

Hill Tracts Peace Accord : An Analysis

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Introduction

The Chittagong Hill Tracts region covers a total area of 13,181 square kilometers (5,089 square milers) and divided into three administrative districts: Rangamati, Khagrachhari, and Bandarban. In 1991, population was 9,74,445. Out of the total Population, 5,01,144 are tribals and the rest are plainsmen.¹ The Tracts are inhabited by 13 tribes, each speaking its own distinct dialect. The tribes can be broadly classified into two groups: (1) the ancient tribes, which are Kuki, Kumi, Mro, Lushai, Khyang, Banjogi and Panko; (b) the domiciled tribes are Chakma, Marma, Tripura, Tangchangya and Riang. The three principal tribes of the region are Chakma, Marma and Tripura.

Historical Background

To understand the problem of the Chittagong Hill Tracts, one must look into its past and its geographic location. The Tracts belong to the hilly region that branches off the Himalayan ranges to the south through Assam and Tripura to Arakan and Burma. As a result, the historical development of the Hill

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¹ Statistical Pocket Book of Bangladesh 1997

Tracts had been different from the rest of Bangladesh, which is a low-lying alluvial plain.

Since ancient time, Chittagong Hill Tracts and Chittagong region was a bone of contention between the kings of Tripura and Arakan. It frequently Changed hands. According to one account, Bira Raja, the founder of the Tripura Royal Dynasty defeated the king of Chittagong Hill Tracts in 590 A. D. and made Rangamati his capital. In 953 A. D. Tsula Tsandra, king of Arakan occupied the districts of Chittagong Hill Tracts and Chittagong. Then in 1240 A. D., the King of Tripura occupied this region again. Sultan Fakhruddin Mubarak Shah (1338-49) of Bengal conquered Chittagong and possibly parts of Hill tracts. During the reign of Sultan Shamsuddin Ahmad Shah (1431-42) the region was again lost to the Arakanese king. Sultan Rukunuddin Barbak Shah (1459-74) re-conquered the region. During the reign of Alauddin Hussain Shah, Arakanese King occupied the region for a short period. Alauddin Hossain Shah (1493-1519) recovered the territory and appointed Paragal Khan as it's governor. Between 1515 A. D. to 1531 A. D, there was contest between the rulers of Arakan and Tripura for the possession of the area. During his campaign in Bengal, Sher Shah occupied this region. There after, King Bijoy Manikya (1540-71) of Tripura conquered the territory. The Arakanese King took control of the area from the Tripura ruler in 1575 A. D. The district of Chittagong Hill Tracts remained in Arakanese possession till 1666 A. D. Shaista Khan, the governor of Bengal, under Emperor Aurangzeb conquered the district from the Arakanese king in 1666. The area remained undisturbed in Mughal possession until 1760, when it was ceded to the East India Company by Mir Qasim, Nawab of Bengal. In the beginning, the East India Company did not interfere in the internal affairs of the Hill Tracts and remained happy with the annual tribute received

form the Chakma Chief. But in 1777 A. D., Chakma Chief Sherdoulat Khan refused to pay the annual tribute. Two expeditions sent against him by the Company were unsuccessful. His son and successor Janbux Khan made peace with the company by agreeing to pay an annual tribute of 500 maunds of cotton. During the chiefship of Rani kalindi, British interference in the affairs of the Hill Tracts gradually increased. There are two other Chiefs in the Chittagong Hill Tracts. One is Bohmong Chief, based in Bandarban and the other is Mong Chief based in Manikchhari. Ancestors of the Bohmong Chief were in this area, since the Arakanese rule. In the first half of the nineteenth century, the then Bohmong Chief, Sathanfru made a settlement with the East India Company agreeing to pay Rs. 4,600 annually as revenue. Ancestors of the Mong chief arrived in this area from Arakan after Burmese conquest of the Arakanese kingdom. In 1882, British rulers created the Mong circle comprising the present khagrachari district and recognized the head of the immigrants from palong Khyong in Arakan as chief. In 1860, the Hill Tracts were separated from Chittagong and a new district of Chittagong Hill Tracts was created. An officer, with the designation of Superintendent, was given the charge of the district. In 1900, the Chittagong Hil Tracts Regulation I was promulgated. Under the Regulation, a set of rules for the administration of the Hill Tracts was published. Chittagong Hill Tracts was retained as exclusive responsibility of the governor assisted by the Executive Council as an excluded area. Before 1860 and to a lesser extent afterwards, the internal administration of the area was in the hands of two tribal Chiefs. Later on, Mong Chief joined them to share the burden of administration.

As the partitioning of the Subcontinent became imminent, the tribals, especially the Chakma elite, were caught in a

confused situation. While some of them were in favor of inclusion into Pakistan, a more prominent section amongst them, was in favour of union with India: their reason being the non-muslim demographic character of CHT. It is reported that Kamini Mohan Dewan and Sneha Kumar Chakma even made overtures to such Congress high-ups as Mahatma Gandhi, Acharya Kripalini, Rajendar Prasad, Shyama Prasad Mukherjee and Sardar Ballav Bhai Patel. These congress leaders are on record as having sympathized with such a demand of the CHT tribal population, and a Congress delegation was also sent to Rangamati to make an on-the-spot appraisal of the situation. But as things turned out, union of CHT with India became an impossibility. Therefore, in 1946, the tribal chiefs formed "The Hill Men Association", and proposed a princely state status for CHT at par with neighboring Tripura, Koochbihar and Khasia; and with which they also proposed a confederation to be under the administrative control of the central government of India. But this move also failed; and by 16 August, CHT became a part of Pakistan. But before this could happen, Sneha Kumar Chakma, in desperation, had hoisted the Indian flag in Rangamati on 14 August. At the same time, the Marmas, who claimed descent from the same stock of people as those inhabiting Myanmar (Burma), had hoisted the Burmese flag at Bandarban. In considering the present political agitation and armed insurgency in the area, this factor of accession to Pakistan needs to be taken into consideration.²

After the establishment of Pakistan, the government banned Jana Samity, the only tribal political organization in the

2 Shelly, M. R. (ed.), *The Chittagong Hill Tracts of Bangladesh : The Untold Story*. Centre For Development Research, Bangladesh, Dhaka, 1992, p.29.

district. Government also repealed the Chittagong Hill tracts Frontier Police Regulation 1881 and absorbed the local police force into the East Pakistan Police. Immediately after partition, a large number of refugees from India were rehabilitated in the Hill tracts. In the constitution of 1962, the administrative status of Chittagong Hill Tracts was changed from "Excluded Area" to that of "Tribal Area". All these steps were not welcome to the tribal people. They considered them as steps to destroy their separate identity. Although, Regulation 1 of 1900 was operative and tribal people continued to enjoy the privileges under the Regulation. In 1965, High Court declared Rule 51 of Regulation 1900 as Ultra-vires of the constitution. As a result, the Deputy Commissioner could not expel any non-political person from the Hill Tracts. Moreover, Rule 34 of the Regulation was amended which gave non-tribal people residing in the area continuously for fifteen years, property rights. This was considered by the tribal people as a blow to their rights.

Development measures undertaken by the government also harmed tribal interests. The Karnafuly multi-purpose project was completed in 1963. The lake created by the project submerged an area of 400 square miles. The submerged area included 54,000 acres of cultivable land. About hundred thousand tribal people were affected. Rehabilitation measures undertaken by the government were not sufficient to cope with the problem. As a result, a large number of tribal people left for India. At the same time, education spread among the tribal people. This resulted in the development of political consciousness among them. Naturally, several attempts for forming political organizations were made. One such significant attempt lead to the establishment of Rangamati Communist Party On 16 May, 1970, RCP was

launched by Manabendra Narayan Larma, his younger brother Jotindriya Bodhipriya Larma and two other student leaders. In 1970 general election, M. N. Larma and A. S. Pure Chowdhury were elected member of the Provincial Assembly. Tridiv Roy, the Chakma Chief was elected member of the National Assembly.

When the War of Liberation started in 1971, the tribal population could not take a clear decision as to the side they would choose. Some individuals like Charu Bikash Chakma, K. K. Roy and Mong Prue Chai Chowdhury joined liberation forces. Chakma Chief and Bohmong Chief supported Pakistan. M. N. Larma remained neutral. Chakma Chief Tridiv Roy had been a member of the Pakistan delegation to the United Nations. The delegation was engaged in anti-Bangladesh Propaganda.

The role of Tridiv Roy and that of some youths in the Civil Armed Forces gave some of the freedom-fighters of Bangladesh enough reason to label sections of tribal society as anti-liberation element. Consequently, even during the liberation war, the tribal habitations of some villages of Matiranga were reportedly torched by the freedom fighters. As the liberation war drew to a close by December 1971, it was alleged that excesses were committed by the freedom fighters at Panchhari and Dighinala. In the wake of such allegations, the tribal members of the Civil Armed Forces, who had fled to deep forests immediately after the surrender of Pakistan Army, gradually reappeared and regrouped to become the nucleus of the tribal armed organization *Shanti Bahini*, which would emerge in a couple of years time.

Thus at independence Bangladesh inherited a tribal problem that had a long historical genesis and to which greedy action

of some of the tribals and emotionally charged reaction of some of the freedom fighters added further complexity.³

In these circumstances, a tribal delegation led by Charu Bikash Chakma, a prominent Awami League leader, met top government leaders and demanded constitutional safeguard for the tribal people. Nothing fruitful came out of the efforts of the delegation.

On 15 February, 1972, another delegation led by M. N. Larma waited on the Prime Minister with a charter of four point demands, which were :

- a. Autonomy for the Chittagong Hill Tracts and the establishment of a special legislative body;
- b. Retention of the regulation 1900 in the new constitution of Bangladesh:
3. Continuation of the offices of the tribal chiefs; and
- d. A constitutional provision restricting the amendment of the Regulation of 1900 and imposing a ban on Bengali settlement in CHT.

But these demands were deemed potentially disruptive and rejected by the Prime Minister, who on the contrary argued in favour of subsuming such parochial ethnic aspirations under a broader nationalism to facilitate national integration.⁴ After constitutional Attempts of redressing their grievance failed, M. N. Larma and other tribal leaders prepared to mobilize the tribal people politically and militarily.

3 *ibid.*, p.33

4 *ibid.*, p.110

Insurgency

Under these circumstances, Parbattya Chattagram Jana Sanghati Samity (PCJSS) was formed on February 15, 1972 with M N Larma as its head. PCJSS demanded autonomy for the Chittagong Hill Tracts. On January 1973, Shanti Bahini (SB), an armed wing was added to PCJSS. Shanti Bahini first began its armed insurgency in the beginning of 1975 by ambushing a police patrol near Subhalong. With the political change-over in mid-1975, the armed insurgency gained momentum. Normal life in the Chittagong Hill Tracts was disrupted by the guerrilla activities of the Shanti Bahini. Shanti Bahini attacked police, BDR and Army patrols and camps, destroyed roads, culverts and bridges and Key installations. Govt. claimed that from 1980 to 1991, 952 Bangalee, 188 tribal were killed and 656 Bangalee, 152, tribal were injured as a result of Shanti Bahini operation. There have also been reports of Bengali reprisals against the tribals as sequence to SB attacks and also alleged violation of human rights by the security forces.⁵

Peace Accord

Successive Bangladesh governments continued counter-insurgency operations and at the same time undertook steps for socio-economic development of the Hill Tracts. From the Ershad regime to the present govt., all opened dialogue with the PCJSS to find political solution to the Hill Tracts Problem. At the outset, PCJSS demanded provincial autonomy with legislature. But during its sixth dialogue with the govt. in December 1988, PCJSS modified their demand for provincial autonomy and asked for regional autonomy. However, after extensive negotiation, PCJSS agreed to climb down on their

5 Ibid. p.113

demand for regional autonomy and agreed to accept administrative autonomy in the form of strengthened local govt. On December 2, 1997 an agreement was signed between the govt. of the peoples Republic of Bangladesh and the PCJSS. Janab Abul Hasnat Abdullah, Chief whip, Jatiay Sangsad signed on behalf of Bangladesh govt. and Mr. J. B. Larma signed on behalf of PCJSS.

The agreement has four parts : Ka, Kha,ga and gha. Some major provisions of the agreement have been discussed below :

(ka) General

In clause one, Chittagong Hill Tracts has been recognized as a tribal inhabited region. In clause 2, provision for an implementation committee has been made. Implementation Committee would monitor the implementation process of the agreement.

(Kha) Parbatya Zila parishad.

Both sides agreed to amend the existing Parbatya Zila Sthanio Sarkar Parishad Act, 1989.

Clause two Provides that the name of the district council will be amended, from Parbatya Zila Sthanio Sarkar Parishad to Parbatya Zila Parishad.

Clause three provides the definition of non-tribal permanent resident'. Non-tribal permanent resident will mean those who are not tribals but have legally obtained lands and generally live in hill districts at specific addresses.

Clause four (ga) provides that the words 'Deputy Commissioner' and 'Deputy Commissioners' in the second line of sub-section(5) of section 4 will be replaced by the words "circle chief" and "circle chiefs". Through this amendment,

Deputy Commissioner's power to determine who is a tribal and who is not, has been curtailed and the power has been vested in the circle chief.

Sub-clause gha provides that the concerned circle chief will determine whether a person is non-tribal or not on the basis of certificate given by concerned mouza headman/union parishad chairman/pourashava chairman.

Clause seven amends section ten of the act and extend the tenure of the parbatya zila parishad from 3 to 5 years.

Clause eight provides that if the post of the chairman falls vacant or in the absence of the chairman, a tribal member will be elected by other members of the parishad to chair meeting of the parishad and discharge other responsibilities. This clause curtails the power of the govt. and provides for more democratization of the parishad.

Clause nine provides that only a permanent resident of the hill district will be eligible to be included in the voter list. This clause tries to protect the interest of the tribals.

Clause 18 proposes to delete section 38(3) and amend section 38(4). This clause removes the power of the govt. to revise the budget. Certainly it strengthens the parishad.

Clause 19 provide that the parishad can formulate, adopt and implement development projects with the money received from the govt. on the transferred subjects. All national level development programmes will be implemented through the parishad by the concerned Ministry/Division/Organization.

Clause 21 says that the sections 50,51 and 52 of the Parbatya Zila Sthanio Sarker Parishad Act, 1989 will be repealed. Section 50 is concerned with the supervision of the parishad

by the govt. Section 51 is concerned with the control over the activities of the parishad by govt. and section 52 is concerned about inquiry into the affairs of the parishad by the govt. In lieu of the above sections, a new section will be enacted. The new section will empower the govt. to give advice or issue directives to the parishad so that its activities are consistent with the purpose of the Parbatya Zila Parishad Act. This amendment will reduce the interference of the govt. in the affairs of the parishad and thereby strengthen it.

Clause 22 Provides that if the govt. abrogates the parishad than it will have to be reconstituted within ninety days. It lessens the discretionary power of the govt. and strengthens democratization.

Clause 26 provides for amendment of section 64 of the Act. The new section will provide that no land including khas land can be leased out, settled, purchased, sold or transferred without the prior permission of the Parishad. Besides, the parishad will control and supervise the activities of Assistant commissioner (Land), his staff, and mouza headman.

Clause 33 Provides that supervision of law and order, vocational training, primary education through mother tongue, secondary education will be within the charter of duties of the parishad.

Clause 34 Provides that another 12 entries will be made in the charter of duties of the parishad. These includes land and land management, Police (local) etc.

(ga) Chittagong Hill Tracts Regional Council.

This part Provides for the establishment of chittagong Hill Tracts Regional Council combining the three Zila Parishads. The Regional Council will have a chairman and 21 other members. All the development activities of the three zila

parishads will be co-ordinated by the council including overall supervision and co-ordination of the matters under their jurisdiction. Regional council will also supervise and coordinate local councils including municipalities.

(gha) Rehabilitation, general amnesty and other matters.

Clause one Provides that rehabilitation of tribal refugees from Tripura will continue.

Clause four Provides that a land Commission will be constituted for disposal of disputes relating to land.

Clause 12 Provides that PCJSS will submit the list of all its members including armed members and statement of arms and ammunitions under its control and possession to the govt. within 45 days of the signing of the agreement.

Clause 13 Provides that govt. and PCJSS will jointly decide the date and place of depositing arms and ammunitions by the PCJSS members.

Clause 14 Provides that govt. will declare amnesty to those members of PCJSS who will deposit arms and ammunitions.

Clause 17 Provides that excepting BDR camps and 6 army Cantonments, all temporary camps of Army, Ansar and VDP will be withdrawn.

Clause 18 Provides that all the positions of employees of Govt. semi-Govt., and autonomous bodies will be filled by the permanent residents of Chittagong Hill Tracts with priority for the tribals.

Clause 19 Provides that a Ministry of Chittagong Hill Tracts Affairs will be established. A tribal will be appointed minister of that ministry. An advisory committee will be formed to assist the ministry.

Implementation process of the Peace Accord

As per the peace accord, PCJSS leadership deposited its arms and ammunitions to the government. Government, on its part, granted amnesty to those members of the PCJSS who deposited their arms and ammunitions. To rehabilitate the internally displaced persons, a task force was constituted with Dipankar Talukdar M P as its chairman. Some army camps were withdrawn. Ministry of Chittagong Hill Tracts Affairs was created and Kalpa Ranjan Chakma MP was given charge of that ministry. A Land Commission has been constituted.

Local Govt. Parishad Acts 19, 20, and 21 of 1989 were amended through Acts 9, 10 and 11 of 1998. Amendment changed the name of the Parishad from Hill Tracts District Local Govt. Parishad to Parbattya Zila Prishad and strengthened the Parishad by reducing the scope of govt. interference. Besides, more functions had been assigned to the Parishad, some of which, e.g., vocational education, primary education, secondary education, police, land management are really important in administrative and development context. Sources of income of the Parishad had been raised. Some new sources like royalty on forest and mineral resources, sales tax, holding tax, land development tax, supplementary tax on cinema, tax on trade would help the Parishad to stand on more sound financial footing.

Parbattya Chhattagram Anchalik Parishad Act, 1998 was enacted. This Act provided for a regional council in the Chittagong Hill Tracts comprising the three hill districts. For the interim regional council, J. B. Larma was nominated chairman by the govt. Twenty-one members of the regional council were also nominated by govt. J. B. Larma did not

accept the offer of the chairmanship of the council immediately. He accused the govt. of not fulfilling all the provisions of the peace accord. He specifically complained about clause 19, part kha of the accord where it had been mentioned that all the national development programmes in the Hill Tracts would be implemented through the Parbattya Zila Parishad. Acts 9, 10 and 11 of 1998 did not fulfill this clause. He also complained about the inclusion of three non-tribal members in the interim regional council as they were included without P C J S S's consent. After dialogue with the Minister for Chittagong Hill Tracts Affairs, Kalpa Ranjan Chakma, J. B. Larma agreed to take over the responsibility of the chairmanship of the regional council. Regional Council under the Chairmanship of J. B. Larma, formally started functioning on May 27, 1999. It is undoubtedly an important step in the implementation of the peace process.

P C J S S leaders are now demanding immediate resolution of the tribal refugee problem. They are also demanding immediate withdrawal of army camps from the Hill Tracts and release of PCJSS prisoners. They are complaining that a group is trying to create disturbances in the Hill Tracts by opposing the peace accord and demanding complete autonomy. A faction of the administration and intellectuals are helping them. According to them, the task force for the rehabilitation of the tribal displaced persons is not doing its job and govt. has not taken any effective step to rehabilitate the tribal refugees (who returned from India) during the last one year. Many non-tribal people are still entering the Hill Tracts.⁶

Opposition to the peace accord

Major opposition parties, i. e., Bangladesh Nationalist Party (BNP), Jatiya Party (JP), Jamate Islami are opposing the peace accord. They assert that it contravenes the constitution. But, interestingly, none has yet filed a writ before the Supreme Court, challenging the accord. BNP had called strikes and organized Long March to oppose the accord. BNP, Jamat and JP has observed May 27, 1999 as black day to protest the installation of the Regional Council on that day. Parbattya Gana Parishad, an organization of the Bengalis in the Hill Tracts, has observed strike in the Chittagong Hill Tracts, on that day.

Among the tribals Pahari Chhatra Parishad (Prasit-Shanchaya faction), Pahari Gano Parishad, Hill Women Federation and a newly formed political organization, United Peoples Democratic Front is opposing the peace accord. On April 22, 1999, a planned public rally of anti-peace accord tribesmen at Khagrachhari could not be held due to govt. Prohibition. In the ensuing clashes, two persons were killed and 150 others were injured in police firing. Clashes also broke out at Dighinala and Laxmichhari between Pahari Gano Parishad, Hill Women Federation activists and PCJSS activists and police.⁷ On May 24, 1999, two cocktails were thrown on the motorcade of J. B. Larma on his way to Rangamati from khagrachhari. Though J. B. Larma escaped unhurt, the incident must be viewed seriously. Because it shows a new turn of events.

Conclusion

Hill Tracts peace agreement is in the implementation process now. It is inevitable that many difficulties will crop up at this

7 The Daily Star, Dhaka, April 23, 1999

stage. The nation hopes that all the difficulties will be resolved by dialogue between the govt. and PCJSS. The country badly needs peace for economic emancipation of the people and for the development of the Hill Tracts region.

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লেখকের প্রতি জ্ঞাতব্য

- ☆ লোক প্রশাসন সাময়িকীতে লোক প্রশাসন, উন্নয়ন ব্যবস্থাপনা, উন্নয়ন অর্থনীতি, পরিবেশ, সমসাময়িক আন্তর্জাতিক ও বাংলাদেশের ঘটনাবলী, প্রশিক্ষণ প্রভৃতি বিষয়ে গবেষণাধর্মী, বিশ্লেষণমূলক ও তথ্যসমৃদ্ধ মৌলিক প্রবন্ধ ও পুস্তক সমালোচনা প্রকাশিত হয়।
- ☆ রিপোর্ট সাইজের কাগজে এক পৃষ্ঠায় টাইপকৃত লেখা/প্রবন্ধ মূলকপি সহ মোট ৩ (তিন) কপি সম্পাদক, লোক প্রশাসন সাময়িকী, বাংলাদেশ লোক-প্রশাসন প্রশিক্ষণ কেন্দ্র, সাভার, ঢাকা, এই ঠিকানায় প্রেরণ করতে হবে।
- ☆ লেখা/প্রবন্ধ ৬,০০০ শব্দ (মুদ্রিত ২০ পৃষ্ঠা) এর মধ্যে সীমাবদ্ধ রাখা বাঞ্ছনীয়।
- ☆ পূর্বে অন্য কোন পত্রিকায়/গ্রন্থে প্রকাশিত লেখা মনোনীত হবে না।
- ☆ লেখা মনোনয়নের এবং পরিমার্জন/অংশবিশেষ বাতিল করার পূর্ণ অধিকার সম্পাদনা পরিষদের রয়েছে। অমনোনীত লেখা ফেরত পাঠানো হয় না।
- ☆ মুদ্রিত প্রতি পৃষ্ঠার (৩০০ শব্দ) জন্য লেখককে ২০০ (দুইশত) টাকা হারে সম্মানী প্রদান করা হয়।

বিপিএটিসির প্রকাশনা বিক্রয় সম্পর্কিত তথ্য

কেন্দ্রস্থ অনুযদ ভবন-২, এর ৩য় তলায় প্রকাশনা শাখার দপ্তরে তালিকাভুক্ত বই, পুস্তক ও জার্নাল পাওয়া যায়।

কেন্দ্র থেকে সরাসরি ক্রয়ের ক্ষেত্রে বই, পুস্তক ও জার্নালের বিক্রয় মূল্যের উপর সাধারণত ৫০% কমিশন দেয়া হয়ে থাকে।

বাংলাদেশ লোক-প্রশাসন প্রশিক্ষণ কেন্দ্র

প্রকাশিত পুস্তক/পত্রিকা ও মূল্য তালিকা

ক্রমিক নং	শিরোনাম ও লেখক	প্রতি কপির দাম	কমিশনসহ প্রতি কপির দাম
1.	বাংলাদেশ লোক-প্রশাসন পত্রিকা	৪০/০০	টাকা : ২০/০০
2.	বাংলাদেশ পাবলিক এ্যাডমিনিস্ট্রেশন জার্নাল	৪০/০০	টাকা : ২০/০০
3.	লোক প্রশাসন সাময়িকী	১৫/০০	টাকা : ৭/৫০
4.	Post-entry Training in Bangladesh Civil Service: The Challenge & Response	40/00	Tk. 20/00
5.	Career Planning in Bangladesh	120/00	Tk. 60/00
6.	Co-ordination in Public Administration in Bangladesh	100/00	Tk. 50/00
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