

## Assimilation Or Alienation

Jayakrishna

Freelance Writer, Faculty, University of Madras

*Abstract: Chakmas and Hajongs are the tribes of Chittagong hill tracts of East Pakistan now Bangladesh, during 1960's their land got submerged due to the construction of Katpai Dam on the Karnafulli river the tribes migrated into the neighbouring Lushai hill tracks of present day Mizoram. Fearing security and cultural problems government deported them to the North East Frontier Agency, now Arunachal Pradesh. After staying as stateless people for five decades and are still awaiting citizenship rights with schedule tribe status APST for which the lower courts as well as the Supreme court has given verdict to grant citizenship under Article 5(1)(a) of Citizenship Act 1955, honoring the supreme court direction the government announced, amidst much pressure by the students union-AAPSU and Chakmas association CCRCAP, that they will be given citizenship but not the rights over land or schedule tribe APST status moreover they need to take Inner Line Permit(ILP), this article talks about the present situation of chakmas in the post government announcement, with this limited citizenship the question remains whether they are assimilated or alienated.*

*Keywords: AAPSU, APST, CCRCAP, Citizenship, Inner Line Permit.*

### I. INTRODUCTION

India is a land of destination for many from times immemorial, not just for adventurers also for migrants and refugees one of such classical case is the case of Chakmas and Hajongs. They are tribes from Chittagong hill tracks of East Pakistan now Bangladesh. Chakmas are Buddhist by religion and Mongoloid by race, whereas Hajongs are Hindus. During 1964 the then East Pakistan constructed Katpai dam over Karnafulli river which inundated the habitation of Chakmas and Hajongs, so these tribes have no other way but to flee their homeland and seek security elsewhere, as such they believe that their next home is India due to the cultural, ethnic and racial similarity they migrate to different parts of India viz West Bengal, Assam, Mizoram, Tripura and Meghalaya.

Majority of tribes migrated to the Lushai hill ranges of present day Mizoram. Sensing some security problem due to their age old enmity between mizos and chakmas the then Governor of Assam Sri. Vishnu Sahay, took decision to deport chakmas to vacant and un-inhabitant region-NEFA northeast frontier agency, the present day Arunachal Pradesh, who in his letter on 10 April 1964 wrote to the then Chief minister of Assam Sri. B.P.Chaliha "It occurs to me that we may trouble between chakmas and mizos in the Mizo district. The

chakmas would be quiet suitable to go into Tirap division of NEFA, where there is easily found vacant land in the area about which you and I often have spoken" the second reason why chakmas were deported to Arunachal Pradesh is the ethnic similarity of the already existing tribes like Khamtis and Shingphos, the third reason is the NEFA region is the area of no man's land.

However there is a different opinion among chakmas that, their deportation is well articulated and pre-planned as NEFA is no man's land and in the post Indo-Sino war these people can act as a buffer to guard the Indian territory from illegal occupation by the Chinese army. Whatever may be the reason it is the Government of India which officially given settlement to the chakmas in the NEFA with the "Migration Certificates" (Mukherji: 2000). The government even provided five acres land for each family for survival. It was from 1979 till 1985 there was a massive wave of people fleeing from Bangladesh into India, with this large scale migration a feeling of xenophobia aroused among local tribes, moreover the sentiment of Local and Non local feeling developed in the entire Assam state and so in Arunachal Pradesh.

During 1980's Arunachal Pradesh Students Union AAPSU came heavily on Chakmas and Hajongs, they want to drive out these foreigners as they see, by forceful eviction,

physical assault and blockade on the Chakma regions the situation aggravated when the State government supported these pressure groups. In 1982 AAPSU organized All Arunachal Pradesh Bandh, the State government banned the basic rights enjoyed by chakmas like education, health, employment, ration cards and trade license. The standard of living, the literacy rate, health conditions detoured and the students who were in the hostels were stopped of their stipend, their book grant and even accommodation, making the life of these tribes miserable with this their socio economic conditions remained Below Poverty Line(Thalukdar 1988:105). Supplies through the Public Distribution System were also stopped.

The Chakmas and Hajongs who were born and brought up in Arunachal Pradesh are living in the hope of Indian Citizenship under Article 3(a) of the Citizenship Act 1955 and Arunachal Pradesh Schedule Tribe status- APST for the past five decades, respite came on 9<sup>th</sup> January 1996 in the form of the Supreme Court's judgment in a Public Interest Litigation(PIL) filed by the National Human Rights Commission- NHRC calling up on the Central Government to confer Citizenship rights to the Chakmas under Article 5(1)(a) of the Citizenship Act of 1955(Mukherjee2000 : 97) due to the stiff opposition of the Government of Arunachal Pradesh and the non interventionist approach of the Centre there was a delay of one and half decade, again the Supreme Court reasserted the same judgment to confer citizenship rights to chakmas in 2015 under Article 5(1)(a) Citizenship Act 1955. The night mare of the chakmas staying as "Statelessness" believed to be ended with the announcement on 13 September 2017 by the Centre that it would grant Citizenship to Chakmas and Hajongs refugees living in the Northeast. The statement didn't stop here but the Center also said it would choose a "Middle-Ground" so that the 2015 Supreme Court judgment could be honored on one hand and the rights of the local people were not diluted on the other hand. The refugees will not be given rights including land ownership and Arunachal Pradesh Schedule Tribe status which is enjoyed by the local tribes, also the Chakmas and Hajongs need to take Inner Line Permit (ILP).

The Centre decision left the Chakmas and Hajongs in utter confusion, they now feel that by conferring Citizenship rights were they assimilated or alienated. Their basic question remains

- ✓ Whether they will continue to have ownership rights over land allotted to their fore fathers by the government at the time of issuing migration certificates from Lushai hills to NEFA.
- ✓ The Bengal Eastern Frontier Regulation (BEFR) 1873, states that Inner Line Permit allows inward travel of an Indian citizen into a restricted or protected area like Arunachal Pradesh, Nagaland, Mizoram for a limited period only.
- ✓ The Centre announced that the Chakmas and Hajongs will be given Inner Line Permit (ILP), meaning, Chakmas and Hajongs are definitely Indians but not the native people of the protected area, where they were born and brought up, how they will be allowed permanently to stay in protected area.

- ✓ Issuing ILP itself forbids these tribes to have land ownership rights which were enjoyed by their fore fathers.
- ✓ Inner Line Permit rules says that, anyone who wants to enter the protected area need to furnish their address of their permanent residency which is normally address outside the protected area, which address these tribes will give to obtain ILP. It will be illogical to apply for the ILP when they are residing within the protected area.
- ✓ Centre also announced that Chakmas and Hajongs would NOT be given APST Arunachal Pradesh Schedule Tribe status when all their fellow men are enjoying the Schedule Tribe status in other states of Northeast.

## II. CONCLUSION

The baffling state of the populace unravels the state of denial of the minimum basic facilities and amenities which is not just leading to unsatisfied socio economic conditions but also creating ethno cultural discrimination among Chakmas. Implicitly the Chakmas are the citizens of India but the action of the State Government, the locals and the Student pressure groups allege these people of diluting demography. These people are struggling for their rights for the past five decades lack of political will aggravated their economic conditions and left them more backward when compared to their fellow brethren elsewhere. This is a very sensitive issue as it questions the fundamentals of the constitution and a threat to the existing peace in the State it is a dilemma between the aspirations of the locals and rights of the refugees. The Chakmas are facing an untenable situation between the Government and the locals. The views of both the parties can't be supported or denied completely. Both the locals as well as chakmas are under the purview of the State, the Citizen conundrum can be solved by isolating the politics over the issue, examining the economic situation and taking exact demographic data these measures may provide some impetus in solving the issue.

The Centre's decision to grant citizenship rights to Chakmas and Hajongs living in the Arunachal Pradesh is a welcome step, as they are still leading a miserable life their rights over ration cards, trade license, education stipend should be restored immediately, which were suspended by the state. The plight of these tribes still continues if the Schedule tribe status and the land rights are not given, The local tribes are not against the citizenship status of chakmas but they fear that the Schedule tribe status and land rights if given, may end up them as minorities in their own land, a possible solution for this may be increasing the Legislative seats in the State Assembly with a reservation to the indigenous tribes. Having stayed for half a century chakmas cannot be thrown away from the state, moreover, chakmas who were born and brought up doesn't want to move out of Arunachal Pradesh. Combined effort of both the Centre and the State are needed in bringing the solution to this situation, on one hand chakmas should be given citizenship rights along with the rights they enjoy earlier like ration cards, trade license, education stipend, healthcare facilities and on the other hand the indigenous tribes apprehensions needs to be addressed.

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