
“Study on Impact of Exclusion of Exchange of Dohogram-Angarpota Bangladeshi Enclave from the Coverage of Land Boundary Agreement, 2015”

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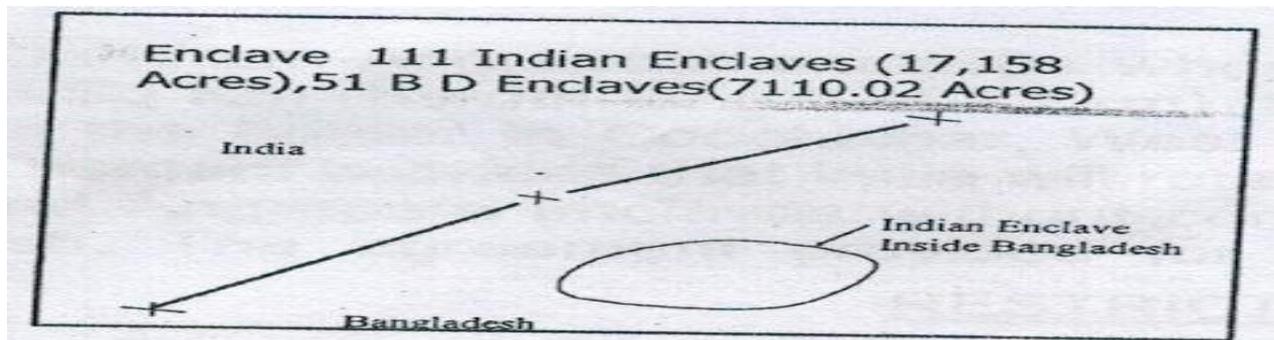
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ABSTRACT : *Inhabitants of enclaves in India and Bangladesh were unjustly deprived from getting basic facilities, rights, opportunities and governmental support for their livelihoods for long 67 years after India’s independence until signing of the historic Land Boundary Agreement (LBA) between India and Bangladesh in the year 2015. As per LBA, 2015, 51 Bangladeshi enclaves in Indian territory and 111 Indian enclaves in Bangladesh territory were actually transferred to the other country with effect from the midnight of 31 July 2015. But one Bangladeshi enclave situated in Indian territory, Dohogram-Angarpota (D-A) twin enclave, has not been exchanged by virtue of LBA, 2015 Protocol. A study has been undertaken through extensive field survey to assess impact of exclusion of exchange of D-A Bangladeshi enclave from the coverage of LBA, 2015 Protocol from India’s perspective as well as from the perspective of the people of D-A Bangladeshi twin enclave. The issue of exclusion of D-A enclave from LBA, 2015 Protocol brings completely two different perceptions before the people of concerned two countries. Moreover, 24 hours opening of Tin Bigha Corridor for the Bangladeshi people also brings two completely different situations before the people of concerned two regions. As far as D-A Bangladeshi enclave is concerned, the entire population of this twin enclave strongly accepts exclusion of D-A enclave from LBA, 2015 Protocol, as 24 hours open access to Bangladeshi mainland through Tin Bigha Corridor brings a completely new life for them as well as enables the Govt. of Bangladesh to exercise its sovereignty on this twin enclave. On the other hand, the issue of exclusion of exchange of D-A enclave from LBA, 2015 Protocol brings apprehension of future problem to the people of Kuchlibari Region of Mekhligunj Block, India, on contiguity of their region with Indian mainland due to 24 hours open access to the Bangladeshi people through Tin Bigha Corridor as well as their anxiety about threats to national security and law and order problems of the locality due to open border of D-A Bangladeshi enclave within the region.*

KEYWORDS: *Enclave, Dohogram-Angarpota Twin Enclave, Tin Bigha Corridor, Exchange of Enclaves, Land Boundary Agreement (LBA).*

1. Background of the Study:

On a fine morning, a country had been divided into two parts intersecting heart of a section of marginal people, resulting in creation of a porous border which already snatched their many golden days making them isolated 'enclaves' people' only. Although these poor people were not at all responsible for their dreadful fortune; yet they were forced to live in 'no-man's land' as 'nowhere people' till 67 years after India's independence just due to ridicule of historical and political destiny. Enclave or exclave (*Chhitmahal* in Bengali) means a portion of territory of one state completely surrounded by territory of another state (*i.e.* the land of one state geographically completely separated from its mainland).



Map - 1 : Map of Enclave

"From the point of view of the state in which it is located, is termed as an 'enclave' and the state to which it belongs to is an 'exclave'¹". But for the study undertaken, the terms enclave and exclave are used synonymously. As per Report of the India-Bangladesh Joint Field Inspection, 111 exchangeable Indian Enclaves inside Bangladesh (covering an area of 17,158 acres) and 51 exchangeable Bangladeshi Enclaves (covering an area of 7,110 acres) and one non-exchangeable enclave (covering a total area of 25.95 sq. kms. with a combined population of around 20,000) inside India had been identified². These enclaves included a few '2nd-order enclaves' or 'counter-enclave' (*i.e.* enclave within an enclave) as well as a '3rd-order enclave' or 'counter-counter enclave' (*i.e.* a Bangladeshi enclave surrounded by an Indian enclave, which itself surrounded by another Bangladeshi enclave). In India, all these splinters of Bangladesh were situated in the District of Coochbehar of the state of West Bengal. On the other hand, in Bangladesh, these flakes of India were located in four Districts under its Rangpur Division, of which 59 were in Lalmonirhat District, 36 were in Ponchogarh District, 12 were in Kurigram District and 4 were in Nilphamari District³. These enclaves in India and Bangladesh (formerly East Pakistan) were created due to variety of historical, political and geographical reasons. These fragmented territories within these two countries had created an inhuman situation for the enclaves' people and they were compelled to sustain their existence under a hardnosed situation of statelessness.

1. Van Schendel, 2002: 161.

2. Report of the India-Bangladesh Joint Field Inspection, 1996.

3. Report of Jugantor (2015), Bangladeshi Newspaper, August 1.

without any governmental support from either country. Inhabitants of enclaves lived years after years without constitutional rights and basic amenities for their livelihoods. Being completely surrounded by the territory of a foreign state, they couldn't even travel to their 'motherland' by crossing the territory of the foreign state which fully surrounded the enclave and governmental support system of the mother state couldn't get any access to these enclaves. Thus, inhabitants of enclaves had been unjustly becoming deprived for getting governmental services, essential facilities and basic opportunities from their mother state until signing of the historic Land Boundary Agreement (LBA) between India and Bangladesh in the year 2015. Only Bangladeshi enclave situated in Indian territory, Dohogram-Angarpota (D-A) twin enclave, has not been exchanged by virtue of LBA, 2015.

2. Review of Existing Literature:

Formation of Indo-Bangladesh enclaves accompanied a long historical tail, when Shahjahan was the Mughal Emperor and Raja Pranantarayana was the King of Coochbehar. Raja Pranantarayana occupied certain portion of territory within the Mughal Empire by defeating Mughals. Thus, the King of Coochbehar ruled over some portion of lands which were completely surrounded by lands belonging to the Mughal Empire. Similarly Mughals also squeezed some portion of territory within the Coochbehar Estate which later came under control of the Maharaja of Rangpur⁴. So, these lands were geographically separated from the Coochbehar and Rangpur estate, ruled by one emperor within the geographical jurisdiction of the other estate. In this context, some opine otherwise. According to an unverified popular legend, these slivers of land were used as stakes in card or chess games or other gambling centuries ago between two regional kings, the Raja of Coochbehar and the Maharaja of Rangpur⁵. Erstwhile Indian enclaves that now lie inside Bangladesh were the property of the Raja of Coochbehar before India's independence. On the other hand, erstwhile Bangladeshi enclaves that now lie inside India were the property of the Maharaja of Rangpur prior to India's independence. "As per historical records, such little territories were apparently the result of a confused outcome of a 1713 treaty between the Kingdom of Coochbehar and the Mughal Empire. Possibly, the Kingdom and the Mughals ended a war without determining a single boundary for what territories had been gained or lost."⁵ "In 1947, when the British finally left India after almost two centuries, they created two countries, India and Pakistan, out of one. In order to partition the country, they brought in a lawyer, Cyril Radcliffe, to demarcate the boundary between India and what was to become Pakistan, who demarcated the India-Pakistan border in straight lines cutting across territories".⁶

4. <https://studycacer.com/problem/chhit-mahals-of-india-and-bangladesh-2787393>

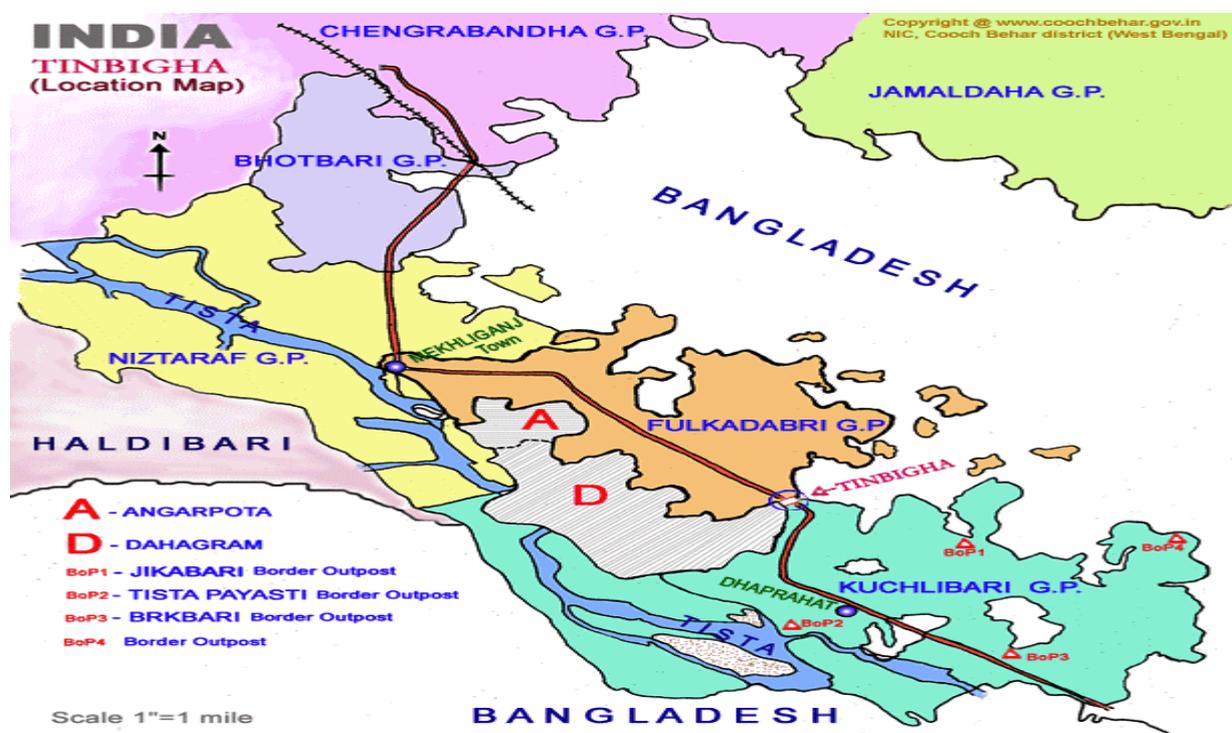
5. https://en.wikipedia.org/wiki/India%E2%80%93Bangladesh_enclaves

6. <http://www.india-seminar.com/2002/510/510%20urvashi%20butalia.htm>

7. Kaur, Naunidhi (2002), *Frontline*, Volume 19 - Issue 12, June 8-21.

The fact that two States of Coochbehar and Rangpur chose not to join either India or Pakistan at the time of Independence also played a significant role in the process of creation of these enclaves. In 1949, Coochbehar joined India and in 1952, Rangpur chose to be part of Pakistan. "What posed a problem was the fact that over the time, they had been conquering each other's territories".⁷ Combined Effects of all these resulted in creation of enclaves of India inside Bangladesh and vice-versa.

After several postponements, dejected sage of enclaves' people of almost long seven decades came to an end when India ratified Land Boundary Agreement with Bangladesh by its 119th constitutional amendment in May 2015. Soon thereafter, aforesaid 111 exchangeable Indian enclaves in Bangladesh (covering an area of 17,158 acres) and 51 exchangeable Bangladeshi enclaves in India (covering an area of 7,110 acres) had been lawfully exchanged between two countries by virtue of historic Land Boundary Agreement (LBA) accorded between Govt. of Republic of India and the Govt. of Peoples' Republic of Bangladesh on 6th June, 2015 with one exception only. Dohogram-Angarpota (D-A), the twin Bangladeshi Enclave situated in Mekhliganj Block under Coochbehar District of West Bengal, India, covering a total area of 25.95 sq. kms. with a combined population of around 20,000, has not been exchanged as per settlement made in LBA, 1974 and it still remains as an integrated part, may not be contiguous, of Bangladesh completely surrounded by the Indian territory. It is the largest Bangladeshi Enclave and is separated from the contiguous area of Bangladeshi mainland at its closest point by 178 metres (584 ft).⁸



Map - 2 : Map of Angarpota-Dohogram Bangladeshi Enclave and Tin Bigha Corridor

8. https://www.revolvy.com/main/index.php?s=Teen%20Bigha%20Corridor&item_type=topic

This twin enclave is administrated by Patgram Upozila of Lalmonirhat District under Rangpur Division of Bangladesh and lies within Mekhligunj Block under Cooch Behar District of West Bengal, India. As a consequence of Land Border Agreement (LBA), 1974 between India and Bangladesh (Indira-Mujib Agreement), India was to hand over the sovereignty of the Tin Bigha Corridor, a strip of Indian land covering an area of 178 by 85 metres (584 ft × 279 ft)⁸ and thereby allowing access to the Dahagram–Angarpota enclave.

On the other hand, Bangladesh was to hand over the South Berubari covering an area of 7.39 sq. kms. (2.85 sq mi) and thereby allowing access to the Indian enclaves adjacent to South Berubari. Bangladesh did hand over the sovereignty of the smaller South Berubari to India instantly in 1974. India, however, could not transfer the Tin Bigha Corridor to Bangladesh till 1992, as it required constitutional amendment which could not be done due to political reasons in India. Finally on 26th June, 1992, as a counterpart of the 1974 LBA Protocol, the Tin Bigha Corridor had been leased out by India in perpetuity to Bangladesh, giving her access to D-A enclave in order to enable her to exercise sovereignty on this twin enclave. Initially, the Corridor was opened for only one hour a day, which was gradually increased until 2002. In 2002, it was opened for 12 hours a day during daylight hours. On and from 19th October, 2011, the Tin Bigha Corridor remains open 24 hours a day. Thus, the people of D-A enclave has got 24 free access to enter into Bangladeshi mainland as well as Govt. of Bangladesh has got 24 hours' free access to administer D-A enclave through Tin Bigha Indian Corridor. After initial review of existing literature, it has been closely observed that little research study has so far been undertaken to assess the impact of exclusion of exchange of D-A Bangladeshi enclave from LBA, 2015 Protocol from the perspective of Indian people as well as of the people of D-A Bangladeshi twin enclave. In true sense, this area of study still remains unexplored, what I keenly desire to unveil.

3. Research Questions:

There lies lot of questions. How the adjacent Indian people around D-A Bangladeshi enclave accept exclusion of exchange of D-A enclave from LBA, 2015 Protocol? How the people of D-A Bangladeshi enclave accept exclusion of exchange of D-A enclave from LBA, 2015 Protocol? Has perpetual 24 hours free-access of Tin Bigha Corridor to the foreigners' brought significant impact on existence of Kuchilibari area of Mekhligunj Block under Coochbehar District of West Bengal as a contiguous part of India in remote future? Has existence of an open border foreign zone within a country (*i.e.* D-A Bangladeshi Enclave in India) played significant impact on Indian national security and local law and order issue? How far 24 hours free-access of Tin Bigha Corridor has improved mentality, freedom, sustainability and socio-economic condition of the people of D-A Bangladeshi enclave? To unveil the above hidden questions, a comprehensive research study was essentially needed.

My study is comprehensibly conducted with the following objectives:

1. To study and assess impact of exclusion of exchange of D-A Bangladeshi enclave from the coverage of LBA, 2015 Protocol from the perspective of the adjacent Indian people around D-A

enclave.

2. To study and assess impact of exclusion of exchange of D-A Bangladeshi enclave from the coverage of LBA, 2015 Protocol from the perspective of the people of D-A Bangladeshi enclave.
3. To study and assess the impact of perpetual 24 hours free-access of Tin Bigha Corridor to a foreign nation on existence of Kuchlibari area of Mekhligunj Block under Coochbehar District of West Bengal as a contiguous part of India in remote future.
4. To study and assess the impact of existence of open-border D-A Bangladeshi enclave within India on its national security and local law and order issues.

4. Area of Study:

For the purpose of undergoing research study, entire D-A Twin Bangladeshi Enclave situated within Mekhligunj Block under Coochbehar District, West Bengal, India and administrated by Patgram Upozila of Lalmonirhat District under Rangpur Division of Bangladesh was chosen. On the other hand, Fulkadabri Gram Panchayat (GP) area and Kuchlibari Gram Panchayat (GP) area under Mekhligunj Block of Coochbehar District, West Bengal, India, had been chosen, as these two Gram Panchayat (GP) areas were adjacent to D-A Bangladeshi enclave and Tin Bigha Corridor.

5. Methodology and Materials:

The undergoing study involved both primary and secondary data collected from various sources including empirical analysis of field survey data through questionnaire survey and literature survey. The data used for empirical analysis had been collected from field survey in form of personal interaction, interviews, group discussion and answers to well structured questionnaires, and also from Govt. reports / press releases, relevant reports of previous researchers, concerned experts' opinions, articles etc. Questionnaires containing series of effective relevant questions had been set out to collect information from D-A Bangladeshi enclaves' people, Indian people residing adjacent to D-A enclave and Tin Bigha Corridor, local administrative officials, personnel of Border Security Force (BSF) of India, personnel of Border Guard of Bangladesh (BGB), public representatives, representatives of political organizations and from all other concerned persons / authorities, including previous researchers / academicians / experts in relation to the matter of undergoing study.

Fulkadabri GP area and Kuchlibari GP area under Mekhligunj Block in Coochbehar District of West Bengal, India, had been chosen for the purpose field work survey conducted in May, 2017, as these two GP areas were adjacent to D-A enclave and Tin Bigha Corridor. On the other hand, entire D-A Bangladeshi enclave had been chosen for the purpose field work survey conducted in May, 2017. Personal interaction, group discussion, questionnaire survey had been carried out with the locale people, public representatives, leaders of political organizations, BSF and BGB personnel and officials of local administration. Survey had been conducted with all ages, genders and religions of the sample population. Adequate video and still photographs were taken of the people and the

location. As many portion of the concerned geographical area as possible was physically surveyed and examined.

During said field survey, total 151 inhabitants of different ages, genders and religions residing at Fulkadabri GP area and Kuchlibari GP area under Mekhligunj Block of Coochbehar District of West Bengal, India, were interacted with, the classified details of them are shown below under Table – 1, 2 and 3 :

TABLE 1: Location-wise classification of the Indian inhabitants residing adjacent to D-A enclave and Tin Bigha Corridor interacted with during the field survey :

<i>Under GP</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Kuchlibari	82	37	119
Fulkadabri	20	12	32
Total	102	49	151

TABLE 2: Age and Gender-wise classification of the Indian inhabitants residing adjacent to D-A enclave and Tin Bigha Corridor interacted with during the field survey :

<i>Age group of persons</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Above 75 years	05	01	06
Above 60 to 75 years	17	06	23
Above 45 to 60 years	32	17	49
Above 30 to 45 years	26	14	40
Above 20 to 30 years	14	08	22
10 to 20 years	08	03	11
Total	102	49	151

TABLE 3: Religion and Gender-wise classification of the Indian inhabitants residing adjacent to D-A enclave and Tin Bigha Corridor interacted with during the field survey :

<i>Religion of persons interacted</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Hindu	69	41	110
Muslim	33	08	41
Total	102	49	151

During said field survey conducted in May, 2017, total 143 inhabitants of different ages, genders and religions residing at D-A Bangladeshi Enclave were interacted with, the classified details of them are shown below under Table – 4, 5 and 6 :

TABLE 4: Location-wise classification of the inhabitants of D-A Bangladeshi Enclave interacted with during the field survey:

<i>Name of the Bangladeshi Enclave</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Dohogram Enclave	74	23	97
Angarpota Enclave	35	11	46
Total	109	34	143

TABLE 5: Age and Gender-wise classification of the inhabitants of D-A Bangladeshi Enclave interacted with during the field survey :

<i>Age group of persons interacted</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Above 75 years	07	01	08
Above 60 to 75 years	21	07	28
Above 45 to 60 years	27	10	37
Above 30 to 45 years	24	09	33
Above 20 to 30 years	19	05	24
10 to 20 years	11	02	13
Total	109	34	143

TABLE 6: Religion and Gender-wise classification of the inhabitants of D-A Bangladeshi Enclave interacted with during the field survey:

<i>Religion of persons interacted</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Hindu	08	03	11
Muslim	101	31	132
Total	109	34	143

6. Findings:

A. From the perspective of the Indian people residing adjacent to D-A enclave and Tin Bigha Corridor, especially of the people of Kuchlibari GP area :

Non-exchange of Dohogram-Angarpota Bangladeshi enclave as an integral part of LBA, 2015 Protocol had not been well accepted by the Indian people residing adjacent to D-A enclave and Tin Bigha Corridor, especially by the people of Kuchlibari GP area. There were several reasons behind their non-acceptance. Firstly, such non-acceptance was related to apprehension of danger to the national security of India as a whole and also threat to local law and order issue. D-A Bangladeshi enclave within Indian territory shares 31.2 kms. Long open border with the Fulkadabri and Kuchlibari GP area (shown as in Map – 2) under Mekhligunj Block of Coochbehar District of the state of West Bengal, India. Although BSF of India made a number of Border Outposts (BOP)

surrounding D-A Bangladeshi enclave and were engaged in 24 hours border observation surrounding this Bangladeshi enclave. Yet, the local Indian people residing adjacent to the D-A enclave apprehended that offenders can easily escape from the hands of Indian Law just by absconding them in D-A enclave by passing through the open border. Similarly, reverse incidence may also happen in case of Bangladeshi offenders and as a consequence, intruders may easily enter into India for creating any sort of violent activities.

Secondly, such non-acceptance was related to apprehension of future existence of Kuchlibari GP area as a contiguous part of India. The only road cutting across Tin Bigha Corridor at Tin Bigha keeps sole contiguity of Kuchlibari GP area under Mekhligunj Block of Coochbehar District of West Bengal with Indian mainland, as all other sides of this GP area are cordoned either by Bangladesh or by river Tista. Most of the local inhabitants of Kuchlibari GP area apprehended that allowing foreign nationals to pass on through their only connecting road with the Indian mainland may create a big question on contiguity of their region in future. Due to any region, if the sovereignty of the Tin Bigha Corridor, a strip of Indian land covering an area of 178 by 85 metres (584 ft × 279 ft), goes out of control of India in future, entire Kuchlibari GP area will be completely isolated from Indian mainland and thus, it will lose contiguity from Indian mainland. It may be noted that severe local public agitation took place at the time of leasing out Tin Bigha Corridor against the perpetual use of the Bangladeshi people and three people were died in that incidence.

Classified opinions regarding the issue of total 151 inhabitants of Fulkadabri GP area and Kuchlibari GP area under Mekhligunj Block of Coochbehar District, West Bengal, India, interacted with during said field survey conducted in June, 2017 are shown below under Table – 7 :

TABLE 7: Classified Opinions of the Indian inhabitants residing adjacent to D-A enclave and Tin Bigha Corridor interacted with during the field survey regarding exclusion of D-A Bangladeshi Enclave from LBA, 2015 Protocol :

Summarized Opinions	Yes	No	Total
1. Whether accepted such exclusion from LBA, 2015	09	142	151
2. Whether anxious about national security and law & order issue	138	13	151
3. Whether anxious about isolation of Kuchlibari area in future	127	24	151

Therefore, most of the Indian inhabitants residing adjacent to D-A enclave and Tin Bigha Corridor did not accept the issue of exclusion of exchange of D-A Bangladeshi enclave from the coverage of LBA, 2015 Protocol. Moreover, these people felt deep anxiety regarding contiguity of Kuchlibari GP area with the Indian mainland in future due to 24 hours open access of Tin Bigha Corridor to the foreign nationals in perpetuity. Most of them also expressed their anxiety about the danger of national security of India, and law and order problems of the locality due to open border of D-A Bangladeshi enclave within the region.

B. From the perspective of the Bangladeshi people residing at Dohogram-Angarpota Twin Enclave :

To the contrary, exclusion of exchange of D-A Bangladeshi Enclave from LBA, 2015 Protocol had been sturdily accepted by the D-A enclaves' people, as all of them strongly preferred to live in Bangladesh as Bangladeshi citizen than to reside in India as Indian citizen. On the other hand, 24 hours opening of Tin Bigha Corridor brought significant positive changes in their livelihoods in the question of socio-economic condition, and political and security status. Now, the people of this enclave got 24 hours open passage through Tin Bigha Corridor to enter into the mainland of Bangladesh. As a consequence, they can enjoy all the benefits of becoming Bangladeshi citizens as enjoyed by the people of Bangladesh residing in Bangladeshi mainland. As most of the D-A enclave's dwellers are engaged in agricultural activities, now they can buy agricultural operational input requirements from Bangladeshi market and sale agricultural produces in Bangladeshi market passing through Tin Bigha Corridor. Now, they get full access in Bangladeshi mainland for the purpose of trading, marketing, medical treatment, educational facilities, searching of jobs etc. They enjoy equal constitutional rights including voting right as other Bangladeshi citizens residing in Bangladeshi mainland enjoy. Bangladesh Government now gets its direct access to administer this enclave. Govt. of Bangladesh has already established a Health Centre, two Medical Clinics, one High School, One Madrasa, eight Primary Schools, a Police Phari (Police Outpost under Patgram Police Station), a BGB Camp in D-A enclave. Thus, 24 hours opening of Tin Bigha Corridor has brought significant positive changes in the lives of the people of D-A Enclave. That is why, the entire population of this twin enclave have strongly accepted exclusion of exchange of D-A enclave from LBA, 2015 Protocol.

Classified opinions regarding exclusion of exchange of D-A enclave from LBA, 2015 of total 143 inhabitants of D-A Bangladeshi Enclave interacted with during said field survey conducted in June, 2017 are shown below under Table – 8 and 9 :

TABLE 1: Classified Opinions of the inhabitants of Dohogram-Angarpota Bangladeshi Enclave interacted with during the field survey regarding exclusion of Dohogram-Angarpota Bangladeshi Enclave from LBA, 2015 protocol :

Summarized Opinions	Yes	No	Total
1. Whether accepted such exclusion from LBA, 2015	143	00	143
2. Whether prefer to be Bangladeshi Citizen than Indian Citizen	143	00	143
3. Whether welcomes 24 hours opening of Tin Bigha Corridor	143	00	143
4. Whether 24 hours opening of Tin Bigha Corridor brings Significant positive changes in their lives	143	00	143

It is significantly observed that all the inhabitants of D-A enclave covered under field survey have sturdily accepted exclusion of exchange of D-A enclave from LBA, 2015 Protocol and 24 hours

opening of Tin Bigha Corridor.

7. Conclusion:

The issue of exclusion of exchange of D-A enclave from LBA, 2015 Protocol brings completely two different perceptions before the people of concerned two countries. Moreover, 24 hours opening of Tin Bigha Corridor for the Bangladeshi people also brings two completely different situations before the people of concerned two regions. As far as D-A Bangladeshi enclave is concerned, the entire population of this twin enclave surveyed under the study have strongly accepted exclusion of exchange of D-A Bangladeshi enclave from LBA, 2015 Protocol, as 24 hours open access to Bangladeshi mainland through Tin Bigha Corridor brings a completely new life for them as well as it enables Govt. of Bangladesh to exercise sovereignty on this twin enclave. On the other hand, the issue of exclusion of exchange of D-A Bangladeshi enclave from LBA, 2015 Protocol brings apprehension of future problem on regional contiguity with Indian mainland to the people of the Kuchlibari GP area under Mekhligunj Block of Coochbehar District of West Bengal, India, due to 24 hours open access through Tin Bigha Corridor to the foreign nationals. Moreover, they are also feeling anxious about the danger of national security and law and order problems of the locality due to open border of D-A Bangladeshi enclave within the region.

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