, 2003.

Chaudhury, Samir Kumar Das and Anasua Basu Ray. "The Stateless Chakmas in Arunachal Pradesh." In *The State of being Stateless: An Account of South Asia*, by Anasua Basu Ray Chaudhury and Atig Ghosh Paula Banerjee, 140. New Delhi: Orient Blackswan, 2016.

Chimni, B.S. "From Resettlement to Involuntary Repatriation: Towards a Critical History of Durable Solutions to Refugee Problems." *New Issues in Refugee Research, Working Paper No. 2*, 1999.

—. "Status of Refugees in India: Strategic Ambiguity." In *Refugees and the State: Practices of Asylum and Care in India 1947-2000*, by Ranabir Samadar, 443-471. New Delhi: Sage, 2008.

Chowdhury, Nasreen. "Assessing "Belonging" and Claims of "Home" among Refugees: A Note on Repatriation in South Asia." *Peace Prints: South Asian Journal for Peacebuilding*, 2012.

—. "Refugees, Citizenship and Belonging in South Asia: Contested Terrains." *Springer* (Springer), 2018.

Chowdhury, Khairul. "Politics of Identities and Resources in Chittagong Hill Tracts, Bangladesh: Ethnonationalism and/or Indegenous Identity." *Asian Journal of Social Science* (Brill), 2008: 57-78.

Cohen, Anthony P. "Boundaries and boundary Consciousness: Politicizing Cultural Identity." In *Frontiers of Europe*, by Malcolm Anderson and Eberhard Bort, 22-35. London: Pinter, 1998.

Creswell, John W. *Qualitative Inquiry And Research Design Choosing Among Five Traditions*. Thousand Oaks, London, Delhi: Sage, 1998.

Dasgupta, Anindita. "Remembering Sylhet: A Forgotten Story of India's 1947 Partition." *Economic and Political Weekly* (Economic and Political Weekly), 2008.

De, Nilanjan. "Migration in the Last Hundred Years of Manikya Rule in Tripura: Investigating the Historical Facts." *International Journal of Social Science Tomorrow* (Society for Promoting International Resarch and Innovation), April 2012: 1-6.

Deutsch, Karl W. "Social Mobilization and Political Development." *The American Political Science Review*, 1961: 493-514.

Donnan, Thomas M. Wilson and Hasting. *Border Identities: Nation and state at international frontiers*. Cambridge University Press, 1998.

DOWD, JAMES ANDERSON and LIAM O'. "Borders, Border Regions and Territoriality: Contradictory Meanings, Changing Significance." *Regional Studies*, 1999: 593-604.

Dutta, S. "Student Movement in Arunachal Pradesh." In *Student Power in Northeast India: Understanding Student Movements*, by Apurba Kumar Baruah, 205. New Delhi: Regency Publications, 2002.

Ejigu, M. "Land, forests, insecurity and conflict." *The International Forestry Review* (Commonwealth Forestry Association) 8 (2006): 72-77.

Elwin, Verrier. *A Philosophy for NEFA*. New Delhi: Isha Books, 2009.

—. *A Philosophy for NEFA*. Delhi: Isha Books, 2009.

Eriksen, Thomas Hylland. *Ethnicity and Nationalism*. London: Pluto Press, 2010.

Fernandes, Walter. "Tribal Customary and Formal Law Interface in North Eastern India: Implications for Land Relations." 2002.

Fielden, Alexandra. "Local integration: an under-reported solution to protracted refugee situations." *UNHCR The UN Refugee Agency Policy Development and Evaluation Service*, June 2008.

FitzGerald, David. "Negotiating Extra-Territorial Citizenship: Mexican Migration and the Transnational Politics of Community." California: UC San Diego, 2000.

Franke, Marcus. *War and Nationalism in South Asia: The Indian State and the Nagas*. New York: Routledge, 2009.

Furia, Peter A. "Global Citizenship, anyone? Cosmopolitanism, privilege and public opinion." *Global Society*, October 2005: 331-359.

Glesne, Corrine. "Rapport and friendship in ethnographic research." *International Journal of Qualitative Studies in Education* (Routledge), 2006: 45-54.

Gold, Raymond L. "Roles in Sociological Field Observations." *Social Forces* (Oxford University Press), 1958: 217-223.

Gran, Thomas Janoski and Brian. "Political Citizenship: Foundations of Rights." In *Handbook of Citizenship Studies*, by Engin F. Isin and Bryan S. Turner, 13-52. London: Sage, 2002.

Guru, Gopal. "Citizenship in Exile: A Dalit Case." In *Civil Society, Public Sphere and Citizenship: Dialogues and Perceptions*, by Rajeev Bhargava and Helmut Reifeld, 260-276. New Delhi: Sage, 2005.

Hammar, Thomas. "Citizenship: Membership of a Nation and of a State." 1986.

Hammersley, Paul Atkinson and Martyn. "Ethnography and Participant Observation." In *Handbook of Qualitative Research*, by Norman K. Denzin and Yvonna S. Lincoln, 248-261. Thousand Oaks, CA: Sage, 1994.

Harrell-Bond, Barbara E. "Repatriation: Under What Conditions Is It The Most Desirable Solution for Refugees? An Agenda for Research." *African Studies Review* (Cambridge University Press), 1989: 41-69.

Haselsberger, Beatrix. "Decoding borders. Appreciating border impacts on space and people." *Planning Theory and Practice* (Routledge), 2014: 505-526.

—. "Reshaping Europe: Borders' Impact on Territorial Cohesion." Unpublished PhD Thesis. 2010. http://publik.tuwien.ac.at/files/PubDat_189885.pdf (accessed 2016).

Herbst, Jeffrey. "Political Impediments to Economic Rationality: Explaining Zimbabwe's Failure to Reform its Public Sector." *The Journal of Modern African Studies* (Cambridge University Press) 27 (March 1989): 67-84.

Hoebel, E.A. "Man in the primitive world: an introduction to anthropology." 1949.

Hunter, W.W. *A Statistical Account of Bengal: Chittagong Hill Tracts, Chittagong, Noakhali, Tipperah, Hill Tipperah*. Vol. VI. London: Trubner and CO., 1876.

Hutchinson, R.H Sneyd. *Eastern Bengal and Assam district Gazetteers: Chittagong Hill Tracts*. Allahbad: Pioneer Press, 1909.

—. *An Account of the Chittagong Hill Tracts*. Calcutta: The Bengal Secretariat Book Depot, 1906.

Irene Bloemraad, Anna Korteweg and Gokce Yurdakul. "Citizenship and Immigration: Multiculturalism, Assimilation, and Challenges to the Nation-State." *The Annual Review of Sociology*, 2008: 153-179.

Ishaq, Muhammad. *Bangladesh District Gazetteers, Chittagong Hill Tracts*. Dacca: Bangladesh Government Press, 1971.

Isin, Engin F. "Theorizing Acts of Citizenship." In *Acts of Citizenship*, by Engin F. Isin and Greg M. Nielsen. Chicago: Zed books, 2007.

Jacobsen, Karen. "Factors Influencing the Policy Responses of Host Governments to Mass Refugee Influxes." *The International Migration Review* (Sage Publications), 1996: 655-678.

—. "The Forgotten Solution: Local Integration for Refugees in Developing Countries." *New Issues in Refugee Research, Working Paper no.45*. UNHCR, 2001.

—. "The Impact of Refugees on the Environment: A Review of the Evidence." *Refugee Policy Group*, 1994.

Jalal, Ayesha. *Democracy and Authoritarianism in South Asia*. Cambridge: Cambridge University Press, 1995.

Janoski, Thomas. *Citizenship and Civil Society: A Framework of Rights and Obligations in Liberal, Traditional and Social Democratic Regimes*. Cambridge: Cambridge University Press, 1998.

Jayal, Niraja Gopal. *Citizenship and its Discontents: An Indian History*. Ranikhet: Permanent Black, 2013.

Jenkins, Richard. *Social Identity*. London: Routledge, 2004.

Joppke, Christian. "How immigration is Changing Citizenship: a Comparative View." *Ethnic and Racial Studies* (Routledge), 1999: 629-652.

K.Singh, Deepak. "Developing the Border: The State and the Political Economy of Development in Arunachal Pradesh." In *Borderland Lives in Northern South Asia*, by David N. Gellner, 141-162. New Delhi: Orient Blackswan, 2014.

—. *Stateless in South Asia: The Chakams between Bangladesh and India*. New Delhi: Sage, 2010.

Kabeer, Naila. "Introduction: The search for inclusive citizenship: Meanings and expressions in an inter-connected world." In *Inclusive Citizenship: Meanings and Expressions*, by Naila Kabeer, 1-27. New York: Zed Books, 2005.

Kapur, Ratna. "The Citizen and the Migrant: Postcolonial Anxieties, Law, and the Politics of Exclusion/Inclusion." *Theoretical Inquiries in Law*, 2007: 537-569.

Karlsson, Melanie Vandenhelsken and Bengt. G. "Fluid attachments in Northeast India: Introduction." *Asian Ethnicity* (Routledge), 2015: 1-11.

Kitzinger, Jenny. "The methodology of Focus Groups: the importance of interaction between research participants." *Sociology of Health & Illness*, 1994: 103-121.

Kohli, Atul. *State Directed-Development: Political Power and Industrialization in Global Periphery*. Cambridge: Cambridge University Press, 2004.

Kudaisya, Tai Yong Tan and Gyanesh. *The Aftermath of Partition in South Asia*. London: Routledge, 2000.

Kuhonta, Erik Martinez. "Studying States in Southeast Asia." In *Southeast Asia in Political Science*, by Dan Slater, Tuyong Vu Erik Kuhonta, 30-53. California: Stanford University Press, 2008.

Kumar, V.Biju. "An overview of Post colonial state." *The Indian Journal of Political Science* (Indian Political Science Association), 2005: 935-954.

Kunz, Egon F. "Exile and Resettlement: Refugee Theory." *The International Migration Review* (Sage Publications), 1981: 42-51.

Kymlicka, Will. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. New York: Clarendon Press: Oxford, 1995.

Lewin, T.H. *The Hill Tracts of Chittagong and the Dwellers Therein with Comparative Vocabularies of The Hill Dialects*. Calcutta: Bengal Printing Company, Limited, 1869.

—. *Wild Raes of Eastern Frontier of India*. New Delhi: Mittal Publication, 1984.

Lincoln, Norman K. Denizen and Yvonna S. *The Sage Handbook of Qualitative Research*. Thousand Oaks, London, New Delhi: Sage, 2005.

M.Wildermuth, Yan Zhang and Barbara. "Qualitative Content Analysis." 1-12.

Maaker, Willem Van Schendel and Erik De. "Asian Borderlands: Introducing their Permeability, Strategic uses and Meanings." *Journal of Borderland Studies*, 2014.

Mackenzie, Alexander. *The North-East Frontier of India*. New Delhi : Mittal Publication , 1999.

—. *History of the Relations of Government with the Hill Tribes of the North-East Frontier of Bengal*. New Delhi: Mittal, 1981.

Mahanta, Prafulla Kumar. *The Tussle Between the Citizens and Foreigners in Assam*. New Delhi: Vikas Publishing House Pvt. Ltd., 1996.

Malkki, Liisa H. *Purity and Exile: Violence, Memory and National Cosmology among Hutu Refugees in Tanzania*. Chicago: The University of Chicago Press, 1995.

Mamdani, Mahmood. *Citizen and subject: Contemporary Africa and the legacy of late colonialism*. New Jersey: Princeton University Press, 1996.

Manchanda, Tapan K. Bose and Rita. *States, Citizens and Outsiders: The Uprooted Peoples of South Asia*. Kathmandu: South Asia Forum for Human Rights, 1997.

Marshall, T. H. *Citizenship and Social Class*. London: Pluto Press, 1992.

McConnell, Fiona. "Citizens and Refugees: constructing and Negotiating Tibetan Identities in Exile." *Annals of the Association of American Geographers*, 2011: 967-983.

Menon, Ritu. "Birth of Social Security Commitments." In *Refugees and the State: Practices of Asylum and Care in India, 1947-2000*, by Ranabir Samaddar, 156. New Delhi: Sage, 2008.

Mertinez, Oscar J. *Border people: Life and Society in U.S- Mexico borderlands*. The University of Arizona Press, 1994.

Meyer, Sir William Stevenson. *The Imperial Gazetteer of India: The Indian Empire vol 10*. Oxford, Clarendon Press, 1909.

Migdal, Joel S. "The State in Society: an approach to struggles for domination." In *Domination and Transformation in the Third World*, by Joel S. Migdal and Vivienne Shue Atul Kohli. Cambridge: Cambridge University Press, 1994.

Mishra, Deepak K. "Developing the Border: The State and the Political Economy of Development in Arunachal Pradesh." In *Borderland Lives in Northern South Asia*, by David N. Gellner, 141-162. New Delhi: Orient Blackswan, 2014.

Mitra, Subrata. "Citizenship in India: Some preliminary Results of a National Survey." *Economic and Political Weekly*, 2010: 46-53.

Natasha Mack, Cynthia Woodsong, Kathleen M. MacQueen, Greg Guest, Emily Namey. *Qualitative Research Methods: Adata collector's field guide*. 2005.

Newman, David. "On borders and power: a theoretical framework." *A Jouurnal of Borderland Studies*, 2003.

Oomen, T.K. "New Nationalism and Collective Rights." In *Ethnicity, Nationalism and Minority Rights*, by Tariq Hodood and Judith Squires Stephen May. Cambridge University Press, 2004.

—. *Citizenship, Nationality and Ethnicity*. Cambridge: Polity Press, 1997.

Paasi, Anssi. "The Changing discourses on political Boundaries: Mapping the backgrounds contexts and contents." In *B/ordering Space*, by Olivier Kramsch and Wolfgang Zierhofer Henk Van Houtum, 17-31. Ashgate Publishing Limited, 2005.

Pandey, Gyanendra. *Remembering partition: violence, nationalism and history in India*. Cambridge: Cambridge University Press, 2004.

Park, Robert Ezra. *Human Communities: The City and Human Ecology*. London: Free Press, 1952.

Paul Atkinson, Amanda Coffey, Sara Delamont, John Lofland and Lyn Lofland. *Handbook of Ethnography*. London, England: Sage, 2001.

Paula Banerjee, Anasua Basu Ray Chaudhury and Atig Ghosh. "The Grid: The Stateless and the Citizen." In *The State of being Stateless: An Account of South Asia*, by Anasua Basu Ray Chaudhury and Atig Ghosh Paula Banerjee, 1-19. New Delhi: Orient Blackswan Private Limited, 2016.

Polanyi, Karl. *The Great Transformation: The Political and Economic Origins of Our Time*. Boston: Beacon Press, 1944.

Prasad, Chundu. "Migration and the Question of Citizenship: People of Chittagong Hill Tract in Arunachal Pradesh." *The Indian Journal of Political Science* (Indian Political Science Association) 67, no. 3 (July-September 2006): 471-490.

—. "Students' Movements in Arunachal Pradesh and Chakma-Hajong Refugee Problem." *Economic and Political Weekly* (Economic and political weekly), 2007: 1373-1379.

Rasul, Gopal B. Thapa and Golam. "Implications of Changing National Policies on Land Use in the Chittagong Hill Tracts." *Journal of Environmental Management*, 2006: 441-453.

Ray, Niharranjan. *Nationalism in India*. Aligarh: Aligarh Muslim University, 1973.

Reid, Robert. *History of the Frontier Areas bordering on Assam from 1883-1941*. Bhabani Books, 2013.

Reuveny, Rafael. "Climate change-induced migration and violent conflict." *Political Geography*, 2007.

Robert R. Alvarez, Jr. "The Mexican-US Border: The Making of an Anthropology of Borderlands." *Annual Review of Anthropology*, Vol. 24, 1995: 447-470.

Roche, Maurice. "Social Citizenship: Grounds of Social Change." In *Handbook of Citizenship Studies*, by Engin F. Isin and Bryan S. Turner, 69-86. London: Sage, 2002.

Roluahpuia. "Ethnic Tension in Mizoram: Contested Claims, Conflicting Positions ." *Economic and Political Weekly*, 2016: 21-25.

Roy, Anupama. *Mapping Citizenship in India*. New Delhi: Oxford University Press, 2010.

Roy, Rajkumari Chandra Kalindi. *Land Rights of the Indigenous Peoples of the Chittagong Hill Tracts, Bangladesh*. International Work Group for Indigenous Affairs, Denmark: IWGIA, 2000.

—. *Land Rights of the Indigenous Peoples of The Chittagong Hill Tracts, Bangladesh*. Copenhagen: Centraltrykkeriet Skive A/S Skive, 2000.

Ruud Koopmans, Paul Statham, Marco Giugni and Florence Passy. *Contested Citizenship: Immigration and Cultural Diversity in Europe*. London: University of Minnesota Press, 2005.

Ryan L. Nelson, Kathleen Abendroth and Karen Lynch. "Ethnography." In *Handbook of Qualitative Research in Communication Disorders*, by Nicole Muller and Ryan L. Nelson Martin J. Ball, 39-53. Routledge, 2013.

Sarah Turner, Christine Bonnin and Jean Michaud. *Frontier Livelihoods: Hmong in Sino-Vietnamese Borderland*. Seattle and London: University of Washington Press, 2005.

Sardelic, Julija. "Romani Minorities and Uneven Citizenship Access in the Post-Yugoslav Space." *Ethnopolitics*, 2015: 159-179.

Schendel, Michiel Baud and Willem Van. "Toward a Comparative History of Borderlands." *Journal of World History* (University of Hawai Press), 1997: 211-242.

—. "Securing the Territory." In *The Bengal Borderland: Beyond State and Nation in South Asia*, by Willem Van Schendel, 87-117. London: Anthem Press, 2005.

Schendel, Willem Van. "Stateless in South Asia: Making of the India-Bangladesh Enclaves." *The Journal of Asian Studies* (Association for Asian Studies), 2002: 115-147.

—. *The Bengal Borderland: Beyond State and Nation in South Asia*. London: Anthem Press, 2004.

—. "The Invention of the jummas': State Formation and Ethnicity in Southeastern Bangladesh." *Modern Asian Studies* (Cambridge University Press) 26, no. 1 (1996): 95-128.

—. "Working Through Partition." *IRSH*, 2001: 393-421.

Scott, James Wesley. "European Politics of Borders, Border Symbolism and Cross-Border Cooperation." In *A Companion to Border Studies*, by Thomas M. Wilson and Hastings Donnan, 83-115. West Sussex: Wiley Blackwell, 2012.

Sigona, Nando. "Campzenship: reimagining the camp as a social and political space." *Citizenship Studies* (Routledge), 2015: 1-15.

Simmel, George. *The Philosophy of Money*. London and New York: Routledge, 1978.

Singh, Chandrika. *Emergence of Arunachal Pradesh as a State*. Delhi: Mittal, 1989.

Singh, K.S. *People of India: Tripura*. Calcutta: Seagull Books, 1996.

—. *People of India: Mizoram*. Vol. XXXIII. Calcutta: Seagull Books, 1995.

—. *People of India: Arunachal Pradesh*. Calcutta: Anthropological Survey of India, 1995.

Sopher, David. E. "Population Dislocation in the Chittagong Hills." *The Geographical Review* (American Geographical Society), July 1963: 337-362.

Soysal, Yasemin. *Limits of Citizenship: migrants nad post-national membership in Europe*. London: University of Chicago Press, 1994.

Talukdar, S.P. *Chakmas: An Embattled Tribe*. New Delhi: Uppal Publishing House, 1994.

—. *The Chakmas : Life and Struggle*. Delhi: Gian Publishing House, 1988.

Taylor, Charles. *Multiculturalism: Examining the Politics of Recognition*. Princeton: Princeton University Press, 1994.

Ting-Toomey, Stella. "Identity Negotiation Theory." In *Sage Encyclopedia of Intercultural Competence*, by J. Bennett, 418-422. Los Angeles: Sage, 2015.

Turner, Bryan S. "Contemporary Problems in the theory of citizenship." In *Citizenship and Social Theory*, by Bryan S. Turner. London: Sage, 1993.

Turner, Sarah. "Making A Living the Hmong Way: An Actor-Oriented Livelihoods Approach to Everyday Politics and Resistance in Upland Vietnam." *Annals of Association of American Geographers*, 2011: 403-422.

Turner, Terence. "Production, Exploitation, and Social Consciousness in the "Peripheral Situation"." *Social Analysis: The International Journal of Social and Cultural Practice* (Berghahn Books), 1986: 91-115.

Verneuil, Maylis De. "Nationality: Romani; Citizenship: European." Institute of Statelessness and Inclusion, June 2016.

Weiner, Myron. "Rejected Peoples and Unwanted Migrants in South Asia." *Economic and Political Weekly*, 1993: 1737-1746.

—. "Security, Stability and International Migration." *International Security* (The MIT Press), 1992: 91-126.

Winichakul, Thongchai. *Siam Mapped: A History of the Geo body of a Nation*. Honolulu: University of Hawaii Press, 1994.

Xaxa, Virginius. "Tribes as Indigenous People of India." *Economic and Political Weekly*, 1999: 3589-3595.

Young, Iris Marion. "Polity and Group Difference: A Critique of the Ideal of Universal Citizenship." *Ethics* (The University of Chicago Press), 1989: 250-274.

Zaman, M. Q. "Crisis in Chittagong Hill Tracts: Ethnicity and Integration." *Economic and Political Weekly*, 1982: 75-80.

Reports and Documents:

All Arunachal Pradesh Students Union & others vs. Election Commission of India & others, Gauhati High Court, 19 March 2013.

CCRCHAP: Celebrating 25 years of Community Service.

Census of India 2011, Provisional Population Totals, Arunachal Pradesh, Series 13.

Civil Writ Petition No. 886 of 2000 in the matter of People's Union for Civil Liberties, *Committee for Citizenship Rights of the Chakmas of Arunachal Pradesh vs. Election Commission of India*, State Election Commission of Arunachal Pradesh and Union of India.

Committee for CCRCAP & Others vs. State of Arunachal Pradesh & Others, Supreme Court, 17 September 2015.

CRDO Newsletter, Issue 1, October 24, 2018.

CRDO Newsletter, Issue 2.1, January 7, 2020

Gauhati High Court judgment on *Khudiram Chakma V Union Territory of Arunachal Pradesh* on 30 April, 1992, p.1.

Gauhati High Court judgment (PIL No.32/2012) on denial of admission to Chakma students and subsequent notification issued by Government of Arunachal Pradesh, 2013.

Government of India Act 1935. Part 92, Clause I.

— . Part 92, Clause II.

Memorandum submitted by non-Muslim Judges to the Bengal Boundary Commission on Sylhet, Ministry of External Affairs, Pakistan Division, Section III. File No. 24 (15)-Pak.III/55. Partition Secretariat No. BC (2)/47. 1955.

Memorandum submitted by Muslim organizations and other parties before the commission on Bengal Boundary Commission on Sylhet. Ministry of External Affairs, Pakistan Division, Section III. File No. 24 (21)- Pak.III/55. Partition Secretariat file no. BC (20)/47.

National Human Rights Commission v. State of Arunachal Pradesh and another January 9, 1996.

No. EDA/107/2012-13 (Vol-I), Government of Arunachal Pradesh, Department of Education, Arunachal Pradesh, February, 19, 2013.

Nyodek Yonggam, *The Genesis of All NEFA Students Union now All Arunachal Pradesh Students Union*, Eastern Horizon, Ruksin, 2017.

Nyodek Yonggam, *The Emergence of Student Union Movement in NEFA now Arunachal Pradesh, India*, Eastern Horizon, Ruskin, 2015.

Nyodek Yonggam, *The Genesis of All Arunachal Pradesh Students' Union*, Commemorating 50 years of AAPSU Constitution, 2017.

Order by the Election Commission of India, No. 23/ARUN/2003, March 3 2004.

Reports of International Arbitral Awards: Boundary disputes between India and Pakistan relating to the interpretation of the report of the Bengal Boundary Commission, 26 January 1950.

Report on migration of Chakmas from East Pakistan to settle in Circle XVII under Demagiri police station in Mizo district.

Section 2 of Citizenship Amendment Act, 2019.

Supreme Court Judgment on *CCRCAP and others vs. State of Arunachal Pradesh and others*, 17 September 2015.

The 7th Report on Committee on Petitions (Tenth Lok Sabha).

The Arunachal Pradesh (Land Settlement and Records) (Amendment) Bill, 2018.

The Arunachal Pradesh (Land Settlement and Records) Act, 2000.

The Bengal Eastern Frontier Regulations Act 1873.

The Chin Hills Regulation 1896 p. 235.

The Hundred and Fifth Report of Rajya Sabha Committee on Petition,” August 14, 1997

The North-Eastern Areas (Reorganisation) Act, 1971.

White Paper on Chakma and Hajong Refugee Issue, by the Government of Arunachal Pradesh, Itanagar, 12 March 1996

“Why Arunachalees are opposed to permanent settlement of Chakma and Hajong Refugees in Arunachal Pradesh,” compiled by AAPSU.

Writ Petition (Civil) No. 510 of 2007, CCRCAP and others vs. State of Arunachal Pradesh and others.

Newspapers:

Hindustan Times, Rahul Karmakar, “Students denied MBBS seats: End Racism against indigenous Chakmas by encouraging merit, Mizoram CM urged.” August 7, 2017.

—. “Arunachal Shuts Down Over Citizenship to Chakma-Hajong Refugees,” September 19, 2017.

Indian Express, Samudra Gupta Kashyap, “Arunachal not ready to accept Chakma citizenship, Pema Khandu tells Rajnath Singh,” September 18, 2017.

The Arunachal Times, Staff Reporter, “Arunachal erupts against Centre’s decision to grant citizenship to Chakma-Hajong Refugees.” September 20, 2017.

—. “AAPSU protests school admission of Chakma-Hajong students,” July 9, 2012.

—. “JHPC meet to resolve Chakma and Hajong refugee issue, AAPSU reiterates its stand,” January 10, 2012.

—. “Joint meeting on Chakma and Hajong held core panel for joint survey verification formed,” October 27, 2012.

—. “Postpone core-committee meeting on Chakma-Hajong: AAPSU,” November 3, 2012.

—. “AAPSU opposes citizenship to Chakma-Hajong refugee,” March 17, 2013.

—. “AAPSU-JHPC team visits Chakma settlement areas,” *The Arunachal Times*, July 18, 2013.

—. “AAPSU returns disappointed from high power meeting on refugees issue,” January 7, 2018.

—. “Arunachal will never accept Chakma-Hajong refugees: AAPSU,” April 28, 2018.

—. “AMSU demands action against Chakma ‘extortionists’,” March 23, 2012.

—. “AAPSU team calls on CM,” January 16, 2013.

—. “Society demands eviction of encroachers at M’Pen, dossier on Chakma refugees,” January 9, 2013.

—. “Arunachal erupts against Centre’s decision to grant citizenship to Chakma-Hajong Refugees,” September 20, 2017.

— “State Government questions move of ECI on refugees, AAPSU reiterates demand,” August 11, 2010.

The Assam Tribune, Agartala, “104 refugee families repatriated.” February 20, 1994.

— Agartala, “Modalities for Chakma repatriation finalized.” February 4, 1994.

— Kathalcherri (South Tripura), “85 Chakma families to leave for Bangla on Feb 15.” February 7, 1994.

— Sabroom (Tripura), “77 Chakma families repatriated.” February 16, 1994.

— Agartala, “Chakma repatriation: UN involvement urged.” February 9, 1994.

— Agartala “Chakmas returning under pressure.” July 29, 1994.

— Agartala, “Chakmas unwilling to go back.” February 1, 1994.

— Agartala, “546 Chakmas repatriated.” July 29, 1994.

— “Chakma students allege discrimination.” September 5, 1996.

— “AAPSU move on Chakma refugees,” September 20, 1997.

— “Arunachal Congress flays Panel report on Chakmas,” September 25, 1997.

— “Arunachal bandh today,” September 22, 1997.

— “House panel report on Chakmas opposed,” September 21, 1997.

— “APCSU for early decision on Chakma-Hajong issue,” October 22, 1997.

— “Poll boycott if other parties do: Arunachal Congress,” March 29, 2004.

— “Dismay over refugee issue in Arunachal,” April 23, 2004.

— “Citizenship likely to Chakma, Hajong refugees in Arunachal,” January 10, 2012.

— “Arunachal bandh today,” September 22, 1997.

The Times Of India, TNN, “Centre grants Citizenship on Chakma-Hajong Refugees,” September 14, 2017.

Internet Sources:

Frontline, Vol. 21, No. 19, New Delhi, September 11-24, 2004. Sushanta Talukdar, “Assembly Elections, A Volte-face in Arunachal.”

OneIndia, February 1, 2008. “Resolve contentious refugee issue: Khandu to Centre.”

Scroll.in September 21, 2017. Mahendra Chakma, “Open Letter: Dear Rajnath Singh the ‘limited citizenship’ for Chakmas is too little too late.” Available at <https://scroll.in/article/851111/open-letter-dear-rajnath-singh-the-limited-citizenship-for-chakmas-is-too-little-too-late>

Ministry of Tribal Affairs, Statistical profile of Scheduled Tribes in India 2013, p.5.

NDTV PTI, “Centre to Urge Supreme Court To Modify Order On Chakma-Hajong Refugees: Kiren Rijiju,” September 18, 2017, retrieved on December 24, 2017.

Northeast Today, February 18, 2020. Mumeninaz Zaman “Amidst CAA protests, BJP eyes Chakmas to keep its hold in Mizoram.”

The Wire, PTI, “Government to Grant Citizenship to Chakmas,” September 13, 2017 retrieved on December 24, 2017.