

**Mode of Operation (MoO) of Border Haats
Across the border between Bangladesh and India**

The Government of the People's Republic of Bangladesh and the Government of the Republic of India;

Pursuant to the Memorandum of Understanding between the Government of the People's Republic of Bangladesh and the Government of the Republic of India for establishing border haats across the border between Bangladesh and India signed on April 08, 2017 (hereinafter referred as MoU); and

Desirous of implementing the said MoU;

Have agreed as follows:

**Article 1
Haat Management Committee**

Both countries will constitute Haat Management Committees for the management of their respective area of designated *Border Haats*. The Committee will comprise five (5) members headed by Additional District Magistrate/SDM in the district having jurisdiction over the designated *Border Haats* of each country and shall include one representative each from the police, customs, border security agency, Upozilla Nirbahi Officer (UNO) and village/union level local government. The Committee will, *inter alia*, maintain a list of authorized vendors/ vendees, entry/exit of authorized vendors/vendees, and enforcement of general health precautions as may be required from time to time. The list of members of the Committee will be exchanged and any amendment in the list of members will be notified within two working days, to the counterpart committee, through the respective border security/customs member. Additional District Magistrate/SDM may authorize an officer from local administration for day-to-day monitoring of *Border Haats* and meeting the emergencies.

**Article 2
Area, fencing and construction of the Border Haats**

1. The size of the *Border Haats* will generally be 75x75 metres on the zero line.
2. The *Border Haats* will be located at the zero-line on pre-identified locations having an area which will approximately be equal on both sides of the zero-line and broadly follow the design at Annexure - A.
3. The *Border Haats* will have two entry/exit points, one from Bangladesh territory for Bangladeshi citizens and another from Indian territory for Indian citizens.

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4. The boundaries of the *Border Haats* will be constructed with concertina wire/barbed wire.
5. The committees will be guided by their respective border security agencies while approving the general design and layout plans and all security related features including entry/exit.

Article 3
Commodities

1. Following commodities produced in Bangladesh/India will be allowed to be traded in the *Border Haats* :
 - (a) Locally produced vegetables, food items, fruits, spices;
 - (b) minor forest produce e.g. bamboo, bamboo grass, and broom stick but excluding timber;
 - (c) products of cottage industries like Gamcha, Lungi, Saree and any other handloom product etc.;
 - (d) small household and agricultural implements e.g., dao, plough, axe, spade, chisel etc.;
 - (e) garments, melamine products, processed food items, fruit juice, toiletries, cosmetics, plastic products, aluminum products, cooker, stationery;
 - (f) any product of indigenous-nature specifically produced in the area of the *Border Haats* subject to mutual consent;
2. The list of items allowed for trade in designated *Border Haats* may be expanded/modified by mutual consent in the Joint Committee meeting. The vendors may offer immediate consumption items of snack foods/juices as may be allowed by the Haat Management Committee.

Article 4
Joint Meetings of the Haat Management Committees

The Committees will hold joint meeting to discuss operational issues as and when required by giving two working days advance notice in writing. The meeting will be held at a mutually convenient place.

Article-5
Vendors

Keeping in view the objective of *Border Haats*, only residents of the area within five (5) km radius from the location of *Border Haat* will be allowed to sell their products as vendors in the *Border Haats*. The number of vendors would be limited to about fifty (50) from each country. The number of vendors from both sides will be regulated with the objective to ensure that *Border Haats* will not be

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overcrowded. Haat Management Committees on both sides will formulate guidelines and procedures for such regulation. Haat Management Committees will also formulate guidelines and procedures for selection of vendors and cancellation of vendorship including duration and circumstances warranting cancellation. The lists of vendors will be exchanged by the respective Haat Management Committee. Any change in the list will be notified to the Haat Management Committee of the other side.

Article 6
Vendees

Only residents of the area within five (5) km radius from the location of *Border Haat* will be allowed to buy products in the *Border Haats*. The number of vendees from both sides will be regulated with the objective to ensure that *Border Haats* will not be overcrowded. Designated representatives of the Haat Management Committee will consult each other and would remain in contact on real time basis during the daily operation of the *Border Haats*.

Article 7
Timing and Frequency

Border Haats will be held on every fixed day of a week as mutually decided between the Haat Management Committees. The timing and frequency may be further set/modified by mutual consent of the Border Haat Management Committees, subject to review by the Joint Committee, if required.

Article 8
Photo Identity Cards

Vendors and vendees in the *Border Haats* will carry photo identity cards and the format of the photo identity cards will be exchanged through diplomatic channels. The holders of photo identity cards of one country may only enter into the *Border Haat* area and shall not be allowed to enter into the territory of other country beyond *Border Haat*. The designated *Border Haats* area will be exempted from regulations regarding passport and visa. The District Magistrate/Deputy Commissioner of the district having jurisdiction over the designated *Border Haats* of each country in consultation with the Haat Management Committee will issue necessary identity cards as per format and will notify each other.

Article 9
Record of Entry/Exit

Respective Haat Management Committee will ensure maintenance of entry/exit records of the vendors and vendees for concerned Border Haat, preferably electronically. At the time of closing of the *Border Haats*, this record will be

checked to ensure that vendors and vendees who entered the *Border Haats* have returned to their respective country. In the event of any problem in this regard designated representatives of the Haat Management Committee will contact their counterparts/relevant security personnel.

Article 10
Law Enforcement and Jurisdiction in the Border Haats

Any incident that violates or has the potential to be the source of violation of laws, rules and regulations or common peace in the *Haats* will be dealt with by the respective law enforcing agency/border security agency, under the laws, rules and regulations prevalent in each country. International laws and treaties may come into play where relevant and necessary.

Article 11
Customs Duties and Non-Tariff Measures

The commodities sold in the designated Border Haats will be exempted from the payment of customs duties. In consultation with relevant state authorities levy of all other duties/taxes can be considered for exemption. Concerned departments will ensure that tariff or non-tariff issues do not hinder the operation of the Haats.

Article 12
Entry of Security Forces

Security forces personnel will not be allowed to enter in the *Border Haats* area, except in case of emergency to be determined by the District Magistrate/ Deputy Commissioner of the Districts adjacent to the designated *Border Haats* of each country or an officer authorized by him. There will be no restriction on presence of the security personnel outside the boundary of the *Border Haats*.

Article 13
Oversight by Customs Officials and Health Officials

Custom officials and health officials will invoke restrictions in the *Border Haats* in the event of infringement of custom regulations or outbreak of any disease dangerous to public health. Designated representatives will liaise with each other in this respect.

Article 14
Medium of Exchange

The commodities will be allowed to be exchanged in the designated *Border Haats* in local currency and/or barter basis. Each individual will be allowed to purchase only as much of the commodities produced in Bangladesh/India which are reasonable for bona-fide personal/family consumption. Estimated value of such purchases shall not be more than respective local currency equivalent of US\$200 (two hundred) for any particular day. This limit may be re-fixed by

mutual consent. The regulations relating to foreign exchange will be suspended in the designated *Border Haats*. The notifications issued to this effect will be exchanged through diplomatic channels.

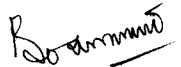
Article 15
Period of Validity

This Mode of Operation shall be effective upon the signature of the Memorandum of Understanding referenced in the Preamble and will be coterminous with the same.

Signed at New Delhi on this 8th day of April 2017, in English, in two originals, both being equally authentic.

For Ministry of Commerce,
Government of the People's Republic of
Bangladesh

For Ministry of Commerce and
Industry,
Government of the Republic of India

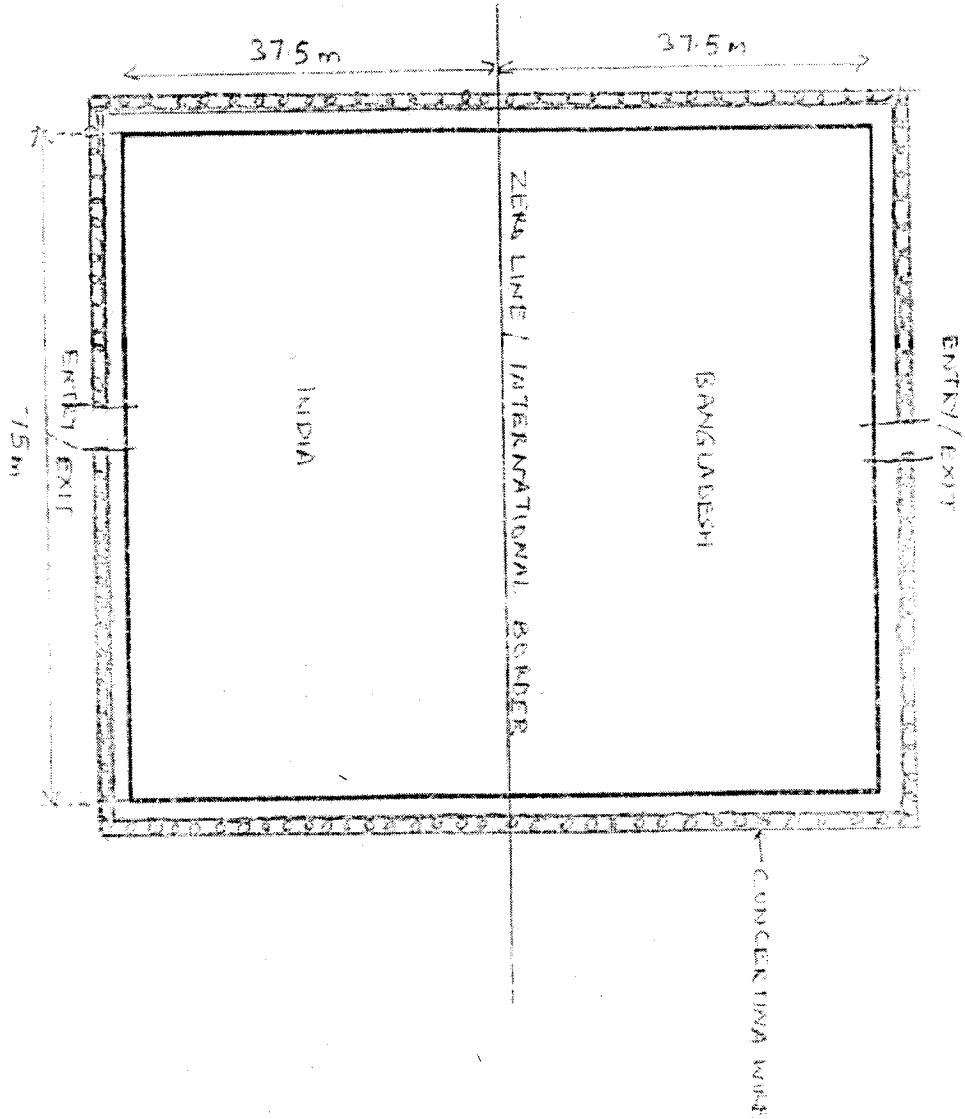


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(Secretary-in-Charge)



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(Commerce Secretary)

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