

ROLE OF STs IN THE ASSAM LEGISLATIVE ASSEMBLY SINCE 1972



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CONTENTS

Acknowledgment		I-II
Preface		III-VII
Chapter I	INTRODUCTION - Population, Economy, Political History, - Profile of Assam, Concept of Tribe	1-19
Chapter II	SOCIO POLITICAL BACKGROUND - Family Background - Education - Political Background - Role of ST MLAs in developmental Programme	20-46
Chapter III	PLANNING, PROGRAMMING AND BUDGETING (PPB) - Tribal Sub-plan, Plan in Hill Area - Administrative Authorities	47-88
Chapter IV	ROLE OF ST MLAs IN THE ASSEMBLY	89-133
Chapter V	ISSUES AND ST MLAs (General) - Foreigners' - Unemployment - Language	134-195
Chapter VI	ISSUES AND ST MLAs (Specific) - Ethnic Autonomy - Land reforms	196-241
Chapter VII	EPILOGUE - Introduction - Findings - Suggestions	242-266
Bibliography		267-273
Appendix		274-368

List of Appendix

● List of Districtwise Schedule Caste & Schedule Tribe Population	274
● Composition of Legislature & Allocation of Seats	275
● Partywise Position in General Election to Assam Legislative Assembly	275-278
● Spell of President's Rule in Assam	279
● Percentage of votes secured by major political parties in General Election in Assam Legislative Assembly	279
● List of Chief Ministers of Assam	280
● Questionnaire	281-283
● List of woman members elected from various constituencies	284
● List of ST Members of the Assam Assembly elected from reserved constituencies	285-289
● List of ST Members of the Assam Assembly elected from unreserved constituencies	290-292
● Governors' Report on Illegal Migration into Assam	293-313
● Assam Accord	314-317
● The Mising Autonomous Council Act, 1995	318-344
● The Bodo Autonomous Council Act, 1993	345-364
● List of Protected Belt & Blocks of Assam	365-368

Maps of Assam

□ Map of Assam	2
□ Total Assembly Constituencies including ST Reserve Constituencies	93
□ Muslim Population of 1971 and 1991	146-147
□ Population distributed by religious community (Assam and India), 1991	148

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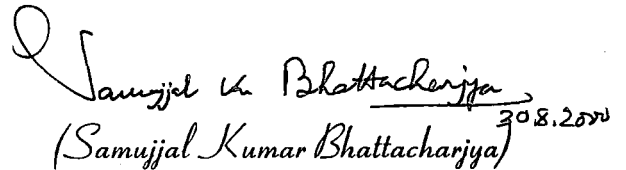
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(Samujjal Kumar Bhattacharjya) 30.8.2020

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Research Scholar

PREFACE

The politics of Assam is highly conditioned by ethnic diversity, linguistic pluralism and land alienation problem. The present states of Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland were hill districts of Assam dominated by Scheduled Tribes. Even after re-organization of Assam in 1972 it has a plural society and the major tribes of the state are Barmans of Cachar, Hmars, Kukis, Rengma Nagas, Hajong, Mech, Bodos, Tiwas, Rabhas, Misings, Karbis etc. From the time of the sub-committee of the Constituent Assembly under the Chairmanship of Lokapriya Gopinath Bordoloi till date STs are constituting an important factor in the politics of Assam, specially in the decision making process. The recent experience in Assam shows that STs are playing an important role in the political process of the state.

The end of freedom movement in India from foreign bondage ushered in a new era to the country but it could not put an end to the process of ethnic assertion in North East India particularly in Assam. In the Constituent Assembly series of debates took place amongst the members for identifying the best way to solve the problem of hill people of the state. Beginning with the creation of Autonomous District Councils for administration of hill areas of North East India under Sixth Schedule to the constitution till date, Assam politics is conditioned by this problem of autonomy for ethnic groups. Today it has come down from hills to the plains districts of the state.

While framing the Constitution of India a sub-committee of the Constituent Assembly under the Chairmanship of Lokapriya Gopinath Bordoloi was formed to examine the position of the hill areas of Assam. The sub-committee recommended the Constitution of District Councils in all hill districts of the state. The recommendations of the Bordoloi Committee were incorporated in the Sixth Schedule to the Constitution of India. The philosophy behind the Sixth Schedule was to safeguard and conserve their way of life and to make it possible for them to participate in the political life and administration of the state.

The Autonomous District Councils started functioning in the erstwhile United Khasi and Jaintia Hills, the Mizo Hills, the Garo Hills and the United Mikir and North Cachar Hills except Naga Hills. The Naga leaders boycotted not only the election to the District Councils under the Sixth Schedule but also the general elections of 1952 to Assam Legislative Assembly and Parliament. This was the burning point of the political history of the state and sowed the seed of ethnic assertion creating the chain of dissensions amongst different ethnic groups affecting the state and violating mercilessly the Human Rights in the state. However the factors like the process of development, world socio-political scenario, dysfunctioning of the socialising agencies, impact of science and technology etc. can never be denied for such a situation in the state.

The contemporary Assam is experiencing the serious problem of assertion for autonomy by different ethnic groups and the Government of Assam has already signed Bodo, Karbi, Rabha, Hasong, Mising and Tiwa Accord to grant autonomy to them.

On August 1, 1960 the Prime Minister of India announced in parliament that the Government had decided to make Nagaland a state- the 16th State of India. In that year the Government of Assam also passed the Assam Official Languages Act announcing Assamese as the Official Language. In 1962 the State of Nagaland Act was passed by parliament and the state was inaugurated by the President on 1st December, 1963.

The people of other hills districts continued their agitation for autonomy and ultimately the state of Meghalaya, Mizoram and Arunachal Pradesh have been created by dismantling Assam.

After the creation of Nagaland as a state, Prime Minister Indira Gandhi made an announcement on 13 January 1967 that Assam would be re-organized on the basis of federal structure. It helped even the plain Tribals of Assam like Bodo to conceive the idea of a separate state for them. The other ethnic groups also started the movement for self-development and autonomy.

I had the privilege of visiting almost all the corners of the state of Assam, first as a member and then as General Secretary of All Assam Students' Union (AASU). I am still enjoying this privilege as the Advisor to AASU. The close and regular contact with the members of different Scheduled Tribe Communities as sufferers of problems like land alienation, flood, unemployment, economic backwardness, influx of illegal foreigners helped me to appreciate and analyse their problems and the Legislators of Assam as well as the India. I developed the interest of viewing the STs participators' role in the political process of the State with a searching look. With this idea in my mind I approached Professor Dhruvajyoti Bhowmik, Ex-Dean, Faculty of Arts, University of North Bengal, who was kind enough to guide me to translate my dream into reality. This is how I formulated my

research proposal on “Role of STs in Assam Legislative Assembly since 1972”.

The thesis has been prepared on the basis of data available in the Assam Record Room, Assam Legislative Assembly Library, Assam Tribal Institute, Guwahati, District Library, Guwahati and the offices of the political parties situated in different parts of the state, State Election Commission Offices, Census Office, personal libraries of political leaders of Assam.

I took the help of interview schedule for field survey which I administered on the ST MLAs of Assam.

The objectives of the study are,

- 1) To highlight the status of ST members of the Assembly.
- 2) To identify the issues raised by the ST members in the Assembly.
- 3) To evaluate the service rendered by ST MLAs towards the self-development of their communities in particular and development of the state of Assam in general.
- 4) To explore the cause for failure of ST members to take developmental policies for the tribal communities.

With a sketchy description of Assam, its population, economy, political history, elections to the Assam Legislative Assembly in the chapter I of the thesis as introduction, I have begun my work.

Chapter II contains socio-political background of the ST MLAs. This chapter has been prepared on the basis of data collected through Interview

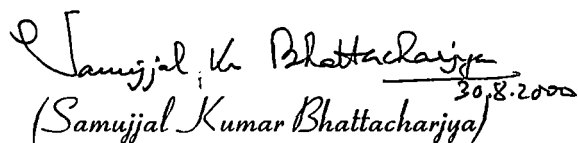
Schedule. In this chapter the socio- political profile of the MLAs has been analysed under six heads as Introduction, Education, Family Background, Political Life, Awareness about the tribal problems and Role in Implementation of Developmental Programmes.

Chapter III is on Planning, Programming and Budgeting in which I have analysed in detail about the Tribal sub-plan referring to its coverage in terms of population and area, problems having priority in planning budget allocation and administrative authority highlighting the scope for participation by the ST MLAs.

Chapter IV contains the nature of questions and issues raised by the ST MLAs on the floor of the House since 1972.

Chapters V and VI have been devoted to significant issues and ST MLAs. Chapter V contains the general issues and under this head I have discussed major three issues, viz. Foreigners', Unemployment and Language and in Chapter VI, I have highlighted specific issues, viz. Self Development and Ethnic Autonomy and Land. The basis for classification of the issues into two categories is the nature and coverage of these issues.

The last chapter is epilogue in which I have depicted an outline of the whole problem of study, findings of my research and suggestions forwarded to enhance the scope and strength of participation in the legislative process of the state of Assam by the STs in the greater interest of the nation as a whole.


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Chapter I

INTRODUCTION

The tribal population is found in almost all the places in the world. India is well known for having the largest concentration of the tribal population. It may be noted that India is the largest country in terms of surface area, occupying 2.3% of the total surface of the earth and the second largest country in the world in term of population. India as on 1st March 1991 had 843,930,831 people distributed over 25 States and Union Territories.

The present population of India is the outcome of migration of different racial groups at different times and the inter-mixture of various ethnic groups.

The North-East India has an area of 22,50,36 sq.km. and a population of 30.53 million according to the 1991 census. It has 3.62 % of the total population of India. The region comprising of seven states – Arunachal Pradesh, Assam, Nagaland, Meghalaya, Manipur, Mizoram and Tripura. Tripura is not a homogenous unit both physically and culturally. The isolation from the rest of the country is the only justification for treating this region as one unit. The whole region is connected with the rest of India only through a narrow corridor in the northern part of West Bengal.

With the number of ridges and valleys, plateaus and eroded surfaces, the region is physically uneven. Broadly, three major physiographic features can be identified in the region :

ASSAM



DISTRICTS OF ASSAM

1. Dhubri
2. Kokrajhar
3. Bongaigaon
4. Goalpara
5. Barpeta
6. Nalbari
7. Kamrup
8. Darrang
9. Sonitpur
10. Lakhimpur
11. Dhemaji
12. Marigaon
13. Nagaon
14. Golaghat
15. Jorhat
16. Sibsagar
17. Dibrugarh
18. Tinsukia
19. Karbi Anglong
20. North Cachar
21. Karimganj
22. Hailakandi
23. Cachar

1. The old plateau of Meghalaya state and Karbi Anglong district in Assam.
2. The young folded hills and mountains of Arunachal Pradesh, Nagaland, Manipur, Mizoram and Tripura.
3. The riverine plains of Assam, Manipur and Tripura.

Socially North-East India is characterised by intermixture of different racial, linguistic and cultural groups. Besides the non-tribal groups like Assamese, Bengalis, Nepalis and others, the region is inhabited by as many as 150 tribal groups. Almost all the tribes are of Mongoloid origin and speak Tibeto-Burman language, except the Khasis of Meghalaya who linguistically belong to Austro-Ariatic group. The tribal population constitutes 22% of the total population of North-East India. In case of urbanisation also, this is one of the least urbanised regions of India. Only 13% of its population lives in urban areas as against the country's 23.7%.

Economically, North-East India is, perhaps, the most backward region of India. The main factors behind the region's economic backwardness are isolated location, difficult terrain, lack of infrastructural facilities for industrialisation and lack of capital and entrepreneurship. Agriculture is the mainstay of the economy, both in the hills and the plains. While shifting cultivation i.e. jhuming is the general practice in the tribal inhabited hills, the plains are dominated by subsistence pleasant type of farming. The cultivation of tea and recently coffee, in certain parts is also an important economic activity of the region. As regards industrialisation, the region is lagging far behind. Only Assam, with its tea and oil industries is relatively advanced in industrialisation among the states of North-East India.¹

Assam is the homeland of several population groups such as the tribals, the indigenous non-tribals, the Bengali Hindu immigrants and the tea labourers. These groups have their own culture. The total population of Assam is 55.61 lakh in 1951 which increased to 198.9 lakh in 1981 (projected), then 223 lakh in 1991.

The growth rate of population in the State till 1971 had been relatively high compared to the average growth rate in India.

TABLE - I

Population Growth Rate (%) in Assam (1951-1991)

Decade	Assam	India
1951-1961	35.06	21.52
1961-1971	34.95	24.80
1971-1981	No Census	
1981-1991	23.58	23.50

Among the districts, during 1971-1991, Dhemaji registered highest population growth i.e. 104.48% followed by North Cachar Hills having 96.39%. Kokrajhar and Karbi Anglong registered 75.94% and 72.79% respectively.² (see Appendix 1)

ECONOMY

Assam's Economic Record				
Items	1950-51	1971-72	1995-96	All India
State Domestic Product Per Capita at 1980-81 Prices (Rs.)	1173	1226	1593	-
All India Per Capita NNP (Rs.) 1980-81 Prices	1127	1492	2573	-
Population (million)	8.03	14.6	24.7	84.6
Density (Per sq. km.)	68	150	317	273
Rice Production (million tonnes)	1.39	1.98	3.3	79.69
Productivity of Rice (kg./ha.)	918	969	1350	1855
Per Capita Rice Production (kg)	173	138	134	
Average size of Operational Holdings (ha)	-	1.47	1.31	1.57
Per Capita Electricity Consumption (kwh.)	0.7	34	96	270
Road Length per 1000 sq. km	15	689	869	877
Persons per Hospital Beds	-	2707	1968	1324
Literacy (%)	18.2	28.1	52.9	52.21

Agriculture

The economy of Assam is agrarian in character. The practice of agriculture is to a large extent, traditionally, and even today primitive type farming, i.e. jhuming covers 1.51% of the State's total area. By occupying more than three-fourth of the total cropped area, food crops dominate cropping pattern. Among the food crops, rice alone covers 68% of the total cropped area. The yield rate of rice has been very low, the per hectare yield brings 985 kgs in 1973-1974, and 169 kgs in 1984-1985. The cash crops cultivated in Assam are mainly tea, jute, sugarcane and tobacco. With an area of 1,95,000 hectares, in 770 tea gardens, tea plantations contribute about 8% of the State's total income (1979). Jute and sugarcane, although occupy 3.26 and 1.49% of the total cropped area (1983-1986) contribute substantially to the agricultural economy of the State.

Minerals

Compared to the other States of the North-East India, Assam is rich in mineral resources such as petroleum, coal and limestone and important mineral resources of the State. Natural gas also occurs in the oil fields of Assam. The petroleum reserves in the State are 140 million tons. Assam produced 4.8 million tons crude oil in 1985. The major oil fields are at Digboi, Naharkatia, Moran and Hoogrijan of Dibrugarh district, and Lakwa, Geleki and Rudrasagar of Sibsagar district. The total coal reserves of Assam are estimated to be 239 million tons. Coal is founded in Ledo, Borgolai, Jaipur etc. the limestone reserves found in Karbi Anglong and North Cachar districts are estimated to be 732 million tons.

Mineral Production in Assam

Item	1991	1992	1993	1994	1995	1996	1997
Petroleum (crude) (M.Mton)	4.89	4.7	4.73	4.9	4.9	4.6	4.8
Natural Gas (utilized)(SM.Cum)	967	1030	838	893	1024	1232	1316
Coal (M. Mton)	0.982	1.069	1.249	1.292	1.036	0.858	0.702
Limestone (Motto)	0.268	0.243	0.284	0.338	0.416	0.441	--

Industry

In spite of being blessed with a very high potential for development of industries, the pace of industrialisation in Assam is not satisfactory. At present, the major industrial establishment of the State includes oil refineries at Digboi, Noonmati and Bongaigaon, a fertiliser plant at Namrup, a sugar mill at Barua Bamungaon, a silk spun mill and a paper mill at Jagiroad, jute mill at Silghat and a cement factory at Bokajan. Two more large industries – a refinery at Numaligarh at Golaghat district and a gas cracker project will be started during the Eight Plan. The State has nearly 100 medium industries and more than 12000 small scale industries to produce various consumer and durable goods.

Assam is well known for its variety of handloom and handicraft products, such as eri, muga and pat fabrics, bell metal and brass metal products etc. But most of these household industries are almost on the verge of death, mainly due to the dearth of entrepreneurial motivation.

The State earns every year a considerable amount of revenue from its forest products, such as timber, plywood, fuelwood, bamboo, cane etc. The amount of revenue earned from this products totaled about Rs. 21.6 crores in 1985-1986.

Transport and Communication

Among the seven States of North-East India, Assam is relatively developed in transport and communication. The total length of the roads in the State is 32,466 kms (1983). Of these the National Highways covers 1,496 kms and the State Highways have a length of 3,159 kms. The National Highways mostly run east-west in the Brahmaputra Valley and link all the important towns. The Barak Valley is also served by the National Highways. But the hill districts of Karbi Anglong and North Cachar are poorly developed in respect of road transport.

The State is relatively well served by the railways. The total length of the railway lines is 2,338 kms including the broad gauge section with a length of 269

kms. The recent extension of railways from Balipara to Bhalukpong for a distance of 35 kms is a step to link Assam with Arunachal Pradesh through railway service. There are many other schemes for extension of railway in the State and also for conversion of meter gauge to broad gauge lines.

Many of the towns are linked by airways with Calcutta and the capitals of some neighbouring States. Including Guwahati (Lokapriya Gopinath Bordoloi Airport) there are eight airports in Assam.³

CONCEPT :

While undertaking the task of research on the Role of ST MLAs in the Assam Legislative Assembly, it is essential to have an idea about the term "Tribe". The Tribes were believed to be the earliest settlers in Indian Peninsula. A Tribe was a homogenous and a self contained unit without any hierarchical discrimination. Each tribe was organised under a Chief. The most efficient person was elected as the Chief by the members of the tribe. Gradually, the Chief started yielding power over his people and assumed certain privileges for him. He was duly recognised military leader whose skill in war and defence was considered essential for his continuance as the Chief of the tribe. The tribes were associated with large Kingdom, Republics and Monarchies.

At present the term "Tribe", according to western writers, generally means a ethnic group, geographically isolated or semi-isolated, identified with one particular territory and having distinct social, economic and cultural traditions and practices.

The main criteria adopted for specifying communities as the Scheduled Tribes include (i) traditional occupation of the definite geographical area, (ii) distinctive culture which includes whole spectrum of tribal way of life, i.e. language, customs, traditions, religious beliefs, art and crafts etc., (iii) primitive

traits depicting occupational pattern, economy etc. and (iv) lack of educational and techno-economic development.

Tracing the historical background of the term "Scheduled" as used in the Constitution, it may be stated that during the debates in the Constituent Assembly, Jaipal Singh had favoured the use of the term "Adivasi" instead of "Scheduled Tribes". It was however, not accepted. The reason, as explained by Dr. B.R. Ambedkar, Chairman, Drafting Committee of the Constitution, is "the word Adivasi is really a general term which has no specific legal de jure connotation", whereas, "the word 'Scheduled Tribe' has a fixed meaning, because it enumerates the tribes". In the event of the matter being taken to the Court of Law, there should be precise definition as to who these Adivasis are. It is therefore, decided to enumerate the Adivasis under the term to be called "Scheduled Tribe".

The concept of the tribe has undergone a change from that of a political unit of olden days to a group of people identified with poverty and backwardness. Centuries old exploitation and oppression has resulted in a complete loss of their nerves. It is difficult to reconcile their glorious past with the present state of misery. However, they are gradually awaking up from centuries old slumber. The young generations, particularly the educated class, have now come to realise their potentiality and anxious to face the new challenges.

In the post Independence period, grouping together of all the tribal communities as the "Scheduled Tribes" under the constitution is a significant achievement. It has helped in consolidation of their position as distinct ethnic, linguistic and cultural entity. The concessions given to them during the transition period has been increasingly assuming social and political overtones. It has given rise to a serious question which seeks answer from all enlightened people of this country. What is the present social status of Scheduled Tribes and what would be their status after the lapse of special provisions under the Constitution? It is also

a complex issue. The tribals want to maintain their separate identity and would like to be called as "Adivasis" irrespective of their Constitutional status as the Scheduled Tribes.

After the partition of the country in 1947, the tribal population as determined by the Constitutional (Determination of Population) Order 1950, was reduced from 2.47 crores in 1947 to about 1.79 crores. As per the Census Report of 1951, the tribal population was about 1.91 crores, which was 5.39% of the total population of the country. In 1961, the total population rose to 2.99 crores which constituted 6.87% of the total population. In 1971 their strength rose to 3.8 crores, i.e. 6.89 crores which worked out to 7.58% of the total general population of about 68 crores.

As per 1991 census, Scheduled Tribes population was about 6.78 crores in different States/Union Territories in India, excluding Jammu and Kashmir, constituting 8.8% of the total population of about 83.86 crores. The percentage of Scheduled Tribes has marginally increased from 7.85% in 1981 to 8.08% in 1991. The Scheduled Tribes population has increased by 25.67% during the decade 1981-1991. This growth rate is more than the growth of total population of the country which was about 23.79%.

In some of the States and Union Territories, the population was predominantly Scheduled Tribes. For example, in Mizoram, 95.75% of the total population belongs to Scheduled Tribes. The other States and Union Territories with predominantly Scheduled Tribes were : Lakshadweep (93.15%), Nagaland (87.70%), Meghalaya (85.53%), Dadra and Nagar Haveli (79.99%) and Arunachal Pradesh (63.66%). Manipur and Tripura also had sustained proportion of population as Scheduled Tribes, the respective proportions being 34.41 and 30.95%. Among the 15 major States, Madhya Pradesh has the largest proportion of Scheduled Tribes population of 23.27% followed by Orissa 22.21%. Gujrat,

Assam and Rajasthan were the other three States in which more than 10% of the population belong to Scheduled Tribes, the respective percentages being 14.92, 12.82 and 12.44.

The British followed the policy of mercantile colonialism and made serious effort to penetrate into the tribal areas with a view to consolidate their position in the country. The tribals could not tolerate an encroachment in their traditional habitats and at times it resulted into armed revolts. The British had to use force very frequently to deal with open manifestations of discontent. But they soon realised their folly and made reconciliatory efforts by declaring the tribal areas as the non-regulatory areas and allowed the administration of these areas according to their traditional system. However, they encouraged the missionaries to enter the tribal areas apparently with a helping hand and a message of love and humanity, but with the ultimate aim of converting the tribals to christianity to intensify their activities. Some of the missionaries did really good work among the tribals in the field of education and health. A new class of exploiters represented by contractors, middlemen, zamindars, revenue and police officials accompanied the missionaries who exploited the tribals and disturbed their traditional social and economic system. Gradually, some of their fertile lands were grabbed by the new immigrants. The tribals who were a happy-go-lucky lot were reduced to a state virtual destitution due to exploitation.⁴

The tribes of Assam are Boro-Kachari, Deuri, Dimasa-Kachari, Karbi, Tiwa, Mising, Rabha, Barmans, Rengma Nagas, Sonowal Kachari, Zeme Nagas, Hajong, Garo, Khasi, Jaintia, Mech etc.⁵

Formation of Modern Assam :

The formation of modern Assam shows that the political history of Pragjyotisha-Kamrupa may be said to have begun with the foundation of the Barman Dynasty which ruled Assam from the fourth to the middle of the seventh

century AD. In the thirteenth century a new kingdom i.e. Kamatapura Kingdom came into existence and the Brahmaputra valley was divided into twelve divisions amongst the Bhuyans. The establishment of Muslim power in Bengal also changed the destiny of Assam. Meanwhile Ahoms entered Assam through the Patkai range. However, three successive rebellions of the Moamorias shook the foundation of the Ahom rule. During the time of Chandrakanta i.e. in the early part of 1800 AD, Burmese entered and interfered the internal affairs of the Ahom Kingdom. Since then it invaded Assam three times. When the Burmese invaded Assam for the third time the British declared war against the Burmese and occupied the entire Brahmaputra valley including Sadiya Frontier Tract. On 24th February 1826 the Treaty of Yandaboo was concluded and by this treaty the British acquired the control of the East India Company and was attached to Bengal as Commissioner's Province. David Scott was appointed as the first Commissioner of Assam. From 1826 to 1874 Assam was Commissioner's Division under the Bengal Government.

Sir John Lawrence realised that Assam occupied a geo-politically important position and it possessed enormous unexplored potentialities. Therefore, it might be constituted into a Chief Commissioner's Province. Though Sir John Campbell, Lt. Governor of Bengal did not agree with the proposal of the Secretary of State for India he continued to pursue the matter.⁶

Assam was declared as a Scheduled district under the Scheduled Act 1874. Under a proclamation of 6th February, 1874, the Governor General constituted the territories of Goalpara, Kamrup, Darrang, Nagaon, Sibsagar, Lakhimpur, the Khasi and Jaintia Hills, the Naga Hills, the Garo Hills and Cachar into a Chief Commissionership. Shillong, the present capital of Meghalaya State, was considered as its headquarter on the recommendation of Col. R.H. Keating, the first Chief Commissioner of Assam. On 12th September 1874, Sylhet, a Bengali

speaking area and an integral part of Bengal was attached to Assam. The Chief Commissioner as entrusted with supreme administrative and legislative powers. He worked as a delegate of the Governor General in Council and was appointed by the Governor General at his discretion. Again on 16th October 1905 Assam was dragged with East Bengal and Assam was placed under the control of Lt. Governor. Assam was represented in the Legislative Council by two members out of 15 members. The representatives of Assam were sent on the recommendation of the local bodies, subject to the approval of the Lt. Governor.

In 1906 at the Calcutta Session of the Indian National Congress, Dadabhai Naoroji stressed on the demand for Self-Government or Swaraj and after nearly four years of prolonged discussion, Morley presented the Indian Council's Bill in the House of Lords on 17th February 1909 and Indian Council's Act came into being on 1st January 1910 which provided for increase of the strength of the Legislative Council of Eastern Bengal and Assam from 15 to 40. The number of representatives from Assam was increased from 2 to 5. Out of 5 members one was elected by the Tea Industry and one from Muslim community from Surma Valley.

In April 1912 Assam was reconstituted into the Chief Commissioner's Province and for the first time a 24 members Legislative Council was provided for the province of Assam. Out of 24 members the Chief Commissioner nominated 13 members and remaining 11 members were elected from different communities of Brahmaputra and Surma Valley. The Muslim community was represented by two members, one from each valley. Similarly the landlords were represented by two members, one from Brahmaputra Valley and the other from the Surma Valley. The Local Bodies had the power of electing remaining seven members.

While implementing the reform incorporated in the Government of India Act 1919 the Chief Commissioner of Assam Sir Beatson Bell was appointed as

the Acting Governor of Assam and he took oath on 3rd January 1921. Two Ministers, Rai Bahadur, a Hindu from Brahmaputra Valley and Abdul Hamid, a Muslim from Surma Valley were appointed Ministers.

In 1937 Provisional Autonomy was introduced in Assam under the Government of India Act 1935. The first general election held in 1937 produced unexpected result causing great inconvenience to the Governor in the process of Ministry making. The Congress secured only 33 seats and the Muslim Party was divided into three factions – The United Muslim Party, The Assam Muslim League and The Assam Muslim Party. Since no party was in a position to form the ministry, Micheal Keane, Governor of Assam, tried to unite the Muslim Party under the leadership of Md. Saadulla. Keane was succeeded by Robert Reid and he also adopted the technique of his predecessor and requested Md. Saadulla to proceed on the line. Saadulla met the Governor on 15th March 1937 and accepted the request. All the three factions of the Muslim party agreed to form a coalition under the leadership of Md. Saadulla. The United Peoples Party headed by Rohini Kumar Chowdhury also extended its support to the coalition. Saadulla successfully secured the support of the European Group and the tribal members. Thus the first Saadulla Ministry represented both Brahmaputra and Surma Valleys and also the hill areas of Assam. But the Saadulla Ministry faced serious crisis on the question of dropping two of his Ministers leading to his resignation on 13th September, 1938. The Governor asked Gopinath Bordoloi, the Opposition Leader to form the Ministry. When Bordoloi started formation of the ministry the Opposition groups viz. The Constitutional Party of Akhay Kumar Das, the United Muslim Party of Ali Hyder Khan, the Muslim League Party, The United Peoples' Party, The Progressive Nationalist Party passed a resolution that the majority of the members of the Assam Legislative Assembly was willing to work under the leadership of Sir. Md. Saadulla as Chief Minister. It was resolved to request His Excellency to call upon Sir. Md. Saadulla to form the Ministry.

On 29th September 1939 the Second World War broke out. Britain declared war against Germany. Therefore the Congress Working Committee decided to withdraw the Congress Ministry from the province. The Governor also wanted Md. Saadulla to form the Ministry. Under this circumstances Bordoloi Ministry resigned after ruling the province for 421 days. On 17th November 1939 Md. Saadulla formed the Ministry. The third Saadulla ministry consisted of ten members – five Muslims, four Hindus and one Christian. Both the valleys of Assam were equally represented in the Ministry.

Another important feature in the politics of the Province of Assam under the Government of India Act was the establishment of Second Chamber or the creation of Bicameral Legislature. The idea of Second Chamber was not favoured by the people of Assam. On 17th September 1932 a resolution was moved in the House for the establishment of a Second Chamber so that the experience and expertness of different personalities could be utilised. This resolution was supported by E.S. Boffey, a member of Tea Plantation Community and Nagendra Nath Choudhury, a Landlord. The resolution was opposed by several members like Sarbeswar Baruah, Keramat Ali, R.K. Choudhury and J.J.M. Nichols Roy.

In April 1937 a Joint Select Committee of British Parliament was appointed to consider the future Government of India. While discussing the establishment of the Second Chamber in the Provinces of India at the House Commons, Lt. Colonel Sir Walter Smiles, an ex-member of the Assam Legislative Council, pointed out that the proposal for establishment of Bicameral Legislature in Assam was opposed on ground of non-availability of suitable personnel. The proposal was supported by another member of the House of Commons viz. Colonel Wedgwood, Sir William Wayland, Sir Samuel Hoare, the Secretary of State for India supported the proposal. Ultimately Assam had a Bicameral Legislature for a period of ten years from 1937 to 1947.⁷

Now let me analyse the politics of Assam in independent India (see Appendix 2). It may be discussed under the following head :

Formation of Government :

As regards, the formation of Government of Assam, it is remarkable to note that the Congress Party remained as a ruling party till 1996 with two breaks (1977 for a short time and 1985 for about a five year period) (see Appendix 3A to 3E). In 1952 general election to Assembly the Congress secured 72 seats out of 108 seats and formed the Government under the leadership of Bishnuram Medhi. His cabinet members were Sidhinath Sarma, Motiram Bora, Omeo Kumar Das, Mohendra Mohan Choudhury, Baidyanath Mukherjee, Rupnath Brahma, Ramnath Das, Abdul M. Mazumdar and J.J.M. Nicholas Roy.⁸

In 1958 general election the Congress secured 67 seats out of 102 contested seats. Surprisingly enough, a very strong Congress candidate Bimala Prasad Chaliha who would have been the candidate for leadership was defeated. In the election Bishnuram Medhi defeated Debeswar Sarma by 39 to 31 votes and he became the leader under whom again Government was formed. He included his rival Dimbeswar Sarma in his cabinet. But Medhi was appointed Governor of Madras. It provided the opportunity to Bimala Prasad Chaliha to contest election for the leadership of the party along with Sidhinath Sarma. Chaliha defeated Sarma and assumed the office of Chief Minister on 26th December 1957. Chaliha Government faced three major problems relating to Oil Refinery, demand for the formation of separate States for the Tribals and the language issue. East India Tribal Union was formed to move for separate State for the tribal. To liquidate this effort Chaliha included William A. Sangma from the Khasi Hills in his cabinet. Besides, two Mizos were appointed as Deputy Minister and Parliamentary Secretary. As regards the language issue, he tried to solve the problem by declaring on 3rd March 1960 Assamese as the State language. While

satisfying the Assamese speaking people the declaration caused resignation of Tribal Ministers from the Cabinet. Further the resignation of Debeswar Sarma from the Cabinet brought split in the party.⁹

In the third general election held in 8th March 1962 Congress secured majority seats in the Assembly and Bimala Prasad Chaliha again became the leader of the party. On March 1962 he formed the Ministry consisting of ten cabinet Ministers; two Muslims, two Scheduled Tribes, one Scheduled Caste and rest general castes. This time also there was a split in the party bringing two groups due to resignation of Debakanta Barooah from the cabinet.¹⁰

The Fourth general election was held in 1967 and Congress Party secured majority seats. This time Bimala Prasad Chaliha defeated Devakanta Barooah in the leadership election held on 7th March 1967. On 16th March 1967, Chaliha Ministry sworn in and it followed the structural pattern of his previous Ministry. But Chaliha's health did not permit him to continue for a long time. In November 1970 Assam Legislative Party met under the Chairmanship of Bijoy Chandra Bhagawati and it selected Mahendra Mohan Choudhury to form the Ministry with 12 cabinet members. He made the attempt to have representatives from all the districts, communities and the regions. One notable feature of the Ministry was that Choudhury included one Lady, Padma Kumari Gohain in his Cabinet. This time a group headed by Sarat Chandra Sinha opposed the leadership of the Chief Minister and ultimately Indira Gandhi, Prime Minister of India, requested Choudhury to step down and Choudhury did it. In the Legislative Party meeting he himself proposed the name of Sarat Chandra Sinha as the leader and on 7th February 1972 he formed the Ministry with two Cabinet members.

On 17th March 1972 Fifth general election was held in which again the Congress Party won the highest number of seats in the Assembly. It enabled Sarat

Chandra Sinha to form the Ministry on 21st March 1972 with 13 members of which 9 were Cabinet Ministers.¹¹

In the Sixth general election to the Assam Assembly no party secured absolute majority. Congress occupied second position and Janata became the biggest party. Since no party secured absolute majority, Golap Borbora formed the Government with Congress (R), Plain Tribal Council and Independent candidates. But this Ministry could not survive for a long time and Jogendra Hazarika, the former Speaker, formed the Ministry with Congress, C.P.I., Janata (S) and Independents. On 12th Decemeber 1979 his ministry was dissolved with the emergence of Presidential Rule in the State. Smt. Anowara Taimur, Congress (I) was asked to form the Ministry so that there would not be any constitutional crisis. The movement launched by All Assam Students' Union against foreigners in Assam affected very badly the politics of Assam causing imposition of Presidents Rule three times during this period (see Appendix 4). Anowara Ministry resigned on 29th June 1981. On 13th January 1982 again Congress formed the Government under the new leader Keshab Chandra Gogoi and on March 18th, 1982 with the declaration of emergency in Assam and the Ministry was also dissolved.¹²

The Seventh general election was held in 1983 in the midst of heavy political tensions and protests from almost all the corners and at a heavy cost of man and material. In this election also Congress could form the Government under the Chief Ministership of Hiteswar Saikia on 27th February 1983. He stabilised the Government till the next general election.¹³

The most notable feature of the politics of Assam was the Eighth general election which was held immediately after the historic Assam Accord signed on 15th August 1985. The newly constituted regional political party viz. Asom Gana Parishad contested election along with other parties in Assam. Surprisingly enough, Prafulla Kumar Mahanta, the ex-President of AASU could form the

Government in Assam. Before this election, Plains Tribal Council contested general election in 1972 but it could not form Government. For the first time a regional party came to power in 1985. Besides, it inculcated young blood to the politics of the State.¹⁴

In June 1991, Ninth general election was held in which Congress secured majority of seats and formed the Government under the leadership of Hiteswar Saikia, ex-Governor of Mizoram.¹⁵ (see Appendix 5)

In 1996 general election to the Assam Legislative Assembly, the Asom Gana Parishad Party formed the Government under the leadership of Prafulla Kumar Mahanta (see Appendix 6). Just a few days before the election Hiteswar Saikia, the then Chief Minister of Assam, expired.¹⁶

Reference

1. Rao V. V. & Hazarika, N. - A CENTURY OF GOVERNMENT AND POLITICS IN NORTH EAST INDIA Vol. I (Assam), S. Chand & Company, New Delhi - 1983.
2. Gazetteer of India, Assam State, Nowgaon, Lakhimpur, Kamrup, Sibsagar, Goalpara, Karbi Anglong, North Cachar Hills, Dibrugarh and Darrang District.
3. Basic Statistics of North East India, 1987.
4. Census Report, Government of India 1971, 1981, 1991.
5. Ibid.
6. Rao V. V. & Hazarika, N. - A CENTURY OF GOVERNMENT AND POLITICS OF INDIA VOL I (ASSAM); S Chand and Company New Delhi
7. Das, Bilash, SECOND CHAMBER IN ASSAM 1987 (Unpublished Ph. D)
8. Election Report, 1952
9. Election Report, 1957.
10. Ibid. 1962.
11. Ibid. 1967.
12. Ibid. 1972.
13. Ibid. 1978.
14. Ibid. 1983.
15. Ibid. 1991.
16. Ibid. 1996.

Chapter II

SOCIO-POLITICAL BACKGROUND

The second chapter relating to Socio-Political Background of the ST MLAs has been prepared on the basis of the data collected through interview schedule (see Appendix 7). Due to the reluctance on the part of the politicians to interact with the researcher it was difficult to collect data covering all the ST. MLAs of Assam. Therefore I have adopted the selected sample (stratified sample) method to administer my interview schedule, selecting at least one member from each political party. Thus I have covered 13 MLAs representing Congress, AGP, PDF, ASDC, United Bodo Nationalist Liberation Front and Independent candidates. Since only three ST lady politicians are found in the Assam Assembly. I have covered all the three lady politicians. The analysis has been made by giving emphasis on educational background, family profile and political life of the ST MLAs -

BHARAT CHANDRA NARAH :

Introduction : Bharat Chandra Narah represents Dhakuakhana Constituency, which is reserved for the Scheduled Tribes Community. At the time of answering to my interview schedule he was 40 years of age. Presently he is a member of Indian National Congress (I) Party.

Education : Bharat Chandra Narah started his education in the Dorge Primary School situated in the Dorge village of Lakhimpur district of Assam. Then he joined Lakhimpur Academy from which he passed High School Leaving Certificate Examination. Though he started his college career in the North

Lakhimpur College, later on he came out of Lakhimpur district and joined the famous Cotton College at Guwahati which was established by Henry Cotton 100 years ago. After passing BA Examination from this college he proceeded to Gauhati University for higher education from which he passed MA examination in Political Science with First Class.

Family Background : Narah's father Late Tuleswar Narah was a teacher and his mother Late Umeswari Narah was a social worker. They have 7 children. The brothers of Bharat Narah are teachers as well as cultivators.

Political Life : Before joining politics Bharat Chandra Narah was actively associated with the All Assam Students' Union (AASU) and served the Union for six years as its Assistant General Secretary. When the All Assam Students' Union launched movement against foreign nationals, Narah used to address public meetings to mobilise public opinion in its favour and took active part in almost all the programs of AASU. Narah was a popular speaker and he was liked by all sections of the people of Assam.

Narah entered politics in 1985 when the Asom Gana Parishad, a new regional political party emerged as an offshoot of the historic Assam Movement with the objective to implement the Assam Accord. He contested general election to the Assam Legislative Assembly as a member of Asom Gana Parishad. But later on he left the regional party and joined the Indian National Congress(I) and he has remained in this national party till date.

Answering to my question as to why did he leave the Asom Gana Parishad Party Narah said that various limitations of the regional political party in solving the problem of foreign national compelled him to change the party. He firmly believes that only the Indian National Congress can solve this problem. However Narah did not spell out the limitations of the Asom Gana Parishad.

Awareness About the Tribal Problems : In a request to highlight the major problems of his own Mising community Narah pointed out that the Mising people who reside on both the banks of the mightiest river Brahmaputra suffer from the problems of flood and erosion of land. Also they do not possess land patta and speak in local dialect. Mising Agom Kebang, a literary organization is making efforts for the development of the Mising Language.

Role in Implementation of Developmental Programmes : My attempt to know about the role of Narah in the implementation of the developmental programmes enables me to understand that he takes care for effective implementation of the developmental programmes meant for the Scheduled Tribe Communities. He also raises questions for discussion in the Assembly on these issues.

Narah also stated explicitly that the Scheduled Tribes received the benefits provided by the Governments. However there may be one or two examples, to illustrate how to benefit do not reach the people.

While referring to the process of solution of the tribal problems Narah has made a notable remark that the consideration of autonomy and separate State as the only alternative solution to the tribal problem has an emotional flavor. Narah is of the opinion that undue delay in redressing the grievances of the tribals is the main cause for dissatisfaction of the tribal people and lack of land patta amongst tribals is the root cause of unemployment problem.

ANDRIAS HAJOARY :

Introduction : Andrias Hajoary hails from Bengtol of Sidli, Assam and is 38 years of age. He contested last general election to Assam Legislative Assembly from ST reserved constituency of Sidli as PDF Party candidate.

Education : Andrias Hajoary studied in the St. Joseph's Lower Primary School of Bengtol and after completing his primary education he joined Amgury Higher School of Bijni. Hajoary received college education from Kokrajhar College and passed BA examination with honours in English.

Family Background : Hajoary belongs to an agricultural family. His father Douracharan Hajoary is a cultivator and mother Mombasi Hajoary is a house wife. He has 5 brothers and sisters who are engaged in service, business and domestic activities.

Political Life : Hajoary joined politics 15 years ago and since then he is involved in the active politics of the State of Assam. A desire to serve the poorest of the society drove him to join politics. He considers himself as a wellwisher of the youth organizations, like All Bodo Students' Union and All Assam Students' Union.

Hajoary was partially involved in the Script Movement, Medium of Instruction Movement, Foreigners Movement, Autonomy Movement and Separate State Movement in Assam.

The main aim of his joining PDF Party is to restore past political, socio-economic and cultural heritage of the Bodos and other deprived and suppressed lot through this party.

Awareness About the Tribal Problems : Regarding the problems faced by his community Hajoary has pointed out land alienation, violation of the right to reservation, economic backwardness due to faulty policy, short sightedness of the people, excess in drinking habits, adoption of traditional method for cultivation of land without any technical knowhow and the use of SCA Fund as an emergency fund to run the Government.

Role in the implementation of Developmental Programmes : Hajoary expressed very painfully that he has a sense of active participation in the implementation of developmental works when the Welfare Fund for the Plains Tribals is diverted to other departments. More than 50% benefit goes to other advanced (General Castes) classes of the society, Hajoary asserted that the Funds are either diverted or not released on time. Time and again the matter had been raised in the House but till date no step has been taken by the Government to do justice to the tribal people.

He also feels that the Scheduled Caste and other non-tribals adopt a negative outlook towards the solution of the tribal problem. A proposal for the creation of a separate state of Bodoland was made on the floor of the House but no discussion was allowed till date.

SMT. REKHA RANI DAS BORO :

Introduction : Smt. Rekha Rani Das Boro, a resident of Panjabari, Guwahati, Kamrup District of Assam is representing Barama Constituency in the Assam Legislative Assembly. She is 40 years of age and belongs to Asom Gana Parishad (AGP) Political Party.

Education : The academic life of Smt. Das Boro began in the Tihu Lower Primary School and then she joined Tihu Girls' High School. After completing her school education Smt. Das Boro joined Handique Girls College in Guwahati. The college is one of the nerve-centres for women education in the entire North East India and it was established in 1939 by Mrs. Raja Bala Das with the patronage of Late Radhakanta Handique. Then she joined the Department of Philosophy of Gauhati University from which she passed MA examination in Philosophy.

Family Background : Smt Rekha Rani Das Boro is the daughter of Late Biren Das Boro, who was a member of Assam Legislative Assembly. Her mother Smt. Gyanada Bala Das Boro was a house wife. She has 7 brothers and sisters and all of them are Government employees.

Political Life : Smt. Das Boro has been associated in politics of the State since 1975 and she was inspired to do so by her father. Before joining politics Smt. Das Boro was associated with various youth and woman organizations. She was fully involved in Script Movement, Language Movement and Foreigner's Movement in Assam. She has strong faith in the regional political party. She believes that regional political party can reflect the socio-economic situation of the State of Assam and it can protect the greater interest of the people.

Awareness About Tribal problems : Smt Das Boro identified the problems of land, encroachment of tribal belts and blocks and poverty as the main problems of the Bodo community.

Role in the Implementation of Development Programmes : Smt Das Boro makes every effort to see that the developmental and welfare programmes are effectively implemented in the tribal areas. She has stated clearly that the tribal people are benefitted by the facilities provided by the Government of Assam. Scheduled Castes and other non tribal people are cooperative in their attitude towards solution of the tribal problems.

As regards the demands made by the pressure groups Smt Das Boro tries to redress their grievances from within the framework of her party regulation.

JOGMOHAN BASUMATARY :

Introduction : Jogmohan Basumatary has been elected from the Chapaguri constituency to the Assam Legislative Assembly. He has completed 50 summers

of his life at the time of filling the interview schedule. He belongs to the Peoples Democratic Front (PDF), a regional political party.

Education : Basumatary is a university degree holder in the Arts Faculty from Gauhati University, Assam. Basumatary joined Kamardmise primary school of Barpeta and then joined Baghmara High School situated in Barpeta from which he passed HSLC Examination in 1966. He spent his college life in the Bajali college, Pathsala Assam. After passing BA examination Basumatary lost academic interest and put an end to the regular academic life.

Family Background : Basumatary was the son of late Gorgeswar Boro (Barkachay) father and late Hunga Boro, mother. Gorgeswar Boro was a police constable and Barkachary's mother was a housewife. All the five brother and sisters of Basumatary are studying in various educational institutions.

Political Life : Basumatary is associated actively in politics since last four years only. He has been inspired by local people to join politics so that he can help socio-economic development of Bodo Community through "Political Self-Determination". At the beginning of his political life he was a member of Plains Tribal Council of Assam (PTCA) which was the first regional political party in modern Assam formed in 1967 at the initiative of All Bodo Students' Union. Later on he changed his political party and joined PDF. He also participated in the Roman script Movement for Bodo language and the movement for a separate Bodoland.

Awareness About the Tribal Problems : While answering to the question whether he will be kind enough to highlight in brief about the problems of the Bodo Community, he has pointed out specifically the land problem only. However, he has mentioned the demands of the community as Statehood of Bodoland as a political solution, socio-economic development, provisions for

infrastructure for the implementation of developmental policies, inclusion of Bodo language in the Eighth Schedule of the Constitution of India, establishment of Central University for general education and agricultural education, establishment of Forest college, Veterinary college, IIT, Medical college and other Institutions necessary for economic development.

Role in Implementation of Developmental Programmes : Basumatary is not satisfied with the status of implementation of the developmental policies in the ST areas. To him more than 50% of the fund allotted to the ST Developmental activities goes to other heads.

He has already brought it to the notice of the Government through Question Hour and discussion in the State Assembly of Assam. He has regretted that the attitudes of the Scheduled Castes and general people of Assam towards the solution of the tribal problems is not sympathetic.

Basumatary has brought the demands of the pressure groups to the floor of the House but no discussion has been allowed till today..

BANENDARA KUMAR MUSHAHARY :

Introduction : Banendra Kumar Mushahary hails from Gauripur of Dhubri District. He has completed 41 years of age at the time of interview. He represents Gauripur Constituency as A.G.P. M.L.A..

Education : Banendra Kumar Mushahary started his student life in the Baghbari Lower Primary School. He passed HSLC Examination from Sapatgram. He studied at Pramathesh Baruah College of Gauripur up to Pre-University level in the Arts faculty. After passing Pre-University examination he discontinued his study.

Family Background : Mushahary's father Hitendra Nath Mushahary is a farmer and his mother Sukashree Mushahary is a co-worker in the field with his father.

Political Life : Banendra Mushahary started his political career in 1987 and since then he is participating in politics actively. He was born in a very interior place of Bodoland Autonomous Council Area and for a long time he observed the pitiable condition of the Bodos which compelled him to join politics with an aim to provide education, communication, economic development and to satisfy the fundamental needs of the people.

Before joining politics he was a member of the Advisory Board of All Bodo Students' Union, Dhubri District, General Secretary of Regional Tribal Youth Association and Volunteer of Nehru Yuva Kendra, Dhubri. He took part in the Script Movement, Foreigners Movement and Separate State Movement in Assam.

Discriminatory attitude of the national political parties towards the people of Assam compelled him to join Asom Gana Parishad. At the beginning he joined Youth Congress(I) as its Vice-President. But the internal conflicts in the party and the unrealistic ideology of it discouraged him to remain in the Youth Congress(I) for a long time. Meanwhile Bodo Autonomous Council was formed and he shifted to Bodo People's Party (BPP) under the leadership of Prem Singh Brahma. Since the BPP had no hold throughout Assam he contested election to the Assam Legislative Assembly as an independent candidate and after being elected as member of the Assam Legislative Assembly he joined Asom Gana Parishad, a regional political party.

Awareness about the Tribal Problems : The Bodo people are constrained by economic backwardness. Bodo dominated areas are deprived of facilities for higher education and vocational training system.

Bodo cultivators are still depending on traditional methods of cultivation. The Government has provided modern equipment to some Bodo cultivators, but due to lack of required training these are lying without being used. Excepting a handful of educated Bodo youths, rest have no desire to undertake any business or commercial activities due to apathy and lack of helping attitude of the administration. The people of the area are still struggling for the development in the fields of education, finance and social life.

The small scale industries on which the local people depends to a great extent are not taken care of by the Government. It causes serious economic backwardness of the Bodo Community. Further the villages and towns of Bodo dominated area lack good roads, hospitals, water supply and other communication facilities.

Role in the Implementation of the Developmental Programmes : Mushahary takes immense care to see that developmental programmes are fully implemented. Majority of the tribal people are constrained by economic poverty even now. Therefore he always insists on adherence very strictly to the reservation policy as regards the employment in different services. He raises his voice on the floor of the House whenever he finds an opportunity to do so.

Mushahary feels the need of collective effort of all the people of Assam irrespective of the communities they belong to, for the solution of the tribal problem. He raises issues in the Assembly as desired by the pressure groups to fulfil their demands.

DR. DEVA KANTA RAMCHIARY

Introduction : Dr. Deva Kanta Ramchiary is a resident of Routa, Darrang district of Assam. He contested general election to the Assam Legislative Assembly as PDF candidate from Udalguri constituency. He is 38 years of age.

Education : Dr. Deva Kanta Ramchiary started his student life in the M.V. School of Barmochari in 1972. Then he joined Kamrup Janata Bidyaloi in 1978 of Barmochari. In 1981 he came to Kokrajhar HSSMP School in 1981 for higher secondary education. After completing his study in that school he joined Gauhati Medical College in 1982 from which he passed MBBS examination. Dr. Ramchiary also passed Hindi Bishard Examination in 1978.

Family Background : The father of Dr. Ramchiary Sabharam Ramchiary is a cultivator and his mother Smt. Sonari Ramchiary a house wife. He has five brother and sisters.

Political Life : Dr. Ramchiary started his political life in 1996 when he contested election as PDF candidate to the Assam Legislative Assembly. He preferred to serve the people as Doctor through Private Clinic than through Government service. In 1990 he started a private clinic in Guwahati. Later he shifted his clinic to Barama. During the Bodo Movement differences of opinion arose between him and the Movement Leaders and ultimately he was harassed by the supporters of the PTCA, a regional political party. This situation compelled him to leave Barama for Roudra, where he opened his clinic. Under such compelling circumstances he conceived the idea of joining politics.

Before joining politics he served the All Assam Tribal Students' Union as its General Secretary from 1984 to 1988. He resigned from the position due to some personal reasons. He was also associated with the Roman Script Movement, Foreigners' Movement and Separate State Movement.

He took initiative to form the PDF realising the immediate need of solving the problems of the Bodo community and later on he became a member of this newly formed political party and since then he is remained in this party.

Awareness About the Tribal Problems : Bodos are facing several serious problems since Independence of India. To Dr. Ramchiary non-scheduling of the plains tribals of Assam is one of the reasons for making the tribal problems more complicated. Land is the major problem of the Bodo community. They consider the formation of Bodoland, a separate state is the only answer to all the problems.

Role in the Implementation of the Developmental Programmes : Dr. Ramchiary is very inquisitive to know about the efforts of the Government to implement tribal developmental programmes. He has found that the Central Government provides grant to the State Government for welfare of the Schedule Tribes and this grant is routed through ATDA, APTDC, WPT and BC offices of the Government of Assam to the tribal areas. The MLA has no opportunity to take initiative in the decision making process. The concerned Ministers and the bureaucrats generally take all the decisions. Furthermore to receive fund from NSPDC the State Government must be the Block guarantor. Since the State Government is not in a position to play this role, the financial help from the Central Government does not reach the tribal communities to the desirable extent.

Scheduled Tribes are not benefitted fully by the facilities provided by the State Government because of the fact that most funds are diverted to other heads by the State Government. Besides, there are allegations regarding the misuse of public fund by the State authorities. He has requested the Government on the floor of the House to constitute Enquiry Committees to look into these cases but the Government has not responded positively so far.

Referring to the outlook of the Scheduled Castes and non-tribals towards the solution of the tribal problems Dr. Ramchiary stated that their attitude was positive. But the outlook of some extreme nationalist organizations is very destructive. Also the apathy of the bureaucrats cannot be neglected in this regard.

He is trying to raise the issues relating to the tribal problems on the floor of the House in conformity to the Rules of Precedence and Conduct of the House but no favorable environment is created by the Government for this.

THANESWAR BORO

Introduction : Thaneswar Boro belongs to AGP and is, at present, a member of the Cabinet in the Government of Assam headed by Prafull Kumar Mahanta as Chief Minister. Mr. Boro hails from Gurmou village of Rangia in the Kamrup district of Assam. He is an elderly person of 61 years of age.

Education : Thaneswar Boro spent his school life in his village where he joined Gurmou Sevashram Primary School and then preceded to Gurmou M.V. School and Rangiya High School.

Completing the school education in the village Boro came to Guwahati for higher education and joined Cotton College as a student of Pre-University class. He passed BA (Honours) Examination from this college in 1962 and in the same year he joined the Department of Education of Gauhati University as a student. In 1964 he passed MA Examination in Education from Gauhati University. Also he has NCERT training from Agartala B.T. College of present Tripura.

Family Background : Boro belongs to an agricultural family. His father late Harkhola Boro and mother late Pritha Bala Boro were cultivators. He had seven brothers and sisters of whom three expired. All of them were cultivators.

Political Life : Boro started his political activities in 1983 and since then he is in active politics. He took active part in the Foreigners' Movement since its inception in 1979. During the course of the Movement a regional party known as Purbanchaliya Lok Parishad (PLP) was formed and he joined the party. Later,

when the regional political party, viz Asom Gana Parishad was formed in a national convention held at Golaghat he shifted his membership to this regional political party.

The people of Rangiya may be considered as a source of inspiration for his joining politics of Assam. Before starting his political life Boro was a member of All Assam Chatra Sanmilen which existed prior to the formation of All Assam Students' Union. He was the General Secretary of the Rangiya High School Unit and participated actively in the Refinery Movement launched in Assam. He also led the Bodo Sahitya Sabha as its Vice-President. Further he rendered social service in the rural areas in different capacities.

Thaneswar Bodo took active part in the Script Movement, Foreigners' Movement and Oil Refinery Movement in Assam.

He has forwarded arguments in favour of joining Asom Gana Parishad political party by saying that he feels the whole of North-East India is economically backward, neglected and deprived. However, Assam in particular and North East India in general are rich in natural resources. For putting an end to the regional disparity and for regional development, a regional political party is the only answer, Boro argues. Boro was a member of the Purbanchaliya Lok Parishad before he joined Asom Gana Parishad in 1985.

Awareness About the Tribal Problems : Thaneswar Boro has viewed the tribal problems as identical with those of the nontribals of Assam. However Bodo peoples are socially and economically more backward. They are highly dissatisfied with the Government of Assam.

Agriculture is the main occupation of the Bodo community. But there is acute shortage of cultivable land. Furthermore flood and land erosion are the two

major challenges to this community causing serious financial crisis to the cultivators. Besides, transfer of land to the illegal migrants is a common sight amongst the Bodos. According to Boro lack of cultivable land and unemployment are the fundamental problems of this community.

Role in the Implementation of the Development Programmes : Boro has been satisfied with the implementation of the tribal developmental programmes. As a legislator he supervises and cooperates with the authorities in the process of implementation of the policies. In addition, the tribals are benefitted by the welfare programmes of the Government of Assam. However, there may be one or two lapses, which are removed whenever these are brought to the notice of the concerned authorities.

The Scheduled Castes and non-tribals are sympathetic and cooperative in solving the problems of the tribals.

Since Boro was a member of the Assam Ministry headed by Prafulla Kumar Mahanta during the period from 1985-1990 he took the advantage of taking care of the demands made by the pressure Groups. Again, he is in the cabinet since 1996 in the Mahanta Government. Besides, taking care of the Pressure Groups as member of the Treasury Bench in the House he had the privilege of serving these groups as a member of the Opposition party in the Assembly during the period from 1991-1995 when Congress party formed the Government under the leadership of late Hiteswar Saikia as Chief Minister.

He carried out his responsibilities for the development of the tribal people of Assam as and when necessary.

DERHAGRA MUSHAHARY

Introduction : Derhagra Mushahary is a resident of Patacharkuchi of the Nalbari district of Assam. He is a man of 55 years of age and represents Tamulpur General Contituency. He belongs to United Bodo Nationalist Liberation Front (UBNLF) political party.

Family Background : Derhagra Mushahary belongs to an agricultural family. His father late Maguram Mushahary was a cultivator and mother Smt. Malishree Mushahary a house wife. Agriculture is the main stay of all the five brothers and sisters of Mushahary.

Political Life : Mushahary entered into politcs in 1983, realizing the grave situation of the country and the nation he came forward to take active part in the democracy.

He served different organizations as below -

- In 1963 he was the General Secretary of “Shillong Bodo Citizens”
- In 1977 he was the Joint Secretary of the All Assam Tribal Employees Union.
- In 1978 he was the General Secretary of the All Assam Tribal Solidarity Council.
- In 1978 he was the General Secretary of the Tribal Information Guild.

Mushahary offered moral support to the Foreigners’ Movement though he could not play an active role in the Movement. Also played a passive role in other Movements of Assam.

He has sugnificantly pointed out that ‘son of the soil’ of Assam must bear the heavy responsibility of safeguarding Assam. Therefore he joined the United

Bodo Nationalist Liberation Front, a regional political party formed to protect the interest of the indigenous and the 'son of the soil'.

In the greater interest of the Community he changed his party membership from United Tribal Nationalist Liberation Front to UBNLF and presently he is serving the party as its General Secretary.

Awareness About the tribal problems : Unlike other respondents Mushahary does not accept that Bodos are socially backward people. He emphasised that the Bodo people are not only the sons of the soil of Assam but also decendants of king. Though the Constitution of India enlisted the Bodo Community as Scheduled Tribes, originally they belonged to Mongoloid Group and they contributed significantly towards the development of the civilization of Asia.

However, he admitted that the Bodo community is economically backward. The plans and programmes formulated for economic, educational and other developments have not been executed fruitfully so far. Interestingly he is against the use of the phrase "Scheduled Tribes".

Role in the Implementation of the Developmental Programmes : The facilities provided by the Government do not reach the Bodos. He asserted that he was not a tribal by birth, so he demanded recognition as a man "Bodo Mongoloid of the soil of Assam." He raised this issue on the floor of the House in 1999 in a one day session.

Referring to question relating to the attitude of the scheduled castes and non-tribals towards the solution of the tribal problem he, is of the opinion that as a sufferer of the problems, Bodos must try to understand their own problems. He used to receive various demands from the pressure groups.

SMT. PRAMILA RANI BRAHMA

Introduction : Smt. Pramila Rani Brahma is a resident of Bagamsali of Kokrajhar district, Assam. She contested election to the Assam Legislative Assembly as independent candidate. She is 50 years of age.

Education : Smt. Brahma began her student life in the Deorgaon primary school situated in Kokrajhar District. Later she joined Kokrajhar Girls' High School. She completed her BA (Honours) from Kokrajhar College.

Family Background : Smt Brahma's father Late Kamakhaya Prasad Brahma was a business man and her mother Late Tageswari Brahma a house wife. Smt. Brahma has six brothers and all are in business.

Political Life : Smt. Brahma started her political life in 1992. Since 1986 she served the Assam Tribal Women's Welfare Council as its President and remained in that capacity till she joined politics in 1992. She participated in the Bodo Movement for a Separate State launched by All Bodo Students' Union. During that Movement she came very close to late Upendra Nath Brahma, then President of ABSU. Besides taking active part in the Movement for a separate state she played an important role in mobilising public opinion in favour of the need to spread of education and equal treatment to both the girl child the and boy child. She also took leadership in closing down wine shops in Assam.

As member of the Assam Legislative Assembly she considers demand for separate state as her primary goal. She also gives priority to the rights of woman and the tribals. Though she is an independent candidate she is associated with all the Bodo Organisations.

Awareness About the Tribal Problems : Smt. Brahma remained silent regarding the tribal problems in the State of Assam.

Role in the Implementation of Developmental Programmes : Smt. Brahma works as a watch woman regarding the grants provided by the Central Government for the welfare of the tribals. She complained that in each department relating to the Tribal Welfare Programmes there is a non-tribal as the administrative head and the welfare facilities do not reach the tribals, Violation of the principles of administration is the rule of the day. The tribals are deprived of the facilities provided by the Government, according to Smt. Pramila Rani Brahma.

PRADAN BARUAH

Introduction : Pradan Baruah, resident of Amritpur village, Chilapathar of Dhemaji district. He has been elected as AGP candidate from the Jonai Constituency to the Assam Legislative Assembly. He has completed 36 years of age at the time of interview with the researcher.

Education : Pradan Baruah spent his school life in the Dhemaji district. He studied in the Phulbari Lower Primary School and Chilapathar Residential Higher Secondary School. Then he proceeded to Dibrugarh and obtained Diploma of Mechanical Engineering.

Family Background : Late Mathura Baruah was the father of Pradan Baruah. He was a Primary School teacher. Pradan Baruah's mother Smt. Bhagyawati Baruah is a house wife. He has five brothers and sisters.

Political Life : Baruah's political life began in 1982. The six year long Assam Movement launched by the All Assam Students' Union enabled him to come in contact with different movement leaders, politicians, social workers and academicians of Assam. He started taking active part in different phases of the Assam Movement and later he was encouraged by the local people to join politics

actively. Under this circumstances, he joined politics as a member of the Asom Gana Parishad political party. Before entering into politics he was serving the All Assam Students' Union as a member at the district level.

Baruah preferred Asom Gana Parishad mainly for three reasons –

- a) Asom Gana Parishad party was easily accessible to Baruah.
- b) He maintained relationship with AGP before he thought of entering into politics.
- c) He accepts, by and large, the philosophy of the AGP party.

Awareness About the Tribal Problems : Baruah has pointed out that his community i.e. the Sonowal Kacharis' suffers from educational, social, political, economic problems. The serious aspect of it is the lack of unity and integrity within the community. Religious diversity may be considered as a noticeable feature of the Sonowal Kachari Community. The social culture of the community is gradually disappearing.

Role in the Implementation of the Developmental Programmes : Baruah has played his role in the process of implementation of the developmental policies in the tribal areas. This community is receiving benefits provided by the Government. However, the grants provided for construction of roads, establishment of hospitals, water supply, etc. are not adequate

Further, there remains lack of unity amongst different ethnic groups, non-spread of education, non-appointment of right person in the right job and scarcity of able politicians in the state have aggravated the problems of the tribals.

Non-tribals and Scheduled Castes people are indifferent or they are not willing to associate themselves in solving the problems of the tribals, according

to Baruah. Further they are not making any attempt to realise the gravity of these problems.

He is also putting forward the economic, social and cultural demands of the pressure groups on the floor of the Assembly House.

HALIRAM TERANG

Introduction : Haliram Terang, a person of 44 years of age is a resident of Satgaon village of Karbi Anglong district. He represents Baithalangu Constituency from ASDC, another regional political party.

Education : Haliram Terang began his student life at Satgaon Primary School of Karbi Anglong district. He secured 1st Division in Higher Secondary Examination from Nagaon Government Higher Secondary School. The he came down to Guwahati to join Cotton College from which he passed BA Examination with honours.

Family Background : Late Lahan Singh Terang, a Mouzadar was his father. His mother Late Kanag Ingty who was a house wife. He has five brothers and sisters.

Political Life : Terang entered into the political world of Assam in 1984 and was inspired by a member of CPI(ML) Party.

Before joining politics Terang served the Karbi Students' Association, Karbi Cultural Society and Karbi Anglong Sangram Parishad constituted during Foreigners' Movement in Assam as General Secretary. He took active part in the Foreigners' Movement, Refinery Movement and Autonomy Movement in Assam.

Regarding his choice of the political party, Terang stated categorically that since he considered ASDC as the best party he could not resist the temptation

of joining the party. He didnot think of changing his party membership quite sometime. But recently he has left the party because of internal party dissentions.

Awareness About the Tribal Problem : Terang has not spelled out the problems of Karbis in detail. He simply stated that the Karbis are extremely backward people.

Role in the Implementation of the Developmental Policies : Haliram Terang makes every possible effort both within and outside the Assembly for the progress of the Karbi Society. He strongly feels that the Karbis are deprived of the facilities promised by the Government.

Terang is of the opinion that though most people are opportunists, there are people who play a significant role in the solution of the Tribal problems. He extends all kinds of help with his limited capacity to the pressure groups whenever they approach him.

KUMUD CHANDRA DAS

Introduction : Kumud Chandra Das, who is a resident of Mahaliapara of Tangla, Darrang district, Assam represents Paneri Constituency from PDF Regional Political Party. He is a person of 38 years of age.

Education : Kumud Chandra Das began his academic life at Dergaon Government Primary School. At the end of primary education he proceeded to Dergaon Higher Secondary School from which he passed HSLC Examination and then he joined Mangaldai College, to study upto Pre-University level. After passing the Pre-University examination he discontinued his study.

Family Background : Das belongs to an agricultural family. His father Hawa Ram Das is a farmer and his mother Smt. Usha Rani Das is a house wife.

Political Life : His public life began with his support to the All Assam Students' Union. He was also associated with the National Development Committee born in 1986. In 1987 he was associated with the All Assam Tribal Students' Union.

The beginning of the political life of Das may be associated with the birth of the UDF in 1993. He did not feel comfortable to disclose that he changed his party from UDF to PDF regional party with a view to have a common platform for the political activities.

Awareness About the Tribal Problems : To Kumud Chandra Das, the Bodo people are socially, educationally, and economically backward. They are yet to achieve economic independence. Even now the Bodos are exploited by other sections of the society. They also have serious land problem.

Economic backwardness is the main cause of educational backwardness. The only remedy to these problems is a separate state for Bodos.

Role in the Implementation of the Development Programmes : According to Kumud Chandra Das, the MLA has a very insignificant role in the process of implementation of developmental policies. However, he is a member of the ATDA Governing Body and in this capacity he can look after the distribution of fund from the Government. He has frankly stated that the tribals receive minimum amount of facilities provided by the Constitution of India. The lion's share of these facilities go to the Ministers and the bureaucrats. The common people of the Tribal communities are not all benefitted by these facilities. He also lamented that the principle of reservation is violated by the concerned authorities. For a solution of these problems the good will of the Government is the fundamental requirement and the separate state is the only device through which development can be achieved.

It is unfortunate that the Scheduled Castes and non-tribals do not possess a sympathetic attitude towards the ST people. They look down the tribal people. He has raised several issues relating to the demands made by the pressure groups of his community on the floor of the House.

GANESH KUTUM

Introduction : Ganesh Kutum, resident of Gohpur, Sonitpur district of Assam represents Gohpur constituency as a member of Asom Gana Parishad in the Assembly. He is 56 years of Age and lone ST MLA to be the Speaker of Assam Legislative Assembly.

Education : Ganesh Kutum started his student life in the Kutumgaon Primary School of Lohitmukh from which he proceeded to Kalabari High School. After passing HSLC examination he came to Guwahati to join Cotton College as a student of higher secondary class, but after completing higher secondary, he returned to Lakhimpur and joined North Lakhimpur College, affiliated to Dibrugarh University, as a student of TDC class. He passed BA (Honours) examination from that college and again came to Guwahati to join Gauhati University as a student of Political Science. He passed MA examination in second class from Gauhati University.

Family Background : Late Numalia Gam was the father of Ganesh Kutum and he was a cultivator. Kutum's mother Late Magoni Gam was a house wife.

Political Life : Ganesh Kutum is in active politics since last 28 years. He was born and brought up in the political environment in the family, which enabled him to come in close contact with the political leaders of Assam. The environment encouraged him to join politics.

From the school life Kutum was associated with different Youth Organisations and Social services before he began his political life. He took active part in the Language Movement, Movement against Foreign Nationals and Oil Refinery Movement in Assam.

The main reason of his joining Asom Gana Parishad is that he is the firm believer of regionalism in politics and as an individual he wants devolution of more power to the State from the Centre. The Asom Gana Parishad is protesting since its inception against exploitation, regional disparities and misrule. He is demanding for more power to the States. His fear that Assam would be full of refugees from Bangladesh, prompted him to participate in the Movement launched by AASU and to join AGP. At the beginning he was associated with a national political party. Later he felt that the national political party would fail to satisfy the needs of the people of Assam and therefore he shifted to regional political party.

Awareness about the Tribal Problems : To Ganesh Kutum flood and land erosion are the major problems of the Misings as they live on the bank of the rivers. Flood and land erosion cause homelessness, landlessness and economic backwardness.

Role in Implementation of the Developmental Programmes : Responding to the question relating to his role in the implementation of the developmental programmes, Kutum said that he is representing a constituency which is not reserved for the STs. In other words he has to play a crucial role and bear very heavy responsibility as an MLA. He always tries to create awareness amongst the resident of his constituency about the rights guaranteed by the Constitution.

The facilities provided by the Governments do not reach satisfactorially the beneficiaries. The administrators, and other agencies take advantage of the gaps

and flaws in the rules and regulations. He feels the need of evaluation of the developmental policies formulated and implemented by the Government.

Though Kutum did not answer directly to the question relating to the attitude of the Scheduled Castes and the other people towards the solution of the tribal problems, he pointed out the historical facts that united all sections of the people of Assam together irrespective of caste, creed, religion and place of birth who constitute the big Assamese Society. The great religious leader Saint Sankaradeva could establish unity and integrity in Assam by making Garos, Nagas, Mising, Koch, Kalita, Muslims etc. his disciples during the Ahom rule. After independence, the political influences affected the Assamese Society and destroyed its former thread of unity and integrity.

As a Speaker of the Assam Legislative Assembly he is trying his best to contribute towards the solution of problem of Assam.

I have interviewed thirteen ST MLAs of Assam, of these, four belongs to the PDF political party. They are Andrias Hajoary, Jogmohan Basumatary, Dr. Deva Kanta Ramchiary and Kumud Chandra Das. Six members, viz Smt. Rekha Rani Das Boro, Banendra Kumar Mushahary, Pradan Baruah, Thanesar Boro and Ganesh Kutum belongs to Asom Gana Parishad. The Congress(I) party has one MLA from the Mising community. He is Shri Bharat Chandra Narah. Rest are Derhagra Mushahary of United Bodo Nationalist Liberation Front and Haliram Terang of ASDC. Smt. Pramila Rani Brahma is the lone woman candidate to win election as an independent candidate.

Out of the thirteen ST MLAs interviewed by the researcher two are ladies and both of them belong to the Bodo Community. Interestingly enough there are only three ladies from the tribal communities who are active in politics of Assam. They are Smt. Rekha Rani Das Boro, Smt Pramila Rani Brahma and Smt. Anandi Bala Rabha (see Appendix 8).

Looking at the educational background of the MLAs, all of them except Derhangra Mushahary had school education in the rural areas. Derhangra Mushahary does not have formal education. Four members are Post Graduate degree holders- Thaneswar Boro is MA in Education, Bharat Chandra Narah is MA in Political Science, Sri Ganesh Kutum is MA in Political Science and Smt. Rekha Rani Das Boro has been awarded MA degree in Philosophy. All the four studied in Gauhati University. Bharat Chandra Narah secured First Class in the MA examination. Andrias Hajoary, Jogmohan Basumatary, Pramila Rani Brahma and Haliram Terang BA are degree holders. Deva Kanta Ramchiary is a Doctor and Pradan Baruah has a diploma in Mechanical Engineering.

One notable point is that all of them started their political career by joining regional political parties. Bharat Chandra Narah, who is a member of the Assembly also began his career in a regional political party i.e. Asom Gana Parishad.

The family background of the thirteen MLAs show that Bharat Chandra Narah's father was a teacher, father of Smt. Rekha Rani Das Boro was a member of the Assam Legislative Assembly and Jogmohan Basumatary's father was a police constable and rest belonged to agricultural families.

Chapter III

PLANNING PROGRAMMING AND BUDGETING

The ST MLAs get a very wide scope to take active role in the process of Tribal Sub-Plan. It covers 24.31 lakh Scheduled Tribes people in the plain districts of Assam. It constitutes 10.86 percent of the states total population of 224.14 lakh.

The estimated area under Tribal Sub-Plan is 10,991 sq. kms, accounts for about 14% of the states total area of 78,438 sq. kms. Under the Tribal Sub-Plan, 19 Integrated Tribal Development Project (ITDP) Areas covering about 4542 villages have been constituted. In these areas 9 Scheduled Tribes (Plain), viz., Barman in Cachar, Boro-Kachari, Deori, Hajong, Kachari including Sonowal, Tiwa, Mech Mising and Rabha are found.

As regards geographical distribution of population of these tribes in the Tribal Sub-Plan areas, the Boro (Boro-Kachari) people are predominant in the ITDP Areas of Kokrajhar, Barpeta, Nalbari, Rangia, Guwahati, Mongaldoi, Udalguri, Tezpur and Dhubri. The Kachari (Sonowal) people are predominant in the ITDP areas of Dibrugarh, Tinsukia, Sibsagar, Jorhat and Golaghat. The Mising people are predominant in the ITDP areas of Dhemaji, Majuli and Lakhimpur, while the Rabha people are predominant in the Goalpara ITDP areas. The Tiwas are predominant in the Morigaon ITDP areas and Barmans in ITDP areas of Silchar. Since formation of the Autonomous Councils viz., BAC, RHAC, MAC and LAC the functions & powers of the ITDP falling within the council areas have been transferred to respective Councils.

As regards literacy level, the literacy rate as per 1991 Census is 52.89% for the total population of Assam and 49.16% for the ST population. Communitywise literacy rate of ST population as per 1991 Census is not yet available. The male and female literacy rates of ST people area are 58.93% and 38.98% respectively against state's male and female literacy rates of 64.87% & 43.63% respectively.

TRIBEWISE POPULATION AND PERCENTAGE OF LITERACY

(As per 1971 census, breakup for 1991 census is not yet available)

Name of the Scheduled Tribes	Tribewise population	Percentage of literacy
Barman in cachar	13,210	30.45
Boro-Kachari	6,10,439	20.51
Deori	23,080	27.72
Hajong	2,298	27.72
Kachari (including Sonowal)	1,98,619	27.33
Lalung (Tiwa)	95,609	21.45
Mech	2,570	30.58
Miri (Mising)	2,59,551	18.20
Rabha	1,38,630	22.24
Total	13,44,006	21.56

(Source: Tribal Research Institute)

Geographical areas, number of villages, total population of ST/SC in each ITDP areas are given in statement-I.

Sub-Divisionwise Scheduled Tribes population are given in statement-II. The community Development Blocks with number of GPS covered by Tribal Sub-plan areas are listed in statement-III.

Objective and Strategy of Tribal Sub-Plan

The main objective of the Tribal Sub-Plan (TSP) is to emphasize all round development of Scheduled Tribe (Plains) in the plain districts of Assam. Priority

Statement - I

ITDP WISE AREAS VILLAGES & POPULATION - 1991 CENSUS

Name of ITDP	Estimated areas sq.km.	No. of villages	Population as per 1991 Census (Provisional)			% of ST to total population of ITDP	% of SC to total population of ITDP	% of Sc population to total tribal population under TSP	% of SC population of ITDP to total SC population under TSP
			Total	ST	SC				
1	2	3	4	5	6	7	8	9	10
1.Kokrajhar	1665	868	623901	385890	19990	61.8	3.2	24.3	16.2
2.Dhubri	483	277	29597	14226	195	48.1	0.7	0.9	0.2
3.Goalpara	853	346	222771	101163	10547	45.4	4.7	6.4	8.6
4.Barpetta	526	176	170602	81611	6721	47.8	3.9	5.1	5.5
5.Nalbari	661	201	222317	131501	10659	59.1	4.8	8.3	8.7
6.Rangia	132	40	49110	28782	1942	58.6	4	1.8	1.6
7.Guwahati	581	396	218970	102456	4523	46.8	2.1	6.5	3.7
8.Morigaon	608	267	188696	86493	20644	45.8	10.9	5.5	16.8
9.Mongoldoi (Udaiguri)	804	376	281335	159916	9898	56.8	3.5	10.1	8
10.Tezipur	310	165	90451	46620	2823	51.5	3.1	2.9	2.3

1	2	3	4	5	6	7	8	9	10
11. Majuli	354	107	73338	49181	5820	67.1	7.9	3.1	4.7
12. Jorhat	164	46	39586	24052	1251	60.8	3.2	1.5	1
13. Golaghat	130	41	42825	28336	3671	66.2	8.6	1.8	3
14. Sibsagar	110	30	17734	11825	2315	66.7	13.1	0.7	1.9
15. Dibrugarh	420	215	101937	47568	1813	46.7	1.8	3	1.5
16. Tinsukia & Sadiya	225	86	39789	17123	144	43	0.4	1.1	0.1
17. North Lakhimpur	694	272	127430	80508	5576	63.2	4.4	5.2	4.5
18. Dhemaji & Jonai	2126	637	266982	179409	13725	67.2	5.1	11.3	11.1
19. Silchar	114	37	23712	7405	816	31.2	3.4	0.5	0.6
Total for Tribal Sub plan	10991	4542	2831103	1584065	123073	55.9	4.3	100	100

Statement - II

SUB-DIVISION WISE SCHEDULE TRIBES (PLAINS) POPULATION OF ASSAM AS PER 1991 CENSUS

Sl. No.	Name of the Sub-division and district	Area in sq. Km.	Population as per 1991 Census			% of ST (Plains) Population to Total ST (Plains) Population of the State
			Total Population	ST (Plains) Population	% of ST (Plains) Population of Sub division/District	
1	2	3	4	5	6	7
1	Dhubri		566812	13647	2.41	0.56
2	South Salmara		348791	481	0.14	0.02
3	Bilaspata		416872	18132	4.25	0.74
	1. Total=Dhubri District	2838.00	1332475	32260	2.42	1.32
4	Kokrajhar		484590	239131	49.35	9.81
5	Gosaigaon		316069	90330	28.58	3.70
	2. Total=Kokrajhar District	N.A	800659	329461	41.15	13.51
6	Goalpara		668138	115099	17.23	4.72
	3. Total=Goalpara District	N.A	668138	115099	17.23	4.72
7	Bongaigaon		234226	35248	15.05	1.45
8	Bijni		314477	102946	32.74	4.22
9	North Salmara		258820	3348	1.29	0.14
	4. Total=Bongaigaon District	N.A	807523	141542	17.53	5.82
10	Barpeta		1062424	33545	3.16	1.38
11	Bajali		323235	76907	23.79	3.15
	5. Total=Barpeta District	3245.00	1385659	110452	7.97	4.53
12	Nalbari		1016390	179641	17.67	7.37
	6. Total=Nalbari District	2257.00	1016390	179641	17.67	7.37
13	Guwahati		1554557	146654	9.43	6.01
14	Rangia		415138	65495	15.78	2.69
15	Pragjyotishpur		30376	2191	7.21	0.09
	7. Total=Kamrup District	4345.00	2000071	214340	10.72	8.79

1	2	3	4	5	6	7
16	Mangaldoi		813769	130036	15.98	5.33
17	Udalguri		485091	94921	19.57	3.89
	8. Total=Darrang District	3481.00	1298860	224957	17.32	9.22
18	Tezpur		955701	83879	8.78	3.44
19	Biswanath Chariali		468586	68619	14.67	2.81
	9. Total=Sonitpur District	5324.00	1424287	152498	10.71	6.25
20	North Lakhimpur		606091	116762	19.26	4.79
21	Dhakuakhana		145426	60394	41.53	2.48
22	Dhemaji		363616	133168	36.62	5.46
23	Jonai		115214	77144	66.96	3.16
	10. Total=Lakhimpur District & Dhemaji District	3237.00	478830	210312	43.92	8.62
24	Dibrugarh		1042457	82920	7.95	3.40
	11. Total = Dibrugarh District	3381.00	1042457	82920	7.95	3.40
25	Tinsukia		608539	26958	4.43	1.11
26	Margherita		276648	10159	3.67	0.42
27	Sadiya		77111	14367	18.64	0.59
	12. Total = Tinsukia District	3790.00	962298	51493	5.35	2.12
28	Jorhat		735828	47950	6.52	1.97
29	Majuli		135378	57357	42.37	2.36
	13. Total =Jorhat District	2851.00	871206	105307	12.09	4.33
30	Golaghat		519961	44801	8.62	1.84
31	Bokakhat		119771	18958	15.83	0.78
32	Dhansiri		188364	21157	11.23	0.87
	14. Total = Golaghat Distirct	3502.00	828096	84916	10.25	3.49
33	Sibsagar		313428	9923	3.16	0.41
34	Nazira		224410	15267	6.80	0.63
35	Charaideo		370145	9306	2.51	0.38
	15. Total = Subsagar District	2668.00	907983	34496	3.80	1.42
36	Silchar		1045026	7745	0.74	0.36
37	Lakhimpur		170359	8818	5.18	0.68
	16. Total = Cachar District	3786.00	1215386	16563	1.36	0.03

1	2	3	4	5	6	7
38	Nagaon		1034512	59443	5.75	2.44
39	Koliabar		269081	4826	1.79	0.20
40	Hojai		589578	5579	0.95	0.23
	17. Total = Nagaon District	N.A	1893171	69848	3.69	2.87
41	Morigaon		638682	98483	15.40	4.04
	18. Total = Morigaon District	N.A	639682	98483	15.40	0.32
42	Hailakandi		449048	715	0.16	0.03
	19. Total = Hailakandi District	1327.00	449048	715	0.16	0.03
43	Karimganj		827063	1430	0.17	0.06
	20. Total = Karimganj District	1809.00	827063	1430	0.17	0.06
44	Diphu		295099			
45	Bokajan		172169			
46	Hamren		195455			
	21. Total = Karbi Anglong District	10434.00	662723			
47	Haflong		103853			
48	Maibong		46948			
	22. Total = N. C. Hills District	4888.00	150801			
	Assam (Total)	78438.00	22414322	2433889	10.86	100

**CD/BLOCK WITH NUMBER OF GAON PANCHAYAT COVERED BY
TRIBAL SUB-PLAN**

Name of CD/Block covered by the Tribal Sub-plan			Total No. GPS under Tribal Sub-plan			Name of Block
Sl No.	Fully covered	Partly covered	GPS	Fully covered	Partly covered	
1	2	3	4	5	6	7
1.	-	Dotoma (TD)	5	3	2	ITDP,Kokrajhar
2.	-	Kokrajhar	5	2	3	
3.	-	Kachugaon	6	3	2	
4.	-	Gossaigaon	5	-	4	
5.	-	Sidlichirang	8	4	4	
6.	-	Borabazar(TD)	4	3	1	
7.	-	Manikpur	5	-	3	
Total = 7			38	15	19	
8.	-	Bilashipara	9	-	-	ITDP, Dhubri
9.	-	Golokganj	5	2	-	
10.	-	Gauripur	7	-	-	
11.	-	Chaparsalkocha	3	-	2	
Total = 4			24	2	2	
12.	-	Matia	5	1	-	ITDP, Goalpara
13.	-	Dudhnoi(TD)	5	3	2	
14.	-	Balijan	5	1	2	
15.	-	Lakhipur	7	-	2	
Total = 4			22	4	6	
16.	-	Jalah	8	4	1	ITDP, Barpeta
17.	-	Bajali	5	-	1	
18.	-	Goberdhana	5	-	3	
Total = 3			15	4	5	
19.	-	Tamulpur	8	1	6	ITDP, Nalbari
20.	-	Baska	6	1	5	
21.	-	Tihu Barama	5	-	2	
Total = 3			19	2	13	

1	2	3	4	5	6	7
22.	-	Rangia	6	-	3	ITDP, Rangia
Total = 1			6	-	3	
23.	-	Boko Bangaon	4	-	-	ITDP, Guwahati
24.	-	Chayagaon	4	-	-	
25.	-	Rampur	5	-	-	
26.	-	Rani	2	-	-	
27.	-	Dimoria(TD)	4	-	4	
Total = 5			19	-	4	
28.	-	Bhurbandha	6	1	5	ITDP, Morigaon
29.	-	Laharighat	11	-	2	
30.	-	Mayang	9	-	6	
31.	-	Kapili	7	-	5	
Total = 4			33	1	18	
32.	-	Udalguri	7	1	6	ITDP, Mangoldoi
33.	-	Mazbat	6	-	3	
34.	-	Khoirabari	7	2	4	
35.	-	Dalaigaon	8	-	6	
36.	-	Dalgaon Salmari	8	-	1	
Total = 5			36	3	20	
37.	-	Choiduar	6	1	3	ITDP, Tezpur
38.	-	Dhekiajuli	8	-	4	
39.	-	Gabharu	5	-	3	
40.	-	Balipara	7	-	4	
Total = 4			26	1	14	
41.	-	Majuli	7	2	3	ITDP, Majuli
Total = 1			7	2	3	
42.	-	Titabar	4	-	3	ITDP, Jorhat
43.	-	North West Jorhat	5	-	2	
Total = 2			9	-	5	
44.	-	Golaghat	4	-	2	ITDP, Golaghat
45.	-	Golaghat Central	5	-	1	
46.	-	Golaghat North	3	-	1	
Total = 3			12	-	4	
47.	-	Demow	6	-	3	ITDP, Sibsagar
Total = 1			6	-	3	

1	2	3	4	5	6	7
48.	-	Khowang	5	1	2	ITDP, Dibrugarh
49.	-	Tengakhat	4	-	4	
50.	-	Joypur	7	-	6	
51.	-	Borbarua	3	-	3	
52.	-	Lahowal	3	-	1	
53.	-	Panitola	2	-	1	
Total =		6	24	1	17	
54.	-	Kakapathar	6	-	3	ITDP, Tinsukia
55.	-	Sadiya	4	-	4	
Total =		2	10	-	7	
56.	-	Lakhimpur	5	2	3	ITDP, North Lakhimpur
57.	-	Nowbaicha	6	-	4	
58.	-	Bihpuria	5	-	2	
59.	-	Narayanpur	5	1	3	
Total =		4	20	3	12	
60.	-	Dhakuakhana	5	1	2	ITDP, Dhemaji
61.	-	Dordoloni	6	5	1	
62.	-	Dhemaji	7	2	5	
63.	-	Murkang Selek	2	2	-	
Total =		4	20	10	8	
64.	-	Udarband	6	-	2	ITDP, Silchar
65.	-	Lakhimpur	5	-	1	
Total =		2	11	-	3	
Total		65	358	56	168	

has been given to promotion of self employment by family-oriented income generating schemes (particularly for those who are below the poverty line) as a part of poverty alleviation programme, promotion of education particularly elementary, secondary and higher education and meeting the basic needs such as primary healthcare, drinking water facilities, roads and communication etc.

More stress has been given to the generation of self employment opportunities in the sectors like agriculture, dairy, veterinary, sericulture, handloom & textiles, small village and cottage industries, fisheries etc. Banks and other financial institutions are involved in the implementation of family oriented income generating schemes.

Scope of Tribal Sub-Plan Strategies

Tribal sub-plan in the plain districts of Assam basically emphasises upon development of a infrastructural schemes like rural roads, primary education, primary healthcare, drinking water facilities, dwelling houses, irrigation etc, in the backward tribal areas. Major state level, regional level schemes are not loaded on tribal sub-plan. Infrastructural development programmes outside ITDP areas for the welfare of general population including the scattered plain tribal population has been taken up under the General Areas Plan as before.

For family oriented programmes, the scope of TSP mainly covers the ST(Plains) people within ITDP areas and 20% coverage is there for the scattered ST(Plains) poeple living outside ITDP areas.

Protective and Anti-Exploitative Measures

Land Alienation

The Assam Land and Revenue Regulation Act 1886 in its Chapter X provides welfare and protection of ST, and SC's so far as land settlement and

allied matters are concerned. Under the Act the State Government so far has constituted 47 Belts and Blocks in the state.

The Act totally prohibit transfer of patta land from tribal or other protected Belt or Block to non-eligible persons.

The Assam Land and Revenue Regulation Act has been amended several times. For the first time in 1964 the Regulation was amended. The second ammendment was done in 1981. According to these amendments a person cannot acquire any right or title on land by length of possession. Such land transfer in a Belt and Block will be contrary to the Regulation. The Regulation has recently been further amended by the Assam Land and Revenue Regulation (Amendment) Act 1990. According to this amendment penal provision has been made for both the transferer and transferees of land in Belt and Block.

Rural Indebtedness

Rural indebtedness is a common problem in the rural areas of Assam. It is also there among the ST(Plain) people in the plain districts of Assam. The causes of indebtedness are many and varied. The unscrupulous money lending practices are the main factors. To regulate the business of money lending and to give debt relief, the Government of Assam have conducted the Assam Indebtedness Relief Act, 1975. The establishment of Gaon Panchayat Samabai Samitee (GPSS) in the ITDP area helps inducting the Tribal families to avail of the credit facilities of these GPSS. Efforts are made to secure their proper functioning.

Employment and Reservation

a) The Scheduled Castes and Scheduled Tribes are enjoying the concessions for reserved vacancies in the posts and services of the State Government/State Undertaking. The percentages of reservatioin are 7% for the Scheduled Castes, 10% for Scheduled Tribes(Plains) and 5% for Scheduled

Tribes (Hills). In order to enforce the reservation of vacancies for SC and ST, the Assam Act has been enacted and it has come into effect from the 1st of July 1979. This Act is applicable to all posts and services under State Government and the State Public Sector Undertaking Institutions. A roster of twenty vacancies is to be made by each establishment for the enforcement of the Act of 1978 and in this roster the first vacancy will be 11th vacancy for ST (P) and the 12th vacancy for SC. It applies to both direct recruitment and promotion.

b) The SC and ST candidates get relaxation of age limit for appointment to state government posts and services.

c) 50% concession in application fees.

d) Reservation of seats for admission to technical institutions for post-matric students are kept 7% for SC, 10% for ST(Plain) and 5% for ST(Hills).

Anti-Exploitative Measures

There are only a few instances of communal conflicts between the general population and the Scheduled Tribes population in the State. There is no untouchability in Assam. It is heartening to find that in Assam segregation in various social practices and functions and in the use of public utility services is rare. There are hardly any cases under the protection of Civil Rights Act.

Under the provision of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 which has been enforced by the Government of India in the country with effect from 30th January, 1990, the Government of Assam have constituted Special Court and Special public prosecutor in each and every district in the State. The Court of Session in the plain districts and the Court of the Deputy Commissioner in a Hill Districts have been designated as the Special Court under this Act by the State Government.

The Government of Assam have framed the Assam Legal Aid Rules, 1987, governing the availability of free legal aid and advice to poor people, for poor Scheduled Castes and Scheduled Tribes, the eligibility criteria are more liberal. The annual income ceiling for a person belonging to general caste for being eligible to get the benefit under these Rule is Rs. 15,000/-, while for the Scheduled Tribes to get this benefit, it is Rs. 20,000/-. There are state level as well as field level committees in each Sub-division, the latter being headed by the Deputy Commissioner in the Sadar Sub-division and the Sub-divisional Officer in an outlying Sub-division. Among the members of the Sub-divisional Committee, members belonging to Scheduled Tribes are also included. Actions are being taken by the State Government to specifically provide free legal aid and advice to the poor SC/ST in so far as the protection of Civil Rights Act and the SC/ST (Prevention of Atrocities) Act, 1989 are concerned.

Forest Village

There are 524 Forest Villages with a total population of about 1,60,179 comprising 20,694 families, covering an area of 50,602 hectares. Out of the total population about 75,464 belonging to ST which constitutes about 47.11% of the total population of the forest village. These Forest Tribal Villages belong to Bodo, Sonowal, Kachari, Tiwa, Mising, Deuri, Rabha communities. Due to rising population these communities land holding has become smaller.

The Forest Villages are entitled to certain facilities from the Forest Department. These are grazing of cattle, collection of fuel wood, timbers for construction of houses and free of royalty facilities in the forest village.

The Tribal people get the benefit of preferential treatment in the matter of settlement of forest Mahals upto the limit of 7.5 percent below the highest bid offered.

Minor Forest Produce

The tribal forest villagers are mainly agriculturists. They however, earn extra amount of money by way of collection of minor forest produce from forest areas .At present, there are hardly any mahals of honey, phooljharu, medicated herbs, sal seeds, etc.which constitute minor forest produce. There is no collection of loans at present departmentally or through other agencies in the state except small quantities collected departmentally in Lakhimpur, Darrang East and Darrang West Division. Bamboo bearing areas of the state have been leased out to the Paper Mill Authorities. Many tribal families make their earnings in the felling and collection of these bamboos.

Potentiality of collection of sal and other oil seed is very limited due to problems in the economical viability of seed collection as well as extraction and storage difficulties.

Excise Policy

The Assam Excise Act does not interfere with tribal people brewing their own rice beer for home consumption. The Act permits preparation and possession of rice beer (which contains less than 5% alcohol) upto 2.5 kg. at any time by a tribal family. In the wet districts, liquor is not sold through the contractors and is done by the vendors who are given lease normally for three years. There is however, little possibility to exploit the tribal people, even though there exists vendor system in the ITDP areas in the districts, where prohibition has not yet been enforced. The State Government. however, have followed the policy of gradually wearing the tribals away from drinking habits through the activities of the State Prohibition Council.

Commercial vending of liquor separately does not exists for the tribal in the state. In the dry areas, commercial vending is absent and in the wet areas, commercial vending of liquors is done through country spirit shops and foreign

liquors shops. These shops cater to the needs of tribals and non-tribals. As the tribal can brew their own beverages for home consumption to a certain limit, commercial vending of liquor for the tribals only does not exist. However, there is no loss of revenue for this reason, as the Assam Liquor Prohibition Act and Assam Excise Act do not allow production of liquor for home consumption exceeding the permissible limit.

The Assam Excise Act 1990, applicable in the wet areas and the Assam Liquor Prohibition Act, applicable in dry areas do not permit sale of liquor in 'hats' (Village Market). Eleven districts, viz., Kamrup (excluding Guwahati Metropolitan area), Nalbari, Barpeta, Bongaigaon, Goalpara, Dhubri, Kokrajhar and Morigaon are covered by the Assam Liquor Prohibition Act.

Administrative Structure

At the state level, there is the Department of Welfare of Plain Tribes (WPT) and Backward Classes (BC) headed by Commissioner and Secretary to the Government of Assam. The Department of WPT and BC is responsible for co-ordination and control of the Tribal Sub-Plan of the state. The Department also functions as the nodal authority in the implementation of the reservation and law provisions concerning the SC, ST, ST(Hills) and OBC.

There is a state level Advisory Council for the Welfare of the ST(Plain). It is headed by the Minister, Welfare of Plain Tribes and Backward Classes of Assam. All ST(Plain) MLAs & MP's of Assam are members of this Council.

The Assam Tribal Development Authority (ATDA) is a statutory Body, whose jurisdiction extends to all plain districts of Assam. It is headed by the Chief Minister of Assam with all ST(Plain) MLAs as its members. It formulates and implements mainly FOIG schemes in ITDP areas and for tribals residing in other remote areas.

There is Assam Plains Tribes Development Corporation (APTDC) for the implementation of various family oriented programmes, linked with the Bank finance for the Welfare of the plain tribes in the State.

At the lower level, the Integrated Tribal Development Projects (ITDP) have been in operation since the beginning of the 5th five year plan. There are, at present, 19 ITDPs, for each ITDP there is a Project Director. The post is held by a senior grade Assam Civil Service Officer in the rank of Additional Deputy Commissioner. In each ITDP, there is a Project Implementation Committee (PIC) which consists of some non-official Tribal as its non-official member and it is headed by one non-official member as Chairman.

The main function of the PICs are :

- a) To approve the list of beneficiaries, areas and institutions to be benefitted under TSP schemes.
- b) To oversee and review implementation of the TSP schemes within the concerned TSP areas.

Monitoring and Evaluation

At the state level, the WPT and BC Department co-ordinates the formulation, approval and implementation of TSP schemes under various Development Departments which implement the TSP sectoral plan schemes. To facilitate the discharge of those responsibility, there is a co-ordination and monitoring cell in the WPT & BC Department and for giving guidance from time to time to the Development Departments. Concerned with the implementation of TSP schemes, the cell obtains data from those departments to monitor periodically the progress of implementation of the family oriented income generating schemes and the point II(B) of 20 point programme is also reviewed from time to time.

Assam Institute of Research for Tribals and Scheduled Castes

As per the guidelines of the Ministry of Welfare, Government of India and the State Government, the main functions of the Institute are :

1. Research
2. Evaluation
3. Planning
4. Training.

Besides, the Institute is also publishing monographs, research papers, and conducting research within and outside the State from time to time. Further, the institution also offers a few research fellowship, to the research scholars during works on the tribals.

Participation and Involvement of Tribals in Development Process

In order to involve the tribals in the development progress there is a state level Advisory Council for the Welfare of Scheduled Tribes (Plains) which is composed of Tribal MPs, MLAs and Chariman of State Level Tribal Organisation.

For each ITDP, there is a Project Implementation Committee (PIC) which consists of many leading non-official tribal persons of the ITDP areas as members. The PIC reviews the implementation of development schemes in the ITDP areas. Similarly, for the tribals, living outside the TSP areas, the local tribal leader of the sub-division is its non-official tribal member. The Board reviews the implementation of four Autonomous Councils, viz., BAC, RHAC, MAC and LAC for different tribal groups and it offers further scope for involvement of local tribals in the development process.

Decentralisation

All the TSP schemes have since been decentralised. These schemes are placed before the Sub-divisional Planning and Development Council after getting it approved by the PIC's and the Sub-divisional Plain Tribes Development Boards whichever is applicable. The schemes are formulated at the Sub-divisional allocations under TSP communicated by the respective Heads of Department.

Financial Framework - Outlays and Financial Projections

Tribal Sub-plan for accelerating development of Scheduled Tribes (Plains) in the plain districts of Assam has been under formulation separately since the 5th Five Year Plan. The Tribal Sub-plan now consists of 27 main sectors. Special Central Assistance (SCA) from the Government of India under the TSP is also provided mainly for family oriented programme under Tribal Sub-plan on the basis of allocation and release of SCA by the Ministry of Welfare, Government of India. Besides, certain centrally sponsored schemes on sharing basis between the Central and State Governments have been taken up under the plan. Moreover, Assam Plain Tribes Development Corporation & ATDA have been implementing family oriented schemes involving both Government budgeted subsidy and loans from the banks. Development departmentwise flow of outlay and expenditures are reflected in the tables TSP-I & TSP-II.

Seperate Sub-Head/Minor Heads of Accounts

The TSP and SCP funds are provided in the budget with separate sub-heads so that there is no diversion of funds to other areas.

8th Five Year Plan (1992-97)

The total flow of fund under TSP for 8th Five Year Plan was Rs. 465.02 crores out of State General Areas Plan of Rs. 4353 crores, the percentage of flow being 10.68. The expenditure under TSP during the 8th Five Year Plan was Rs. 330.55 crores.

9th Five Year Plan (1997-2002)

The flow to Tribal Sub-plan for the 9th Five Year Plan is Rs.472.20 crores, constituting 14.31% of the State General Areas Plan allocation of Rs.3300.76 crores.

The schemes providing direct benefit through self employment to unemployed tribal youths have been prioritised during the 9th Five Year Plan. The schemes are funded out of State Plan and Special Central Assistance. Providing safe drinking water, village link roads, housing facilities, educational development especially at primary level, health facilities, introduction of modern technology in agriculture etc, are the other priorities during the 9th Five Year Plan.

Annual Plan 1997-98

During 1997-98 the flow of fund to TSP was Rs.132.65 crores out of the State General Areas Plan Fund of Rs.1192.97 crores. The percentage of flow being 11.12% while formulation of the Annual Plan for 1997-98, more importance have been given in the sectors like agriculture, animal husbandry & veterinary, minor irrigation, rural water supply, education, roads & bridges, rural development etc. Expenditure incurred during the year was Rs.103.19 crores under TSP against State General Area Plan expenditure of Rs.1138.55 crores.

Annual Plan 1998-99

Flow to TSP during 1998-99 was Rs.139.93 crores constituting 10.71% of State General Area Plan allocation of Rs.1306.30 crores against 10.86% ST(Plain) population of the state. Top priority has been entrusted to the sectors of education, rural water supply, irrigation, roads & bridges, health, handloom & textile and sericulture, Rs.2577.07 lakhs was allocated to the Bodo Autonomous Council, Rabha Hasong Autonomous Council, Mising Autonomous Council and Lalung Autonomous Council.

Annual Plan 1999-2000

During 1999-2000 the flow of fund to TSP is Rs.126.35 crores out of the State General Area Plan allocation of Rs.1306.23 crores. The percentage of flow to TSP is 9.67%. Top priority has been entrusted to the sectors like education, rural water supply, irrigation, roads & bridges, health, handloom & textile, rural development and co-operative etc. A portion of the fund out of TSP allocation is devaluated to the Autonomous Councils.

(The Financial outlay expenditure and physical target and achievement are shown in the Statement placed at TSP-I, TSP-II, TSP-III).

Special Central Assistance under Tribal Sub-plan

Special Central Assistance is an additional grant to Tribal Sub-plan to be utilised mainly for the family oriented income generating programmes and infrastructural development of tribal areas. As the Tribal Sub-plan strategy covers the Tribal families both within the area & outside the Tribal Sub-plan areas and accordingly SCA has been allocated for implementation of scheme within ITDP area & outside ITDP areas.

SPECIAL CENTRAL ASSISTANCE UNDER TRIBAL SUB-PLAN

(Rs. in lakhs)

Year	Allocation	Released by Govt of India	Expenditure
1992-93	1026.00	1077.61	936.61
1993-94	1128.00	1087.57	1038.75
1994-95	1340.00	1112.67	1110.26
1995-96	1488.00	1524.71	823.80
1996-97	1545.00	1460.00	939.89
1997-98	1545.00	1460.00	938.11
1998-99	2327.00	2042.56	2125.00

In the annual plan the State Government has proposed allocation of Rs. 2449.00 lakhs of SCA under ISP during 1999-2000 for implementation of FOICS, infrastructure development programme and monitoring and evaluation. The target for POIGS has been proposed to 42,699 Nos. of ST(Plain) families during 1999-2000.

Follow up Programmes

One of the major constraints of tribal development in Assam is the lack of follow-up programmes on the part of the implementing agencies of the tribal development programmes at the field level. This is by and large true in respect of the implementation of the family beneficiary schemes as has been revealed by evaluation studies. Once benefit is given to the beneficiary, the duty of the officer considers that the physical target is achieved and his duty is over.

The constraints for the development, are apparently not visible at the first sight. Some of the constraints expressed by the people are discussed below :

Social Prestige Versus Savings and Investment

The existing social system with its own cultural norms and values, ethics, customs, etc. prevalent amongst the tribal people of Assam, both hills and plain, are not conducive to savings and investments which are two major dynamics of economic development. It is, however, not a fact that savings is totally absent in the tribal societies. Whatever savings some well-to-do tribal families of each community might be having, it is generally not invested for further production of goods and services. Savings enhance the prestige and social status of a tribal family in the eyes of the community. However, these families generally entertain the community members in lavishly arranged and expensive entertainments, like feasts and religious rituals, to further enhance their prestige. The social image of the concerned family results in the draining out saving. Thus saving is invested in non-economic activity.

Corporate Life of Tribal Communities

The tribal social system is based on their corporate life formed and maintained through the institution of kinship. Under such a system, a family has obliging needs for other fellow members not only of sharing the economic activities but for collective consumption also. In the Karbi society, a poor family which can hardly arrange two square meals a day for its family members can go to a well-to-do Karbi family of the same village and have a daily share of food until the development departments posted in the tribal areas come forward to help the family. Eighteen Orientation Training Courses have been conducted and about 700 Officers have been trained.

Monitoring and Evaluation

Although monitoring is the bridge between the concept and reality and a feed back mechanism from the field to the top administration level and vice-versa, it has become only one way channel in Assam so far as the monitoring of the tribal Sub-plan, Hill Areas Development Plan schemes and Point II(B) of the 20 Point Programme schemes are concerned. The progress reports on the implementation of the schemes are monitored from the bottom to the top, but not from the top to the bottom with suggested remedial measures or with modifications of the schemes wherever considered essential. The most tragic part of this game is the absence of any column in the proforma meant for monitoring wherein the difficulties faced by the implementing agencies at the field level could be recorded and subsequently remedied. In the monitoring forms suggested by the Ministry of Welfare (Tribal Development Division), Government of India, such columns are clearly indicated.

Secondly, we do not have adequate number of evaluation studies on tribal development programmes from which we can assess the reasons for success or failure or partly failure and partly success of the schemes so that in the

formulation of future schemes these factors could be taken into account and the schemes could be oriented accordingly. The Tribal Research Institute, Assam has however, completed a number of evaluation studies, the findings of which are taken into account and discussed as well in the meetings of the State Advisory Council for Scheduled Tribes, in the Working Group discussion with the Planning Commission and the Annual Tribal Sub-plan discussion with Ministry of Welfare, Government of India.

The concurrent evaluation which is to be done by each concerning development department while the schemes are being implemented hardly in Assam, both hills and plains.

To conclude, I have found that tribal development is a part of the whole gamut and development and can not be discussed and understood in isolation or without referring to the national process of development. While some of these constraints are easily discernible, others are not.

In 1986, while enunciating the five principles of tribal development, commonly known as "Panchsheel" for Tribal Development, late Prime Minister Jawaharlal Nehru said "Results should be judged not by statistics, but by the quality of human character that is evolved".

Experience shows that at present the results are judged not only by statistics but also by the amount of money spent. Development is measured with the help of statistical figures in physical and financial terms. A village, whether in tribal area or in general area is called electrified whenever the electric lines are taken through the village even if the line is not charged with power or without having a single consumer. Mere construction of a medical institution in a far flung tribal area cannot be called development by showing the adjacent villages under health coverages if this institution is not manned by medical and other personnel and are

not provided with requisite facilities for treatment of diseases. Mere completion of a minor irrigation project shall carry no meaning of development if the prospective beneficiaries do not get irrigated water when they actually need it. Similarly, allotment of a house site to a landless poor tribal family in a water submerged area has no developmental meaning at all, although as a statistical figure of achievement it is alright. Thus, negation of the actual fruits of development to the groups cannot be called development in the true sense of the term, although they are statistically measured both from the point of view of physical and financial achievements. Nevertheless, an officer of a development department is considered efficient if he is capable of spending the entire plan fund at his disposal for the implementation of a certain scheme or schemes meant for the development of the tribal people subsequently resulting in the achievement of the assigned physical targets even if the benefits from the scheme or schemes implemented by him do not actually percolate to the target groups.

Poverty Line

Under Point II(B) of the newly framed 20 Point Programme, poverty alleviation schemes are implemented so as to enable the poor tribal families to cross the poverty line through family beneficiary income generating schemes. But unfortunately we do not have accurate data regarding the percentage of tribal families who are below the poverty line. Without knowing the actual number of tribal families who are below the poverty line, attempt to implement the poverty alleviation schemes is not going to produce the desired result.

The data on the number of families below the poverty line thrown up by different agencies are not uniform. According to the National Sample Survey, in Assam 23.6 % of the families is found to be below the poverty line during the year 1983-84, while the study report prepared by the Agro-Economic Research Centre for North-East India, Jorhat, for the aforesaid year shows that in Assam

52% of the families is below the poverty line. A sample survey carried out by the Tribal Research Institute, Assam in 1987 to find out the extent of alienation of tribal lands, reveals that within the tribal belts and blocks the percentage of families below the poverty line was 47, outside the tribal belts and blocks it was 31 and in the hill areas the percentage was 24.88. Under such circumstances the development agencies implementing the poverty alleviation schemes find it difficult to fix the targets.

But the matter does not end here. The poverty line fixed at Rs. 6,400.00 at the beginning of the 7th Five Year Plan tends to remain constant even after four years, although the price index has been constantly rising during these four years beginning from 1985-86 and it now appears that the poverty line in monetary terms has such a thick crust that the point of the arrow of price rise can hardly penetrate.

Necessity of Authentic Data

For any development planning the most important requirement is the availability of reliable data on the tribal population of Assam, both for plains and hills. For the hill areas of Assam there is no status paper based on survey of villages inhabited by different ethnic groups. The Tribal Research Institute, Assam, however, has been conducting a Bench Mark Survey in the Hill Areas since January 1989.

Personnel Policy

In the formulation, implementation and administration of tribal development programmes, personnel policy is a very important matter. The National Committee on the Development of Backward Areas of the Planning Commission in its report (1981) observes- "Good administration of tribal areas is the key to success in tribal development, particularly during the transitional phase, when the

economy may undergo structural change and the community may face enormous challenges". The Working Groups on Tribal Development constituted by the Planning Commission for each of the Five Year Plans beginning from the 5th Plan has also been emphasising that the tribal development programmes should be implemented by dedicated and trained personnel. Without the knowledge of the socio-cultural factors that govern the tribal societies, a development agent can hardly play his role in the desired way. Very often the officers consider it to a great relief when they are transferred from the tribal areas.

As there is no clear cut personnel policy in respect of development administration in the tribal areas in Assam, the officers should not be blamed alone. The various forms of incentives that are necessary for the officials posted in tribal areas are more or less lacking. Compensatory allowance, scholarship to children, free residential accommodation, promotional avenue for efficient employees, option to the place of posting after successful service in the tribal areas, at least for a period of five years, etc. are suggested incentives that may go a long way in reducing the feeling of dissatisfaction among the employees posted in the tribal areas.

In Assam, except the compensatory allowance the other forms of incentives, have yet to make an entry. In the hill areas of Assam compensatory allowance in the form of hill allowance has been in operation since the First Plan period. As far as the tribal Sub-plans are concerned, out of 19 Integrated Tribal Development Projects only four fully and two partly have been covered, under the scheme of compensatory allowance.

The Project Director, who is the administrative head of an ITDP is drawn from the Senior Assam Civil Service Cadre and except a special pay of Rs. 200.00 per month, he is deprived of other facilities to which he is entitled had

he been posted as an Additional Deputy Commissioner in a district headquarter. Moreover, he is simply a co-ordinating officer, without having any financial power and the District and Sub-divisional Officers formulating and implementing the tribal Sub-plan schemes are not under his control. The Project Director cannot take any disciplinary action against any erring officer and he can at best write to the Government stating the facts.

So far as the training aspect is concerned, the Tribal Research Institute, Assam, has been taking effective steps to train the personnel stock of food stuff. From the point of view of economic development such a social system rather retards the progress by making people dependent and lethargic although the social value of such a system is of very high order.

Another example of the social system prevalent among the Zeme Nagas of the North Cachar Hills is worth mentioning. The members of the the boys' Morungs (Dormitory) of a Zeme village have a great responsibility towards a girl married to another village. When a Zeme girl is married to a Zeme boy of another village, all the young members of the the boys' Morungs of the village (Henngsenki) have to go to the village of her husband and work in the *Him* land of her husband for one season beginning from the cutting of jungles upto the completion of harvest. This is done since the married girl is considered to be the daughter of a family of the village. In return, the youths get nothing except a big pot of rice beer and a pig. From the point of view of social obligation there is nothing objectionable about the system. However, the families of the labouring boys gain nothing economically.

Absence of Entrepreneurship

Absence of entrepreneurship amongst the tribal communities of Assam is one of the major problems of economic development. Although there are

available resources in the tribal inhabited areas of Assam for acceleration of economic development, nonetheless, innovative entrepreneurs with new ideas, drive and initiative from amongst the communities to identify the resources and potentialities to take up production, distribution and marketing of already existing or new products specially in the secondary and tertiary sectors are not forthcoming at all. Even in the primary sector, meaning agriculture, entrepreneurship is not forthcoming to the desired extent.

Problems Created by Stray Cattle

The tribal societies in Assam are primarily agrarian ones and as such agriculture plays the most important role in their economic life. They generally raise one single paddy crop in a year although most of them would have liked to raise a double paddy crop in a year had there been no stray cattle menace. In Assam not only in the tribal areas, but in most of the other areas also the people use to tend their cattle during the period of summer paddy cultivation only. Practically for the remaining six months cattle are let loose. The stray cattle not only destroy vegetation but cause heavy damage to the standing Rabi crops and vegetables. These tribal people who want to raise the second paddy crop find it extremely difficult because of stray cattle menace. Fencing around the paddy field is very costly since the price of bamboo is high. To erect fencing by purchasing bamboos and spending a few mandays are uneconomic since the cost benefit ratio does not support such a venture. In the North Cachar Hills, the Dimasas who themselves rear large number of buffaloes had once brought the matter of stray buffalos destroying their standing crops to the notice of the administration although the people themselves are responsible for this. Nowhere is India except the North-East, the problem of stray cattle has such a magnitude. Attempts to boost up agricultural production during the Rabi season can hardly succeed without solving the problem of stray cattle.

Shifting of villages in Karbi Anglong

In the Karbi Anglong district the Karbi villages which solely depend on shifting cultivation have a system of shifting the villages to the new Jhum sites. The people are also very susceptible to superstitious beliefs. If the medicine man declares that a particular village is haunted by ghosts and evil spirits, that village site is also abandoned and the entire village is taken to a new site. Since the position of a Gaonburha (Village Headman) is held in high esteem by the Karbi society and a village is named after the village headman, a new aspirant for this coveted post along with his followers takes away a part of the village to a new site where he establishes a new village and becomes the Gaonburha. Since the village sites are not permanent, development works of permanent nature cannot be undertaken which again retards the progress of the people like the Karbis.

Paikas Versus Adhi

Among the Karbis living in the plains portion of the Karbi Anglong district they have a system of allowing their land to be cultivated by non-tribals for a certain period for advance payment in cash and this system is commonly known as 'Paikas'. This system is so harmful that a Karbi family can hardly get out once it enters into it. In a survey conducted in 1973, it was found that about 60% of the Karbi families were affected by this system and it was rather astonishing to find that a family having 30 bighas of fertile land was in no way better than a landless family since all the cultivable lands were given on 'Paikas' and as a consequence the family members were found to be half-starved. Realising the gravity of the problem the Karbi Anglong District Council has by an enactment called Karbi Anglong District (Land Reforms) Act, 1979, prohibited the 'Paikas'.

In a recent survey carried out by the Tribal Research Institute, Assam in 5 Karbi inhabited villages it is found that 473.3 acres of land belonging to 18.83%

of the families have been alienated to non-tribals. Paikas (26.42% of alienated land) and Adhi (66.76% of alienated land) together constitute 93.17% of the total alienated land.

Paikas has been continuing in a moderate scale in spite of its prohibition by law. People have resorted to Adhi (50:50) more and more since Paikas is banned. The most interesting fact, however, is that the Paikas holders now do not insist on written documents regarding the terms and conditions of Paikas. The land owners are induced by the Paikas holders to introduce them (Paikas holders) as 'Kamlas' meaning wage earning labourers of the settlement holders. This has made detection of Paikas difficult. Many Paikas holders fearing detection declare themselves as 'Adhiar' or share croppers.

Brewing of Rice-Beer

For the observance of socio-religious festivals as well as for entertainment of guests, rice beer in most of the tribal societies of Assam is indispensable. However, people use to brew rice-beer in huge quantities more than what is actually required and this aggravates their economic conditions. In a case study of a rice-brewing Karbi family, it was found that the family which could have sold 7.50 quintals of paddy annually is required to purchase 10 quintals of paddy by mortgaging its land only to meet the needs of brewing of beer from rice.

Gambling in Weekly Markets

The weekly markets in the interior tribal areas of Assam are the heavens for the gamblers. On the market day the villagers are induced to take part in the gambling dens which are installed in the vicinity of the market. The villagers do not hesitate to spend whatever they earned by selling their home produce. One can think of the conditions of the tribal people whose cash money is drained away by the unscrupulous gamblers.

There are many constraints of tribal development in Assam of which major constraints like land alienation, indebtedness, problems of marketing, jhumming, ownership of land in hill areas and so on are discussed in the chapter, viz., “ST MLAs and IMPORTANT ISSUES” of the thesis. So far as the remedial measures in respect of the visible constraints are concerned, the Government and other concerned machineries like the DRDA should come forward and take the lead. But so far as the invisible constraints are concerned, the drive and initiative must come from within, that is to say, from the tribal societies themselves and their traditional institutes can play a major role in this respect.

So far we have been experimenting with various types of development strategies for tribals such as Community Development Block approach, Special Multipurpose Development Project approach, Tribal Development Block approach, Tribal Sub-plan approach, Hill Areas Development or Six-Scheduled Area Development approach and so on beginning from the 1st Five Year Plan till the 7th plan. If one particular strategy is found to be ineffective, then we switch over to another forgetting totally that the same approach may not yield to desired result throughout the country. The policy formulators and planners, should keep in mind that the tribes of north east are really an exception. Experiences tend to indicate that area-specific approaches will be more productive

The tribal communities of Assam and for that matter the tribal communities of the North-East are at various stages of development. Among different communities or within a community disparity is evident. It is also observed that the more advanced tribes are getting the lion's share of benefit depriving the due share admissible to the backward tribal communities. One of the basic objectives of tribal development is to bridge the gap of development. Here arises the most important question: *Where we have failed to bridge the gap between an advanced tribe and a backward tribe? How can we bring the tribal areas at par with the general areas from the development point of view?*

I would, therefore, submit that there is a need for a new approach to tribal development in which formulation of data based developmental plans for each tribal community could be drawn up and executed accordingly, taking into account the needs, aspirations and cultural factors of the members of the community. Active and committed role has to be played by the ST MLAs for the promotion of the tribal societies by enhancing the quality of manpower. They have a responsibility not only to prepare the plan, but they must also monitor the implementation of the plan for the greater interest of the tribal societies.

The Planning, Programming and Budgeting in the Hill Area are within the jurisdiction of the District Council of Karbi Anglong and North Cachar Hills Districts of Assam. The MLAs do not have significant role in it except participating in the discussion on the allocation of the Budget provided by the Central Government to the District Council through the Assam Government. It is necessary to highlight the outline of the Planning, Programming and Budgeting (PPB) in the hill areas.

Development of Hill Areas

Assam Hill Areas comprise of two Autonomous Hill Districts, viz. Karbi Anglong and North Cachar Hills Districts. These two districts cover an area of 15,222 sq. km. i.e. about 19.30 % of total area of the State. The total population of this area (as per 1991 census) is 8.05 lakhs. The Hill Areas of Assam are recognized as the designated Hill Areas in which Hill Areas Development Programmes has been in operation from 5th Five Year Plan. Under this programme special central assistance is given to designated Hill Areas over and above normal plan assistance in order to supplement the efforts of the State Government for development of these economically fragile areas.

General Review of Eighth Five Year Plan

The 8th Five Year Plan for the Hill Areas envisaged an outlay of Rs.71299.09 lakh of which Rs.39504.59 lakh was under State Plan and Rs.31794.50 lakh was under Additional Plan. The final Annual 8th Five Year Plan allocation became Rs.51334 lakh which comprised of Rs.31900 lakh for State Plan and Rs.19434 lakh for Additional Plan. During the 8th Five Year Plan Social Services were given highest priority in order to provide larger and improved cover under education, drinking water, medical and health sectors. Roads and transport sectors were also given due importance. Agriculture and allied Services (18.32%), irrigation and flood Control (7.7%) we also received due attention in the 8th Five Year Plan.

Allocation and Expenditure during 8th Five Year Plan :

	8th Plan Outlay	Annual Five Year Plan total allocation to the Deptt.	Total expenditure incurred for Five Years
State Plan	31900 lakh	38053.50 lakh	36921.34 lakh
Additional Plan	19434 lakh	21761.50 lakh	20884.93 lakh
Total	51334 lakh	59815.00 lakh	57806.27 lakh

During the 8th Five Year Plan an amount of Rs.31900 lakh was originally allocated under the State Plan. The expenditure against this amount was Rs.36921.34 lakh. Therefore there was a shortfall of Rs.5021.34 lakh mainly in the sector of agriculture, animal husbandry and veterinary, forest, irrigation, flood control, industry sericulture, roads, education, health, water supply, social welfare over the original allocation of 8th five year plan.

Similarly in the Additional Plan (SCA) Rs.19434 lakh was allocated against which expenditure of an amount of Rs.20884.93 lakh was incurred over this

original allocation. Therefore, there was a shortfall of Rs.1450.93 lakh mainly in forest, irrigation, water supply sectors.

During the Annual Plan 1997-98 an amount of Rs.13842 lakh has been allocated out of which expenditure of Rs.1763.99 lakh has been incurred during the 1st quarter of Annual Plan ending on 30th June '97. This amount is 12.74% of the total allocation during 1997-98.

Role of Autonomous District Council in the development programme of the Schedule Hill Districts and its functional relation with State Government Department.

1. Para 6(2) of the Sixth Schedule deals with functions relating to certain State subjects which may be entrusted to the council for execution or management. The two autonomous district councils have been entrusted developmental functions relating to 30 subjects like industry, animal husbandry and veterinary. forest, agriculture, public works department, sericulture, education, cultural affairs, soil conservation, co-operation, fishery, panchayat and rural development, handloom and textiles, health and family welfare, public health engineering, irrigation, social welfare, flood control, sport and youth welfare, weights and measures, food and civil supplies, town and country planning, college education (General) including library services, district museum, archaeology, land reforms, publicity, printing and stationery, tourism, transport, excise, finance vide OM No. HAD. 57/95/63-64 Dated 29-6-95 and No. HAD. 57/95/Pt/162 Dated 19-10-95. The autonomous council has full power and responsibilities with regard to the approval/sanction, choice of location of projects and construction and management. They are fully accountable for such schemes entrusted to them. The divisible sectoral outlays under

'Entrusted' functions are generally apportioned between Karbi Anglong and North Cachar Hills Districts in the ratio of 70:30.

2. To enable the autonomous district councils to finance the expenditure on the schemes, transferred to them in two six-monthly advances one in April/May and the second in September/October, are given under such relevant sectors. The funds thus placed at the disposal of the Councils are utilized as per the approved sectoral Plan. The funds provided for agriculture and allied programmes, primary education and rural water supply cannot be diverted to other use nor can the plan fund be diverted for non-plan purposes. For transfer of fund by the Council from one major head of development to another major head for development, State Government's concurrence is required. They are, however, fully competent to sanction reappropriation from one scheme to another within the same major head. They also have full power for issue of financial sanctions, administrative approval etc. in respect of 'entrusted' schemes. The district councils are fully responsible to the State Legislature in all matters relating to the transferred funds to them and for this purpose the Principal Secretary and other Secretaries to the Executive Committee are made available for examination by the PAC and other Committees of the legislature.

The measurement of reserved forests are also entrusted to the Autonomous District Councils except that the State Government retains the powers regarding the dereservation, settlement of forest villages, forest resources survey, forest research and working plan matters. Long term leases beyond three years can be granted by the Autonomous District Council only with the prior approval of the State Government. Subject to these conditions the Autonomous District Council is entitled to constitute Mahals, Coupes, etc. settle them and derive revenue

therefrom. All expenditures relating to the management of the reserved forest which are financed from the normal budget are borne by the Autonomous Councils. The wild-life preservation except sanctuaries is also a subject in the jurisdiction of the Autonomous Districts Councils.

New Proposals for devolution of more functions and effective Control/Coordination of Hill Plan

In the matter of preparation of plan and non-plan budget for the two hill districts, the two Autonomous District Councils are given full independence under Para 13 of the Sixth Schedule. Together with the entrusted of function some administrative changes have also been made for allocation to the Council to have full control over the officers and staff posted under the respective Autonomous Councils.

In respect of the entrusted subject/departments, the council shall prepare the Annual plan allocation against each sector by following norms and guidelines of the Planning Commission of the Government of India. The Council shall send the Annual Plan in respect of the entrusted subjects/departments to the Development Commissioner for Hill Areas of the State Government for inclusion in the Hill areas Sub-plan of the State. The other plan activities such as evaluation, monitoring, compilation, quarterly review etc. of the Hill Areas Sub-plan are performed by the Development Commissioner for Hill Areas of Assam.

The Planning Board for Hill areas also reviews periodically progress in implementation of Hill Plan and deliberates on important policy issues concerning strategy.

Certain difficulties experienced by the Autonomous District Councils in the effective implementation of entrusted Plan Schemes

In accordance with the arrangement made for financing the entrusted plan

schemes two 2 six monthly advances are given to the autonomous district council. It has been seen that the schedule of release is not strictly followed by the Development Departments resulting in delay in the release of fund to the autonomous district councils. The delay in release by the government leads to delay in giving administrative approval/sanction by the autonomous district council, consequently the implementation suffers. Timely release of fund to the autonomous district council, both plan and non-plan, is necessary to allow sufficient time for planning expenditure by the autonomous district councils.

Strategy and Approach for Development of Hill Areas

1. The Hill Areas of Assam constitute a homogenous region with some variation in altitude, topography and proximity to adjoining plains. The North Cachar Hills is mostly mountainous whereas the Karbi Anglong District has hilly and undulating terrain interspaced by large plain tracts. Different tribal ethnic communities like Karbi, Dimasa, Kuki, Bodo, Hrang Khoi, Jaintia, Zeme Naga, Lalungs, etc. inhabiting the Hill areas have strong traditional bond of amity and co-existence. Traditional lifestyle, community action, spirit of self-help are the strongest sources of its strength. The hill areas are characterised by sparse population, undulating lands, good vegetational cover, scanty infrastructure of roads, communication, primitive and subsistence agriculture, lack of social services, etc. Application of technology in the hill economics is almost non. There has been intensive exploitation of local resources, particularly forests. With the population pressure increasing the delicate balance between the population and natural resources appear to be getting seriously disturbed. The autonomous district councils have to assume an effective role of legislating, regulating and enforcing measures to safeguard the fast depleting natural resources and make the people mindful of the consequences of unwise utilization of resources.

2. The ultimate objective of the hill areas development programme is to provide secure basic life-support system and judicious utilization of land, water and bio-logical resources. Realising that the ecosystem of the hills, valley and plain are interdependent, major challenge lies in the effort to harmonise the developmental activities in these geographical sub-system on complementary basis. The development and protecting of catchment areas in the hills is crucial to prevent flood ravages in the plains of Nagaon, Golaghat and Cachar district. Having considered the paramount need to protect our fragile hill ecology the focus of attention next has to be on the common man with all development activities attended to his basic needs.
3. The priority for development in the hill areas has to follow some what different pattern from that of the general areas of the state. Greater emphasis has to be given to Development of Basic Infrastructure, Social Services, Diversification of Agriculture, Forest Conservation, Roads and Transport, Tourism, etc. Poverty amelioration and employment generation has to be the main central objectives of the entire development efforts.
4. Scarcity of land in hills for settled crop cultivation calls for diversification of agriculture with accent on horticulture cash crops, plantation crops, upgradation of livestock, promotion of income will enable the predominantly jhum economy of the hill to achieve a measure of self-reliance.
5. The main thrust of the integrated Jhum Development Programme is concerned with improving the living conditions of the hills tribal people by inducing them to give up the old and ecologically harmful practice of jhum or shifting cultivation by speeding up various infrastructural facilities by way of provision of food, security, roads,

social services like water supply, education etc. Attempts were made to integrate the activeness of the line department and projectised approach adopted. Under the Integrated Jhumia Development Programme in the Karbi Anglong District there are compact Areas Development Project (CADP) at Hamren and four members of Mini Compact Area Projects (MCAP), viz. 1. Mihungdisa, 2. Hidipi, 3. Rongmongve and 4. Samelangso are continuing. In the North Cachar Hills District, apart from the IJDP projects, there are two Mini Compact Area Development projects, viz., 1. Digerkuki and 2. Jinal Valley. The name, location, village and families covered by these projects are as follows :-

Name of project	Village	Families covered
<u>Karbi Anglong :</u>		
Hamren CADP	36	1488
Miyungdisa MCAP	16	200
Hidipi MCAP	12	239
Rongmongve/Samelangso	60	932
<u>N. C. Hills</u>		
Jinam Valley	10	375
Digerkuki	10	300

Primary objective of all the projects is to settle the Jhumia families in wet cultivation by providing them with terraced/reclaimed valley bottom lands and means of earning income through alternative or an ancillary economic activities.

6. To improve the quality of life in these difficult hilly areas, larger investment in social services are called for. The common man does not have easy access to services like education, health, water supply etc. The cost of providing a services in the hills is inordinately high. The

difficult terrain, distance involved and lack of cheaper transport mode, increases transportation costs of goods and materials, climate and terrain also add to construction and maintenance costs in terms of physical specifications and added incentive to be paid to the construction agencies, labour staff and transport cost. All-these result in high costs of construction. and maintenance of roads, buildings, irrigation/water supply schemes, power transmission lines, etc.

It is necessary that the development plans are built up in association with the people enlisting full support of their traditional and communal institutions. It will have to be ensured that the development activities and system of delivery are in harmony with the social milieu. Any change that may be necessary should be planned on their traditional system thus making minimal changes, yet achieving speedy transformation.

The autonomous district councils, being democratic decentralised institution closer to the grass roots have tremendous role and function in articulating and projecting in the plans of the aspirations and needs of the people. It has to be the nucleus of all development activities. Appreciating the role and responsibilities of the autonomous district councils the state Government have entrusted developmental functions to them. To enable them to discharge their planning and financial machineries and delegate to them necessary administrative, financial and operational powers including realistic functional control over the officers posted to these autonomous district councils.

General Overview of Important Sectors

The economy of the two districts of Assam depend mainly on agriculture and 90% of the total population are engaged in it. Therefore, bringing about significant development of the two Hill Districts through planned development of agriculture deserves prime consideration.

Reference

1. Hazarika, Dr. Niru – Profile of Youths Organisation North East India.
2. Source - Tribal Sub-plan Document 1994 Assam.
3. Ibid
4. Census Report 1991, Assam.
5. Tribal Sub-plan 1994-95 to 1999-2000.
6. PRC Act and SC and ST Prevention of Atrocities Act,
7. Tribal Sub-plan 1999-2000.
8. Tribal Sub-plan 1999-2000.

Chapter IV

ROLE OF ST MLAs IN THE ASSEMBLY

This chapter has been prepared on the basis of the questions and issues raised by the ST MLAs on the Floor of the House. Altogether 67 MLAs belonged to the Scheduled Tribes Communities during 1972-96. Out of 67 MLAs 28 ST MLAs elected from unreserved seats (see Appendix 9A to 9L). The notable feature in this context is that the regional political parties are more popular amongst the ST members than the national political parties. Of these regional political parties PTCA, ASDC, AGP, and UNTLF may be mentioned. As regards the national political parties the Congress and the CPM influence them to some extent.

The application of democracy to the large nation state has been made possible by the device of representation, resulting in indirect democracy. The voters elect representatives to legislate for them. The representative Legislatures rest, in the ultimate analysis, on the assumption that the people can delegate the exercise of the legislative portion of their sovereign power to elect deputies or representatives.

The Legislature is a forum where the elected members ventilates the grievances of the people of the constituency in particular which they represented and expose the inadequacies and short comings of the administration. The legislators have to play a very crucial role and they do so by utilizing the procedures laid down in the rules of procedures of the House. The rules of the

House contain provisions for putting questions during question hour to obtain information. If the information furnished by the concerned Minister is not adequate or incomplete, the members may obtain the complete information by giving notice of half an hour discussion on a matter of public importance arising out of answers to questions in accordance with the relevant rules. The members may also give notice of short notice Questions, calling attention to a matter of urgent public importance and notice to raise discussion for a short duration Discussion on this item may not exceed two and half hours. The member may also give notice for adjournment of the House for the purpose of discussing a definite matter of urgent public importance.

It may be noted that the notices of different items of business, viz, Questions, Half an hour discussion on the matter arising out of answer to questions, short Notice Question, calling attention notice and notice for short duration Discussion, Adjournment Motions are admitted by the speaker on fulfillment of the conditions laid down in the rules of procedure of the House. Therefore the members have to be careful in taking the notices for different items to ensure that the same conform to the conditions laid down in the Rules of procedure of the House.

In addition to the facilities mentioned above to raise public grievances of the people, the members may utilize other opportunities through devices, viz, during the debates on Governors Address which outlines the Government policies and also during the General discussion on the Budget and voting on Demands for grants, members may also give notices of cut motions to various demands for grants to raise discussion to expose the inadequacies in administration.

These facilities of raising issues on the floor of the House may prove the talent of the members. Further a member may bring to the immediate notice of the chair what he thinks a breach of order in transacting the business of the House

and he may ask for guidance and help of the chair in respect to any breach of procedure. The members may raise a point of order interrupting debate or business of the House.

The point of order relates to the Rules of procedure and conduct of business in the state Legislature or conventions or such Articles of the constitution of India, which regulate the business of the House. And this must be raised with the permission of the chair. A point of order may be raised only when the doubt arises and where there is no clear provision made in the rules of the House.

The right to raise and formulate a point of order is a valuable right of a member and can be exercised by him at any time on a matter or any business then and there under discussion. When a point of order is raised it has an effect of suspending the proceedings of the House. The member is allowed to speak on the point of order being raised. No debate is allowed on the point of order. But the chair may hear the members before giving decisions. A member wishing to raise a point of order has to be heard by the chair before giving his decision there on, which is final, The member cannot protest against the Chair's ruling which, if so is supposed to be the contempt of the House and the Chair.

Looking to the Assam Legislative Assembly as a whole it reflects the multicolour culture of the Assamese society. It represents the aspirations of all the sections of the society and guides the Government to honour popular will. Parliamentary institutions embodying the will of the people are the head and front of democracy in India. In order to further extend and strengthen democracy these institutions have to be responsive to the needs and aspiration of the people.

During the period from 1972 to 1994 the Assembly sitting days was 892 and 18,578 questions were raised and answered in the House. During this period 399 Acts were passed. The yearwise breakup of these data is given as below:

**STATEMENT SHOWING YEARWISE NUMBER OF QUESTIONS
ANSWERS AND ACTS PASSED**

Year	Number of Days of Sitting	Number of Questions Answered	Number of Acts Passed
1972	53	790	30
1973	53	1026	19
1974	50	819	27
1975	47	1328	16
1976	44	492	21
1977	42	478	23
1978	50	482	19
1979	46	427	14
1980	President Rule	NIL	13
1981	10	66	7
1982	2	NIL	3
1983	27	197	13
1984	35	355	23
1985	28	215	16
1986	41	532	20
1987	38	1580	14
1988	43	2354	9
1989	52	2330	23
1990	35	994	22
1991	14	237	8
1992	29	1140	8
1993	25	846	18
1994	26	2894	33



TOTAL ASSEMBLY CONSTITUENCIES : 126
TOTAL S.T. RESERVE CONSTITUENCIES : 15

River (Blue line)
S.T. (Light grey box)
Reserve constituencies (Dark grey box)
Others (Constituencies) (Light green box)



ASSEMBLY CONSTITUENCIES

- 93. BOKAKHAT
- 94. SARUPATHAR
- 95. GOLAGHAT
- 96. KHIURTAI
- 97. DERGAON
- 98. JORHAT
- 99. MAJULI (ST)
- 100. TITABAR
- 101. MARIANI
- 102. TEOK
- 103. AMGURI
- 104. NAZIRA
- 105. MAHMARA
- 106. SONARI
- 107. THOWRA
- 108. SIBSAGAR
- 109. BIHPURIA
- 110. NAOBOICHA
- 111. LAKHIMPUR
- 112. DHAKUKHANA (ST)
- 113. DHEMAJI (ST)
- 114. JONAI (ST)
- 115. MORAN
- 116. DIBRUGARH
- 117. LAHOWAL
- 118. DULAJAN
- 119. TINKHONG
- 120. NAHARKATIA
- 121. CHABUA
- 122. TINSUKIA
- 123. DIGBOI
- 124. MARGHERITA
- 125. DOOMDOOMA
- 126. SADIYA

- 35. ABHAYAPURI SOUTH
- 36. DUDHNOI (ST)
- 37. GOALPARA EAST
- 38. GOALPARA WEST
- 39. JALESWAR
- 40. SOBHOOG
- 41. BHABANIPUR
- 42. PATACHARKUCHI
- 43. BARPETA
- 44. JANIA
- 45. BAGHBAR
- 46. SARUKHETRI
- 47. CHENGA
- 48. BOKO
- 49. C-HAYGAON
- 50. PALASBARI
- 51. JHALUKBARI
- 52. DISPUR
- 53. GUWAHATI EAST
- 54. GUWAHATI WEST
- 55. HAJO
- 56. KAMALPUR
- 57. RANGIA

- 1. RATABARI
- 2. PATHARKANDI
- 3. KARIMGANJ NORTH
- 4. KARIMGANJ SOUTH
- 5. BADARPUR
- 6. HAILAKANDI
- 7. KATLICHERRA
- 8. ALGAPUR
- 9. SILCHAR
- 10. SONAI
- 11. DHOLAI
- 12. UDARBAND
- 13. LAKHIPUR
- 14. BARKHOLA
- 15. KATIGORA
- 16. HAFLONG (ST)
- 17. BOKAJAN (ST)
- 18. HOWRAHGHAT (ST)
- 19. DIPHU (ST)
- 20. SAITHALANGSO (ST)
- 21. MANKACHAR
- 22. SOUTH SALLMARA
- 23. DHUBRI
- 24. GAURIPUR
- 25. GOLAKGANJ
- 26. BILASIPARA WEST
- 27. BILASIPARA EAST
- 28. GOSSAINGAON
- 29. KOKRAJHAR WEST (ST)
- 30. KOKRAJHAR EAST (ST)
- 31. SIDLI
- 32. BONGAIGAON
- 33. BIJNI
- 34. ABHAYAPURI NORTH

The researcher has attempted to bring out the important issues raised by the ST MLAs (along with the name and the number of the constituency) on the floor of the Assam Legislative Assembly during the period from 1972 to 1996. The following is an account of issues raised by the ST MLAs on the floor of the House.

AKAN RABHA (Dudhnai, 36)

Shri Akan Rabha raised several questions which were related to the problems of Assam as a whole. He took active role in requesting the Government of Assam to implement Assam Accord signed by the representatives of All Assam Students' Union, All Asom Gana Sangram Parishad and the Government on 15th August, 1985 after a six year long movement against illegal foreign nationals ushering a new era in the political world of Assam. The issues were -

- Assam Accord
- Border between Assam and Meghalaya States
- Preservation of forests
- Improvement of Commerce College, Junior Technical and Polytechnique
- Electrification of villages
- Veterinary Hospital
- Development of Industries and Agriculture in his constituency
- Transport system in Goalpara District
- Water Supply
- Lower Primary School
- Formation of Dudhnai and Ranjulee Sub-Division

- Road Construction from Ranjulee to Athiabari
- Permanent Building Construction of L.P. School
- Permanent Road Construction with Black Topping in Dudhnai Constituency.
- Facilities to be given to Garo Tribal Residing in Dudhnai on Assam

AMRITLAL BASUMATARY (Kokrajhar West, 29)

Amritlal Basumatary was more attracted by the problems of the scheduled tribes. The issues raised by him were development oriented. These were,

- Handloom and textile
- Health and family welfare
- Consumption problem
- District Rural Development Agency
- Corruption
- Governments inability to solve the problem of tribals
- Sports
- Co-operative Sugar Mill
- ARTFED
- Tribal Development Corporation
- Foreigners Problem
- Organisation of co-operative societies
- Naranarayan Setu (the third bridge over Brahmaputra)

- Agricultural products
- Flood control
- Reopening of Ashok Paper Mill as per Assam Accord.
- Implementation of Assam Accord
- Law and Order situation.
- Forest Departments Protection of Forest Lands.
- Protection of Tribal Belts and Blocks
- Repeal of IMDT Act.
- Implementation of Bodo Language as associated State Language in Kokrajhar District and Udalguri Sub-Division.
- Separate Home Land Demand of ABSU
- Irregularities of issue of old age pension.
- Central University at Kokrajhar.

ANANDI BALA RABHA (Dudhnai , 46)

Anandi Bala Rabha raised a large number of questions in the Assembly . In fact she was very active during the Assembly sessions. Her issues were -

- Construction of Railway line from Jogighopa to Meghalaya
- Agriculture
- Infiltrators from Bangladesh taking shelter in their areas.
- Industry
- Small Scale Industry
- Supply of Equipments to the Tribal women

- Prevention of wine and other alcoholic drinking
- Tea Industry, Railway and Life Insurance Corporation
- Interstate boundary
- Unemployment problem
- Vocational and Technical education
- Reservation system for women
- Employment of local youths in the Railway
- Social welfare board
- Jagiroad Spun Mill
- Assamese weavers and weaving training
- Rest room and facilities in the Government Bus Stand
- Distribution of Medicine in the Medical College
- Creation of new districts
- Homeless women
- Victim of cyclones in South Goalpara
- Refugees in Dudhnai
- Education
- Reform of state dispensaries
- Police administration in Goalpara District
- Sugar Mill
- Supply of milk
- Youth welfare

- Land allotment for agriculture.
- Land allotment to backward tribal people.
- PHC in tribal area is in poor condition, no doctor no facilities.

BAHADUR BASUMATARY (Udalguri , 62)

Bahadur Basumatary was interested to know about the establishment of Bongaigaon Circle and schools in the backward areas.

BABU RANGPI (Howraghat , 18)

Babu Rongpi asked questions relating to the development of culture of Karbi, Dimasa, Rengma, Kuki and Meitei communities living in the district of Karbi Anglong.

BARGARAM DEORI (Bihpuria , 109)

Bargaram Deori's questions were related mainly to administration in connection to his constituency. These were -

- Lilabari Airport
- Admission into the Medical Colleges
- Flood Control
- Rapseed distribution
- Reservation Policy
- Gaon Panchayat
- Gram Sevak's and their appointments

- Bihpuria Primary Marketing Society
- Fishery Department.

BHABEN NARZI (TAMULPUR, 58)

Bhaben Narzi remained within the jurisdiction of his constituency while asking questions in the Assembly. The issues raised by him were -

- Appointment of youths of Tamulpur
- Rural development
- Problems caused by malaria epidemic
- Rabha language
- Preservation of Tribal land.
- Corruption
- Spread of Education.
- Irrigation Project.

BHARAT CHANDRA NARAH (Dhakuakhana, 112)

He raised the questions relating to -

- Construction of Laipulee Bridge of Sisimukh.
- Nonavailability of Doctors in Tribal areas.
- Question relating to Bodoland.
- Establishment of school under TSP.
- Establishment of Sports office at Dhakuakhana Sub-Division.

- Construction of PWD roads
- Functions of Information and Janasanjog Department
- 30-Beded Hospital in Ghilamara.
- Child Welfare.

BILTUN G. MOMIN (Bokajan, 57)

He raised a question relating to -

- Recognition of ST Plains as ST Hills.

BIMAL GAYARI (Chapaguri, 63)

Bimal Gayari raised questions on the issues like supply of water in the scheduled tribes villages, the Assam Official Language Act, licence to the Kamrup Sugar Mill, water pump in Kalabari village, Central Agricultural Farm in Barpeta and roads, Gramdan Village.

BINAY KHUNGUR BASUMATARY (Udalguri, 69)

He raised questions relating to -

- Education in Bodo medium School.
- Improvement of Bodo medium L. P. School.
- Utilisation of TSP fund.
- Withdrawal of cases against the party activists and general people
- Ring well scheme by Mangaldoi Tribal Development Board.
- WPT and BC.

- 30-bedded Hospital in TSP area.
- Sanction of posts of the teaching faculty in Provincialised School.
- Land Reforms.
- Protection of tribal belts and blocks.
- Encroachments in belts and blocks.
- Appointment under regulation 3 (f)
- Bhairavkunda
- Appointment in PWD Department.
- Criminals in Police Custody.

BINOY KUMAR BASUMATARY (Udalguri, 69)

The questions and issues raised by Binoy Kumar Basumatary reveals his concern about the tribal communities. He however raised certain general issues. The issues which he covered were -

- Language Bill
- Border between Assam and Bhutan
- Victims in Nelli
- DRDA block level committee
- Conversion of religious minorities into Christianity.
- Backlog of quota for scheduled tribes candidates
- Assistance to the people not falling within the jurisdiction of the tribal Sub-Plan.
- Ceiling surplus land.

- Political Pension.
- STATFED
- Appointment of Gram Sevaks / Sevikas
- Provision for Power line to Tamulpur
- Arrest of Bodo youths during 1983 election
- Scholarship to the students belonging to scheduled castes and scheduled tribes.
- FCI Godown

CHARAN NARZARY (Kokrajhar West, 38)

(Kokrajhar East, 30)

Charan Narzary raised questions covering wide field of subjects from a tribal community to the state of Assam as a whole. He touched several sensitive issues also. The subjects of his choice were -

- Health departments in Kokrajhar districts. No Doctor. Non availability of medicine.
- Budgetary systems for SC, ST is not adequate.
- Reservation policy in the Government services.
- Small Scale Industries.
- Establishment of Radio Station in Kokrajhar.
- Corruption.
- Distribution of land to landless people.
- Primary education.

- Protection of tribal belts and blocks.
- Land Revenue Regulations.
- Illegal occupation of land in tribal belts and blocks.
- Developmental programmes for schedule tribes and schedule castes.
- Flood control.
- Irrigation system.
- Appointment of teachers.
- Increase of criminal activities.
- Insurgent activities.
- Problem of eviction.
- Construction of roads.
- Kaziranga Sanctuary.
- Law and order situation and individual liberty.
- Abolition of Hindi in the Kokrajhar P.G. and B.T. Colleges.
- Fishery.
- Indian Citizenship Certificate and PRC.
- University Education.
- Assam Accord.
- Assam Public Service Commission.
- Election to Village Panchayat.
- 1960 Language victims / Language Movement.
- Black marketing of Cement.

- Release of Arrested students.
- Land allotments to tribals in Dispur.
- News item appeared in news paper regarding irregularities of Ministers
- Appointment of stipendiary L.P School Teachers.
- Representative of STs in APSC.
- Flood problem and erosion. Functions of Flood Control Department.
- Unemployment problem of doctors who passed from Medical Colleges of Assam.

DERHAGRA MOSHAHARY (Tamulpur , 58)

Derhagra Moshahary raised questions relating to land and border issues. These issues were –

- Issue of patta to the tribals
- Construction of Roads
- Drinking water
- Agriculture Development schemes.
- Indo-Bhutan Border

DILIP SAIKIA SONOWAL (Dhemaji , 113)

Dilip Saikia Sonowal was very active during the Assam Assembly sessions. He also did not confine himself to the tribal problems only. The issues raised by him were-

- Corruption
- Bomb explosion
- Double lane of the National Highway (NH. 52)
- Prevention of aids.
- Appointment of ST/SC candidate as Secretary in the Panchayat
- Roster system
- Library facilities in the Dhemaji District.
- United Liberation Front of Asom.(ULFA)
- Insurgent activities in the North East.
- Food stuff
- Transfer of Sub-plan to State plan
- Bridges over the river Brahmaputra
- Irrigation system
- Foreign tourists
- Animals in the state zoo
- Flood relief
- Vigilance cell in the Education Department
- Preservation of wild life.
- Development of School.
- Construction of roads and bridges in Dhemaji constituency.
- Protest for extension of service to certain officers for indefinite period after retirement.

- Demanded to solve the Gaonburha's problem.
- Corruptions in all levels.
- Need to educate Mandal and Kanungo.
- Supply of sugar to fair price shop.
- Conditions of PHC is not satisfactory.
- Irregularities of appointments in handloom and sericulture department.
- Construction of court building at Dhemaji.
- Expressed resentment for not allotting lands to local people at Dhemaji.
- Regular issue of pension to retired and expired teachers.
- Bus service
- Registration of foreigners in employment exchanges

DIPENDRA RANGPI (Diphu , 19)

Dipendra Rongpi expressed his views and grievances of the people of the Karbi Anglong district instead of asking direct questions on the floor of the House. The issues he covered were -

- Need of Firebrigade vehicles at Bokajan.
- Governments hand behind the communal conflicts.
- Denied the allegation that non-Karbi people were tortured by the Karbis.
- Demand for autonomous state within Assam.
- Karbis were not in favour of break up of Assam.

DURGA DAS BORO (Panery , 64)

Durga Das Boro is a Minister in the Assam Ministry headed by Prafulla Kumar Mahanta as Chief Minister. He participated in the discussions and asked several questions as member of the Legislative Assembly before he became the Minister. Most question raised by him were rural cum tribal oriented in nature. Issues with which his questions were related may be mentioned as below -

- Assamese Cinema
- Promotion of ST / SC Candidates
- Bus services at night
- Unemployment problems
- Agriculture
- Administration
- Discrimination between English medium and Assamese medium Schools
- State Hospitals
- Railway line construction in Assam.
- Construction of railway over bridges at various parts of Assam.
- Allotment of lands to MLAs.
- Slow progress of construction of water supply scheme in Udalguri sub- Division.
- Water supply scheme at Agricultural land.

DURGESWAR PATIR (Dhemaji, 113)

The questions raised by Durgeswar Patir were mainly on the Scheduled Tribes community. However, a few questions are asked by him on general issues. Following issues may be mentioned in which Patir was interested -

- Lakhimpur civil hospital
- Flood problem
- Construction of bridge at Kumtia
- Mising Language as medium of instruction at the primary level.
- Electrification
- Quota system for tribals in promotion
- Budgeting in the Department of Forests and Deforestation.
- Pension to freedom fighters of Assam
- Buying Helicopter by the Government of Assam.
- Backlog since 1979.

HALIRAM TERANG (Baithalangso, 20)

Haliram Terang raised issues related to various subjects among these, some questions are ;

- Establishment of 30-bedded hospital at Hamren.
- Protest against price hike.
- Control over retail price of essential commodities.
- Jhum cultivation in Karbi Anglong.

- Separation of Judiciary from Executive.
- Agreement between Assam Government and Karbi Students Association
- Violence in Karbi Anglong in which two persons were killed.
- Irregularities of Forest Department, Protection of forest areas, resentment against CCF.
- Improvement & Construction of roads and bridges, resentments against PWD Department.
- Organizational structure of hill district, particularly Industry Department is not effective.
- Nature of functions of departments in hill districts, money marked for Karbi Anglong is not sufficient.
- Promulgation of section 144 of the Indian Penal Code in the Karbi Anglong district
- Police firing in Karbi Anglong
- Corruption in Public Administration
- Construction of roads and bridges.
- Police firing at Kalapana grant.
- Objection at the utilisation of funds for ST's in Rhino Operation.
- Demanded to fill up the backlog for Hill tribes
- Cement Corporation of India at Bokajan effecting the environment.
- Protection of Forest.

GANDHI RAM TIMUNG (Diphu, 19)

Gandhi Ram Timung put questions on subsidy for purchase of cotton cultivation in Karbi Anlong District, besides, he raised the following issues-

- Development of Sericulture.
- Appointment of Non-Assamese in Assam Government Marketing Society.

GANESH BORO (Bijni, 33)

Ganesh Boro raised the question relating to -

- Establishment of new tribal belts.
- Construction of bridge over Dulal river.
- PHL in Ulubari (Kokrajhar)
- Protection of erosion in Bhurisuti.
- Recruitment of High School and Higher Secondary School Teacher post which is lying vacant.
- Protection of tribal belt and blocks.
- Implementation of Chapter X on land law.
- Improvement of roads in Bongaigoan Sub-division
- Rules of Educational advisory board for teachers recruitment
- Sanction of the post of Bodo medium teacher.

Ganesh Boro was also interested to know about the Bijni S.E. Office, irrigation plan and the Office of the Department of Irrigation.

GANESH KUTUM (Gohpur, 78)

Ganesh Kutum is at present speaker of the Assam Legislative Assembly. As speaker Kutum is the Presiding Officer of the Assembly. The issue raised by him were-

- Flood, drinking water and health
- Tribal Languages
- Appointment of teacher in the primary and middle schools
- Implementation of tribal Sub-plan
- Encroachers Settlement in Gohpur forest
- Expressed resentment for not utilizing the FDR money properly.
- Demanded to Decentralise power to the grassroots.
- Demanded to form revenue circle.
- Demanded to construct Helipad.
- Demanded to construct road and bridges Which was damaged during flood.
- Prevention of erosion in Jamuguri-Gogamukh Bandh.
- Games and sports, require to be expanded to rural areas.

GHANAKANTA BORO (Bhabanipur, 48)

Ghanakanta Kanta Boro raised miscellaneous issues. His issues were-

- Residential quarters for the Doctors
- Manash Sanctuary
- 20 Point programme

- Facilities for the cultivators
- Irrigation system
- Employment quota for the District of Barpeta
- Equipment to the village Dispensaries
- Reservation of job for Scheduled Caste and Scheduled Tribe
- Development of Central State Farm of Kokilabari
- Land acquired for Kumbhira and Bhukiki irrigation project

JAMAN SINGH BRAHMA (Udalguri, 69)

He raised the questions relating to-

- Construction of Bridges over Daipani river
- Establishment of Jail in Udalguri Sub-division

JAGAT PATGIRI (Dudhnai, 36)

Jagat Patgiri raised issues relating mainly to Dudhnai Constituency and tribal people with the exception that he asked a question on the construction of broad gauge railway line from Goalpara to Guwahati. Other issues covered by Patgiri were-

- Rehabilitation of homeless people because of erosion of the banks of the river Brahmaputra.
- Increase of budget amount in the tribal Sub-plan on the basis of population strength.
- Irrigation system in the rivers Krisnai, Dudhnai and Deoshila.

- Salary of the employees of the panchayats
- Flood caused by Dudhnai river
- Permanent Head Quarter of ITDP.
- Allotment of mini modern rice mill permit
- Rehabilitation of Unemployed Youth
- Health Centre
- Formation of Dudhnai Sub-division

JEW RAM BORO (Kalaigaon, 65)

Jewram Boro raised several issues on the floor of the House. Of these about 80% issues was related directly to the Bodo community and rest 20% covered general issue of the State of Assam. These issues are-

- Drinking water
- Financial position of the Veterinary Department.
- Development of Bodo Village
- Solution of the Bodo Problems
- Concept of "Son of the Soil" in the context of Bodo society
- Land patta system to the Bodos
- Creation of Bodo language departments in Gauhati and Dibrugarh University
- Bodo language as medium of instruction at school.
- Assam Accord
- Encroachment of land

- Self employment schemes
- Construction of river Bank in Darrang District
- Construction of bridge at Kalaigaon and construction of roads in the constituency
- Demanded to create Bodoland
- Protest against the atrocities by Army on Bodo women
- Expressed resentment for non availability of electricity in Bodo areas
- Central Fish Breeding Centre at Jamuguri

JOY CHANDRA BORO (Titabar, 100)

He raised the questions relating to -

- Construction of irrigation project at Bhugdoi and Kakodonga.
- Irrigation project in Upper Dhodarali near Assam Nagaland Border.

JYOTSNA SONOWAL (Sadiya, 126)

Jyotsna Sonowal raised question on general problems of Assam. Some of these are-

- Illegal encroachment of land
- Development of Assam Medical College
- Inter State Border problem,
- Protection of Tribal belt and block problems
- Flood

- Transport system in Sadiya
- Hospital problem
- Ceiling system of land
- Encroachment of land by Tea Gardens in Doomdooma
- Encroachment of Government land by Citronella Gardens.
- Demanded to protect land
- Formation of women Police Battalion
- Improvement of Sadya Sub-division
- PWD road improvement
- Protection of erosion, construction of bandhs in Saikhoa Hatisal and Deraksumani
- Facilities for water transport
- Activity of Bal Bhawan in Guwahati
- Permit to bus service in Tinsukia.
- Establishment of Flood Control Department office at Sapakhua.

KAMAL BRAHMA (Bijni, 33)

Kamal Brahma put question on the following issues -

- Cultural affairs
- Appointment of teachers in the science subject at Bijni
- Demanded to fill up backlog secretariat
- Gosaigaon Civil Hospital

- Construction of RCC bridge over Dulani river
- Explosion in Panbari, Bijni
- Construction of Bridges in Dudhnai
- Veterinary Hospital at Dudhnai
- Distribution of Essential Commodities.

KARENDRA BASUMATARY (Panery, 64)

Bodo community occupied a prominent place in the question raised by Karendra Basumatary. However, he raised some general issues in the Assembly. The issues raised by Basumatary were -

- Construction of roads and bridges
- Conduct of police personnel
- Bodo problem
- Police atrocities in Bodo areas
- Tribal problems
- Bodo Teachers Appointment
- Sports
- Transport system in Darrang District
- Deep tubewell scheme in Darrang
- Drinking water facilities
- Problem of Wild Elephant in Darrang District
- Creation of Bodoland

- Development of Tangla Town
- Protest for arrest of ABSU, BPAC members
- Tiger attacks on Bodo people
- Construction of Ramgaon bridge over Barnadi river

MILAN BORO (Bhawanipur, 41)

Milan Boro wanted to know about the languages used as medium of instruction in the High Schools, Colleges and Universities, Public works and Budgeting in the Tribal Sub-plan during the session 1992-93

MONSING RONGPI (Bokajan, 17)

Monsing Rongpi put questions on the issues relating to Education and development of Tourism. The subject of his interest were -

- Development of tribal culture
- Upgradation of Diphu Government College to Post Graduate College
- Appointment of Teachers in primary School
- Development of Tourism

KHARSING INGTEE (Howraghat, 18)

He raised questions relating to -

- Construction of RCC Bridge on Langnit and Jamuna river
- Creation of ASEB Division in Howraghat

LAKHY NATH DOLOY (Dhakuakhana, 112)

He raised questions relating to -

- Control of Gainadi and Jiadhal river of Dhemaji Sub-division
- Construction of SDO office and Court building at Dhemaji

MAL CHANDRA PEGU (Majuli, 99)

Mal Chandra Pegu also raised a large number of questions on diversified areas. The issues were -

- Creation of a separate Directorate for the Scheduled castes and the Scheduled tribes.
- Education
- Declaration of Majuli as a separate Sub-division
- Agriculture
- Transportation
- Reservation of seats in the Government schools for Scheduled caste and Scheduled tribes.
- Establishment of Schools in the SC and ST areas.
- Veterinary
- Developmental plan
- Seed supply
- Economic development of SC and ST Communities.
- Backward Classes Commission

- Encroachment of Tribal Belts and Blocks
- Flood control
- Panchayats
- Welfare of plain tribes
- Emergency provision
- Abolition of the posts of District Transport officer and Enforcement officer.
- Government grants for Tribal area development
- Foreign Liquor
- Public Works Department
- Improvement of the ST and SC areas
- Fisheries
- Schools of Majuli not Inspected by Inspector. Demanded for enquiry on this issue.
- Functioning of Board of Revenue cases not disposed timely.
- Functioning of Agro Industry. Demanded transparent policy of sales of tractor to the cultivators.
- Rice collected from Majuli should be given to the flood effected people of Majuli.
- Renumeration of Gaonburha should be defined.
- Bungalow of S.P. Bomdilla is located in Assam.
- Regarding technical sanction for raising and strengthening of Subansiri dyke.

Lease of Government Fisheries.

- Demanded to improve the schools located in tribal areas and taken over the schools of tribal blocks and belts under deficit system.
- Formation of Regional Boards for appointments of teacher.
- Improvement of T.B. Hospital.
- Education system.
- Smooth running of Examination, unfair means in HSLC Examination, Irregularities in HSLC Examination centre at Majuli
- Development of Majuli College. Appointment of Principal in Majuli College
- Venture L.P. School
- Listing of sub tribes in ST or OBC
- Conversion of Karkatia Bandh, Majuli road into PWD road
- Irregular attendance in Offices in Majuli and in DPI
- T.A of MLA
- Problem of drop outs in HSLC
- Revenue fisheries. Safeguard of local fisherman
- Road condition under Jorhat division, Road damaged due to flood in Jorhat division of PWD Department
- Scholarship to students of Backward classes. It is irregular
- Construction of Janata Cinema Hall in rural area.
- Rural sports
- Construction of Rural Stadium

MOHAN BASUMATARY (Palashbari, 50)

Mohan Basumatary was also not confined to the issues relating to the Scheduled tribes only. He asked several questions of general character. The subjects he dealt were -

- Implementation of Policies of the Central Government in the Scheduled tribes area.
- Purchase of equipments in the Sugar Mill of Nagaon.
- Sales Tax in the Fancy Bazar area of Guwahati
- Director of Information and Publicity Department, Government of Assam.
- Promotion of candidates in the Government service belonging to scheduled castes and scheduled tribes.

PADMALOSHAN BORO (Bijni, 33)

He raised the questions related to -

- Utilisation of money in block, Given by World Bank Loan.
- Development of Bodo medium.

PADMESWAR DOLOY (Majuli, 99)

He raised the questions related to -

- Utilisation of funds of APTDC and ATDC.
- Strength of Block Development Officers in Assam.

PANIRAM RABHA (Barama, 62)

Paniram Rabha expressed his concerns about developmental programmes in Assam and raised issues on the floor on the Assam Assembly. The issues raised by him were -

- Plans for provision of roads, drinking water, Education and Hospital at the Indo-Bhutan border village.
- Issue of patta to landless people
- Veterinary Department
- Establishment of Hospital at Barama
- Primary health Centre
- Development of School
- Polyester Industry of Nalbari
- Rehabilitation of the flood affected people
- ITDP
- Introduction of Science section in Barama College
- Assam Medical College in the context of admission
- Establishment of Veterinary Hospital at Barama.
- Construction of roads in Barama Constituency and drinking water supply in the constituency
- Demanded formation of Sub-division in Nalbari District and Fire Brigade facilities
- Fuctioning of social welfare department. Expresses dissatisfaction.
- Sub-plan for the plains areas
- Establishment of ITDP office at Barama for development of women.

PARAMESWAR BRAHMA (Kokrajhar West, 29)

Parameswar Brahma was more interested in the education of the Bodo people as well as of the general masses. The issues raised by him were -

- Number of Bridges constructed under TSP fund and then quality of work.
- Number of Public Enterprises in TSP area.
- Unit target of PHE
- Posting of doctors at Kokrajhar. No Doctor and no X-ray in Hospitals.
- BRPL
- Distribution of text books
- Creation of a separate Directorate in the Department of Education for the education of the tribals
- Creation of a separate Department of Bodo in Gauhati and Dibrugarh University
- Bodo School
- Relief of the victims of rioting in the tea estate
- Irrigation system

PHANI TAYANG (Jonai, 114)

Most problems on which Phani Tayang put question were general in nature. However he was curious to know about the landless tribal people. He raised the following issues -

- Settlement of Land Protection of ST blocks & belts
- Improvement of Forest Village
- Drinking water scheme
- Improvement of roads in Jonai Sub-division
- Encroachments in PGR, demands to protect PGR
- Revenue of the state
- Repairing of roads by the Public Works Department
- Conflicts between Assam and Arunachal Pradesh
- Border issue of Assam and neighbouring states
- Necessity of trees
- Problem of landless tribal people

PITHSING KONWAR (Morigaon, 82)

He raised the questions related to -

- Development of ST/SC community.
- Function of OBC, Tribal development Corporation.
- Funds allotted is not sufficient to develop ST community.
- Demanded for a tribal rest house.
- Ministers and MLAs are used to stay in Dispur quarter or rented house at Guwahati with no contact with the people.
- No Doctor, Medicine in dispensary.
- Co-operative in Gaon Panchayat area is not effective.

- Flood and Erosion. School in flood effected areas is horrible.
- Sericulture Centre at Morigaon.
- Heath Centre, Strengthening of District Surgeon.
- Appointment of Police Constable.
- Construction of Culverts and Bridges of PWD Department in between Jagiroad and Jorabat.
- Custodial death of Abdul Aziz in Guwahati Jail.
- Patta lands, lands acquired for construction of Raha Jagiroad Road
- Non-availability of Text book for school students

PRAMILA RANI BRAHMA (Kokrajhar East, 30)

She raised the questions related to -

- Functions of Veterinary Department.
- Functions of Farmers Training Centre of Kokrajhar.

PURNA BORO (Rangia, 57)

Purna Boro had detailed information about the major problem of the state.

He raised many issues covering very wide jurisdiction. The issues were -

- Road construction (PWD) in between Rangia and Dudhnai
- Permission to Dhepaguri Colony Basti M.E. School
- Under TSP there are 300 posts many of them for Bodo medium.
- Rental system of Nabin Bordoloi Hall. He objected the rental system.

- Kaurbaha Shallow tubewell and irrigation project which are defective.
- Suspension of Goreswar Panchayat President
- Cachar Sugar Mill
- Appointment of teacher in Bodo medium School.
- Flood effected agricultural land.
- Agriculture system for more crops.
- Embankment of Puthimari and Baralia River.
- Revision of electoral roll.
- Land of Hailakandi Town.
- Water supply at Tengajan.
- Assam State Transport Corporation
- Development of dispensaries
- Erosion of river banks
- Polytechnique Institutions
- Assam Seed Farm
- Agro-Industries Development Corporation
- Re-employment of retired personel
- Manure Industries at Chandrapur
- Nurse Hostel
- Reopening of Industries
- Illegal occupation of land

- Co-operative Shops
- Relationship between Administrator and Government
- Price rise in the market
- Unemployment allowances
- Salary of School Teachers
- Water supply system
- Bodo medium School and their problems
- Eviction of tribal cultivators
- Electrification of villages
- Language Bill
- DRDA and Municipal Corporation
- IRDP
- Irrigation system
- Killings
- Adult education
- Development of Sub-division
- Indian Oil Corporation
- Veterinary Hospitals
- Survey of land
- Sericulture
- Forestry
- Ashok Paper Mill

RANENDRA BASUMATARY (Kokrajhar West, 29)

He raised the questions related to -

- Amalgamation of 1st class and 2nd class ACS.
- Funding of Municipality Board of Kokrajhar for water supply scheme
- Preservation of natural beauty of Janduar and Kokrajhar Sub-division
- Formation of Kokrajhar as District and Gosaigaon as Sub-division headquarter
- Development of Bodo language
- Demands for separate Inspectorate for Bodo medium.
- Distribution of funds of state lottery
- Irrigation facilities of farmers
- Construction of Bridge at Kokrajhar
- Execution of Plantation Labour Act
- Inclusion of gardens under panchayat
- Veterinary department
- Goat Farm at Panbari
- Demanded to form a high level committee for development of education.
- Development of Jail atmosphere.
- Sugar stock in FCI

- Development of Cancer Institute
- Terror of Elephant in Kasugaon and Kokrajhar
- Resentment for price hike
- Demanded Judicial Court at Bongaigoan

SAMSINGH HANSE (Diphu, 19)

Samsing Hanse could not come out of the Karbi Anglong District while raising questions on the floor of the house. The issues raised by Hanse were -

- Yamuna irrigation project
- Accounts relating to Karbi Anglong
- Selling of coals of Karbi Anglong
- Reservation of vacancies in the Assam Assembly Secretariat
- Discussion and approval by the District Council
- Imposition of Assamese Language on the Hill Districts of Karbi Anglong and North Cachar Hills
- Relationship between Hill tribals and Plain tribals

SAMAR BRAHMA CHOUDHURY (Kokrajhar East, 30)

Samar Brahma Choudhury raised question on -

- Flood control
- Lack of Assamese Teachers in the schools having Bodo Language medium of instruction.

SUREN SWARGIARY (Chapaguri, 63)

Suren Swargiary raised questions from wide perspective covering some important issues. These were -

- Construction of building of Anchalee PHC.
- Establishment of Sub-division office of Irrigation Department at Jalah
- Protection of Lekpar village from erosion of Marapagladia river.
- Functioning of Syntex Ltd of Nathkuchi.
- Agriculture, irrigation, health, flood and foreigner issue.
- Primary schools
- Roads
- Electrification of Chapaguri
- Tubewell
- Seed Farm
- Creation of Sub-division in Bajali and Nalbari
- Smuggling of timbers
- Sugar Mill
- Preservation of Satras
- No doctors in tribal areas
- Preservation of Swahid Madan Rawta Memorial
- Construction of Bridge over Kaldia

THANESWAR BORO (Rangia, 57)

He raised the questions related to -

- Handloom cloths in Assam
- Functions of Dimu-Doboks Deu block
- Education
- Flood
- Irrigation
- Development of Roads

References

1. Proceedings, Assam Legislative Assembly, 1972
2. *ibid* 1973
3. *ibid* 1974
4. *ibid* 1975
5. *ibid* 1976
6. *ibid* 1977
7. *ibid* 1978
8. *ibid* 1979
9. *ibid* 1980
10. *ibid* 1981
11. *ibid* 1982
12. *ibid* 1983
13. *ibid* 1984
14. *ibid* 1985
15. *ibid* 1986
16. *ibid* 1987
17. *ibid* 1988
18. *ibid* 1989
19. *ibid* 1990
20. *ibid* 1991
21. *ibid* 1992
22. *ibid* 1993
23. *ibid* 1994
24. *ibid* 1995
26. *ibid* 1996

Chapter V

IMPORTANT ISSUES AND ST MLAs (General)

FOREIGNERS' ISSUE

Foreigners' problem is the main burning problem of Assam affecting all sections of population. Due to the influx of illegal Bangladeshis, the identity of the indigenous Assamese people and the citizens of India residing in Assam is in danger. There are 33 tribal belts and blocks in Assam. The illegal foreigners have occupied the land in the tribal belts and blocks and forest land of Assam. From C S Mullan, Superintendent of Census ⁽¹⁾ to Lt. General S K Sinha, the present Governor of Assam have indicated explicitly the danger caused by the largescale infiltration into Assam. Due to the influx, demographic pattern of Assam has dramatically changed. ⁽²⁾

In 1931 Census Report of Assam, C S Mullan, Superintendent of Census, clearly indicated the danger of severe illegal migration. ⁽³⁾ The census figures of 1991 show a notable change in the demographic pattern in Assam with a massive increase of the Muslim population and according to the historians, the demographers and even the State Governor, largescale infiltration of people from the neighbouring country, specially from Bangladesh is the main reason behind the change.

The religion table of the 1991 census was made public only recently and as per the figures available, the Muslim population in the State increased by 77.42%

during the period 1971–1991, while, during the same period, the Hindu population of the State increased by 41.89%. The percentage of Hindu population during the period decreased from 72.51% to 67.13%, while the Muslim population increased from 24.36% to 28.43%. As per the 1991 census, four districts of the State – Dhubri, Barpeta, Goalpara and Hailakandi have turned into Muslim majority districts and some other districts including Nagaon, Morigaon and Karimganj will become Muslim majority districts soon. In the 1971 census, only two districts of the State were Muslim majority districts.

Sri N C Dutta, former Director of Census Operations, Assam, who was the Director during 1991 census, said that infiltration of foreigners is the main reason for the demographic change that took place in the State. ⁽⁴⁾ Sri Dutta pointed out that the national growth rate of population during the period 1901–1991 was 255%, while during the same period, the growth rate in Assam was as high as 581.35%. He said that the Muslim population recorded a much higher growth rate because of large scale infiltration of foreigners from Bangladesh. According to his assumption, at least 10 lakh Bangladeshi infiltrators might have entered Assam during the period 1971 to 1991. He pointed out that the Muslim population in some districts of the State like Dhemaji recorded abnormal increase in the last 20 years or so because the infiltrators have started to sneak into the areas where the resistance from the local people is less. Similarly because of the resistance from the local people, the infiltrators could not take roots in some districts like Kokrajhar and in fact, in Kokrajhar district, the percentage of Muslim population has decreased.

The former Deputy Director of Census Operations, Jogesh Chandra Bhuyan has also attributed the increase in Muslim population to infiltration of foreigners. According to Bhuyan, at least 11.50 lakh people migrated into Assam during the period 1971 to 1991. ⁽⁵⁾

The population of the other religious communities also increased sharply between 1971–1991. The population of the Buddhists increased by 183% while the Christian population increased by 95%. However, Sri Dutta said that as the total number of Buddhists is very less, a small increase increases the percentage. He also said that largescale conversion is one of the main reasons for the increase of the Christian population, particularly in the tribal dominated areas of the State.

It may be mentioned here that Governor of Assam, Lt. Gen. (Retd) S K Sinha attributed the increase of Muslim population to a large scale infiltration from Bangladesh. He had submitted a detailed report on the infiltration of people from Bangladesh to the President of India and suggested measures to check infiltration for the interest of the nation as a whole (see Appendix 10). He said that the problem should not be viewed as a problem affecting the region only and it should be viewed as a national problem. ⁽⁶⁾

Noted historian and the former President of Indian History Congress, Dr. H K Barpujari has also expressed fear that unless infiltration from Bangladesh is stopped, a large part of Assam may become a part of Bangladesh within the first decade of the next century.

Dr. Barpujari dwelt at length on the problem of infiltration in his book North East India Problems, Policies and Prospects and said that the influx has created crisis of identity of the indigenous people of Assam. He said that if the trend is allowed to continue, the economic, political and cultural life of the indigenous people would be endangered and their very existence would be at stake. ⁽⁷⁾

National Register of Citizens (NRC)

NRC was prepared as per 1951 census report. This Register can be treated as the basic document to safeguard the interest of the people of Assam. Presently NRC is not updated. The Government is in possession of records of all Indian Citizens of 1951. The NRC is the definitive document nearest to the Constitutional dateline of July 19, 1948. This is substantiated by the then Union Home Minister Sri G. L. Nanda's letter ⁽⁸⁾ in which it was said –

“What is actually being done in Assam is not the preparation of any new register but copying out from the NRC of 1951 Census the names and other details to verify whatever an individual suspected to be a Pakistani infiltrant was in fact a resident of India at the time of 1951 Census”.

That the detection of foreigners was done on the basis of the 1951 NRC is evident from the Home Minister's above communication. A letter from the Joint Director of Intelligence Bureau, Ministry of Home Affairs, Government of India, on 30/5/64 to the Additional Inspector General of Police, Assam, fully confirms unquestionable utility of the 1951 NRC. The first paragraph of the letter reads :

“As you are aware the NRC is being used as a basic document for verification of Pak infiltrators in Assam”.

Prime Minister of India also admitted that detection of foreigners started from 1951–52 as dateline. The Prime Minister announced in the Rajya Sabha on 11/06/80 that :

“..... Anybody else who should have been deported earlier or who was deported according to 1951 or 1952 whatever it was, if he was on the list of being deported and either not been deported or had gone and returned, then, he should also be sent back”.

Government have no other record of Indian Citizens prepared before 1951 NRC and 1952 Electoral Rolls. That is why in reply to a question in Parliament on June 27, 1962 the then Prime Minister Nehru said :

“Infiltration should be stopped and effectively dealt with ... probably it would be difficult now to deal with Illegal immigrants who came before 1952. We might therefore fix 1952 as the date of our enquiry”.

The NRC, therefore, is a good record of each person, resident in India at the time of 1951 Census and it can be very conveniently considered as a record of all Indian Citizens. So, anyone whose name does not figure in the NRC can be subjected to enquiry within the meaning of Section 2 (a) of the Foreigners Act, 1946. ⁽⁹⁾

The Problem which is agitating the minds of people of the entire Assam and North East Region is the problem of influx of illegal foreigners from the neighbouring countries particularly Bangladesh. The influx of foreign nationals into Assam is not a recent phenomenon. The problem exists from the days of independence. The problem has become so alarming that the very existence of the indigenous populations is threatened. People of Assam expressed their determination to preserve their identity, their history, their culture and their heritage.

The people of Assam have reasons, based on real experience to be apprehensive of being swamped by foreign nationals in the near future. Commenting on this large increase of 34.95% per decade compared with the national figure of 24.80% (one of the highest in the world), the Chief Election Commissioner (CEC) said to duty during the Conference of the Electoral Officers held on 24-26 September 1978.

“The influx has become a regular feature. I think that it may not be a wrong assessment to make on the basis of this increase of 34.95% between the two census, the increase that is likely to be recorded in 1991 census would be more than 100% over the 1961 census. In other words, a state would be reached when the state may have to reckon with the Foreign Nationals who may in all probability constitute a sizeable percentage, if not the majority population in the state.”

A silent invasion by foreign nationals from the neighbouring countries particularly Bangladesh is taking place. The problem has been deliberately neglected by the leaders leaving the destiny of Assam at the mercy of illegal foreign nationals. The illegal foreign nationals pose challenge to the integrity of India.

The first thing foreign nationals try is to enrol their names in the voter's lists with the connivance of antisocial elements, politicians, and officials on this side of border. The motive is crystal-clear. The infiltrators vote for the politicians who protect them in all respects. In fact politicians encourage infiltration to ensure their political survival.

The harmful effects of continues immigration are evident in every sphere of life. Tensions in the social, political, economic and cultural fields have already surfaced and both Central and State Governments must act before it is too late. Attempts to develop the region industrially cannot succeed unless the record population growth due to influx is fully halted. The problem has badly hit the tribal populations. All the 49 blocks and belts reserved for the tribal people are on the verge of extinction. Pressure on economy has reduced sizes of the reserved tribal blocks. Forest resources are fast disappearing due to indiscriminate felling of trees and occupation of the area by the foreign nationals.

A population may gain in size due to influx of migrants and it may diminish in size by an exodus of some of its members to join another group of population. If this immigration or out-migration is selective of people with particular demographic, social or economic characteristics, it will affect not only the size but also the composition of the population. Thus, the movement of people from one resident to another is a component of population growth and composition.

Movement of population may be classified broadly into two categories: Internal migration and international migration. Internal migration may be :

- (1) Within the district.
- (2) From one district to another district within the state and.
- (3) From one state to another state within the country.

If people from one country migrate to another country such movement is called International migration.

Migration takes place due to various factors

Migration may occur as a search for an opportunity to improve one's life. Migration may also occur as a flight from undesired social or economic situation. Internal migration is not very important for the present discussion. At present Assam's population is hardly affected due to movement of people from other states.

International Migration

As already discussed, migration is an important characteristic to assess the changes in the structure of the population. Internal migration, i.e. the movement of people from one part of the country to another varies from time to time. International migration, on the other hand, should normally be nominal. But after

the partition of India in 1947, the international migration outnumbered the internal migration, particularly in the bordering state.

Immigration from East Pakistan (now Bangladesh) to the state of Tripura after independence was so heavy that the migrants outnumbered the indigeneous population of the state. The extent of immigration from Bangladesh to Assam is far more serious than the migration from other parts of the country .

In the developed countries, the collection of data on international migration is not so difficult. Collection of statistics on the movement of people across the international borders through check-gates, passports, population registers and census data are the reliable sources. But in our country, particularly to the border states, most of the immigrants enter illegally and there is no effective procedure to detect such people. Under this circumstances, it is not possible to estimate the actual number accurately. We have, therefore, no other alternative but to estimate such data indirectly. For example, the intercensal growth of people of particular communities, religious or linguistic group help us to make a rough estimate of immigrants from the neighbouring country in particular .

Immigration to Assam is quite different in the last hundred years compared to other states of our country. This issue can be broadly divided into two periods, pre and post-independence eras.

It is necessary to compare the growth of Assam's population with the country as a whole from the beginning of the century.

Population of India and Assam, 1901-91 ⁽¹⁰⁾

Year	Population		Percentage Decade Variation	
	India	Assam	India	Assam
1901	238,396,327	3,289,680	-	-
1911	252,093,390	3,848,617	+ 5.75	+16.99
1921	251,321,213	4,636,980	(-) 0.31	+20.48
1931	2,789,772,388	5,560,371	+ 11.00	+19.91
1941	318,660,580	6,694,790	+ 14.22	+20.40
1951	361,088,090	8,028,856	+ 13.31	+19.93
1961	439,234,771	10,837,329	+ 21.51	+34.98
1971	548,159,652	15,625,152	+ 24.80	+ 34.95
1991	846,302,688	22,414,322	+ 54.39	+ 53.26

Note: 1981 census could not be conducted in Assam due to disturbed situation prevailed at that time.

Assam's population grew six-fold in the ninety years from 1901 to 1991 compared to two and a half fold growth in India during this period. To be exact, Assam's growth rate was as high as 581.35% where as country's growth rate was only 255%. The growth rates for pre and post-partition periods, i.e. 1901-47 and 1951-91 were 103.51% and 179.17% respectively for Assam while the corresponding rates for the country were only 33.67% and 134.38%. It is clearly evident that Assam's growth rates was consistently higher than that of the country. The natural growth rates obtained from different sources, however, indicate that there is very little difference between Assam and the all-India figures.

From the beginning of the 20th century until 1931, the migration of outside labour to work in the tea-gardens was a regular feature. Most such migrants never

went back to their parent states after their contract of work was over. Migrants from Nepal also contributed to the high growth rate of Assam. But the most significant contributor to the unnatural growth of population was the large-scale migration of Muslim cultivators, mostly from the erstwhile Mymensingh district of undivided Bengal.

In the 1931 Census report of Assam C. S. Mullan, Superintendent of Census, Assam mentioned that the amount of emigration from Assam was very small. The net figure of immigration was always in favour of Assam, which means that in-migration to Assam was much more than the out-migration.

The rate of immigration to Assam after independence may be divided broadly into two parts, pre-1971 and post-1971. Large-scale immigration did take place between 1951 and 1971, which included Hindu refugees as well as Muslim migrants. During 1951-61, the population growth rate of Assam was higher among the major states. During that period the growth rate among the Muslims was high as 38.37% compared to 33.87% for the Hindus. As per estimates made by the Register General, India, natural growth rate of Assam was about 22.4% for that decade. Even if we presume that the natural growth rate of Muslims is slightly higher than those of other communities and that some of those who left the state after partition, returned after the 1951 Census, the growth rate of 38.37% clearly indicates that a sizable number of Muslims entered Assam along with those who had fled immediately after partition. The growth rate of Hindu population also confirmed that the flow of refugees coupled with the immigration of Nepalis and persons from other parts of India remained unabated during that period.

During 1961-71 a large number of Hindus continued to cross over to Assam from East Pakistan, what is now called Bangladesh. This is the only plausible

explanation from the higher growth rate 37.18% for Hindus in Assam during that period. Although a large number of illegal migrants, mostly Muslims, were pushed back across the border between 1964 and 1969, after the formation of Foreigners' Tribunal in 1964 there were instances in which many of them re-entered Assam surreptitiously. The growth rate of 30.99 per cent for Muslims clearly indicates that infiltration of people of the community continued during 1961-71, albeit at a slightly reduced rate. The process of detection and deportation suffered some setback and had to be stopped later due to political interference.

The 25th of March 1971 is considered to be most important date for determining the legality of the entry of Bangladeshi Nationals into India. The reference that of 1st April for the 1971 census is therefore, quite ideal as a landmark for the study of the growth of population in the border States of North-Eastern India.

The question of illegal migration of people from Bangladesh after 25th March is a major political issue, not only in Assam but in the entire region. Due to various reasons, it is not possible to correctly estimate the size of such illegal migrants. The data on the natural growth rates of different religious groups in this regard was discussed by Dr. Ashish Bose in his article "1991 Census Data- Muslims rate of growth" published on September 9th, 1995 in the India Express. In absence of state-wise reliable natural growth rates for different religions communities, the extent of migration can only be estimated indirectly. Different assumptions made for the purpose may not be free from controversy. In spite of these limitations it is necessary to make an attempt to estimate the extent of migration and the religious composition of the migrants.

Growth of Different Religious Communities, 1971-91 Assam. ⁽¹¹⁾

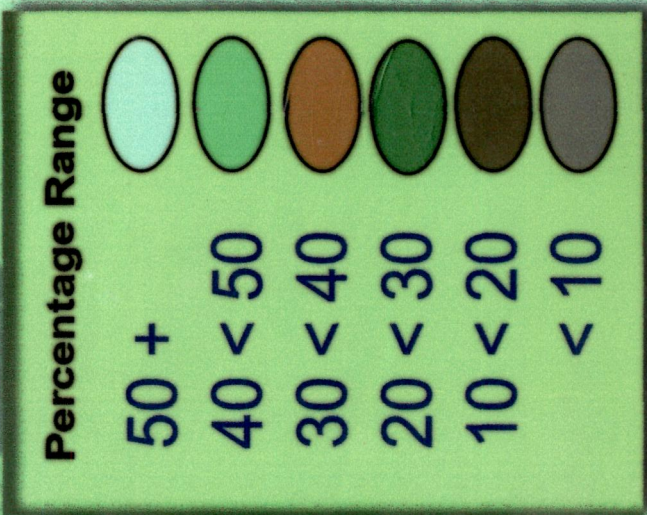
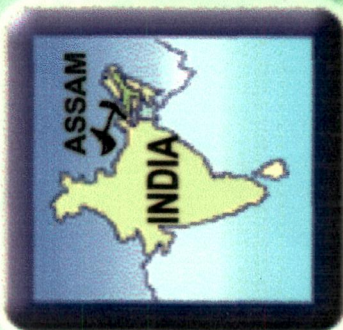
Religious Communities	Population in Assam		Percentage of Total population		Growth Rate during (1971-91)
	1971	1991	1971	1991	
Hindus	10,604,618	15,047,293	72.51	67.13	41.89
Muslims	3,592,124	6,373,204	24.56	28.43	77.42
Christians	381,010	744,367	2.61	3.32	95.37
Buddhists	22,565	64,008	0.15	0.29	183.66
Jains	12,914	20,645	0.01	0.01	59.87
Sikhs	11,920	16,492	0.08	0.07	38.36
Other religious of persuasions	1	138,230	Negligible	0.62	--
Religion not stated	--	10,083	--	0.05	--
Total	14,625,152	22,414,322	100.00	100.00	53.26

During 1971-91 the growth rate of Hindu population seems to be slightly less than the natural growth rate. This shows that immigration of Hindus has slowed down considerably. In fact conversion of some Hindu, mostly tribals, and out-migration of some to other states during the period of agitation affected the growth of Hindu population.

Some of us think that only a very negligible Muslim population has migrated into Assam during this period from Bangladesh. It is therefore appropriate to study the growth rate of population in the district of Bangladesh during 1981-91. Since earlier census was conducted in 1974, instead of 1971 due to liberation struggle in that country, we restrict our discussion to the growth of population in general and major religious group in particular for this period only.

ASSAM

Muslim Population , 1971
(Percentage to total population)



WEST BENGAL

BHUTAN

WEST BENGAL

A R U N A C H A P

MEGHALAYA

TRIPURA

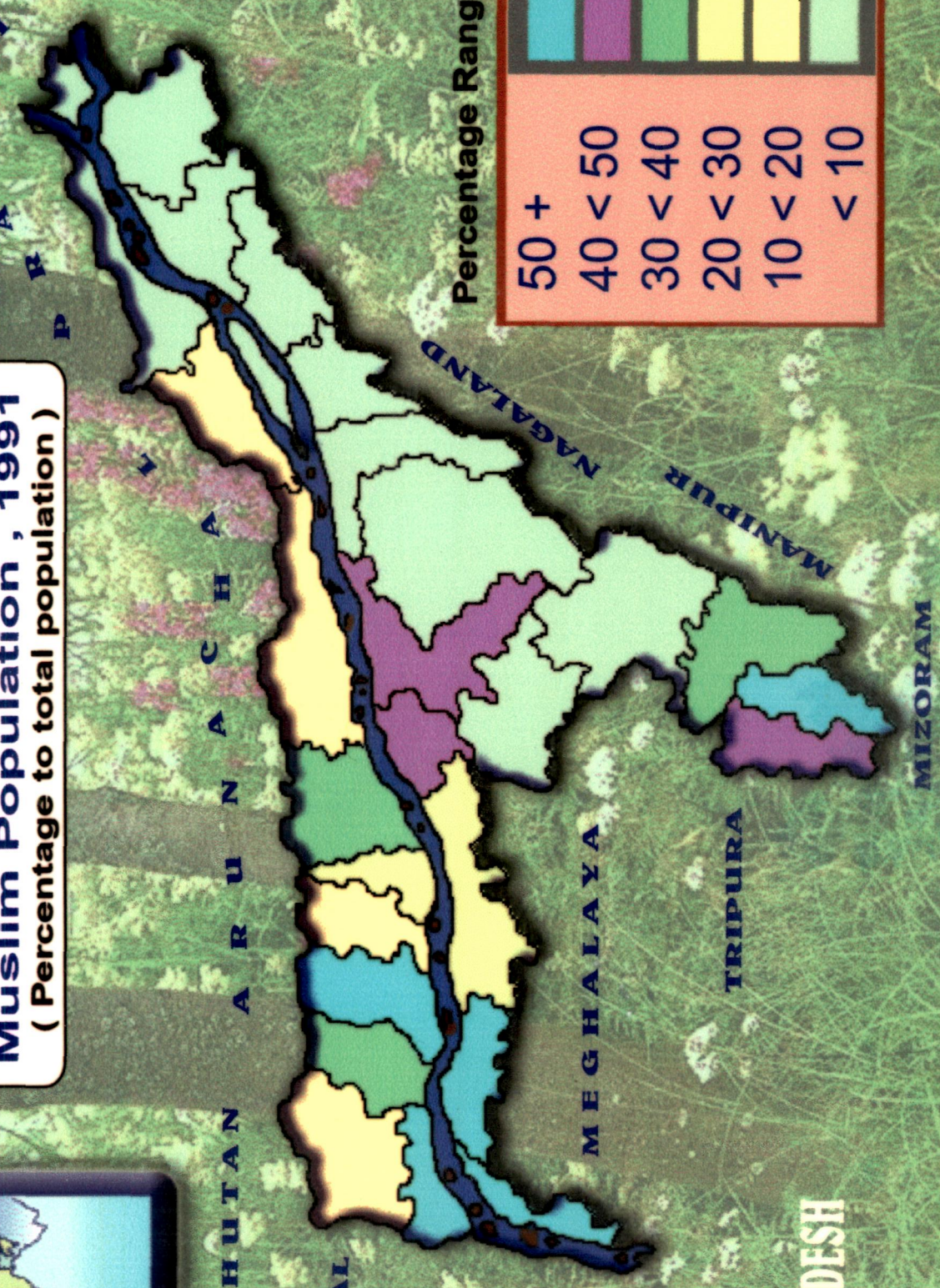
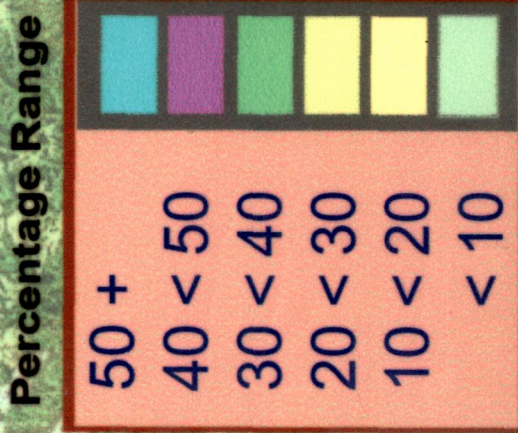
NAGALAND

MANIPUR

MIZORAM

BANGLADESH

ASSAM
Muslim Population , 1991
(Percentage to total population)



ASSAM
INDIA

BHUTAN

A R U N A C H A L

P R A D E S H

WEST
BENGAL

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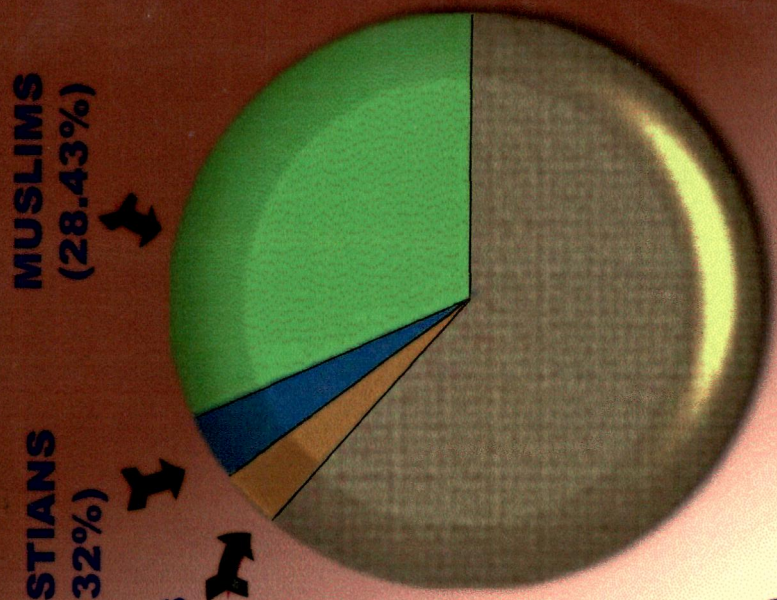
TRIPURA

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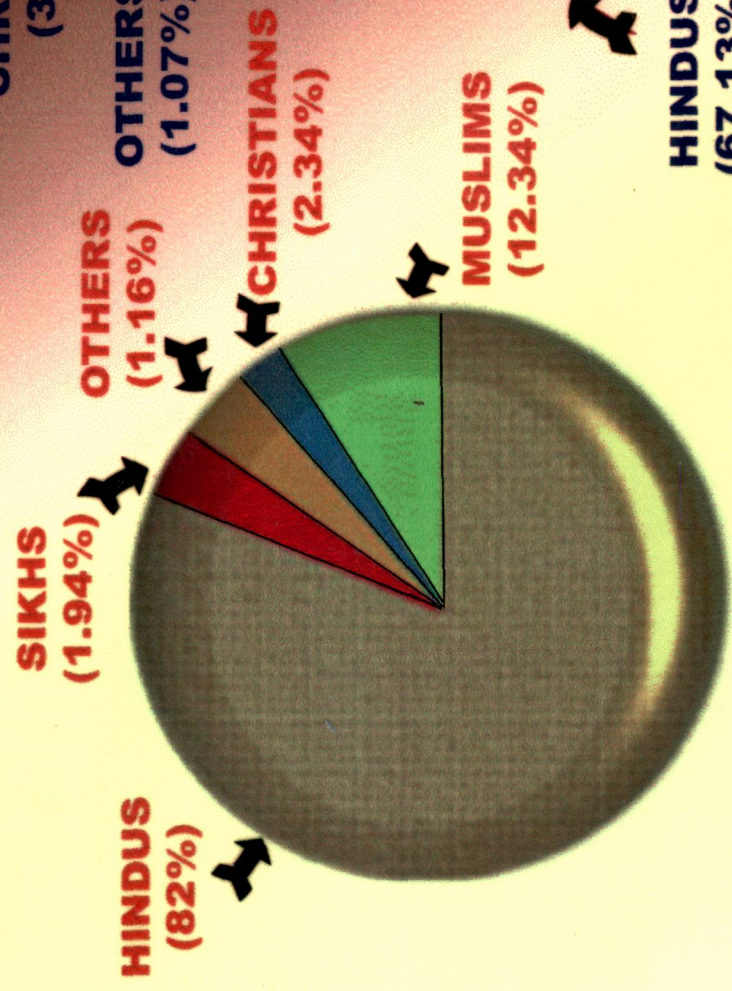
MIZORAM

BANGLADESH

POPULATION DISTRIBUTED BY RELIGIOUS COMMUNITIES, 1991



ASSAM



INDIA

Statement III below shows the districtwise growth rate in Bangladesh during 1981 and 1991.

STATEMENT III

Districtwise population of Bangladesh ⁽¹²⁾

1981 - 91

(Figures in 1000)

Greater District	Population		Growth Rate
	1981	1991	1981-91
BANGLADESH	87.120	1,04,766	20.25
Dinajpur	3,200	3,858	20.56
Rangpur	6,510	7,781	19.52
Bogura	2,728	3,302	21.04
Rajshahi	5,270	6,384	21.14
Pabna	3,424	4,106	19.92
Kushtia	2,292	2,754	20.16
Jessore	4,020	4,813	19.73
Khulna	4,329	5,014	15.28
Barisal	4,667	5,372	15.11
Patuakhali	1,843	2,014	9.28
Mymen singh	6,568	7,767	18.26
Tangail	2,444	2,944	20.46
Jamalpur	2,452	2,981	14.60
Dhaka	10,014	13,151	31.33
Faridpur	4,764	5,428	13.94
Sylhet	5,656	6,680	18.10
Coomilla	6,881	8,183	18.92
Noakhali	3,816	4,621	21.10
Chittagong	5,491	6,645	21.02
Chittagong Hill Tracts	580	738	27.24
Bandarban	171	230	34.50

If we assume that there was no out-migration from Bangladesh, the growth rate of population during 1981-91 would represent the natural growth rate of the country. During this period the growth rate of Muslim population was 21.64%,

while that of Hindus was only 15.29%. This figures clearly show that not only Hindus but also Muslims out-migrated from that country in large number. Otherwise, the growth rate of Muslims would not have been as high as 77.41% in Assam during 1971-91 which means a decadal growth rate of about 33%. The natural growth rate of Muslims of Bangladesh and those who migrated to Assam should not very wide, as such immigration of Muslims from Bangladesh in large number is proved beyond any resonable doubt. The low rate of population growth during 1981-91 in the border districts of Bangladesh also prove the out-migration from that country.

Indo-Bangla border is open. BSF is not effective to prevent infiltration. Till 1965, the task of guarding the international border in Assam was with Assam Border Security Force Battalion. There after it was taken over by Government of India and the Border Security Force has been guarding the international border. It is pertinent to note that between 1963 and 1995 more than 2 Lakh Pakisthani illigal migrants were detected and deported under foreigners act.

The Government of India expressed before the Supreme Court that while it is true that the responsibility to check infiltration at the border lies with the border management authorities, i.e. the Border Security Force in respect of the border with Bangladesh. All power of the Central Government under section 3(2)(c), (cc), (d), (e) and (f) of the Foreigners' Act, 1946 and under the Foreigners' Order, 1948 have been delegated to the State Government with their prior consent. The powers under section 3(2)(c) of the Foreigners' Act 1946 and under the Foreigners' Order, 1948 relate to detection and deportation of foreigners, including Bangladeshi national staying in India unauthorisedly. In addition, administrative instructions in the form of D.O letters at various levels addressed to the Chief Secretaries/Home Secretaries of the State Government have been issued from time to time for making special efforts to detect the

Bangladeshi nationals staying in India illegally for their deportation to Bangladesh. Letters have also been issued to all State Government on 16-9-1997 and again to the Home Secretaries of all State Governments on 9-9-1998, incorporating consolidated instructions outlining the detailed procedure to be followed for the deportation of Bangladeshi nationals staying illegally by the concerned State Government.

Raising of additional battalions of the Border Security Force involves heavy expenditure to the tune of Rs.40 Crores approximately for each battalion. In spite of financial constraints, the Government of India has taken up expansion of the Border Security Force in a phased manner. A working Group on border management was constituted by the Ministry of Home Affairs in 1992 to make recommendations relating to the Border Security Force for border management. This Group comprised representatives from Joint Intelligence Committee, Ministry of Home Affairs, Intelligence Bureau & Border Security Force. After detailed terrain and sensitivity analysis, the Group recommended, inter alia, that, for guarding the Pakistan and Bangladesh border, 179 Battalions would be the optimum deployment level, where after any further manpower accretions would be counter-productive and it is therefore, recommended that raising of 32 additional battalions of the Border Security Force over and above the existing level of 147 battalions in a phased manner, depending on training capabilities and resource position. The above recommendations included 16 additional battalions for the Indo-Bangladesh border.

While the need for 179 Battalions of Border Security Force is endorsed by Government, the raising of Battalions has been constrained by the limitation of resources. At present, there are 157 battalions of Border Security Force in position. The strength of the Force has increased over the years as per following details :

Strength of Border Security Force (1965-99)

Year	1965	1972	1983	1989	1991	1994	1999
Strength (No. of Bns)	25 1/2	75	84	127	147	156	157

A proposal for raising 6 more battalions of the Border Security Force is presently under consideration by the Government of India.

Due to pressing commitments for maintenance of internal security and non-availability of adequate strength of para military forces for this purpose, a part of the Border Security Force deployed on the Indo-Bangladesh border is withdrawn at times for redeployment elsewhere.

Compulsory registration of nationals and foreign nationals illegally staying in the country along with action to prevent infiltration at the border and deportation from hinterland is the only way to check illegal immigration. In this backdrop a proposal is under consideration to issue Multi-purpose National Identity cards to all citizens of the age of 14 years and above. The main idea behind the proposal, inter alia, is to stop illegal immigration into the country as also for easy identification and tracing of illegal migrants. The scheme of Multipurpose National Identity cards is at formulation stage. Many border states have strongly supported the scheme. The scheme will be finalised in consultation with the state Governments/Union Territory Administrations.

The Government of India is also considering additional proposals for the construction of border roads and fence along the Indo-Bangladesh border. Already 507 Kms fence along the West Bengal segment of the Indo-Bangladesh border stands sanctioned out of which 470 kms of fence has been completed by 31-3-1999.

To detect a illegal foreigner, Foreigner's Act of 1946 ⁽¹³⁾ is applicable in the country. But it is not applicable in Assam. In Assam to detect post 1971 illegal foreigners the Illegal Migrants (Determination by Tribunals) Act i.e IMDT Act ⁽¹⁴⁾ is applicable. IMDT Act is not even applicable in West Bengal or in Meghalaya. This Act is the main hurdle to detect foreigners in Assam. The Prime Minister, Home Minister, Governor of Assam also stated publicly that IMDT is a discriminatory act and this act should be repealed. Again the repeal of the provision of the Citizenship Act ⁽¹⁵⁾ which has violated the spirit of Assam Accord by offering voting rights to the foreigners and their descendants till 1986 (as per Assam Accord of 1985 the date of deportation is 25th March 1971) is very much essential.

Unemployment in Assam

Assam has crossed over three decades of planning but the problem of unemployment could not be solved. Whatever employment would be generated have been neutralised by the release of manpower in the employment market due to growth of population, rapid expansion of educational facilities, handicapped by lack of growth of industries, lack of entrepreneurship and shyness of capital. Whenever and whatever opportunity comes, outsiders avail the opportunity depriving the son of the soil, though the young Assamese generation is equally intelligent and capable and quite at par with their outsider counterparts.

As per the 1971 Census, Assam has a population of 146 lakhs representing 34.95 % growth rate against all India average at 24.80 % during the period 1961-1971. The projected population of Assam as on 1st March, 1988 was 244.31 lakhs which indicates increase of 98.43 lakhs people over that on 1971. This increase in the population is the root cause to aggravate the employment problem in Assam. As per the projection, the population in the age-group 15-59 years was 104.05 lakhs in 1981 which will increase to 143.13 lakhs on 1st March, 1991.

This shows an addition of 39.07 lakhs of population in the age-group 15-59 years by 1st March, 1991. At this rate 20 lakhs will be added to the labour force which will make the unemployment problem in Assam more acute.

The increase in the population is mainly due to incoming of Bangladeshis. Immigration from Bangladesh is at its peak. More and more people from Bangladesh are encroaching land in the forests of Assam. Assam being a fertile land attracts the hard working Bangladeshis. The local Assamese farmer do not know how to get maximum profit by utilising minimum finance. The Assamese farmers are appear to be reluctant to reap the benefit that they will get by utilising the scientific method of cultivation for increasing food production. Storage and credit facilities are lacking in the rural sector. Local farmers are handicapped by these constraints. The constraints of finance, storage, etc. forced the local farmers to depend on only single crop pattern. The Bangladeshis exploited the situation and occupied all vacant forest land and the char and grazing areas. Gradually the cultivable land have become scarce to Assamese farmers.

The problem of illegal immigration is the deep rooted malaise in Assam. The people of Assam is no longer enthused about the cause of illegal immigration from erstwhile East Pakistan which had inflamed them to revolt for six years. Even after formation of the Asom Gana Parishad Government in Assam nothing have been done to resolve the actual problem. Nothing have been done to move in the direction of sending away the illegal immigrants from Assam and the unemployment problem in Assam is growing more and more as the effect of this continuing and untreated cancer. C.S. Mullan, the then Census Superintendent in his report -1931 said, it is said but by no means improbable that in another 30 years Sibsagar District will be the only part of Assam in which Assamese will find themselves at home. Thus incoming of unlawful settlers in Assam has been a trial for the Provincial Government since 1918.

This problem assumed serious proportion on account of the large influx of immigrants in 1944-45. In the Census of 1961 the all India percentage increase of population was 21.64 %. For the same decade population increased in Assam by 34.98 %. The Census of 1971 saw an all India increase of population of 14.8 %, and in the case of Assam it was again 34.90 %. Much more disturbing in the case of Karbi Anglong District and North Cachar Hills District. The percentage growth rate mentioned below from the Census reports of 1951 onwards shows how alarming is the situation.

Percentage of growth of Population in the Hills Districts

	1951	1961	1971
Karbi Anglong	30.06	79.21	63.28
North Cachar	6.16	36.95	40.00

The Chief Election Commissioner during the conference of Electoral Officers held in 1978 observed that the influx has become a regular feature and that the increase in population which is likely to be recorded in 1991 Census would be more than 100 % over the 1961 Census. A stage would be reached when Assam will have to reckon with the foreign nationals which will constitute a sizeable percentage. The fact that a large number of immigrants succeeded in illegal migration to Assam and settling down unnoticed, proves that the measures so far taken have not been effective. Land is the core for the existence of the Assamese people. As the Assamese are losing their right over land their future, the future of their progeny, jobs, employment opportunities have become an illusion to the Assamese people and today Assam has become an account of human error compounded by arrogant and immatured decisions.

This have further been aggravated by fresh influx of Bangladeshis and the high birth rate among them. The population in Assam have increased alarmingly

and it has now on the one hand become difficult for an Assamese farmer to get sufficient land to engage himself and his children fully in agriculture and whatever land they have, they cannot cultivate the same for the whole year fully, due to successive floods in the summer and scarcity of water in the winter. The stage has come when the Assamese farmer can engage himself and his children only 120 days in a year in his land. The rest of the days in a year, they remain idle and this has resulted in the unemployment in the villages, yielding on rush of young villagers to the towns seeking employment. The number of job seekers through employment exchanges of the state went up by 2.8 % between January and September, 1988.

Agriculture in Assam which is the main economic activity is characterised by mono cropping and high risk of flood, low productivity and very poor extension and support system. It is gradually becoming less attractive and the rural youth is running after white-collar jobs. The rural youth feel that farming is not viable and cannot sustain them. They feel helpless because of their lack of skills that can fetch them alternative appointment. Today for the youth in Assam on the one side there is an increase in the cost of living and lack of alternatives on the other. Though a few industrial projects are being set up but it will take a long time before the impact on the rural population will be seen. The large industries like Oil Refinery or Paper Mills are not a solution to rural unemployment.

On 31.12.89 the live registers of employment exchanges which covers only a segment of the unemployed persons had 977126 registered unemployed in the State of Assam of whom 552215 are educated unemployed. For solving the unemployment problem the State Government should set up rural industries to give adequate employment avenues and to stop the mobility of skilled and semiskilled work force from the rural to urban areas.

Assam's Record in comparison with some other states

	Assam	Andhra Pradesh	Gujrat	Orissa	West Bengal	All India
Per Capita State Income at Current Prices (1994-95)	5999	7155	10578	5157	6877	8282
Life Expectancy at Birth (1989-93) years	54.9	60.6	60.1	55.5	61.4	59.4
Infant Mortality Rate (1995) Per 1000	77	66	62	103	59	74
Literacy as on 1991 percentage wise	53	44	61	49	58	52
Rice Productivity kg/ha (1993-94)	1350	2630	3.3	1430	2160	1920
Gross Irrigated Area (%) (1993-94)	15	40	29	26	29	37
Per Capita Milk Production (kg) (1994-95)	33.5	58	87.1	17.5	42.7	68.9
Production of Fish Per Capita (kg) (1991)	5.8	3.98	13.48	5.78	10.78	4.91
Electricity consumption per Capita (kwh) (1993-94)	69	309	520	180	176	270
Percentage of Household with Drinking water	43.2	63.4	75.1	50.9	84.9	68.2
Population per Hospital bed (as on 1991)	1968	1505	749	2168	1186	1324

In Assam, the number of unemployed persons is increasing gradually not only among workers but also among the educated middle class. Unemployment leads to poverty. Unemployment and poverty are not only bad but it degenerates man to less than human being and if this trend is allowed to continue, it will jeopardise the economy and it will lead to explosive situation of grave consequences. ⁽¹⁶⁾

The projected present population in Assam is about 243 lakh. 90 % of this population i.e. 219 lakh lives in villages, only 44 lakh people live in towns. For the villages, agriculture is the only employment source. But only 36 lakh persons are engaged in agriculture out of 219 lakh which indicates that 6 persons depends on the income of only one person in the villages. As such the unemployment problem in the rural sector is more serious, but the Government pays little attention towards this acute problem. It is estimated that the number of employable unemployed in the villages of Assam will be approximately 70 lakh i.e. one third of the rural population. There is another field which can absorb the candidates for white-collar jobs i.e. in the Government and semi-Government offices. The educational system which has stimulated a large production of graduates and masters have swelled the number of educated unemployed in Assam. Competition among too many aspirants struggling for few jobs is leading to frustration and the educated unemployed have developed revolutionary instinct.

Employment Status

Year	No. of Job seekers on the live Register	Vacancies Notified	Placements
1980	348000	13003	6297
1990	1052000	9497	4675
1995	1147000	12659	539
1996	1284000	3511	3002
1997	1496000	5466	1956

Source : Economic Survey of Assam 1997-98

One peculiar characteristic of Assamese Society is the existence of various social groups whose adult members only do certain types of works. As a result of spread of education, more people are joining the ranks of those who go for white-collar jobs only.

Labourers are to be brought from far away places like Bihar to do earth work on road and irrigation projects. Even in the case of the crash programs for employment which sought to provide employment to rural unskilled youths in their own villages, it has been found that in the off seasons also, only a few persons report for work though a large number of people remain unemployed or underemployed in the neighbourhood. Which indicates that people are not availing themselves of these opportunities in full, in spite of unemployment and underemployment being rampant.

Assam is rich in oil, but the crude oil of Assam has been pumped out of the state to feed of a bigger refinery located at Barauni in Bihar. Even for the toy refinery at Noonmati (Guwahati) the Assamese people had to launch a movement. Assam produces tea, but all the major offices of the tea companies and the office of the Tea Board have been functioning from West Bengal. Major industries remain still a far cry in Assam as necessary infrastructures have not been created for growth of industries during the 50 years of independence. Assam remained neglected due to the weak leadership. The State is rich in natural resources, but the job generating industries are conspicuous by their absence in the State. Again there is the problem of migration of the rural educated youth to the towns in search of white collar jobs. While the urban sector is facing challenge of providing white collar jobs to the educated, the rural sector is facing the problem of landless farmers or workers, marginal farmers, rural artisans, fishermen, etc.

In the urban sector the tendency amongst the unemployed youths is to run after jobs from office to office. The white collar jobs being limited, most of them remain unemployed and continue to inflate the number of unemployed. A strong feeling has developed that the young boys and girls leaving schools, colleges and universities regards manual work and vocational employment as something

inferior to clerical works. This attitude is a handicap for fuller employment, economic growth and development in the Assamese society. In Assam the Arts graduates dominate the field of education and most of them are not getting any job though their names are in the live registers of the employment exchanges for years together. The unemployed youth should tune their mind to the alternative facilities other than the paid jobs. The problem of unemployment in Assam has assumed such a magnitude that the planners have always stressed the need for arresting this widespread problem. Whatever little result could be achieved, is neutralised by factors like growth of population, rapid expansion of educational facilities and release of vast manpower in the employment market.

Most of the educated job seekers of the state do not pass successfully in the examinations held by various Staff Selection Commission of the Central Government and other public sector undertakings. State Government may therefore provide necessary pre-recruitment training facilities to the local youths so that they could overcome their shortcomings and can compete with the candidates of other states having advanced training facilities.

According to the Seventh plan document, the backlog of unemployment in India in March 1985 was the order of 9.2 million. However, during the period December 1984-July, 1989, the number of persons registered with the employment exchanges increased from 23.5 million to 31.6 million or by 34 %. The Seventh plan was expected to generate about 40 million standard person years of employment. According to the EMI programme, employment in the organised sector of the economy increased by about one million during the first four years (upto December, 1988) of the plan. Besides the special employment programme like NREP, IRDP, TRYSEM, two new employment programmes called the Jawahar Rozgar Yozana and Nehru Rozgar Yozana have been introduced for the benefit of rural and urban unemployed persons respectively. "

Different Employment Schemes

Head	1995-96	1996-97	1997-98
TRYSEM	10,317	6277	7302
DWCRA	856	823	1,256
JRY (lakh mandays)	179.08	91.54	107.69
IRDP	59,030	38,087	89,585
EAS (lakh mandays)	183.02	162.38	207.76

Source : Economic Survey of Assam 1997-98

The trend of unemployment in Assam has assumed a serious proportion with the everincreasing expansion of educational institutions. In 1947-48 there were 7574 primary schools, 742 middle schools, 191 high schools and 16 colleges. In the year 1988-89 the position increased to 28,807 primary schools, 5,635 middle schools, 3,110 high and higher secondary schools and 181 colleges in the State.

The number of passed out candidates in the High and Higher Secondary examination increased from 2,490 in 1947-48 to 69,008 in 1983-84. ^(iv) The total number of educated job seekers registered with the employment exchanges was 1,44,800 in 1980 while it stood at 4,97,868 at the end of 1988. This huge growth of educated unemployed in Assam is also responsible for the acute unemployment problem in the State.

There is vast disparity between manpower requirement and planning. Before launching the new educational programme in the country we ought to have thought of appointing properly trained career masters in every school whose duty will be to maintain assessment cards of every students by which the guidance officers can assess the ability of a particular student in relation to his interest in particular course of study leading to particular field of occupation. Wrong choice of subject under the diversified curricular study leads not only to

a frustrated person in his later vocational life but also cost the state exchequer to a great extent in making training facilities available in technical institutes and engineering colleges.

Implementation of State Policy on Creation of Employment in Assam

General : During the 3rd Five-Year Plan, an expenditure of Rs.3.50 lakh (40% state share) and Rs.0.12 lakh (40 % state share) in the ad-hoc plan were incurred in setting up of new Employment Exchanges, Vocational Guidance Units, Professional Executive Office in the State Directorate, Special Employment Exchange for Plantation Labour, Employment Information and Assistance Bureau in rural areas and University Employment Information and Guidance Bureau at Gauhati and Dibrugarh University to tackle the unemployment problem of the state. ⁽⁹⁾ The remaining part of the plan also envisages organisation and restructuring of the employment service which will include (1) strengthening of the employment service to help efficient utilisation of national manpower particularly initial skilled requirement for planned economic growth, and (2) Gearing up the employment service machinery to play a positive role in meeting the manpower requirement of various employment oriented economic development programmes in both urban and rural areas.

The 4th Five-Year Plan schemes under this sector envisage continuance of the measures already undertaken in the plan viz. (i) Expansion of Employment Service, (ii) Collection of Employment Market Information, (iii) Vocational Guidance and Employment Counselling and (iv) Occupational Research and Analysis.

Hill Areas : The 4th Five-Year Plan schemes under this sector envisage continuance of the measures already undertaken in the previous plan and the measures are (i) Expansion of Employment Service, (ii) Vocational Guidance and Employment Counsellery.

The 4th Plan also envisaged the setting up of an unit at the State Headquarters to deal with Development Schemes in the hill areas and also appointment of Development Officers at the selected exchanges for public relation and promotion of employment service collection of guidance programme will be further intensified during the plan period.

An amount of Rs.3 lakh have been proposed for implementation of the schemes under employment during the 4th Year Plan. ⁽²⁰⁾

5TH FIVE-YEAR PLAN

General : By the end of the 4th Five-Year plan, there were 4 zonal offices, 27 employment exchanges including one special employment exchange for plantation labour and three university employment information and guidance bureau, 15 Employment Information and Assistance Bureau, (2) Collection of Employment Market Information units including one State unit and 9 Vocational Guidance units in the state. An enforcement cell for enforcement of the Employment Exchanges (Compulsory Notification of Vehicles) Act, 1959, was set up in the State Directorate during the third year of the 4th Five-Year Plan.

Stress on the following points have been given in the 5th Five-Year Plan :

1. Penetration of Employment Service in the Rural Areas and also strengthening of the existing Employment Information and Assistance Bureau.
2. Building for the Employment Exchanges.
3. Strengthening of the Employment Exchanges.
4. Setting up of cells at the Zonal offices for enforcement of Employment Exchanges (Compulsory Notification of Vacancies) Act. 1959.

5. Vehicles for the Employment Exchanges.
6. Setting up of Vocational Guidance units at the Employment Exchange and also strengthening of the existing units.
7. Setting up of special Guidance centres to cater to the special needs of certain categories of employment seekers e.g. Scheduled Castes /Scheduled Tribes, ex-servicemen, physically handicapped, women etc.
8. Publicity of activities of the Employment Services.

The estimated expenditure on the implementation of the schemes during the 5th Five-Year Plan will be Rs.20 lakh.

Hill Areas : By the end of 4th Five-Year Plan there will be two Employment Exchanges, Five Employment Information and Assistance Bureaus, two collection of Employment Market Information units and one vocational guidance unit.

Stress on the following points have been given in formulation the Fifth Five-Year Plan for the Hill Districts of Assam.

1. Penetration of Employment Service in the Rural Areas.
2. Building for the Employment service in the Rural Areas.
3. Strengthening of the Employment Market Implementation Units of the Employment Exchanges.
4. Setting up of cells at the Employment Exchanges, for Implementation of the Employment Exchanges (Compulsory Notification of Vacancies) Act. 1959.
5. Vehicles for the Employment Exchanges.

6. The Employment Market Information unit of the District Employment Exchange, Guwahati strengthened.
7. Two rural enforcement cells were set up at Guwahati and Jorhat.
8. Cell for physically handicapped persons were set up at the State Directorate under the centrally sponsored scheme.

The expenditure during the review was Rs.10.72 lakh. Programme for new scheme during 1980-85 (6th Five-Year Plan).

1. Setting up of Employment Exchanges.
2. Purchase of department vehicles for the State Directorate.
3. Strengthening of the State Directorate by setting up of a department vigilance cell.
4. Setting up of a planning cell at the State Directorate of Employment.
5. Setting up of a enforcement cell at the zonal officers.
6. Strengthening of 4 zonal officers in the state at Guwahati, Jorhat, Tezpur and Silchar.
7. Setting up of Vocational Guidance units at the employment exchange.
8. Setting up of self-employment cell at the state Directorate.
9. Strengthening the 3 University Employment Information and Guidance Bureaus during 1983-87.
10. Setting up of Employment Market Information unit at the Employment Exchange, Doom-Dooma.
11. Setting up of job Development and Industrial services.

An additional allocation of Rs.1 Crore provided during 1980-81 for implementation the schemes on employment for educated youths. After the detailed schemes finalised, amounts were allocated to the concerned department.

(b) Programme for the Annual Plan 1981-82

During the year 1981-82, proposals have been made for providing Rs.5.86 lakh as plan allocation in General Areas under the employment. The amount includes an expenditure of Rs.4.40 lakh for meeting the expenditure of the following continuing schemes:

1. Expansion of Employment Service	Rs. 1,55,000/-
2. Collection of Employment Market Information	Rs. 1,24,000/-
3. Vocational Guidance and Employment counselling	Rs. 1,33,000/-
4. Occupational Research and Analysis	Rs. 28,000/-
Total	Rs. 4,44,000/-

The remaining amount of Rs.1,45,000/- have been proposed for implementation of the following new schemes during 1981-82 under the major scheme Expansion of Employment Services.

1. Purchase of a departmental vehicle for the Employment wing of the State Directorate	Rs. 50,000/-
2. Strengthening of State Directorate of Employment by setting up of a Departmental Vigilance Cell	Rs. 57,000/-
3. Setting up of a planning cell at the State Directorate of Employment	Rs. 38,000/-
Total	Rs. 1,45,000/-

Hill Areas

(a) Brief Review of 1974-75 to 1977-80

Out of there existing Employment Exchanges at Diphu, Haflong, and Hamren, the Employment Market Information units of the Employment Exchanges at Haflong and Hamren were strengthened and the Vocational Guidance Unit of the Employment Exchanges, Hamren was also strengthened for rendering better service to Hill tribal applicants. The construction work of the officer building of the Employment Exchange at Diphu and Hamren had been completed and construction of officer building of the Employment Exchange at Haflong was started.

(b) Proposals for 1981-85

The Employment Service facilities created in the post-plan period was sustained during the Sixth Plan period. Provision was made for completion of incomplete construction works during the Sixth Plan period. In order to shift the officer the Hamren Exchange from Donkamokam, residential quarters for the staff will have to be constructed at Hamren where rented accommodation for the staff of the exchange are not available. One more Employment Information and Assistance bureau at Harangajan in N.C. Hills will be established raising the total number of such unit at Block level to six, Two new Employment Exchanges at Bokajan and Garampani will be opened.

General

(a) Position of Employment Service at the end of 1979-80 in General Areas

There were 8 District Employment Exchanges, 18 Employment Exchanges, 3 University Employment Information and Guidance Bureaus, 15 Employment Information and Assistance Bureaus, one each at the 15 Block Development Headquarters, 24 Employment Market Information Units, 14 Vocational Guidance Units, 1 Special Employment Exchange for Plantation Labour at

Dibrugarh. One special Employment Exchange for Physically Handicapped persons and one professional and executive Employment Officer at State Directorate of Employment at Guwahati. There are also 4 zonal officers of the Deputy Director of Employment at Guwahati, Jorhat, Tezpur and Silchar.

(b) Achievements During the 6th Five-Year Plan (1980-85)

During the year 1980-81, an Employment Exchange for unskilled job seekers had been set up at Guwahati. During the year 1981-82 and 1983-84, it was not possible to implement any new scheme for want of fund. During the year 1983-84, six Sub-divisional employment exchange at Kokrajhar, Goalpara, Barpeta, Mangaldai, Sibsagar and Karimganj have been strengthened and upgraded to District Employment Exchange for consequent upon creation of 6 new districts in the states 10 new employment exchanges have also been set up one each at (i) Jonai, (ii) Chapakhowa, (iii) Garamur, (iv) Sonari, (v) Biswanath Chariali, (vi) Gosaigoan, (vi) Hatsingimari, (ix) Hojai, (x) Rangia, (xi) Udalguri is consequent upon creation of new sub-divisions. ⁽²²⁾

(c) Programmes for 7th Five-Year Plan (1985-90)

Objective of Employment Service : The Employment Service in the State continued to serve the broad aim of the National Employment Service, as has been done over the years through the programmes included in the 7th Five-Year Plan documents. The objective of these programmes were :

- (i) To extend the registration facilities to all sections of the population inhabiting in both urban and rural areas.
- (ii) To disseminate information regarding the opportunities offered to the unemployed and underemployed sections of the population by the development activities, more particularly by the activities in the industrial sector in the state and outside.

- (iii) To establish liaison between the employment seekers and employers with a view to make a match between job seekers employability and an employers requirement.
- (iv) To render vocational guidance to the young people as also seekers regarding choice of career, vocational course and the work of occupations.
- (v) To promote as much as possible, self-employing ventures amongst the enterprising unemployed youth through motivation, counselling and guidance.
- (vi) To collect, process and disseminate employment in the different fields of economic activities for the benefits of employers, job seekers and manpower planners.
- (vii) To improve working necessary accommodation component and manpower for implementation of the different schemes including schemes taken up for the benefits of the seekers such as physically handicapped persons, scheduled castes and scheduled tribes applicants and women job seekers.

To achieve the objective mentioned above, schemes for the following are considered essential for inclusion in the 7th Five-Year Plan.

Formulation of 7th Five-Year Plan (1985-90) and Annual Plan (1983-84) under Employment

HILL AREAS : Position of Employment Service at the end of 1979-80 (5th Five-year plan)

There were 3 Employment Exchanges at Diphu, Haflong and Hamren in

Hill areas at the end of 1979-80. There were also 3 Employment Market Information Units and 3 Vocational Guidance units, one each at the aforesaid Employment Exchanges. There were also employment information and Assistance Bureaux including 3 in Karbi Anglong district and 2 NC Hills district.

During 1980-81, a post of Deputy Director of Employment (Hills) was created together with one class III and IV staff with the headquarters at Diphu for liaison and supervision of the work in Employment Exchanges in the two hill districts. One post of LDA was created in the District Manpower Planning and Employment Generation Councils of the District Employment Exchange, Haflong 1983-84.

(a) Programme for 7th Five-year plan (1985-90)

Objective of Employment Service: The Employment Service in the state will continue to serve the broad aim of the National Employment Service, as has been done over the years, through the programme included in the 7th Five-year plan document. The objectives of these programmes will be:

PART I

- (i) To extend the registration facilities to all sections of the population inhabiting in both urban and rural areas.
- (ii) To establish liaison between the employment seekers and employers with a view to make a match between a job seekers employability and employers requirement.
- (iii) To promote as much as possible, self-employing ventures amongst the enterprising unemployed youth through motivation, counselling and guidance.

- (iv) To improve working of the Employment service by providing necessary accommodation, equipment and manpower for implementation of the different schemes including schemes taken up for the benefit of the weaker sections such as the Scheduled Castes and Scheduled Tribes applicants.

To achieve the objective set above, schemes for the following considered essential for inclusion in the Seventh Five-year plan:

PART II

- (i) It was proposed to establish 2 new Employment Information and Assistance Bureaus under Hill areas plan, to be located in the interior Rural areas as also growth centres.
- (ii) The directions contained in the sixth plan for promotion of self-employment amongst the enterprising unemployed youth has not been properly implemented in absence of the necessary staff in the Employment Generation Councils which have been set up in the two District Employment Exchanges. The proposed unit consisting of the Assistant Employment Officer, one Lower Division Assistant and one peon in each of these two District Employment Exchanges will function as the Secretariat of the District Councils in the matter.
- (iii) Almost all the Employment Exchanges in the state are now accommodated in the hired buildings and accommodations is not available in the interior areas even for the purpose of hiring. With a view to giving a better look to the Employment Services, it has been proposed to have Employment Exchange buildings and staff quarters as per the layout of the Directorate General of Employment and Training., New Delhi. ⁽²³⁾

Achievement during the 7th Five Year Plan upto the end of 1988-89 :

During the year 1985-86

- (i) Strengthening the 8 District Employment Exchanges at Guwahati, Jorhat, Tezpur, Dibrugarh, Silchar, North Lakhimpur, Nagaon and Dhubri by setting up of 8 units of District Manpower planning and Employment Generation Councils by creation of 8 posts of Assistant. Employment Officers, 8 post of L.D. Assistant and 8 post of peon.
- (ii) Upgradation of the Sub-Divisional Employment Exchange, Nalbari by creating the post of Employment Exchange Officer, one U.D. Assistant, three L.D. Assistants and two peons.
- (iii) Strengthening the state Employment Market Information unit by creation of a post of Statistical Assistant. During the year 1986-87,
 - (1) Assam Zone, Guwahati by creation of a post of Chowkidar,
 - (2) Strengthening the zonal offices of the Deputy Director of Employment at Guwahati, Jorhat, Tezpur and Silchar by creation of four posts of L.D. Assistant, one post of L.D. Assistant, four each zonal offices of the Deputy Directors of Employment,
 - (3) Strengthening the zonal offices of the Deputy Director of Employment at Tezpur and Silchar by Setting up of 2 enforcement cells for enforcing the compulsory Notification of Vacancies Act, 1959 with creation of two posts of Assistant Director of Employment (Enf.), two L.D. Assistant and two Peons. One Assistant Director of Employment (Enf.) one L.D. Assistant and a Peon in each of the two Zonal Offices of the Deputy Director of Employment,

- (4) Setting up of Employment Exchanges, one each at Jagiroad, Moranhat and Patharkandi by creation of three Assistant Employment Officers, three U.D. Assistants, six L.D. Assistants, six Peons and three Chowkidars,
- (5) One zonal office of the Deputy Director of Employment at Dibrugarh was set up with one Deputy Director of Employment, Two L.D. Assistant, one Peon and one Chowkidar,
- (6) One coordination cell for the District Manpower Planning and Employment Generation Council was up in the State Directorate by creation of Deputy Director of Employment, one Investigator, two L.D. Assistants and one Peon during the year, 1987-88,
- (7) Setting up of 7 units of Employment Market Information in the 7 Employment Exchanges at Rangia, Gossaigaon, Hatsingimari, Udalguri, Viswanath Chariali, Sonari and Hojai by creation of 7 posts of Statistical Assistants and 7 posts of L.D. Assistants,
- (8) Setting up of 2 Employment Exchanges, one each at Koliabor and Duliajan by creation of two Assistant Employment Officers ⁽²⁴⁾, two U.D. Assistants, four L.D. Assistants, two Peons and two Chowkidars,
- (9) Setting up of 3 Vocational Guidance and Employment Counselling units and strengthening one V.G. unit at the District Employment Exchange, Barpeta by creation of four posts of Assistant Employment Officers, three L.D. Assistant and 3 Peons,
- (10) Setting up of the four Employment Information and Assistance Bureau one each at the Block Development Headquarters at Bijni in

Kokrajhar District, Dhakuakhana in Dhemaji Sub-Division by creation of 4 posts of U.D. Assistants,

(11) Strengthening the five District Employment Exchanges at Barpeta, Kokrajhar, Goalpara, Mangaldai and Sibsagar by setting up of 5 units of District Manpower Planning and Employment General Council with creation of 5 Assistant Employment Officers, 5 L.D.Assistant and 5 Peons,

(12) Setting up of a Mobile Employment Exchange attached to the State Directorate. ⁽²⁵⁾

(13) Setting up of four units of Employment Information and Assistance Bureau in the 4 Development Block Headquarters at Rupahi in Barpeta district, Bajali Chowkathi in Barpeta district, Bokakhat in Golaghat district and Demow in Sibsagar district. Setting up of an Employment Exchange at Dhansiri Subdivision in the headquarter at Sarupathar. Strengthening the Mobile Employment Exchange attached to the state Directorate.⁽²⁵⁾

LANGUAGE PROBLEM

Language is the means by which the individual expresses his personality. Alphabet is the means by which language is written. Script is the means by which the alphabet is written. Any alphabet can be written in any script. It, therefore, follows that any language can be written in any script, provided the alphabet has the necessary sounds. If it has not then, they may be added and visual symbols invented or adopted to represent them. Of Course, the script, adopted for writing an alphabet must have certain qualities - clarity, legibility and capacity for easy manual and mechanical manipulations.

It may be noted that most of the Indian Language have close affinity with one another, so far as pronunciation, grammar or vocabulary are concerned. For instance, Marathi and Gujarati are practically one and the same language as Assamese and Bengali are. Again, there is a close affinity between Kanadas and Telegu. These two language are twins, more or less with the same grammar and similar vocabulary. The literary traditions, rules and prosody are also uniform for both the languages. Since the script is different, an emotional barrier is erected between the two communities. The most striking example is Hindi and Urdu. Both may be considered as one language in every sense of the term. But their scripts are utterly different. The same thing is true of Punjabi and Hindi. Both of them are again one language. But the Akalis insist that Punjabi should be written in Gurmukhi. To some extent Tamil and Malayalam are similar to one another but again their scripts are different. Much of the linguistic trouble in this country is due to script. India lacks unity in script. There are at present nine scripts currently used in India. They are, Devanaguri or Nagari, Bengali, Assamese, Oriya, Gurmukhi, Telegu-Kannada, Tamil-Grantha, and Malayalam. Kaithi and Gujarati are forms of the Nagari script. Grantha is used to write Sanskrit in the Madras State, side by side with Nagari. Gurmukhi is at present confined to Punjabi and that too to Sikhs. The Hindus in Punjab to write Panjabi in Nagari and the Muslims always use the Perso-Arabic for the same language. The Gujarati, the Kaithi and the Mahajani are the broken forms of Nagari. In Kashmir, there is the Sarada alphabet, close to Gurmukhi used by Hindus. It may be noted that all these are derived from the Brahmi script which existed in Ancient India. It was an all India script which existed several hundred years before Christ. At any rate, there was one script for the whole country before 300 A.D. Later on Brahmi script went on changing and as a consequence different scripts came into existence. Yet, it must be said that the Nagari script is used by a large number of languages. It is employed not only to writ Hindi, Marathi, Nepali and

frequently Punjabi and Gujarati. It is being adopted to write Sindhi also. Since the foundation of three Indian Universities in 1857, the Nagari script has been accepted as the Pan Indian script for Sanskrit. Nagari has been used extensively for printing original Mahabharata and Rig-veda Samhita. Many people though that Devanagari script is the only script for Sanskrit. However, the fact remains that there are many scripts in India.

Language has a close relationship with script. Therefore we are discussing here about the origin and development of Assamese script. Assamese script is a member of Kutil branch of the Gupta Group. In ancient India the script was broadly divided into two main group - viz. Brahmi and Khorostri. The Brahmi letters flow from left to right and Khorostri from right to left. The old Kamrupi script belongs to the Gupta Group of the Brahmi family of alphabet along with its uterine sister Maithili and Bengali. The old Kamrupi script was used in traditional manuscript. The evidence of the Kamrupi script can be traced in the copper-plates inscription of Nidhanpur during the reign of Bhaskaravarman.

Modern Assamese script cannot be said to be the true manifestation of the Kamrupi script. For want of printing press no Assamese manuscript was printed and for the first time Assamese books came out in printed from Sreerampur Printing Press in Bengali. The Kamrupi script development in a regular and continuous process of evolution till the nineteenth century. When the first Bengali campaign was started by Carey and others of the Sreerampur Mission. The Sreerampur Mission used the same script for Bengali and Assamese which was designed and engraved by one Atmaram Sarma of Koliabor in the Nowgong (Assam), when Assam came under the British rule, Bengali became the language of courts and the medium of instruction of schools. It continued nearly for forty years. For the reason that the Assamese script was similar with that of Bengali it became the language of the courts of Assam. As a result of that the Kamrupi script gradually disappeared.

The modern Assamese-Bengali script was used to express the Assamese language in written form. But it was Hemchandra Borua who introduced the traditional 'ra' and 'wa' into the modern Assamese alphabets. The Sreerampur Mission used common script for Assamese and Bengali for convenience and since then both have been using the same script. This has, of course, led to a serious misunderstanding that Assamese is an offshoot of Bengali. Bengali campaign was started by Sreerampur Mission, likewise Assamese campaign was started by Brown, Bronson and others of the Baptist Mission. The Baptist Mission began printing books in Assamese language with types cast in one and the same foundry in which Bengali books were printed.

The script of both the languages, the Assamese and Bengali, nevertheless is identical, based on the infrastructure of Assamese and Bengali script. The Maithili and the Manipuri have ramified into distinct languages. The Tripuri language also followed the suit of Manipuri language as regards the script. On the other hand Arunachal and Nagaland have accepted Devnagri and Roman script respectively. Likewise Mizoram and Meghalaya have accepted the Roman script. Each plain-tribe of Assam has a language of its own. All these languages are at different stages of developments. Until recently, at least three of these tribal languages - Bodo, Mising and Rabha accepted the Assamese script. Now the Bodos want to switch over to Roman script severing it from Assamese which had been followed so long. The Mising are in between the two horns of dilemma whether to continue with the Assamese script or to switch over to Roman script. The reason is sentimental. They feel that they are neglected and are getting a step-motherly treatment in the hands of the Assamese. The Assamese community, to make a clean breast of the fact, is backward in comparison to the people of other states almost in all department. The Bodos which is a part and parcel of the Assamese community is lagging behind their compatriot.

Bodo Movement is mainly an ethnic movement where language plays a crucial role. It is on the one hand a symbol of identity and on the other hand an instrument of political mobilization.

Bodos are a major ethnic and linguistic group among the many tribal groups of Assam. Ethnically and linguistically they belong to the Tibeto-Burman group. Although they are scattered throughout the north region of India, their main concentration is now on the northern bank of the river Brahmaputra, starting from Dhubri and Kokrajhar subdivision of Goalpara district in the west, to Dhemaji subdivision in the East. There are some other pockets of Bodo concentration in the Southern bank of the river Brahmaputra. Kokrajhar is the highest Bodo concentrated subdivision in the state of Assam.

Broadly speaking Bodos are a part of the composite Assamese society which consists of different ethnic and linguistics groups. The Bodos comprise 3.65 % of the total population of Assam. Efforts to maintain language and culture as the markers of ethnic identity were unknown to them till the end of the first half of the century. They used Bodo for intra-group communication and Assamese, the dominant language of the State for inter-group communication. It was only towards the later half of this century that they formed a Sahitya Sabha of their own for promoting literary activities. It was on November 26, 1952 that they organized a convention of Bodo people in Kokrajhar and Bodo Sahitya Sabha (BSS) was formed. Bodo Sahitya Sabha heightened the linguistic ethnic and political consciousness of the Bodo people which eventually resulted in a serious of movements.

The evocation of this new consciousness manifested itself in a mass movement over a rather complicated question of script. Like many other minor languages Bodo does not have its own script. In India values of permanence are attached to the script and higher status is ascribed of those languages which have

ancient and individual writing systems. More often the separate identity of a language is even recognized depending on the individuality of the script. This explains the creation of new scripts for unwritten languages and the reluctance of the minority languages for sharing the script of a neighbouring major language.⁽²⁵⁾ This is precisely the case with Bodo language which suddenly decided to switch over from Assamese script to Roman script. The general tendency of the minority language is to share the script of the dominant major language. But conflict arises when a minority group in such a situation tries to deviate from the general tendency. When for other reasons conflict arises they express themselves through such deviation. The attitude of the Bodos towards the major scripts of the state and in fact of the region i.e., Assamese, Bengali, Manipuri scripts caused serious repercussions. The Bodo script movement resulted in police firing. Both the State and Central governments expressed concern at the turn of events. The Assam Sahitya Sabha, so far indifferent to such causes, also showed serious concern over the issue.

The first Bodo books 'Kachari Reader' and 'The Kachari Grammar' were written in Roman Script and published in 1904 by the then British Government.⁽²⁶⁾ The Bodos claim that education was imparted to Bodo Children at that time in Bodo medium with the help of these books. Neog's comment that he never saw these books may be cited here.⁽²⁷⁾ The use of Roman script was discontinued after 32 years. Assamese script was adopted in 1936. The reason for this change of script policy is not known. Three months after its inception in 1952 the Bodo Sahitya Sabha demanded introduction of Bodo as the medium of instruction in the schools of Bodo speaking areas. After prolonged discussions the Government of Assam introduced Bodo in primary school of Kokrajhar district in 1962. It was followed by a demand for Bodo language at high school level for which Bodo Sahitya Sabha launched an agitation. However, the Government finally agreed in March 1968 to introduce Bodo to pre-high school level.

The question of Roman script arose first in 1966 during the eighth annual session of BSS. No resolution could be passed, however because of the lack of unanimity. The whole problem remained a controversy till 1974 when the issue again came up resulting in a powerful mass movement. ⁽²⁹⁾

Now a few questions arise: why had the BSS taken such a decision all on a sudden? What made them see demerits of the script which had been used ever since 1936? Did the demand for Roman script had any connection with the formation of the Plains Tribal Council and its demands for political autonomy? The whole problem has to be studied keeping the political, economic and social factors in mind.

The script controversy reveals the political nature of the problem. The Bodos, anxious to carve out an independent identity, wanted a symbol, to mark a break from the Assamese and also from Assam. The Roman script is perceived as irrevocably connected with English and it also signal a departure from the languages of the country.

The arguments of the Bodos in support of Roman script can be summarized as follows:

- 1) Roman is the first script used in Bodo language and therefore it should be retained.
- 2) Clarity and legibility make Roman the easiest to learn.
- 3) It faithfully represents the sounds of Bodo language and therefore spelling anomalies can be avoided.
- 4) It has international status.
- 5) Its use may serve as a connecting link between the Bodo speaking people living outside the state.

- 6) It is economic from the point of view of time and cost of printing and typing.

Their arguments against the use of Assamese script on the other hand can be briefly mentioned.

- i. Assamese script is too time consuming to learn, to read and to write.
- ii. It does not represent the Bodo speech sounds.
- iii. Its spelling anomaly is confusing and may cause hurdles in the learning process.
- iv. Cost of printing and typing will be more.

The arguments put forward in favour of Roman script and against Assamese script is refuted by a section of the society by the following arguments.

- i. In a country like India where the literacy rate is just 29.5% and only less than 4% of the people know English, Roman script is yet a foreign script. Roman script modified to suit Bodo would be equally inconvenient from the point of view of learning English. And there is no guarantee that it will save time.
- ii. The spelling system in English is very highly inconsistent. Thus adoption of such a script for an entirely different language of entirely different origin and sound system may cause serious inconvenience to the learners.
- iii. From phonetic point of view Roman alphabets are not scientifically arranged in accordance with place and manner of articulation like Indian scripts of Brahmi origin.
- iv. To call Roman script a simple script is a misnomer. Simplicity is a

relative term. Roman alphabet with 26 letters requires use of letters and combinations of letters in different values in different places. Sometimes two three alphabets are required to represent one single consonant sound while a single alphabet represents two three sounds. Even the vowels do not have consistent values. For example U is sometimes realized as /U/ and sometimes as /A/ . This means there is no one to one correspondence between actual speech and its alphabetic manifestation. To call a system with a less number of units where each unit is used more frequently and in different values simple in comparison to a system where there are larger number of units with each unit having consistent phonetic value is dubious.

- v. Roman script without any modification cannot represent Bodo speech sounds which means Roman with diacritic features added to it will be an extra burden to the learners in the context of the three language formula of the country. Under the three language formula, a child is expected to learn three languages and three scripts. The modified Roman scripts would impose unavoidable burden.
- vi. Adoption of Roman script will alienate the language from the people of other communities within the State. This may be detrimental to the growth of the language and its wider use for communication.

The arguments in favour of Assamese script have been forwarded as below by the supporters of the Assamese scripts:

- i. Assamese script provides symbol for most of the features of Bodo pronunciation including the retroflex series.
- ii. Spelling anomalies can actually be avoided in Assamese script.

- iii. As a result of interaction, Bodo is influenced by Assamese and vice versa. Thus there is close relationship between the languages. So it would be advantageous for a Bodo child to acquire Assamese which is necessary for participating in the socio economic development of the region.
- iv. Adoption of Assamese script will promote cultural exchange and sharing of each other's literature.
- v. If the target is genuine development of minority language it can be achieved through the script of the major neighbouring language for various geographic, economic and political reasons.
- vi. Since other minor tribal languages like Rabha, Mising and Karbi have decided to adopt Assamese script Bodo language with Roman script is likely to be isolated from the main stream of cultural, educational, economic and socio-political life of Assam.
- vii. Script is not merely a question of counting letters. Modern media of communication involve typing, teletyping, teleprinting, telegraphy etc. Where choice of script becomes most important. Use of the majority script of the region is likely to be more beneficial from this point of view for the maintenance of minority languages than the deviant versions of Roman script.

The above arguments show that considerations for the demand of Roman script are not purely linguistic. In fact their acceptance of Devangiri script was a compromise in so far as

- (a) it involves using of one of the three scripts other than Assamese learnt by Bodo children, which like Assamese would need least modification and

(b) seeking a solution within the ethos of Indian language culture.

This issue can be seen yet from a different perspective. In India Konkini is written using five scripts. So is Santhal. In fact Sanskrit's pervasiveness and longevity can be attribute to the language being written in different scripts in different parts of the country. As such Bodo language could be maintained by the Assamese script as much as by the Roman. But the fact that in 1970 the Bodo text book 'Bithorai' in Roman script was introduced in primary level without Government's approval escalated the conflict. ⁽³⁰⁾

Assam Sahitya Sabha (ASS hence forward) ever since its inception in 1917 has been working for the cause of the Assamese language. It never showed serious concern for other minor languages. Its sole concern was for the Assamese language. That development of other languages surrounding Assamese in the region was in the interest of the development of Assamese language never occurred to them. When Bodo was demanded in the 1950s, ASS did not play any role. As a result of long standing demand the Government of Assam published in 1956 the first text book written in Bodo language but it was not accepted by BSS on the ground that it was full of errors.⁽³¹⁾ Again, it took eleven years for the Bodos to fulfill the demand of Bodo as the medium of instruction. In 1963 the then Chaliha Ministry decided to introduce Bodo as the medium of instruction at primary level. There is no evidence of ASS supporting or helping the Bodos in this matter. Innumerable publications of books in Assamese as against non-publication of a single book ⁽³²⁾ in Bodo is a clear example of dominant monolingual policy of the Assam Sahitya Sabha.

Whether linguistic consciousness precedes and ethnic consciousness follows or ethnic consciousness precedes and linguistic consciousness follows or both operate simultaneously is a matter of debate. Probably language and ethnicity are just two sides of the same coin. Tribal consciousness can be seen

In India from the early historical times, 'This consciousness has found expression sometimes as an all pervasive tribal identity and sometimes as broken ethnic identities. An example from the North East is provided by the formation of the Tribal League in the pre-independence days which was an expression of tribal consciousness and worked for tribal identity. The league which was formed in 1933 and functioned till 1949 was a representative of the entire tribal population of Assam and was successful in securing reservation of nine seats in the State assembly under the 1935 Act. After the merger of the Tribal League with Congress in 1949 a new socio-cultural organisation called 'Tribal Sanggha' was formed. After the BSS was formed in 1952, the political interest of the largest tribal group, the Bodos, crystallized around it. The Plains Tribal Council of Assam, (PTCA) formed on 27 February 1967, was the successor of the Tribal League. Working as representative of the tribal identity it initially demanded political autonomy of the tribal people of Goalpara, Kamrup, Darrang, Lakhimpur and Sibsagar district and subsequently the creation of a separate Tribal State named 'Udayachal'. It may be noted the Bodos were in the leadership position of the PTCA. The PTCA was divided on the basis of the assertion of the identity of the Bodo Mising group and PTCA (Progressive) was formed in 1979. This new group demanded 'Bodo Mising Bhumi' as a separate Union Territory. ⁽³³⁾ The Bodo language Movement did not take Mising into its preview. Thus it was the assertion of a single ethnic identity. It is important to note that tribal identity assertion and individual ethnic identity assertion are not successive but often simultaneous.

The Bodo identity movement is linked up with similar movements in the North East. The Government of India, from time to time, have taken measures to meet minority aspirations in the North East. But, very often, it has left the various groups more dissatisfied. B.K. Roy Barman, in his article 'Crisis of

Identity Among Mizos' (Mainstream, July 14, 1984) gives an account of events leading to Mizo insurgency. He writes -

'The Sixth Schedule of Constitution of India was promulgated to safeguard the traditions, customs and practices of the hill tribes of North East India and to protect them from outside traders and exploiters. The Lushai Hills District Council was constituted in 1952. To satisfy the minority aspirations, the Pawi-Lakher Autonomous Region was carved out of the Lushai Hills District in 1953. In 1954, The Assam Lushai Hills District (Acquisition of Chiefs' Rights Act) was enacted and the rights and responsibilities of 259 Mizo Chiefs and 50 Pawi Lakher Chiefs were vested in Government. The administration of land was transferred to the District and Regional Councils from the Chiefs. With the passing of these Acts, traditional leadership pattern and the elite structure yielded place to a new order. The former Chief's party UMFO lost its hold. They formed another party, Eastern India Tribal Union (EITU). The Assam Government decided to introduce Assamese as the State Language, the tribes of Mizo District as also other hill areas of Assam "were scared of losing their linguistic identity and minority rights". They were also dissatisfied at the way the money given for tribal welfare was used by the Government of Assam, without much apparent benefit to the Mizo Hills. The economic condition of the Mizo Hills was precarious in the mid 1960's after the famine which lasted a few years. This led to the movement for the formation of hill state in 1961, initiated by All Party Hill Leaders Conference (APHLC), which include both EITU and Mizo Union. The movement rapidly gained popularity. At the same time, a third political force, which later led to the Mizo insurgency

emerged on 22nd November 1961, a political party, called the Mizo National Front (MNF) was established under the leadership of Laldenga. By 1964, the demand for separate Statehood for the Mizo Hills had gained momentum and when this was not conceded, the MNF stated its insurgent activities on 28 February 1966.'

It is necessary to examine atomisation as a solution to tribal problems. The North East has already been divided into seven units with the North Eastern Council acting as an arbiter of interests. The proposed 'Udayachal' would still leave 50% of the total tribal population in Assam outside. According to Parag Kumar Das, Udayachal would comprize of 8,25,462 out of total of 16,06,648 scheduled tribe population of Assam. The schedule tribe population of the five districts from out of which Udayachal is sought to be carved out comes to a little over eleven lakhs. This means that the proposed state of Udayachal had left almost one fourth of the tribal population of these districts outside its purview. The proposed Bodo Mising Bhumi comprized of a scheduled tribe population of about eight lakhs. This means that although there was some overlapping in area and population, still a section was left out.

In the wake of the demands of a separate state Parag Kumar Das interviewed six tribal leaders of Assam.⁽³⁴⁾ The only politician among them, the secretary of the PTCA supported the demand for 'Udayachal'. The other five were opposed to further division of Assam and creation of 'Udayachal' on different grounds. The Bodo population of Assam is so dispersed and so intermixed with the non-Bodo population that it is impossible to create a separate Bodo State without eliminating a large segment of the Bodo population or uprooting them from their traditional homes. In either case the viability of such a state would be doubtful.

The leaders of the Bodo Movement were torn between different loyalties. While their ethnic loyalty impelled them to set up a separate Bodo Movement, the awareness that tribal problems can only be solved in a larger perspective made them demand for 'Udayachal' or 'Bodo Mising Bhumi'. While their anger against the attitude of dominance of the Assamese and the examples of the neighbouring tribals prodded them to opt for Roman script, the same anger but their refusal to be dubbed as anti-Indian made them accept the Devnagari Script. The Bodo elite which occupies higher position in the socio-economic life of Assam is aware of the need of the cohesion but at the same time aware of the socio-economic and cultural deprivation of not only the Bodos but also of other tribal people of the region. The Bodo Movement has multicausal motivation. The historical importance of the Bodos contrasted with the current political neglect, the threat of atrophy of Bodo culture and death of the Bodo language, the political ambition of the newly emerging elites, the economic pressure due to the invasion of the Bangladeshis are some of the reasons for the movement. In conclusion it may be said that over and above the reasons cited above, it is the shortsightedness of the academic and political leaders of Assam that aggravated the feelings of the Bodos and lighted the fuse that ignited the Bodo movement.

Medium of Instruction

Closely connected to the language problem of Assam is the problem of medium of instruction in the Colleges and Universities. While responding positively to the demand made by the Assamese people to introduce Assamese language as the medium of instruction at the level of higher education the Assam Legislative Assembly unanimously resolved on 24th September 1972 that the medium of instruction at the University level in Gauhati and Dibrugarh University should be Assamese. And English should be continued as an alternative medium of instruction. While supporting the resolution Charan Nazari of PTCA political party said that Assam is a multilingual state. Here all must

respect each others language. There would be no question of imposing or subjugating any language. He insisted that English should be allowed to continue as an alternative medium in addition to Assamese in Gauhati and Dibrugarh University. ⁽³⁵⁾

The General Secretary of All Assam Students' Union Late Prasanna Narayan Choudhury, has issued a statement in connection with the medium of instruction in the Colleges and Universities. The statement pointed out that the resolution of the Assam Legislative Assembly of 23rd September 1972, failed to give due recognition to Assamese as the only regional language.

The conference of the student delegates from different parts of the state held at the Assam Engineering College on 22nd to 24th September 1972 observed that the Legislators had no scope for discussion with their electorate on the issue. They were simply guided by the party discipline and enforced loyalty to leadership. The Chief Minister was in a hurry to find out a compromise formula in order to avoid legal intricacies.

The students decided to take up the issue in the best interest of Assamese language and culture. The AASU unanimously resolved that (a) Assamese shall be the only medium of instruction in higher education within the geographical territory of the state; (b) for the benefit of the students not having Assamese as mother tongue the Gauhati University Academic Councils decision to provide English as an alternatives for the interim period of ten years will be valid, and (c) the state Government shall take necessary steps to enable the Universities to implement Assamese as the only medium after the expiry of the interim period.⁽³⁶⁾

The Academic Council of Gauhati University has modified its earlier decision took on 12th June 1972 and adopted that --

- “(i) Assamese shall be the medium of instruction in all colleges under the jurisdiction of Gauhati University.
- (ii) English shall continue as an alternative medium of instruction till such time, not exceeding ten years as may be considered necessary by the Academic Council.
- (iii) Students shall have the option to answer either in Assamese or English in the Universities examinations.”⁽³⁷⁾

A Brief Summary of the Issues

Influx of illegal immigrants into Assam from the neighbouring countries particularly from Bangladesh is posing as a serious threat to the unity, integrity and the security of the country. Everybody has to realise this situation provided he or she is a conscious citizen of India. Further inclusion of these illegal immigrants in the list of voters may cause serious political problems to the legislators in the decision making process.

Realising the serious consequences of the inclusion of these foreigners in the list of votes the Government of Assam during the Janata Party rule explicitly expressed the need of correction of the list at the time of by-election to the Lok Sabha due to the death of Hiralal Patowary who represented the Mangaldai constituency in the Parliament. The voter list of Mangaldoi Parliamentary constituency was revised and in the process a large number of foreigners' names were deleted, objection were raised against 70,000 men and of these 45,000 were declared as foreigners by competent authority.

The All Assam Students' Union under the leadership of Prafulla Kumar Mahanta, presently Chief Minister of Assam and Bhriugu Kumar Phukan, ex-Home Minister, Assam as President and General Secretary respectively started a movement against foreign nationals. The movement lasted for six years with the

massive support and cooperation from all the sections of people of Assam. The movement claimed several hundred lives of the people of Assam and caused heavy loss of materials. Ultimately, signing of the Assam Accord at the early hours on 15 August 1985 put an end to the movement (see Appendix 11). The significant turning point in the political history of Assam is the formation of the Asom Gana Parishad Party at the behest of AASU. This party came to power by winning election on the foreigner's issue. To the utter surprise of all the people of Assam the attitude of the newly elected political leaders who lead the Assam Movement against foreigners had undergone a radical change aggravating the socio-political situation of Assam from bad to worse.

It is at the persistent efforts of AASU the Election Commission of India initiated the task of deletion of the names of the doubtful voters from the list. Due to AASU's demand as per Assam Accord the Government agrees in principle to reserve the seats of Parliament, Assembly and Local bodies for the indigenous Assamese people. It will be in addition to the reservation of seats for STs and SCs. The illegal foreigner will not be able to contest in the election. AASU is demanding of IMDT Act, which protects the interest of the foreigners. The legislators have yet to play their due role to save the country from the foreign nationals.

Now I must refer to the problem of unemployment which may be considered as one of the biggest problem in todays Assam. It is a major factor responsible for the acts of violence, looting, killing and violation of Human Rights in all forms. Further unemployment of youth causes wastage of youth power. Therefore, no legislator should ignore the youth power while making policies for the development of the state.

Coming to the language issue one may notice that Assam is facing the language problem since 1874 when it was constituted as the Chief

Commissioner's Province. In recent years specially since 1960s multiplicity of languages has been felt by the people as well as the policy makers of Assam. Adoption of English or Devanagri script for different tribal languages, medium of instruction in the educational institutions and official language are the important aspects of the language problem. A close look into the language problem also shows a big gap between policy formulation and policy implementation. It is, again the leadership role of the representatives of the people to be called upon to minimise the gap between the two.

References

- 1 – Census Report 1931
- 2 – Report submitted by Lt. General S.K.Sinha, Governor of Assam to the President of India (See Annexure No. 10)
- 3 – Census Report, 1931
- 4- Census Report, 1991
- 5 – Report submitted by Lt. Gen. S.K. Sinha; op. cit
- 6 – Barpujari, H.K; North East India; Problems and Prospects;
- 7 – Bhuyan, Jogesh paper on Demographic Changes due to infiltration of foreign national into Assam
- 8 – Letter No 1/36/64-F(III) from G.L. Nanda, Home Minister to Sarat Chandra Goswami
- 9 – Foreigners Act 1946
- 10 – Census Report 1991
- 11 – Census Report I bid
- 12 – Census Report I bid
- 13 – Foreigners Act, 1946
- 14 – The Illegal Migrants (Determination by Tribunals) Act, 1983
- 15 – Citizenship Act
- 16 – Census Report 1971
- 17 – Agenda Paper for 28th meeting of the working Group on National Employment sersice held from 8th to 11th Nov. 1989
- 18 – Directorate of Higher Secondary Education of Assam.
- 19 – Third Five Year Plan, Assam
- 20 – Fourth Five Year Plan, Assam
- 21 – Fifth Five Year Plan, Assam
- 22 – Sixth Five Year Plan, Assam
- 23 – Seventh Five Year Plan, Assam
- 24 – Das, Sajani Kanta; Bangla Godyar Pratham Jug P 214
- 25 – Patnayak, DP, Multi Linguism and Mothertongue Education, UUP, 1987
- 26 – Basumatary, Ram Das, President of Bodo Sahitya Sabha,. “Adoption of Roman script and its voluntary Introduction, 6th Oct. 1974

- 27 – Neog, Dr. Maheswar, “Bodo Bhasar Lipir Samparkat” A paper presented in a seminar, Organised by Assam Sahitya Sabha on 6th Nov. 1974.
- 28 – Saptahik Nilachal, Nov 1974
- 29 – Saptahik Nilachal, I bid
- 30 – Neog, Dr. Maheswar, “Bodo Bhasar Lipir Samparkat” A paper presented in a seminar, Organised by Assam Sahitya Sabha on 6th Nov. 1974.
- 31 – Das, Parag Kumar; “Asamar Janajatiya Lokar Samaya; Udayachal Aru Ananya, Prantik. 16-31 July 1981 issue.
- 32 – Ibid
- 33 – The “Hindu”, 21 January, 1983
- 34 – Prantik, 16-31 July 1981 op.cit.
- 35 – The Assam Tribune, 24 September 1972
- 36 – The Assam Tribune, 27 October 1972
- 37 – The Assam Tribune, 14, 1972

Chapter VI

IMPORTANT ISSUES AND ST MLAs

(Specific)

The movement for ethnic autonomy has emerged as a very serious challenge to the Legislators of Assam. The signing of Assam Accord on 15th August 1985 by the representatives of the All Assam Students' Union and All Assom Gana Sangram Parishad with the Governments created a congenial environment for launching movement for ethnic autonomy very forcibly by the Plains Tribals communities of Assam. The initiative has been taken by the Bodo community. However, Assam has experienced similar movements launched by the residents of the hill districts of the State causing creation of district based states of Nagaland, Mizoram, Meghalaya and Arunachal Pradesh. These may be called ethnic based states also. I have made an attempt to highlight these issues very briefly-

Self-development and Ethnic Autonomy

The contemporary Assam is facing a new problem in addition to the demands for ethnic autonomy and separate state made by the Plains Tribals of Assam. The new problem is the demand for recognition of Koch Rajbanshi, Tea Tribes, Ahom, Chutia, Mattak and Moran communities as Scheduled Tribes. The philosophy behind this demand is to achieve self development through this recognition. All these communities belong to Other Backward Classes and more other Backward Classes and thereby the problem of self development and ethnic autonomy is covering a large section of the society in Assam and emerging as a

serious challenge to the ST as well as general Legislators of Assam as decision makers.

Bodos

Due to the political injustice and economic exploitation from the Central and State Government since independence there is serious resentment among the tribal and other indigenous people of Assam. There is a question of identity crisis among these communities. There is a tendency among these communities to self-develop themselves. The people lost faith on the political leaders. So the student and the youth organizations took up the issues of self-development of their own tribes and ethnic groups.

The demands for self-development for which student and youth movement are launched by different tribal and ethnic student and youth organizations are

All Bodo Students' Union (ABSU) in its 92-point charter of demand sheet, besides other issues, demanded creation of Regional Council for non-Karbi tribes in Karbi Anglong Autonomous District Council, creation of District Councils in the tribal compact areas of Southern Valley of Brahmaputra in Assam, and creation of separate State with the status of Union Territory in the north bank of Brahmaputra for the plains tribal people of Assam.

The demand for a separate state for the plains tribal people of Assam was born with the then Prime Minister of India Late Indira Gandhi's announcement on the 13th January, 1967 that Assam would be reorganized on the basis of Federal structure. With such objective, enthusiasm and initiative All Bodo Students' Union (ABSU) was formed on the 27th February, 1967 at Rongjasali Hall, Kokrajhar. Since then All Bodo Students' Union (ABSU) had been actively supporting PTCA in demanding separate state till the Plains Tribal Council of Assam leaders betrayed the cause of separate state in 1977.

The Plains Tribal Council of Assam (PTCA), for the first time submitted Memorandum to the then President of India, Dr. Zakir Hussain on the 20th May, 1967 at New Delhi for the creation of an “Autonomous Region” for the Plains Tribal people of Assam. The demand gradually got momentum and thus Autonomous Region was upgraded to the demand of “Union Territory” which was nomenclatured as “UDAYACHAL” on the 7th January, 1973. The demand for a separate state ran to the highest level in the hearts of Bodo youths and the public in the year of 1972 and 1973. But then came the well-known Roman Script Movement for Bodo language in the year of 1974-75 which was also immediately misunderstood by certain quarters as a part of the movement for a separate state. Then came the Emergency period in 1975-76. The PTCA leaders completely stopped all political activities, even they suspended the demand of separate state to escape arrest during emergency. After emergency, came the wave of Janata Party. The PTCA leaders, bargaining for political power, made electoral alliance with the Janata Party in 1977-78. The PTCA leaders Samar Brahma Choudhury, the Vice President of the party was returned to the Legislative Assembly and Charan Narzary, the party General Secretary was also returned to Parliament. But suddenly, shocking to the tribal masses the two PTCA leaders announced on the 4th April, 1977 that the PTCA had given up the demand of UDAYACHAL. They wanted to experiment only with the concept of Autonomous Region. The announcement was greeted by strong reaction by the party hard-liners, the youth and students of ABSU. They pressurized the PTCA leaders not to give up the demand of UDAYACHAL, the two PTCA leaders were reluctant to accept. Thus the two PTCA leaders belied the people’s political aspiration of a separate state. The young PTCA was also dissolved undemocratically by the two bosses of PTCA.

Samar Brahma Choudhury, PTCA leader got the Cabinet Ministership for Forest in the State Assembly and thus completely gave up the demand of

Udayachal. When Janata Ministry was toppled down Samar Brahma Choudhury again joined Keshab Gogoi's Congress(I) Ministry which unfortunately lasted for only one day. On the other hand, Charan Narzary, then MP denounced the demand of Udayachal on the floor of Parliament. Once again, the PTCA leaders made electoral alliance with Asom Gana Parishad (AGP) in the 1986 election for bungling for political power. Narzary returned to the Legislative Assembly and Brahma Choudhury returned to the Parliament. Samar Brahma Choudhury once again reiterated the demand for Autonomous Region, styled as Udayachal, on the floor of the Parliament. The ABSU vehemently opposed the demand of Autonomous Region for its ineffectiveness. The two leaders of PTCA were also never again interested to launch a continuous, concerted and vigorous mass movement for a separate state.

On the other hand, the hardliner party workers, youths and students formed another political party, the Plains Tribal Council of Assam (Progressive) on the 22nd May, 1979. PTCA(P) for the first time submitted Memorandum to then Prime Minister of India, Late Indira Gandhi on the 8th July, 1980 at New Delhi demanding a separate Union Territory with a nomenclature of MISING BODOLAND. The PTCA (P) leaders submitted memorandum to the Government of India on a number of occasions demanding a separate Union Territory. Then for the first time PTCA (P) staged a huge demonstration in the Boat Club in New Delhi from 19th to 22nd April, 1983 on demand of separate homeland "Mising Bodoland" and submitted memorandum to the then Prime Minister Late Indira Gandhi on 22nd April, 1983.

Meanwhile, the ABSU had been taking keen interest for unification of PTCA and PTCA(P) since 1979, but, unification did not take place. The ABSU did not give up the idea of unification and as such it organized a convention of all tribal organizations from the 17th to 19th April, 1984 at Harisinga in Darrang

District of Assam, wherein the PTCA(P) was dissolved and a new political party United Tribal National Liberation Front (UTNLF) was formed on the 19th April, 1984 under the Chairmanship of Mr. Binoy Khunggur Basumatary, MLA. The UTNLF first submitted memorandum for separate Union Territory to the then Prime Minister of India, Late Indira Gandhi on the 2nd May, 1984 in New Delhi giving nomenclature of "TRIBAL LAND" to the proposed Union Territory. The UNTLF met the Prime Minister late Rajiv Gandhi on a number of occasions and submitted memorandum for a separate homeland for plains tribals of Assam. The UNTLF also submitted memorandum to the Prime Minister late Rajiv Gandhi on 10th July, 1985 & 31st July, 1986 demanding for creation of a homeland.

Since 1967 ABSU has also been submitting memorandum to the central leaders particularly to the President, the Prime Minister and the Home Minister of India a number of times. The ABSU submitted memorandum to the Prime Minister late Indira Gandhi demanding a separate state on the 9th November, 1972 while she visited Shillong. A delegation team of ABSU also submitted memorandum to the Prime Minister late Indira Gandhi in June, 1980 at New Delhi and held a detailed talk on the demands. In 1980 itself, when late Giani Zail Singh, the then Home Minister of India visited Guwahati, the ABSU delegation submitted memorandum on demand of separate state at Jawaharnagar, Guwahati. In 1983 again the ABSU submitted memorandum to the then Prime Minister late Indira Gandhi demanding separate state after the turmoil of 1983 election in Assam.

On the 10th July, 1985 again an ABSU delegation team met the Prime Minister late Rajiv Gandhi at New Delhi and submitted memorandum urging him to create a separate state for the plains tribal people of Assam. Again an ABSU delegation met S. V. Chavan, the then Home Minister of India on the 8th August, 1985 and submitted memorandum urging him to create a separate state along with

the solution of Foreign Nationals Issue in Assam while he visited Guwahati to have opinions of various organizations on the Foreign Nationals Issue.

An ABSU delegation team under the leadership of its President Upendra Nath Brahma met the Prime Minister of India late Rajiv Gandhi on the 22nd January, 1987 at New Delhi and submitted a detailed memorandum for creation of a separate state with the status of Union Territory for the plains tribal people of Assam in the Northern tract of Brahmaputra Valley. The delegation also met the Home Minister Mr. Buta Singh, talked and submitted memorandum of a separate state, even as Union Territory, on the 24th January, 1987 and submitted memorandum to the President of India late Giani Zail Singh at the Rastrapati Bhawan, New Delhi on the 30th January, 1987.

The ABSU also submitted 92-point memorandum to the Governor of Assam and Meghalaya Bhisma Narayan Singh at Raj Bhawan, Guwahati on the 10th January, 1987 and also to the Chief Minister Mr. Prafulla Kumar Mahanta on the 1st January, 1987 at Janata Bhawan, Dispur.

Besides the demand for Union Territory, the ABSU has also other political demands such as creation of District Councils under the provisions of the Sixth Schedule of Indian constitution in the Tribal Compact areas on the south bank of the Brahmaputra of Assam and inclusion of Bodo-Kacharis of Karbi Anglong into the Sixth Schedule of Indian constitution. The District Councils on the south bank of the Brahmaputra are meant for minimum protection of Bodos and other tribals who will live in Assam after the creation of Union Territory on the north bank of the Brahmaputra.⁽²⁾

Current Demands of ABSU

Demand for immediate creation of a separate state of Bodoland bifurcating present territorial map of Assam, comprising the predominantly tribal inhabited

areas on the northern bank of the river Brahmaputra under the foothills of Bhutan and Arunachal Pradesh from the Assam – West Bengal border (Sonkoch) in the West upto Sadiya in the East to ensure political and constitutional rights of the Bodos and other tribes living in those areas is the current demand. Since the BJP led Government at the Centre has already mooted out a policy to reconstruct the nation by distributing political and administrative power by creating more number of new States within the framework of Indian constitution. The formation of Uttaranchal, Jharkhand and Chattisgarh in UP, Bihar and MP respectively have been announced to come into existence from 1st Novmeber 2000. ABSU strongly urges upon the Union Government of India to create a separate Bodoland State.

It is an established fact that the Bodos have been launching democratic mass movement since many decades back to press the demand for creation of a separate state of Bodoland. The Bodos had accepted the concept of autonomy offered by the Government of India and had already given fair trial over the autonomy concept. ABSu feels that time and again it has been proved that the degree of autonomy provided to the Bodos is inadequate to meet the genuine hopes and aspiration of the Bodo people. Since nothing short of a separate state of Bodoland can bring about permanent solution of the Bodo problem, ABSU would like to urge upon the Government of India to take a serious and effective move to concede their demand for creation of a separate state of Bodoland to ensure the survival and existence of the Bodos and their safety, security and all round development.

Inclusion of Bodo-Kacharis living in Karbi Anglong and North Cachar Hills Districts in the ST (Hills) List

The Bodos have been enjoying a status of ST all over the country as per the Constitutional provisions of India. But the application of the same Constitutional provision has been restricted in the hill areas of Assam particularly in Karbi Anglong and North Cachar Hills Autonomous Districts, depriving the Bodo-

Kacharis living in those two districts from being recognized as Schedule Tribe (Hills). It is worthwhile to state that after long democratic movement launched by the ABSU and the banner organization of Karbi Anglong, the concerning two District Councils authorities have recently recommended the matter to the Government of Assam for consideration. Accordingly the Government of Assam has also recommended the same to the Government of India and the Governor of Assam Lt. Gen. (Retd.) S. K. Sinha, PVSM in his address made in Assam Assembly during Budget Session, 1998 formally mentioned about the recommendation. The issue is at present in the hands of the Central Government,

Creation of two Autonomous District Councils on the Southern Bank of the river Brahmaputra

Another demand of ABSU is creation of two Autonomous District Councils on the southern bank of the river Brahmaputra under the Sixth Schedule of the Indian Constitution. Specifically, one comprising of the tribal populated areas of Kamrup and Goalpara districts and the other one comprising the tribal inhabited areas of Morigaon and Nagaon districts of Assam for all round development of the tribal people living therein.

Amendment of Section 4(b) of People's Representation Act, 1951

The fourth demand of ABSU is an amendment of the Section 4(b) of the People's Representation Act, 1951 in order to retain the minimum Constitutional safeguard accorded to the plains tribals of Assam. It is a worth mentioning fact that because of some loopholes in the said section the political rights and constitutional safeguard provided to the plains tribals of Assam are being endangered.⁽³⁾

(a) Inclusion of Tea and ex-Tea tribes of Assam in the State List as ST

The Tea and ex-Tea tribes population of Assam constitutes almost 25% of the total population of Assam. These people have been brought by

the British Tea Planters long before Independence to Assam to work in the tea industries. They are originally from Bihar, Orissa, Madhya Pradesh, Andhra Pradesh and Uttar Pradesh. Although these people have settled in Assam for more than a century, they are still tribal culturally, socially and economically. In the past, various Committees appointed by the Government of India visited Assam to probe the socio-economic condition of these people and found that they still live in their old traditional ways. They observed their social customs of marriage, birth and death in their primitive form. They have still retained their mother-tongue of their individual tribes and used "Sadri" or "Sadani" as lingua-franca amongst the tribes. All these facts prove out that in Assam they have retained their character and culture even today.

The opinion of various Committees and Organizations in favour of the Constitutional demand of the Tea and ex-Tea Tribes of Assam for scheduling are quoted below :

The Census Report of 1931, Vol.3, Assam Part I, Page 222 reveals : "Coolies in Assam form however separate class of the population no matter what castes or tribes they belong to and hence it seems best to treat all coolies, castes and tribes under one heading, for all have common characteristics and that in Assam a coolie is always a coolie and whether he works in a garden or whether he has left the garden settled down as an ordinary agriculturist, his social position is nil. Indeed from any point of view, the social position of coolies and ex-coolies is worse than any class in the province. Their education is terribly backward, they have no recognized leaders or associations to press their claims or to work for their social advancements.

- b) *The Dhebar Commission* : The Government of Assam has consistently opposed any change in their status on the ground that it would seriously disturb the local political picture.
- c) *The Report of Lakur Committee* : It is unfortunate to note that the State Government of Assam which is responsible for de-scheduling of these tribes in free India has been consistently opposing their inclusion as ST and SC on the ground that it would seriously disturb the local political scheme.
- d) *The Report of A. K. Chanda Committee (Chairman of SC and ST (Amendment) Bill, 1967 SC/Tribes Labourers in tea gardens of Assam)* : The Committee had accepted with overwhelming votes that the STs who have migrated from Madhya Pradesh, Bihar and Orissa and settled down in Assam should be recognized as the ST. It is mentioned in the report that the Ministry of Social Welfare is opposed to this policy and he may perhaps move an amendment for excluding these Tribes from the Schedule. We think, it was not necessary to make such observation in the report. As we have already stated that there is no change in the social conditions of the persons who migrated in large numbers from one state to another and settled down. They have carried along with them and retained tribal characteristics and their way of life. These tribes were recognized as ST even in Assam before 1947. But after 1947, these tribes were de-scheduled not because of any principle, but purely on the political grounds. The Lakur Committee in their report have observed that the Government of Assam has consistently opposed any change in their status on the ground that it would seriously disturb the local political picture.

It means that the Government wants to perpetuate the ignorance, backwardness, and poverty of tribal people only because that it will disturb the

political pattern in the State. This objection is not valid and is against the principle of social justice and social equality. We will urge the Government to respect the views and sentiments of the overwhelming majority of the Committee which decided in favour of the inclusion of these communities in the Schedule and not to make any change when the Bill will be considered by the Parliament. In case, the Government is bent upon de-scheduling these tribes then the Government of Assam as well as the Government of India should shoulder the responsibility of providing these tribes the same educational facilities and reservation in services which are available to the SC and ST. Otherwise, the Government will be doing great harm and injustice to these communities.

Again the members of these Committee's gave their opinion in page XLVI: "People belonging to such ST as have migrated from other States to Tea Plantation Areas in Assam or who are working there for the last three generations haven't so far been included in the list of Assam. Even after a lapse of 72 to 80 years after their migration, these labourers are striving to their racial characteristics, they live in groups secluded from masses and feel shy in mixing up with other people. They could not be included in the list on political ground only, the decision of the Joint Committee to include them in the Tribal List of Assam State on the basis of facts, ignoring the petty politics is welcomed. The efforts of the Central Ministers to get this decision changed would be considered unfair as they are based on political grounds.

MISINGS

General Observation

The Misings are a hard working and peace loving community and these two human qualities should have ensured their progress and prosperity. But in spite of their ceaseless toil and their peaceful coexistence with other neighbors, they have remained lamentably poor and backward, chiefly because of indifferent attitude of

the state Government. Being backward in every respect the Misings have not been able to compete with other advanced people. Therefore, instead of making speedy progress, they have fallen further behind their neighbours.

The Constitution and the Rules and Regulations are made by the Union and State Governments to promote education and economic interest of the members of Scheduled Caste and Scheduled Tribes and other backward classes and to protect them from exploitation. The All Mising Students' Union (TMPK in Mising terminology) complains that either of these provisions have not been implemented at all or they have been implemented only half heartedly. And this is the reason for the largescale agitations of the Scheduled Tribes, which have turned violent in some areas creating serious law and order problems.

Problems of Flood and Landlessness

The Misings are landless in their homeland. Since cultivation is the only means of livelihood for the Misings and their welfare, they require adequate land for cultivation. The mounting problem of landlessness over the years has resulted in a serious threat to the very existence of the Mising community. Some of the factors responsible for this serious situation are noted below.

The Misings have mostly been inhabiting on the bank of the river Brahmaputra and its tributaries and as such, fall easy victims of erosion and devastation caused by recurring floods. Vast fertile riverine tracts which yielded the best crops of Assam have disappeared in the process, rendering the Misings landless and homeless. Needless to say, as the Misings are a riparian community, they have been the worst victims of recurring flood and erosion.

Being rendered landless and homeless, large sections of the Mising people seek shelter and livelihood in uninhabited forests. But, here too, they become helpless victims of eviction operations conducted ruthlessly by the administrative

machinery of the Government of Assam. The so called relief and rehabilitation measures, on the other hand, remained always beyond the reach of the unfortunate Mising people because of the vicious circle of the red tapism and corruption.

They lamented that although the Misings have been living here in the Brahmaputra valley since the ancient times, they have not been given permanent settlement rights. And, this injustice is being done by people who came to live in Assam much later. Because of the lack of permanent settlement rights, the Misings have not been able to obtain loans and other benefits from banks as well as Government sources, for which it has not been possible for them to take up commercial or industrial enterprises for their economic upliftment.

Employment Situation

Article 16(4) of the Constitution of India empowers a State Government to make "any provisions for their reservation of appointment and posts in favour of any backward classes" which also includes Scheduled Tribes. The Government of Assam vide its circular No. AAP 66/63382 dated 24th August 1963 made a 10% reservation of vacancies in service and posts. More than a decade over the circular was issued, records show that the representation of tribals in various departments of the Government hardly went up to 50% of the reserved quota.

Education

As a result of the voluntary efforts made by the Mising themselves, primary and secondary schools, and also a few colleges, have come up in Mising village and localities. But almost all these educational institutions are languishing for want of adequate financial support from the Government. The building of these institutions are in wretched condition and they have hardly any teaching aids not to speak of libraries, book bank and scientific equipment, which are so essential for ensuring the quality of education. A large number of schools and colleges in Mising villages continue to rot as "venture" institutions and the State Government

does not consider it necessary to accord departmental recognition to such schools and to sanction financial aids. In fact, repeated representations for taking over such institutions in the interest of development of tribal education have been flouted by the Government. As a result of tribal education has remained unattractive for a large section of the Mising people. No wonder, illiteracy is still rampant among them, particularly amongst their womenfolk.

Another serious consequence of all this is that the quality of education in these institutions is so poor that the number of students that passed in the University and Board examination is very low. Even those who pass are of such poor quality that they cannot compete in the examinations held for various Government and non-Government appointments. Therefore, the meagre number of youths that passed the University and Board examination remained unemployed, becoming the burden of their parents and society.

There is no technical institute of any kind in the area with Mising concentrations. In fact, in the entire north bank of Assam the only ITI is at Tezpur. There is very little scope for diversification of employment for our youths.

The percentage of seats reserved for tribal students for admission into technical and non-technical institutions is too low to accommodate all the deserving candidates, now that such a large number of students from so many tribal groups come for admission.

One of the point that irritates the tribals is that when a tribal student competes for admission his name comes on the merit list he is admitted against the reserved seat and thereby the tribals lose a reserved seat. The very spirit of reservation is violated in the process.

Development of Mising Language and Culture

The Misings have a distinct language and culture of their own. As per provisions of Article 350(A) of the Constitution, it is obligatory for any State Government to introduce the use of minority languages as medium of instruction at the primary level. The Government of Assam never took any initiative in this regard. On the contrary, the Mising people had to negotiate and agitate for more than fifteen years to persuade the State Government to introduce the teaching of Mising language in primary school of Mising villages with effect from 1986. However inadequate number of teachers is remaining a serious problem till date.

Ineffective Flood Control Measures

Because of the unscientific methods adopted by the Government the river beds have been getting shallower every year resulting in devastating floods. The embankments that are constructed are often weak and there are frequent breaches of such embankments in Mising localities causing untold miseries to the Mising people. It is because of such half hearted measures that the devastations caused by floods is increasing from year to year. The Government have not made any serious effort to prevent the raising of the riverbed. If the river beds continue to rise, floods are inevitable. On the other hand the construction of dams on the river sources, which could have partially solved the problem of floods, has never been taken up on a priority basis.

A tragic fallout of the devastation caused by floods and erosions is the need for rehabilitation of these uprooted peoples. Such uprooted Mising people are not properly rehabilitated. Many of them take shelter in reserved forests, where they soon face eviction by the state machinery. The few families who are rehabilitated are deliberately sent to far-flung areas away from their friends and relatives.

Creation of an Autonomous State

Assam has already been truncated considerably by the creation of Nagaland, Meghalaya and Mizoram as separate states. Even Arunāchal Pradesh, though it was not administered by the Government of Assam but was a part of Assam constitutionally, has become a full state. Assam Government's lack of sympathy, negligence and indifference towards the tribals were certainly strong reasons for separation.

After losing so much of their territory and people, the Assam Government should have been more careful about the need for protecting and promoting the interest of the remaining Scheduled Tribes. The situation has left much more to be desired indifference and inefficiency of the state government has resulted in violent agitation of the Bodos for a separate state and demands for autonomous states by others. This situation will go on indefinitely unless the scheduled tribes are cared for socially, politically and economically.

Even though the Governor is empowered under the provisions of the Sixth Schedule of the Constitution to project or interfere any administrative order under Acts or Rules of the State Government affecting or directly depriving the interests of tribals, it is normally never done by the Governor or any State because of political interference and vested interests. In view of this, if autonomy is granted under the Sixth Schedule to the plains districts of tribal domination and influence, without the delegation of full financial powers including powers for all development planning, tribals will not be benefited.

The present Karbi Anglong and N C Hills districts of Assam are glaring instances of the inadequacy of the Sixth Schedule as it exists now. The Mising are therefore, convinced that the creation of a Mising Autonomous State alone will save the peace loving Mising people. Since representations, agitation and

movements have not solved the problem of exploitation and neglect of the Mising tribe and since, on the contrary, even the existence is being increasingly threatened, the only solution is that an Autonomous State of Assam in the model of Article 244(a) should be created for the Misings with Jonai, Dhemaji, Dhakuahana, Majuli, North Lakhimpur and Sadiya sub-divisions and other contiguous Mising tribal populated areas of Assam, irrespective of natural boundaries, forming the jurisdiction of the proposed Autonomous State. These sub-divisions have heavy concentration of Misings and they are also reserved Assembly Constituencies for the tribals. These sub-divisions are all contiguous to each other. The Misings firmly believed that no other arrangements other than the creation of an Autonomous State will solve the burning problems.

Formation of a Standing Commission

After formation of the Autonomous State as proposed above, there will still be a large number of Misings living outside the Autonomous State area. They will still continue to have the problems of negligence and exploitation. For them and for all other tribals, not covered by any autonomy there should be special Standing Commission or Committee with special powers to oversee the works of the various Government Departments and to compel them to implement the relevant provisions of the Constitution as well as Rules and Regulations and instructions and circular of the Union and State Government, so that there is absolutely no room for any complaint from any one. The Commission/Committee should be empowered to inspect any office and entertain any representation from any individual or organization in connection with their works.

Now the Mising people are demanding the creation of an Autonomous State to restore their own Autonomous identity and for their survival. Mising peoples should not be denied of their legitimate right to enjoy their own culture, profess and practise their own religion and the use of their own language. The rights of life, liberty and security of their nationality must be protected.

The basic question of the Misings today is survival, preservation, protection and growth of ethnic identity which are more genuine factors for demanding a federating unit with adequate autonomy and with an administrative set up on a democratic political philosophy and economic structure.

The TMPK has prepared the following note on the Autonomy to the Tribals in plains of Assam :

a) The main objective of giving autonomy to the plains tribal of Assam should be to radically change tribal administration system in order to make it easily accessible to the tribal populace, grant them political right of self-Government within the State and under definite provision of the Constitution and to bring about faster development of the remote and backward tribal areas and its populace.

At present, there are ITDP Boards at sub-divisional level, the Chairman and members of which are nominated by the State Government making it impossible for common tribal people to participate in the Board.

There are two other State level institutions meant for tribal development namely, Assam Plains Tribal Development Corporation and Assam Tribal Development Authority. The functions of these two institutions are restricted to giving short term small loans. They do not have any role in providing basic needs like health services, education, drinking water, communication etc. Besides, they are under full control of the State Government and common tribals do not have any scope for participation.

There are two State Government Acts meant for plains tribals namely, Chapter 10 of Assam Land and Revenue (Regulation) Act, 1886 to prevent land alienation and Assam SC and ST Reservation (in post and vacancies) Act, 1978, but there is no definite mechanism to enforce the law.

b) Therefore, grant of autonomy to the plains tribes is a must to protect their land, to achieve equality in political rights and social justice, to bring about unhindered development and allow them to flourish with their own language, culture and style of life.

However, they agree that this is to be done in such a manner so that the unity and integrity of the country is not disturbed and that the age old amity and cultural harmony and over all, the Assamese nationality formation process of the State is not jeopardized.

c) The Autonomous Council created by the previous Governments are on one hand devoid of any boundary and power and functions rather on the other hand designed to create division among the people on narrow lines.

d) Creation of Autonomous Council is not possible without demarcating an area for the same.

In case of the plains tribes, such area or areas could be carved out by adopting the following options :

- i) To carve out the existing TSP areas and Tribal Belts and Blocks and to adopt them as Autonomous Council.
- ii) To take a Gaon Panchayat as an unit instead of taking village as an unit and to bring all Gaon Panchayats reserved for ST (Plains) under Autonomous Council area and in doing so, it will be necessary to reconstitute with modification of area certain Gaon Panchayats in order to maintain contiguity of the Council area.

e) There is a misgiving among the public that tribal autonomy will benefit only one tribe or community after which the Autonomous Council is named. This

misgiving shall have to be removed collectively and Autonomous Council shall have to be shaped to provide protection and benefit to all sections of the people permanently residing within the Council area. It is the orientation of the Council and the law that create the Autonomous Council which will in practice, provide protection and benefit to all without any discrimination and not the name of the Council.

f) The only provision in the Constitution to create autonomy is the Sixth Schedule which provides creation of Autonomous District Council. It will be very nice for all of us if they agree upon to create Autonomous District Councils covering the plains tribal areas (i.e. TSP areas + Tribal Belts and Blocks).

g) The Misings among the other tribal communities feels deprived from political right due lacuna in the reservation policy. In Karbi Anglong, there is no reservation policy in election to the District council. They have a separate voters list for District Council and an Indian citizen shall have to permanently reside in Karbi Anglong for 12 years to become a voter in the District Council. Such laws should be made for other Autonomous Councils too and all permanent Indian residents living in the Autonomous Council areas should be free to contest election to the Autonomous Councils. This will abolish misgivings and deprivation and subjugation.

h) Power and functions of the Autonomous Councils should be a matter of gradual upgradation beginning with the powers and functions presently granted under BAC.

i) The present Autonomous Council viz, MAC, RAC and LAC should immediately be dissolved and fresh negotiation should be started with genuine representative bodies of the communities to find out an amicable solution.

j) The report of the Bhuria Committee constituted by the Ministry of Rural

Development should also be taken into consideration along with the report of the three-Member Expert Committee while striving for a solution to Tribal Autonomy problems in plains of Assam.

Rabhas

The “All Rabha Students’ Union” (ARSU) formed on 12th February 1980 at Goalpara district of Assam as a socio-economic and cultural organization of the Rabha Students’ of Assam.

The ARSU has also pointed out that the Rabhas have problems like social and economic backwardness and exploitation, language and educational problems. To overcome these problems autonomy is the only solution. With this idea the ARSU having support of the Mising people demanded certain of autonomous council. Its demands are

1. a) Creation of Rabha Hasong Autonomous state by recognising the present Goalpara and Kamrup district boundary and by carving out the Rabha area under the Article No. 244(A) of the Constitution of India in the south bank of river Brahmaputra.
b) Creation of Rabha Hasong District Council within the District of Darrang.
c) Creation of Rabha Hasong Regional Council within the District of Dhubri, Kokrajhar, Nalbari, Sonitpur.
d) Creation Rabha Hasong Autonomous village council in the District of Bongaigaon, Barpeta, Dhemaji, Nagaon, Lakhimpur, Dibrugarh, Karbi-Anglong and Dimoria areas of Kamrup District.
2. Reservation of 5 (five) seats for the Rabhas in the Bodoland Autonomous Council.

3. The Rabha living in Karbi-Anglong and N.C.Hills (Autonomous Districts Council of Assam) and other part of India who are not yet recognized as schedule tribes and those Rabha who are identified as "KOCHES" (Koch Rabha) should be recognized and enlisted as scheduled tribe immediately.

4. To recognize the Rabha language as medium of instruction in the school of Assam instead of state language in the primary stage.

5. Creation of a separate education Directorate for Tribal Education.

6. Facilities for broadcasting programme for 45(Forty five) minutes in Rabha language in All India Radio, Guwahati, Dibrugarh and Siliguri stations and should be provided as early as possible.

7. Facilities for telecasting Programmes for Rabha language in Guwahati Doordarshan Kendra should be provided as early as possible.

8. Active step should be taken to prepare a correct census figure for tribal areas. The Rabhas living in Assam, Meghalaya and West Bengal should be included in Rabha group of tribals in particular.

9. Protection of Tribal Belts and Blocks from non tribal illegal encroachers and creation of new ones.

10. Eviction operation upon tribal people living in different forest reserve and grazing fields should be stopped immediately and occupation of these tribal people should be regularized.

11. All the forest villages should be converted to full-fledged Revenue Village.

12. All landless and shelterless tribal people should be settled with adequate cultivable land and financial aid.

13. Reservation policies in all purposes for Schedule Tribals of Assam or other States invariably be increased from 10.1% to 25% with the full-fledged of backlog and enforced immediately.

14. A high power commission directly responsible to the Central cabinet with a power to take on-the-spot decision (even when punishment is to be awarded in case of lapses) should immediately be constituted with a time bound tenure to (a) ascertain the injustice done to the tribals and remedial measures, (b) examine the above grievances of plain tribals and recommend redressal measures.

15. Extension to tribal Sub-plan to full-fledged tribal plan for development of tribal areas.

16. Extension of special provisions for tribals in Indian Constitution for indefinite period (so long the tribal people desire).

17. Permanent solution to all border disputes between Assam-Meghalaya, Assam-Nagaland and Assam-Arunachal Pradesh immediately.

18. Stop the political assassination and extremists problem in Assam.

19. Stop the brutal murder, cruel police atrocities of Rabha people.

20. All foreign nationals of North Eastern Region should be detected and deported from North-Eastern Region within the framework of Constitution of India and the border of the region must be sealed immediately.

21. Protection of ancient historical monuments of Rabha Kings in North Eastern Region.

22. Flood and erosion problems of Assam be taken as a National Problem of India and large scale project should be taken by the Central Government to control the river Brahmaputra.

23. To establish an inevitable Medical Service, Health Service Centre, Veterinary Service Centre in the tribal dominated areas.

24. To improve transport and communication facilities in the tribal dominated area.

25. A special cultural Directorate of Rabha should be installed at Dudhnai to preserve the historical and cultural monuments sculptures, symbol for publication, development and research.

26. To prepare a facility for appropriate representation of the Rabhas in various boards and corporation of Assam.

27. To open Post-Graduate course at Dudhnai College, Kokrajhar College, Tangla College etc.

28. Installation of Technical and Polytechnique institution in tribal areas.

Ultimately Rabha Autonomous council has been granted to the Rabhas. ⁽⁹⁾

On the other hand there are students' Union like All Assam Deori Students' Union which demanded second chamber to be reintroduced as Upper House of the Assam Legislative Assembly. ⁽¹²⁾

TIWAS

The Tiwas have been given ethnic autonomy by the Government of Assam along with the Bodos, Rabhas and Misings. Unlike Bodos, the Misings launched movement in a very mild manner under the leadership of All Tiwa Students' Union.

In 1977, the 'Lalung Darbar Youth Front' was formed under the banner of Lalung Darbar with Rahotsingh Deuri and Mukunda Bordoloi as its President and

General Secretary respectively. It was a Youth Front which demanded creation of Lalung Hill Autonomy District. At the 9th General Conference of Lalung Darbar held at Umsai in 1978, there was great debate regarding the agitational programmes. Ultimately the Youth Front came out of Lalung Darbar and in 1980 it was renamed as "Lalung Youth Front" headed by Tulsi Bordoloi as its President. Again on 24th June 1983, the Lalung Darbar and Lalung Youth Front United together and submitted jointly a memorandum to then Prime Minister Late Indira Gandhi for the creation of the "Lalung Autonomous Hill District".

In 1979 when All Assam Students' Union started movement against foreign nationals, like other tribals of Assam the Tiwas of Nagaon and Morigaon actively participated in the movement. But after the signing of the Assam Accord on 15th August 1985 the Tiwa people were dissatisfied with the Article 10 of the Assam Accord. Since then they have become very conscious for their self-determination.

On 30th October 1985, the Lalung Youth Front tried to coordinate all Tiwa people and Organizations on a common Platform at Jagiroad. At that meeting the Tiwas formed the "Auto Lalung District Demand Committee (ALDDC). Giridhar Patar was its President and Narayan Kakoti was its General Secretary. The main aim of the ALDDC was to gain autonomy. Since most Lalungs lived in the Plains it modified its demand as "Autonomous Lalung District" instead of "Autonomous Lalung Hill District". Since then the ALDDC has submitted several memorandums to the Central Government to create Autonomous Lalung District by carrying out part of the Karbi Anglong, a part of Kamrup and western part of undivided Nagaon district.

After 1986, the Tiwas observed that the Lalung District Demand Committee became inactive and later on i.e. on 25th February 1989, the All Tiwa Students'

Union was formed at the Tribal Rest House at Nagaon. In its conference held on 16th and 17th March 1990 at Raha there was a serious discussion on "Autonomy" for Tiwas. There the youths adopted a resolution to launch a democratic Movement to attain Tiwa Autonomy by establishing Tiwa Autonomous District Council under the Sixth Schedule.

On 30th July 1994 at the initiative of All Tiwa Students' Union, All Tiwa Women's Association and Lalung Youth Front a convention was held at Morigaon and formed "Autonomy Demand Struggling Forum" as a common political platform to achieve the goal of autonomy.

The Lalung (Tiwa) Autonomous Council Act received the assent of the Governor of Assam on 27th October 1995 providing the Lalung Autonomous Council within the state of Assam with the maximum autonomy within the constitutional framework comprising of the satellite areas of village councils. Similarly, Rabha Hasong Autonomous Council and Mising Autonomous Council have been created (see Appendix 12).

The General Council shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property. The General Council shall consist of 30 members among them 26 members to be directly elected and 4 shall be nominated from amongst the groups of communities residing in the council area and not otherwise represented in the General Council.

The members of Parliament and the members of the Legislative Assembly, Assam belonging to Scheduled Tribes reserved constituencies of the council area shall be the ex-officio members of the General Council.

The Bodo Accord brought into existence Bodo Autonomous Council (see Appendix 13). But the conditions of the jurisdiction of the council caused serious problems due to which the council has no demarcated area till date. This resulted the demand for Bodoland, a separate state for the Bodos.

Land Reforms

The basic fact that rural upliftment in Assam in particular and North East India in general cannot be divorced from land reforms, is realised by all of us today. It may be noted that one of the issues raised by the different ethnic groups in Assam while launching the movement for autonomy, is the protection of their land. The land of Assam is very fertile for horticulture, sericulture and small-scale industries. All these are directly connected with land. Further, Assam occupies a unique position in the world for production of tea and more than 80% rural people depend on agriculture and allied livelihood.

North East India accounts for 7.7% of the country's total land area and has a population representing 3.88% of the country's total population. Assam covers an area of 78,523 sq.km.

It may be noted that though the state is well-known for its physical, social, economic and political diversities, but there is a common factor which permeates the whole state. That factor is the underdevelopment of the rural area. The bulk of the rural sector has remained untouched by the developmental programmes carried out for more than four decades. A little more than 80% workers are engaged in agriculture and allied activities for their livelihood. Therefore, the upliftment of the rural areas in Assam is dependent on land reforms or land protection or land distribution among the rural people.

DISTRIBUTION OF POPULATION : RURAL AND URBAN

State	Total	Rural	Urban	% of Urban Population
Arunachal	6,31,839	5,90,411	41,428	6.56
Assam	1,98,96,843	1,78,49,657	10,47,186	10.29
Manipur	14,20,953	10,45,493	3,75,460	26.42
Meghalaya	13,35,819	10,94,486	2,41,333	18.07
Mizoram	4,93,757	3,71,943	1,21,814	24.67
Nagaland	7,74,930	6,54,969	1,20,234	15.52
Tripura	8,27,460	8,27,460	2,25,568	10.99

Community ownership of land

In most hill areas of North East India, the land is owned by the community as a whole. However, individual ownership of land is recognised in certain areas, but such ownership is usually confined to homestead and settled farm land. Generally, each village is considered as one unit and within the village, the village headman or the Council is the authority to distribute land for cultivation among the individual families.

Role of Headman

A brief survey shows that among the Karbis and some tribes of Arunachal Pradesh, though there is the provision for community ownership, one can cultivate a plot of land according to his choice. The village headman generally settles disputes in relation to sharing of jhum land among the villagers. Sometimes if a particular group is not satisfied with the decision of the headman it leaves the original village and establishes a new village with a new headman. In the Garo Hills of Meghalaya, the hill mouzas are divided into several aking and each aking is placed under the control of a Nokma (headman). He owns land on

behalf of the clansmen. He can distribute the land among the clansmen for jhuming. The district of Khasi Hills of Meghalaya is divided into Rajs ruled by Siems, Lyndoh, Pator and Sardar. Each member of the Raj is entitled to cultivate any vacant land. As long as he cultivates, the vacant land belongs to him. If a man does not cultivate the land under his control for three years continuously, he loses right to cultivate in it and the land becomes the property of the Raj.

Jhuming

In the hill areas, the shifting cultivation or jhuming is a system of production and a way of life of the people. This system was followed for a long time as a regular system by the inhabitants of Africa, America, Sweden, Brazil etc. In India, shifting cultivation is practised throughout the hill areas covering the states in North East India, Sikkim, Orissa, Bihar, Madhya Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra and Kerala.

The shifting cultivation involves cutting and burning of weed, even forests, growing of a mixture of different crops, viz. paddy, maize, cotton, millet and vegetables of various kinds on the cleared land with lowest possible technology under rainfed condition and shifting to a new site next year. Again leaving land in fallow for a couple of years means a great national waste. It also widens the gap between the food grains production under jhum cultivation and the numbers of jhumias depend on it.

The whole gamut of the rural society in hill areas is interwoven by the shifting cultivation system. It is deep-rooted in their social culture. The hill tribes of North East India produce various agricultural products in their jhum field. They produce food grains, vegetables and also cash crops. On the other hand, it damages the forest. It dries up the springs of the hills, causes soil waste and erosions and destroys valuable forests.

Tribal ethos and land reforms

The difficulties lies in the formulation of a new policy relating to land in two factors,

1) The evaluation of economic benefit out of production in jhum field and the damage caused by it to the forests and soil,

2) Socio-cultural aspect of the hill tribes which no new policy on land can ignore. The tribal society is very sensitive culturally..

The Assam scenario

In Assam, the rural people in the plain areas depend on agriculture and allied activities which constitute their main provision and it involves land as a primary factor for their upliftment. During the Ahom rule in the state, the system of state ownership of land was prevalent. The Ahom king used to grant lands to idols, Brahmins, religious institutions and elite groups devoted to learning and administration. All the grants were grouped into three categories

- 1) Debottor, dedication to idols or temples. This grant was further subdivided into two groups – Bhogdani and Paikan. The owners of Bhogdani land had to supply daily ration to the temple and the owners of the Paikan land had to render personal service to the kingdom;
- 2) Dedication to person for service, to be rendered to the temples;
- 3) Brahmottor, dedication to priests.

Besides, there was the Paik system organised by Momai Tamuly Barbaruah. Under this system, every male adult with good physical health had to render free service to the State, either as a labourer or soldier or as supplier of certain quantity of produce in lieu there of. He was called Paik. Each Paik rendered

service to the king on rotation. In return, each Paik was allotted eight bighas of rice land. He was also given land for his house and garden, called bari and bari land.

The British, at the time of annexation of Assam, welcomed the state ownership system. The British brought into existence the historic permanent settlement confirming decennial settlement of Bengal. The zamindari privileges continued to exist till the enactment of the State Acquisition of Zamindari Act, 1951.

Protective and Anti-Exploitative Measures/Land Alienation

The Assam Land and Revenue Regulation 1886 (ALRR) was amended in 1947 by adding the Chapter X for welfare and protection of the protected lands including ST and SC so far as land settlement and allied matters are concerned. Under the provisions of the Chapter X, the State Government so far has constituted 49 Belts and Blocks in the State.

The provision of the Chapter X of ALRR totally prohibit the transfer of Patta land from a tribal or other protected classes or any other land owner within a protected belt/block to non-eligible persons.

Further, in order to plug the loophole in the provision of the Chapter X of the ALRR, the Act has been amended several times. The Chapter X of the Regulation was first amended by the Assam Land and Revenue Regulation (Amendment) Act, 1964, by registration of deed or document identifying any transition for acquisition or possession of land by way of transfer, exchange, lease, etc. Under the Indian Regulation Act, 1908 has been forbidden, if it appears to the Registration Authority that such transaction of land is in contravention of this Chapter X. The Chapter X of the Regulation was amended for the second time by the Assam Land and Revenue Regulation (Amendment) Act, 1981.

According to this amendment a person cannot acquire any right or title on land by length of possession, if such land is transferred to him in a belt or block in contravention of the provisions of the Chapter X.

The Chapter X of the Regulation has recently been amended by the Assam Land and Revenue Regulation (Amendment) Act, 1990 (Assam IV of 1990). As per this new amendment, panel provision has been made for both the transferer and the transferee of land in a belt or block, if the transfer of such land has been affected in any way in contravention of the provision of the Chapter X.

The various land reforms measures are :

- i) Acquisition and distribution of ceiling surplus land under the Ceiling Act, preparation of list of landless persons, in Assam,
- ii) Provision of house sites to landless persons,
- iii) Preparation and updating of record of right of tenant under Tenancy Act, 1971.

In independent India land reforms received top priority in order to put an end to the zamindari system and the landed intermediaries together with conferment of tenancy right to ryots bringing them in direct relationship with the State instead. While the rest of Assam where temporary settled estates existed, the comprehensive tenancy reforms were carried out under the Assam (Temporarily settled Areas) Tenancy Act, 1971 and it was extended to Goalpara also. The Assam Land Holding Act, 1974 was enacted with the aim of bringing tenants under the direct relationship with the state.

The Assam Land Holding Act, 1974 is a landmark in the history of land reform in particular and rural upliftment in general. It provides for a single system of landholders under which owners of land have been put under contract with the

State as settlement holder directly enjoying right and privileges and with the obligation of payment of land revenue direct to the State instead of any zamindar. Thus it may be seen that efforts have been made by the Government to simplify the land tenure system in Assam.

Land ceiling and distribution

Coming to the ceiling law, an area of 50 bighas has been considered as a standard area for the livelihood of an average family. As a result, whoever has more than 50 bighas has a surplus. The Government acquires this surplus and then distributes it among persons with no lands or with lands less than the ceiling.

Till now, 6,12,380 acres of land have been declared surplus and of these, 5,75,837 acres have been acquired by the Government. So far 4,91,301.70 acres have been distributed. The following table shows the details :

SURPLUS LAND DISTRIBUTION

(in acres)

	No. of families	Area distributed
Schedule Castes :	42,490	44,360.03
Schedule Tribes :	41,291	57,794.54
Others :	3,49,519	3,67,960.59
Institution :	610	21,186.54
Total :		4,91,301.70
Area unfit for distribution :		13,106.00
Area under litigation :		38,461.00
Area under encroachment :		10,275.00
Area reserved for public use :		17,250.00
Area under miscellaneous reasons :		4,006.00
Area available for distribution :		37,980.30

In addition to above several other measures have been taken by the Government to project the tribal land. These are -

(a) Creation of Tribal Belts and Blocks

The Assam Land and Revenue Regulation 1886 was amended in 1947 in pursuance of the Resolution of the provincial Congress Ministry headed by Lokpriya Gopinath Bordoloi. Under the provision of section 160(i) of the Assam Land and Revenue Regulation Amendment Act, 1947 Government decided to constitute belts and block in the areas predominantly inhabited by

- (a) Plains Tribals
- (b) Hill Tribals
- (c) Tea-Garden Tribals,
- (d) Santhals,
- (e) Scheduled Castes
- (f) Koch Rajbongshi.

Accordingly altogether 35 Belts and Blocks (11 Belts and 24 Blocks) were created till 1964. Such Belts and Blocks are popularly known as Tribal Belts nothing to do with Autonomous Hill Districts and are wholly confined to the limits of the Plain Districts of Assam. At present there are 19 Tribal Belts and 30 Tribal Blocks.

It is noteworthy that the connection of Tribal Belts and Blocks with the immigration was not apparent to many. But during the first half of the 20th century history took its course in such a manner that the ultimate outcome of the immigration policy in Assam was the creation of Tribal Belts and Blocks. At present there are 49 tribal belts and blocks in Assam (see Appendix 14).

(b) Settlement of Wasteland

Settlement of waste land for ordinary cultivation in a Tribal Belt or Block was made according to the State policy and procedure. In adopting such policy or procedure, the State Government considered the bonafide needs of –

a) those who were permanently residing in the belts, block on the date of its creation, it did not matter if they were non-tribal or other notified classes;

b) those who were temporarily residing in the belt, block but who were settlement-holders of land within it on the date of its creation and who were likely to undertake to become permanently resident therein within a reasonable time; here also it did not matter if these were not notified classes;

c) those who were members of the classes as determined by the Government but were living elsewhere in the district;

d) those who belonged to other classes of persons residing in the neighbourhood of the belt, block, preference being given to persons whose religion, mode of life, agricultural customs and habits were more akin to those of the notified classes, if available land was large enough.

The net result of this provision was that those who were already permanent residents or those who, were temporary residents, had leases within the belt, block on the date of its creation were entitled to get settlement of new sarkari land, whether they were notified classes or not. But notified classes, even if they lived elsewhere in the district, outside the belt, block, were entitled to get settlement of sarkari land within the belt, block.

But those provisions have, according to the President's Act No. 2 of 1981, been since superseded by the following :

In adopting and directing any policy or procedure that State Government shall take into consideration;

Firstly, the bonafide needs of the persons belonging to the classes notified who are permanently residing in such area from before its constitution under section 161 of the Act, 1947.

Secondly, the bonafide needs of the persons belonging to such classes who are temporarily residing in such area from before its constitution but who are settlement-holders of land within the area, on the date of its constitution, and who are likely to undertake to become permanent residents therein within a reasonable time; and

Thirdly, if the extent of cultivation land available for settlement in the belt or block be large enough, the bonafide needs of,

- the persons belonging to the other classes of people residing in the belt or block from before the constitution of the belt or block;
- the persons belonging to the classes notified under sub-section (2) of section 160, who are living elsewhere in the State.
- the policy adopted and directed under sub-section (1) shall also provide that no settlement with the persons belonging to the classes of people mentioned in clause (c) of sub-section (2) shall be made except with the previous approval of the State Government.

The result of the new amendment is far-reaching. Those who belong to notified classes only and have been residing permanently in a tribal belt/block since its creation, or though residing temporarily yet have acquired the status of settlement-holders and undertaken to reside permanently, are eligible for getting settlement in the normal way. But those who do not belong to the notified classes are not entitled to get settlement in the normal way, even if they have been permanent resident from the date of creation of the tribal belt/block. Such

permanent non-notified classes can, however, get settlement if the available waste land be large enough and further if they can obtain the prior approval of the Government.

Similarly, non-resident notified classes are not so much eligible of getting settlement as in the older days. They are also to obtain prior approval of the Government.

As regards transfer, too, of the land situated in a tribal belt/block, the Amendment Act of 1981 had made drastic changes as follows :

Amendment of section 164 of the principal Regulation, in sub-section (2) the following provisions shall be inserted, namely :

“Provided that no landholder shall transfer his land in a belt or block –

(a) to any person not belonging to class of people notified under section 160; or

(b) to any person who is not a permanent resident in that belt or block.

Provided further that no such land-holder shall transfer his land in a belt or block to any person who is a permanent resident in the belt or block who does not belong to a class of people notified under section 160 except with the previous permission of the Deputy Commissioner.

Provided also that in granting such permission the Deputy Commissioner shall have due regard for the interests of persons belonging to the classes notified under that section.

The result of this amendment is that transfer of land in a tribal belt/block to a person of a notified class is permissible, even if the person is not a permanent

resident of the belt/block; but transfer to a person of a non-notified class is permissible only if such a person is a permanent resident therein and that also only with the prior permission of the Deputy Commissioner

(c) Right of Settlement-holders and land-holders in tribal belt/block

The special legal provisions with regard to nature, extent and termination of right of annual and periodic leases are as follows :

1) A settlement holder other than land holder in a tribal belt/block has no right beyond the provisions in the lease.

2) A landholder has right of use and occupancy, but his right of transfer or sub-letting is severely restricted. He can transfer his right only in the manner mentioned in the Act.

(d) Ejection of unauthorised occupants

The special legal provisions with regard to ejection of unauthorised occupants and management are as follows :

(1) Persons occupying unsettled land in a tribal belt/block are liable to ejection forthwith;

(2) Persons other than settlements-holders occupying annually-settlement lands are also liable to ejection forthwith. The settlement with the existing annual lease-holder is automatically terminated at the end of the lease period and this does not require a notice of non-renewal.

(3) Persons occupying periodically settled land without valid authority from the landholder or persons whose entry or occupation has come about in a manner inconsistent with the provisions of Chapter X of the Regulation are liable to ejection, after service of one month's notice. After the ejection, Deputy

Commissioner may manage the land in written undertaking that he will prevent unauthorised occupation by other persons in future, Deputy Commissioner may restore it to him. If the land-holder subsequently contravenes the undertaking, his rights in land will be forfeited and the land will be available for fresh settlement subject to lawful encumbrances.

(e) Penalty for contravention

If any transfer of land is effected in contravention of the provisions of Chapter X then both the transferor and the transferee shall be punished with simple imprisonment upto six months or fine upto Rs. 1000/- or with both.

The Sadulla's League Ministry took initiative in the Land settlement policy. The ministry was disengaged in March 1945 and he formed a new Coalition Ministry on 25th March 1945. The new Ministry could secure support from the Congress Party on certain agreed matters. The Ministry adopted a resolution on 13th July 1945 which may be considered as a restatement of the January 1945 resolution on line settlement is clear and less ambiguous. The four main objects of the policy were -

1. Planned settlement of wasteland,
2. Recognition of landless immigrants from others who came to Assam before 1st April 1938 as being equally entitled with landless indigenous persons to wasteland settlement.
3. Protection of Tribal classes in areas predominantly occupied by them against aggressive elements which are prone to endanger the normal economic and social basis of village life.
4. Maintenance of grazing and other reserves by evicting encroachers.

Unfortunately, Coalition Ministry of Sadulla could not carry out the provisions of the above resolution except appointing a Special Officer for Tribal Welfare, as the Assembly was soon dissolved for General Election in 1946. In the General Election the Congress Party won by absolute majority and formed its own Ministry with Gopinath Bordoloi as Chief Minister and Bishnuram Medhi as Revenue and Finance Minister. The Ministry started implementation of the Resolution of the Government.

(f) Line System

In November 1939, the Government adopted a resolution on the Line System Committee's Report. It is in this resolution that for the first time the idea of constituting "Prohibited Areas" in localities predominantly belongs to people of backward or tribal classes was conceived. Paragraph 4 of the Resolution runs as follows :

"The restrictions constituting the so-called Line System which have been in existence in the province for over 10 years past were primarily intended against the unending flow of Bengal immigrant cultivators and took the form of constituting certain areas in which settlement of land with such immigrants was prohibited. Government agree with the Committee that in future the unit for such restriction or prohibition should, where possible, be larger. They consider that in the sub-montane areas it should be possible to constitute whole Mouzas or compact parts of the Mouzas inhabited predominantly by backward and tribal classes into "Prohibited Areas". Elsewhere where the whole village or areas may be constituted a prohibited area. Within the prohibited area as constituted, immigrant cultivators shall not be allowed land either by settlement or by transfer of annual pattas, and any immigrant as taking up land or squatting shall be evicted".

One can identify the rudiments of future tribal belts and blocks in the statement made above in the above paragraph. But it took another 10 years to put

these ideas in a concrete form in the statute book. The delay was not due to any negligence on the part of the Congress-coalition Government (Bordoloi Ministry) which passed the above resolution, but due to sudden political changes brought about by the freedom struggle and the World War-II.

As regards settlement of land with tribal in the Karbi Anglong district an important role is played by the District Council Authority under the provision of the Sixth Schedule to Constitution of India. The District Council has the power within a its jurisdiction to make laws regarding the allotment, occupation, use of setting apart of land other than a reserved forest for the purpose of agriculture, grazing, or for residential or other non-agricultural purpose which are likely to promote the interest of the inhabitants of any village or town. Pursuance of the Sixth Schedule of the Constitution of India a Act was passed in 1953 by the District Council of Karbi Anglong. The legislative powers conferred upon the District Council show that the Acts passed by the Assam Legislative Assensly has no jurisdiction over the District Council.

Reforms in Karbi Anglong and N.C. Hills

A Karbi village, sometimes, is found to have only nine or ten families. Because of this habit shifting their habitat frequently, and also the small size of the villages, developmental works of permanent nature are difficult to undertake and the basic amenities cannot be provided to the people. The practice of jhuming itself is also very harmful as it leads to destruction of forest wealth, soil erosion and other consequences.

With a view to stop these harmful practices like the shifting of village, shifting cultivation etc and to bring about a social reconstruction by making the people settle in permanent villages, the District Council has opened up a few model villages composed of at least 50 houses which is considered conducive

from the point of view of planning and development. In a model village each family is provided with a newly constructed well ventilated spacious house on a plot of land measuring about one bigha and 5 to 10 bighas of land suitable for permanent cultivation. The land provided of each family is well irrigated. The village is also provided with other basic amenities like communication, education, drinking water, etc. The families settled in a model village are exempted from paying house tax.

Although the scheme for the establishment of model village is very well intended, nevertheless, owing to lack of any concrete follow up programme it is not found to be quit a success. Many families settled in the model village have already left for their old abodes. Secondly, when a family brought from the hill areas is persuaded to settle in a village and provided with cultivable land, the problem does not come to an end. The family members have to reclaim the land and make it suitable for cultivation. Although the land is quite fertile because of its virginity, from reclamation to production there is a gap of about six to nine months. And during this period nothing by way of cash dole or credit is given to the family for its maintenance. Any land settlement scheme with the tribal must incorporate three major factors namely housing, irrigation and credit. In case of establishment of model villages, the first two factors have been incorporated, but the last is still out of the picture. In case of land settlement outside the model villages the question of providing the aforesaid three factors is not at all taken into consideration. As the Karbi Anglong falls within the rain shadow areas, irrigation facilities are most essential. Of course, the state Agriculture Development and the Irrigation Department have been implementing small schemes for irrigation wherever such schemes are found feasible irrespective of land settlement policies followed by the District Council. The medium type of irrigation project that has been installed in the Karbi Anglong District is the Jamuna Irrigation Project. Although its hard work and its Administrative Officers are located in Bakulia in

the Karbi Anglong District, nevertheless, its fruits are harvested mostly by the people of Nagaon District only. In the Karbi Anglong District the irrigated area is meagre.

The Mikir Hills District (Transfer of Land) Act 1959 provides that no land under the jurisdiction of the District Council Authority shall be sold, mortgaged, leased, bartered, gifted or otherwise transferred to non-tribal or by a non-tribal to another non-tribal except with the previous permission of the Executive Committee of the District Council (Section 3 of the Act of 1959). The Act also provides that for any refusal of transfer from a tribal to a non-tribal or from a non-tribal to another non-tribal, the reasons shall be recorded. This Act also provides that rights already acquired by any person prior the enforcement of this Act shall not be affected.

Under the provision of this Act the District Council Authority may evict a non-tribal if he is found to be in possession of any land other than in accordance with the provision of this Act.

The Act, however, provides only monetary penalty for disobeying internationally an order of requisition to vacate lands occupied illegally.

Now the Karbi Anglong District (Land Reforms) Act, 1979 provides that all kinds of encumbrances of land existing by way of Paikas or mortgage shall be void upon coming into force of this Act. This Act also provides that on coming into force of this Act any amount is found due from the settlement holder out of the advance earlier made to him by the cultivator cultivating his land under current Paikas, mortgage, etc., the latter shall be allowed to cultivate the land under the Adhi system at the rate of 3 to 5 maunds of paddy per bigha according to the yield of the land as may be assessed by the Assistant Revenue Officer. The value of the paddy thus fixed shall be adjusted towards repayment of the balance

of advance. After full repayment of the advance the land shall stand released. After such release if the cultivator cultivating the land remains on the land, he shall be evicted therefrom forthwith.

The Act also provides that if any settlement holder after release of his from Paikas or mortgage again encumbers his land through Paikas or mortgage, the patta operation of he section.

In the North Cachar Hills District the non-tribal population constitutes slightly more than 30 percent and the density of population was 16 as per 1971 census. The incidence of alienation of tribal land in this district, therefore, is quite low. The district Council Authority of the North Cachar Hills has not enacted any law in regard to prohibiting transfer of tribal land to non-tribal. The District Council has issued some executive instructions only in this respect vide Memo No. GA/REV/5/14/62/21. Dated 6th July 1962. So far as land under periodic lease is concerned the tribal settlement holder cannot transfer his land to a non-tribal without prior permission of the District Council sees whether the person to whom the land is proposed to be transferred is a permanent resident in the district and secondly whether he has enough land in his possession already even if he is a permanent resident.

According to land settlement policy resolution of 1954, the first preference goes to the indigenous local tribal in settlement of Government land. The second preference is given to the permanent non-tribal resident of the District Council constituencies. A tribal belonging to the same community but hailing from another village may also get settlement of land in the village provided the other people of the village where the person is proposed to be given settlement do not object.

From the above it has now been seen that while in the Karbi Anglong District there are suitable laws for prohibition of transfer of transfer of land and

a well defined land settlement policy, in the North Cachar Hills expect executive instructions and policy resolutions in respect of land settlement there has been no law prohibiting transfer of land from tribal to non tribal.

In the hill areas of Assam, under the Sixth Schedule of the Constitution of India, the management of land is the direct responsibility of the two District Councils with full powers to enact suitable legislation and also to formulate their own land settlement policy keeping in view the customary rights of the tribal people over their land.

The Mikir Hills District (Transfer of Land) Act 1959 prohibits transfer of land belonging to the scheduled tribes to non tribal and even from non tribal to non tribal by way of sale, mortgage, lease, barter, gift, etc. Without the prior approval of the Executive Commissioner of the Karbi Anglong District Council. The Karbi Anglong District Council (Land Reforms) Act, 1979 prohibits Paikas and mortgage of land also.

However transfer and alienation of land mostly in the forms of Paikas, Sukti Bandhak, Khoi Bandhak and Adhi which are temporary in character but of perpetuating nature in practice are going on unabated specially among the Karbis inhabiting the plains portion of the Karbi Anglong District.

In the North Cachar Hills, the area of cultivable plain land being very small incidences of transfer and alienation of tribal land are virtually absent. The N.C. Hills District Council so far has not enacted any law prohibiting transfer of tribals land to non-tribal. The Council has, however, issued an Executive Order in 1962 putting a ban on transferring of tribals land to nontribal with out the prior permission of the District Council Authority.

References

1. Constitution of ABSU, 2nd March 1969
2. Memorandum submitted to the President of India by ABSU, 9th November 1972
3. Memorandum to Shri Atal Bihari Vajpayee, Prime Minister of India by ABSU
4. Constitution of All Mising Students' Union , 30th October 1972
5. Memorandum submitted to the Chief Minister of Assam by All Mising Students' Union, 10th August 1996.
6. Memorandum submitted to Home Minister of India, demanding creation of an Autonomous State, TMPK. September 1993.
7. Constitution of All Rabha Students' Union , 12th February 1980
8. Memorandum to the Prime Minister of India for creation of Rabha Hasong Autonomous State, by All Rabha Students' Union, 15th September 1993.
9. Rabha Accord 10th March 1995.
10. Constitution of All Tiwa Students' Union.
11. Hazarika, N. Profile of Youth Organizations in North East India. Vol. V Published by IMSar. 1998.
12. Nath Ramesh Chandra: " Growth and Development of Political consciousness Among Tiwa (Lalung) Community of Assam in the Post Independence Period.
Unpublished Ph. D. Thesis.
13. Assam Gazette , October 1995.

Chapter VII

EPILOGUE

Introduction

There are two forms of democracy – direct and indirect. In a direct democracy, all the qualified voters assemble at stated times to enact laws and decide issues. But this method is possible only in very small communities. The application of democracy to the large nation-State has been made possible by the device of representation, resulting indirect democracy. The voters in the modern indirect democracy elect representatives to legislate for them. In India the majority citizens official participation in the governmental process is confined to voting for elected representatives only. However, It may be admitted that the influence of a voter on Government is not limited to casting his/her ballot. The citizen may also write or personally contact his/her representative or form pressure groups and use mass media.

Representative legislatures on the assumption that the people can delegate the legislative portion of their sovereign power to the elected representatives. The legislators have to play a very significant role in the modern indirect democracy. Considering this aspect of a modern state and experiencing the changing status of the political system and process of Assam . I have considered to the role of the legislators in Assam since 1972, which may be considered as a turning point of the political history of Assam due to the enactment of the Re-organization of North East India Act.

Coming to the epilogue of the thesis I must mention that India is well known for having the largest concentration of the tribal population and Assam accomodates different racial, linguistic and cultural groups. Economically, Assam is a backward state and the main factors behind the state's economic backwardness are isolated location, difficult terrain, lack of infrastructural facilities for industrialization, lack of capital and entrepreneurship Agricultural is the main stay.

The second chapter of my thesis shows the socio-political background of the ST MLAs in Assam. This chapter has been formulated on the basis of Interview Schedule which reveals rural flavour of the social life of each MLA. Setting aside three cases of Jogmohan Basumatary, Smt. Rekha Rani Das Boro and Bharat Chandra Narah all the ST MLAs interviewed by me belong to agricultural families.

During the period from 1972 to 1994 the strength of Assembly sitting days was 892 and the number of questions raised was 18,578. The major issues which occupied more space in the discussions were roads, hospitals, education, forest, flood, law and order situation, agriculture, land, etc.

For the development welfare of the tribal communities separate provision is found under Tribal Sub-plan in which the ST MLAs have ample opportunity to take active part. These plans in the plain districts of Assam basically emphasise development of backward tribal areas by improving the infrastructure initiating and family oriented schemes with focus on rural roads, primary education, health care, drinking water, etc.

Closely connected to the development of tribal population is the forest village concept. There are 524 forest villages with a total population of about 1,60,179 comprising 20,694 families. The inhabitants of this forest villages are

mainly Bodo, Sonowal, Kachari, Tiwa, Mising, Deori and Rabhas. The forest villagers are entitled to certain facilities from the Forest Department such as grazing of cattle, fuel wood and timbers for construction of houses, etc.

Assam is facing certain very complicated and sensitive problems. The most serious problems are foreigners', language, unemployment, ethnic autonomy and land. I have discussed these problems in two chapters i.e. V and VI of my thesis. The question of illegal migration of people from Bangladesh after its liberation is a major political issue not only in Assam but in the entire region. Due to various reasons, it is not possible to correctly estimate the size of such illegal migrants continuous influx of illegal foreigners changed the demographic pattern of Assam.

The Government of India expressed before the Supreme Court that while it was true that the responsibility to check infiltration at the border lies with the Border Security Force in respect of the border with Bangladesh all powers of the Central Government under section 3(2)(c), (cc), (d), (e) and (f) of the Foreigners Act 1946 and under the Foreigners Order 1948 had been delegated to the state Government with their prior consent.

In Assam almost every ethnic group has its own language or dialect and uneven development of these languages cause constraints not only to the legislators of Assam but also to the inter-relationship of different social groups in Assam.

The problem of unemployment among the tribals can never be divorced from the land issue as almost all of them are agriculturist families. The youths in the tribal communities can not go for facilities for self-employment provided by the Government due to non-possession of land patta. Further lack of development of agro-based industries adds fuel to this flame.

The ethnic autonomy movement launched by tribals brought into existence Autonomous Councils in the Bodo, Rabha, Mising and Tiwa areas. Since the tribal population is not concentrated in one particular area, demarcation of the jurisdiction of the council has become a problem which could not be solved by the Government.

FINDINGS

The study has helped to understand the pattern of Legislative behaviour and the mode and the degree of political participation of the ST MLAs on the floor of the Assam Legislative Assembly. It has provided a new perception of different aspect of the participation of the ST MLAs in the Legislation.

The field survey with the Interview schedule and unstructured interview or informal discussion on the issue with political leaders has provided a clear picture of the level of value perception and to identify the motivational factors.

My study has brought to the light one significant feature that the community feeling or tie alone is not the sole factor for victory of ST candidates in the election to the Assam Legislative Assembly. This can be illustrated by looking into the candidates elected from the unreserved constituencies to the Assembly. From 1972 to 2000 the strength of the ST MLAs is 66 and out of 66 ST MLAs 49 represent reserved constituencies and 17 represent general constituencies. The existing speaker of the Assam Legislative Assembly Ganesh Kutum represents Gohpur constituency which is not reserved for the STs.

However, in India community identity is very much a phenomenon in Indian politics, particularly in selection of candidates. Each political party, be it national or regional, pays primary attention to the communal composition of the constituency to decide on a candidate who, in the opinion of the party, would be

able to poll the votes of the dominant community in the constituency. Assam politics is not an exception to it.

In Assam during the period from 1972 to 2000 regional political parties seems to be more popular amongst Scheduled Tribes than the national political parties. The strength of the seats occupied by ST MLAs in the present Assembly (1996 to 2000) is 25 and only one, Shri Bharat Chandra Narah belongs to Congress (I) political party. However, mention may be made here that Narah started his political career as a member of the newly formed Asom Gana Parishad regional political party. Later he shifted to the national political party.

In the session 1996-2001 the strength of the S.T. MLAs in the Assam Legislative Assembly is 25. The breakup of the strength on party basis is given as below:-

Party	No of ST. MLAs.
AGP (Regional)	11
ASDC (Regional)	5
PDF (Regional)	4
UBNLF (Regional)	1
Indepandent	2
BMC (Regional)	1
Congress (I) (National)	1
Total	25

The study also shows that two ladies belonging to ST communities have been participating actively in the Legislation. They are Rekha Rani Das Boro and Pramila Rani Brahma. Both these ladies belong to Bodo Community.

Several backward sections of Assam like Ahom, Chutia, Koch Rajbongshi etc., are also demanding ST status for upliftment of their communities. In

response to the demand made by the Koch Rajbongshi, declaration was made by the Government of Assam to consider this Community as Scheduled Tribe. Accordingly, in the last general election Karuna Datta, a member of the Koch Rajbongshi community contested election and he was elected from the Majuli constituency, which was reserved for STs. Later on ST status of Koch Rajbongshi was withdrawn by the Government of Assam keeping the position of the elected MLA hanging. Meanwhile Karuna Datta expired and by-election was held in May 2000 and Sri Jogeswar Doley, a member of the Mising community has been elected from AGP party.

While observing very closely to the activities of ST MLAs, one finds that these are basically rooted in their social life. Assam is the home of multitude of tribals and each of them has, by and large, succeeded in maintaining its own identity. Villages in tribal areas are traditionally been independent units. All decisions affecting the village used to be taken by debating in meeting through a perfect democratic set up. Villages used to be managed jointly and the things like as to which area shall be used for shifting cultivation, specially in hills, in a particular year used to be decided jointly.

In their original pattern a living trade was simple. The needs of the people were limited to a few essentials of life like cloths, utensils, ornaments, most of which produced by themselves. Step by step with the breaking of isolation and invasion of foreign trade the temptation to acquire things which were not at all essential, grew. To satisfy newly created needs the tribals require cash and people become self-centered without caring for the need of fellow villagers. The elder villagers who still continue to be traditional lack control over the young generation. It results in a situation which is very complicated and unpredictable.

Further, most of the tribal groups are very shy and introvert by their nature. Thinking beyond the affairs of family or at the most village is nobody's business.

Anything which is not traditional is not accepted very easily. They are by temperament easy going people who do not react very sharply to new ideas, new methods and experiments.

The manifesto of the Autonomous State Demand Committee (ASDC) published during Assembly Elections in 1996 may be mentioned in this connections, which may be read as below :

Continuing the Glorious Tradition of Struggle towards Autonomous State

“In Karbi Anglong and North Cachar Hills, our decade long movement has gone from strength to strength. We have expanded in every nook and corner of the two hills districts as the symbol of unity and struggle, peace and democracy championing the aspirations of all the communities. We in the ASDC, have resisted all the Congress tactics of suppression and black mail while other parties and movements had succumbed to these pressures disintegrated. In fact, the ASDC stood like a rock withering away every attacks of the Congress and handing it the taste of defeat in the soil of Karbi Anglong and North Cachar Hills. This, we strongly believe, brings fresh hopes not only to the people of the hills to the entire population of Assam.

Ten years ago, we gave the clarion-call -“No Autonomous State, No Rest”. We had not dithered an inch but we are marching decisively step by step towards the fulfillment of the commitment. The Memorandum of Understanding (MoU) signed in April/95 is an important milestone in this march. We have gained substantially by compelling the Government to pass the Constitution Amendment Bill and it stands out as a unique example of recent years when it was accepted by all cutting across party politics in the parliament and later by the State Assembly. In the hills, people irrespective of caste-creed, language and religion hailed the MoU. This we had achieved without surrendering our movement and the principled causes for which the people of the hills had sacrificed.

Even after all these, the State Government has been throwing all imaginable impediments to sabotage the full implementation of the MoU. And this is exactly why we in the ASDC, are committed to carry on the struggle to take the MoU to its logical conclusion and to move forward decisively to achieve the fullest and effective autonomy when the people of the hills alone become the master of their destiny. We, therefore, call upon the people to elect the ASDC candidates to advance our cause.”

For the development and welfare of the tribal people at the State level there is a Department of Welfare of Plains Tribes (WPT) and Backward Classes (BC) headed by Commissioner and Secretary to the Government of Assam. This department is responsible for coordination and control of the Tribal Sub-plan of the State.

Further, there is a State level Advisory Council for the Welfare of the ST(Plain). It is headed by a Minister, Department of Plains Tribes and Backward Classes of Assam. All ST(Plain) MLAs and ST(Plain) MPs of Assam are members of the Council.

The Tribal Development Authority is a Statutory Body, whose jurisdiction extends to all plains districts of Assam, which is headed by the Chief Minister of Assam with all the ST(Plain) Ministers and MLAs of Assam.

Thus ST MLAs have a scope to redress the grievances of the tribal people and to satisfy their aspirations through this special authority.

The Assam Legislative Assembly, at present consists of 126 members out of which 25 are ST. MLAs. I have made attempt to interview all the 25 MLAs, but only 13 MLAs i.e. a simple majority responded positively.

Out of 13 MLAs interviewed all of them except Derhagra Mushahary who did not go to college, had school education in the rural areas. Thaneswar Boro, Bharat Chandra Narah and Smt Rekha Rani Das Boro are the products of Gauhati University with MA. degrees. Deva Kanta Ramchiray is a Doctor and Pradan Baruah is a diploma holder in Mechanical Engineering and rest BA degree holders. Thus one finds that with good academic background STs of Assam have entered into decision making process of the state and the participation of ladies in Legislation is better in comparison to those of general castes.

While answering to my interview schedule all of them expressed their concern about the tribal problems. Their inner feeling of being neglected by the people of general castes has become transparent.

Most ST MLAs have come from agrarian families and are attracted by the regional politics. ST MLAs are convinced that rural and tribals problems can be solved regionally, since they are the sufferers of the problems. They can make correct diagnosis of these problems and provide effective policies.

The ST MLAs get a very wide scope to take active role in the process of formulation and implementation of the Tribal Sub-Plan. The estimated area under Tribal Sub-Plan is 10,001 sq. km, that account for about 14% of the state's total area of 78,438 sq km. Under the Tribal Sub-Plan 19 integrated Tribal Development Project areas covering about 4542 villages have been constituted. In these areas 9 Scheduled Tribes (Plain), viz., Barman in Cachar, Boro-Kachari, Deori, Sonowal, Tiwa, Mech, Mising, Rabha, etc. are found.

The main objective of the Tribal Sub-Plan is to emphasis all round development of Scheduled Tribes (Plain) in Assam. More emphasis has been given to the generation of self employment opportunities in the sectors like

agriculture, dairy, veterinary, sericulture, handloom and textile, small village and cottage industries, fisheries etc.

There is a State Level Advisory Council for the welfare of the ST (Plain). It is headed by the Minister, welfare of plains Tribes and Backward Classes of Assam. All ST(Plain) MLAs and ST(Plain) MPs of Assam are members of the Council. For self-development the Tribal Sub-Plan is the best alternative device to be utilised by the ST MLAs in addition to the general scope in the Assembly and outside it.

Foreigners' problem is the main burning problem of Assam affecting all sections of the population. The Government of India has also realized that the influx of foreign nationals is a serious threat to the unity, integrity and the security of country. The foreigners' problem is very well reflected in the recent report of Lt.General(Rtd) S.K. Sinha, the present Governor of Assam to the President of India. Interestingly, the existing Government of Assam is manned by the Leader of the Assam movement against foreign nationals. The Chief Minister, Prafulla Kumar Mahanta himself led the six-year old Assam Movement and the election campaign of the AGP Party centered round this issue. After formation of the Government the issue of illegal immigration has almost been thrown out of the agenda of the Government. Neither the Center nor the State has thought seriously about the consequences of the influx of illegal immigrants into India through the open borders of the country. Illegal influx changed the demographic pattern of Assam. It is the AASU which is making persistent effort to solve this problem and to some extent it is successful to convince the Election Commission of India about the socio-political consequences of the influx of foreign nationals into India, resulting in deletion of the names of foreigners from the voters' list. However, the process remains incomplete.

The failure to achieve full employment, failure to eradicate poverty and failure to remove social injustice are reflection of the failure of Assam's economic planning. In the Assembly the problems of unemployment is raising today, what was raised and discussed even 50 years ago. The major weaknes in the planning strategy is that sufficient attention has not been paid to the question of engaging large manpower in agriculture, specially paddy and tea.

.Language is the means by which the individual expresses his personality. Alphabet is the means by which language is written. Script is the means by which language is written. Script is the means by which the alphabet is written. Any alphabet can be written in any script, provided the alphabet has the necessary sounds. Otherwise visual symbols may be invented or added to represent this. However, the script adopted for writing an alphabet must have qualities, clarity, legibility and capacity for easy manual and mechanical manipulations. Modern Assam, which is a multi-lingual state is experiencing the problem of language, script, official language and medium of instruction in schools.

The Assam Legislative Assembly passed the Official Language Bill, making Assamese the sole official language of the state with provision for the use of different languages at the district level and English to continue to be in use at Secretariat and Heads of Department Offices was introduced on 10th October 1960 by late Bimala Prasad Chaliha the then Chief Minister of Assam. The passing of the bill was marked by hartals and demonstrations in Shillong, then Capital of Assam. Assam faced in 1972 the movement relating to the medium of instruction in the Higher Educational Institution. This was followed by the demands for introduction of Bodos as Associate State Language and Bodo, Rabha, Mising etc. tribal languages as medium of instructions at the primary school level.

The demand for 'Udayachal' made by the Bodos in 1960s may be considered as the beginning of the ethnic autonomy movement launched by the Scheduled Tribes (plains) in Assam. The grant of autonomy through the constitution of the Autonomous Council with the concept of satellite area makes the situation more complicated leading to the demand for 'Bodoland'. This idea of ethnic autonomy is gradually penetrating into all the disadvantaged sections of the society in Assam.

Since British rule Government is providing various measures for protection of tribal land by Introducing Line System, Tribal Belts and Blocks etc. But the problem remains unsolved till date, Land alienation, encroachment of tribal belts and blocks are stills affecting the social and economic life of the tribals. This land problem has a close link with the unemployment of the tribal youths.

Suggestions

The very concept of Parliament got its germination on the fertile soil of the socio-political world of Great Britain in the thirteenth century. The development of parliamentary system in Britain through important historical processes is one of the greatest events of human history. This system could influence many countries including India. However, India has not accepted this system without modification. We have a parliamentary system but not with a hereditary head of state.

Indian federal system has provided autonomy to the states and as such the state Legislature is to play a significant role. The State Legislature is empowered by our Constitution to make enactment on subjects incorporated in the state list and with limitation on concurrent list. Efficient and effective functioning of the Legislature can lead the political executive of a state, responsible to it, to travel in the desired directions.

To be an effective legislator, he must have requisite educational qualification, which is not necessary for contesting election. Because with a good educational background, a legislator will not find it difficult to understand a legislative procedure and also the procedure relating to financial and other important matters. A legislator has to play an important role both inside and outside the House. A legislator is expected to receive a large number of letters, complaints from the people of his constituency as well as from other constituencies of the state. To respond to all these letters and complaints to the satisfaction of the people a legislator must make an attempt to classify them systematically for quick and scientific disposal of the cases.

The legislator may also maintain important papers relating to day-to-day activities and documents received from the secretariat. Further frequent personal visits of the MLAs to their constituencies to acquire first hand knowledge of the situation is very essential.

It may also be noted to be an able legislator he/she must be a man/woman of honesty, integrity and must have a high standard of conduct. The duty and responsibility of a legislator does not end with his speeches on the floor of the House. Personal contact and discussion with the concerned department heads in the administration are also necessary for redressal of the public grievances. A department head certainly hears the representations of the legislators and gives priority to the problems if the legislator is a man of integrity and honesty and the Government officials will certainly attach great importance to his/her representations and try to redress the grievances.

Assam has a very rich social culture of entertaining guests with honour. This culture is providing a strong tie to unite all the people together even today in the rural areas of Assam. Since most legislators are coming from rural society it is

not at all difficult for them to treat the people with due honour. This kind of courteous behaviour of the MLAs may create a congenial atmosphere to command confidence from the public by the legislators.

Further members should be careful not to obstruct the deliberations by raising unnecessary point of order and there should not be any unnecessary interruption in conduct of the business of the House. These are very important because the conduct of the members is an example for others. The members must remember that they should always follow constitutional conventions to maintain dignity of the House. For example, no member should make any comment on the conduct of the President of India or the Governor and on the working of the Supreme Court or any other Court of Law.

The Legislature is a form, which provides opportunity to the representatives of the people to ventilate public grievances and shortcomings of the Government. To utilize these opportunities for the greater interest of the State one must be a devoted worker. He/she must remember that one has to acquire first hand knowledge on the problems to be raised on the floor. The contemporary Assam requires Legislators who are committed to the public cause with the inquisitiveness to make correct diagnosis of public grievances.

To make legislative effective provision may be made for training of the newly elected members of the Assembly through orientation courses, lectures and academicsits to different institutions and places, strict adherence to the Rules of the House.

It has become clear from the issues raised on the floor of the House that the State Government of Assam is not successful in undertaking balanced industrialization in the State. Experience shows that even in areas with rich natural resources are neglected, and natural resources, promised industrial

complexes are shifted or attempted to shift to outside the state due to political pressure from the Center and high bargaining capacity of the Management of the industries. In these cases the Students' Organization like All Assam Students' Union with the cooperation of conscious citizens had to come forward for protesting those attempt. It reflects lake of awareness and able leadership of the Legislators of the State.

The policy of the Government must be give priority to backward and no industry districts, specially dominated by the tribal inhabitants in setting up gas-based, tea-based, agro-based industries etc. It will stop the flow of migration from the villages to the towns. At present, mostly urban based educated persons and rural based educated migrants are enjoying the opportunities or facilities provided by the Government. Therefore, adequate provision should be made for easy access to information relating to rural development and welfare by the target groups.

Assam is facing series of ethnic movements which are playing a crucial role in setting the political agenda of the state particularly during the last couple of years resulting in creation of Autonomous Councils for Bodo, Mising, Rabhas and Tiwas by the Assam Government. More powers were given to the Karbi Anglong and N.C.Hills Autonomous Council by handing over 30 departments to the Councils. But the social and ethnic composition of the contemporary Assam is so complex that the decision of the Government to grant autonomy through Autonomous Council could not solve the ethnic problem of Bodos, it simply changed its colour and form. The problem arose at the time of demarcation of the geographical boundary of the Council, which centred round the concept of "Satellite Area". Ultimately, the demand for 'Bodoland' is appearing very starkly in the political map of Assam.

As a researcher I feel the best alternative policy to solve the problem of ethnic autonomy movement will be the provision for area based autonomy within the geographical territory of Assam. That is the concept of regional autonomy instead of ethnic based autonomy. Ethnicity based autonomy should be replaced by regional autonomy. It should be wholly democratic. My long association with the All Assam Students' Union as its General Secretary helps me to form this view and to contribute the view of Shri Sarat Chandra Sinha in this regard. I feel that the process of decentralization of power should travel to the grass root level of administrative organizations also.

While demanding autonomy the ethnic groups must be prepared to make the administrative authorities responsive and responsible, for each and every out of it. One should not forget that autonomy divorced of accountability would be a serious threat to a welfare state. It is the primary duty of the Legislators to ensure accountability of the administration through legislative means.

The present research work has led me to believe strongly that to solve the problems, the Government and the Legislators should have a clear motto and the motto should be **equal right and equal development**. Equal right should be given to every community of Assam and to ensure equal development of all the areas. The policy and approach of equal right and equal development can solve the problem of every community of the state.

Decentralization of power and planning to the grassroot is a very important factor. The 73rd and 74th amendment of the constitution gives maximum powers to the panchayats and municipally boards. Most of the departments including PWD, health, primary and secondary education, agriculture, rural development are handed over to the Panchayats. In Assam 73rd and 74th amendment are not yet executed. Through 73rd and 74th amendment the people of all communities of all areas of Assam can involved in the developmental activities. Over the Panchayats

there can be a Mahakuma Parishad or Zila Parishad by including the sub-division or district area. This body can be a elected body. The legislators can monitor the developmental activities and the legislator can give more time in the policy making process.

Foreigner's problem is the burning problem of Assam. Continuous influx of illegal foreigner changed the demographic pattern of Assam. It is a silent inersion. There is a threat to the sovereignty and integrity of the country, threat to the identity of the indogeneous people of Assam. Without solving this issue there cannot be peace in Assam. This problem must be solved permanently. Assam Accord was signed to solve this problem. The Accord is not yet implemented. The situation is becoming worse. To solve this problem Assam Accord will have to be implemented within a specific time frame. The IMDT Act and clause 3(1) of Citizenship Act should be scraped and Foreigner Act of 1946, which is applicable all over India, should be applied in Assam. Indo Bangladesh Border should be sealed within a specific time to stop further infiltration. A foreigner is a foreigner, he may be Hindu or Muslim. There should not be any communal thinking to deal with the problem. The political leaders must resist themselves from protecting the illegal foreigners. The legislator cutting across the party line should take bold and united stand to solve this problem permnently.

In the present situation the federal structure is very much essential. To safeguard the countries integrity and sovereignty the center should also be strong. The feeling of political injustice and economical exploitation by the centre should be removed through performance. In the federal structure there should not be any right for secession from the country. The growing centralization of political and economic power in India poses the biggest stumbling block to any healthy and real development of national unity even 50 years after the exit of British colonialism from the Indian soil.

The vision of India as united, multinational, multi-lingual, multi-religions country should be upheld and federalism be recognized as a basic principle of democracy and Indian unity. Federalism should not just mean “more power to the states”, but it should be visualised as an alternative approach to nation-building from below. Federalism should ensure comprehensive democratization of the Indian polity down to the grassroots, progressive devolution of fiscal and administrative powers and equal economic development keeping in mind the varied requirements of the remotest and most backward regions.

Deletion of Article 356 is necessary which empowers the Union Government to topple democratically elected State Governments and hijack the democratic process through prolonged President’s rule. Total abolition of the concurrent list is necessary, which has become a convenient smokescreen for greater and still greater centralization. Residual powers should also be vested with the states. A thorough restructuring of the financial aspects to provide greater financial power and autonomy to the States is necessary.

The principle of regional autonomy within states with concurrence of State Legislatures and constitutional safeguards to protect the cultural identities and rights of various ethnic groups and accelerate the rate of socio- economic development in all backward regions is necessary.

Only a federal restructuring of the Indian polity with devolution of powers down to the grassroot level will be able to fulfil the aspirations of the people of various nationalities in India and to meet the challenges of the future.

I must refer to the unemployment problem which may be considered as one of the biggest problem in to-day’s Assam. It is a major factor responsible for the acts of violence, looting, killing etc. Further, unemployment of youth causes wastage of manpower. No Legislative should ignore the youth power while

making policies for the development of the state. Proper manpower planning is very much essential in Assam. Systematic vocational education should be introduced to the education system.

The Assam Government should fulfill the backlog system, and implementing the Roster system.

In the Assam Accord Clause No. 7 it said "The Government takes this opportunity to review their commitment for the speedy all round economic development of Assam, so as to improve the standard of living of the people." The commitment remains as commitment on paper only. L.C. Jain Committee, S.P. Sukla Commission were formed to look into the matter of all round economic development. The Prime Minister of India declared economic packages. But the scenario of economic development remain the same. Implementing and monitoring machinery must be in place. State Government along with administration and Panchayats may implement the schemes and monitoring can be done by Central Government and non-Government Organization.

In this context scheme should be drawn up for reconstructional revival of the sick public sector undertakings of the State.

A scheme should be implemented for storage of natural gas from the oil fields of Assam, because the gas has been flared up in Assam continuously. Suitable legislation should be enacted to ensure that flaring of natural gas beyond allowable limit is made punishable by law.

A deeper insight into the vexing and burning problem of unemployment, of both the educated and the uneducated is a warranted condition. With a view to containing the agony, frustration and the resultant unrest, the need of the hour is

to introduce necessary legislative safeguard for 100% job securities to the indigenous people in the services of the Union Government and the State Government establishments. This measure is required to be implemented with immediate effect, and if need be legislative measures should be initiated.

The State of Assam is rich with many natural resources such as oil, coal, water resources, tea, etc. Considering natural resources as well as natural wealth, the Constitution has conferred right on the Union Government to utilise the resources. The provision deprive the State of Assam of any right over the resources within its resources. Assam has been made to approach the Union Government always with a begging bowl for royalty on the utilized resources. Special reference may be made to entries 53, 54 and 55 of the Union List in the Seventh Schedule of the Constitution which authorises the Union Government to make relevant legislation, rules and norms over the subjects referred to above.

To settle the multidimensional problems of the state, the lowest common factor being the economic crisis, the State of Assam should be conferred with the right over her natural resources in order to strengthen the economic foundation. There is an urgent need to review the Constitution for transferring entries 53, 54 and 55 from the Union List to the State List with immediate effect.

All income out of tea industry should be fruitfully utilized within the stake of Assam mainly for education and other economic activity.

Along with these Assam's future lies mainly on developing agriculture, pisciculture, horticulture, livestock, etc. 80% of population lives on agriculture and related works. If the educated as well as uneducated unemployed youths of Assam take to the above trades, the problem of unemployment can be rapidly reduced. The legislator should act effectively in this direction.

Land is the main factor in Assam. Tribal belts and blocks, forest lands, agricultural lands are occupied by illegal foreigners. In Assam Accord also there is specific clause to protect belts and blocks. Effective steps should be taken to protect the tribal belts and blocks. Though the tribal people is the indigenous people of Assam, many of them do not have the right over land, many of them do not have land patta. Due to illegal influx and flood many tribal people become landless. So permanent land settlement should be given to the tribal people. There are some forest villages in Assam where only tribal people reside. So, where the tribal people resides in the forest, for years together, without evicting them, these forest villages should be converted to revenue villages and officially responsibility should be given to them to protect and nurture the forest areas. Measure should be taken to have the right over land only with the tribal and indigenous people.

It is admitted fact that the economic hardship resulting from mismanagement and drainage of public money and the callousness on the part of the concerned authorities towards the welfare of the people, in many cases the helpless indigenous people, having no alternative, transfer their landed properties for monetary considerations to the people coming from both outside the state and outside the country. Such acute poverty has made many indigenous people homeless and landless. To protect the interest of the indigeneous people restrictions should be imposed to bar transferring of the right over land to the people coming from outside the state. Such legislative measure exist in the neighbouring State of Meghalaya. The legislator should also act effectively in this line.

In Assam the language issue has become serious on several occasions. To solve the problem of medium of instruction at the college level the Academic Councils of Gauhati University, Dibrugarh University and the Assam Legislative

Assembly has adopted (seperately) unanimous resolutions restoring English along with the regional language of the state. Bodo language is recognised as associated official language in Kokrajhar district and Udalguri sub-division. Rabha, Mising, Tiwa languages are recognized upto the primary level. However, no effective measures have been taken so far to implement these decisions by the Government. Nobody can deny the fact that the dynamic role of the Legislators is the basic requirement to lead the administration towards the welfare of the people. A proper environment should be created to develop every ethnic group's language and culture.

Constitutional safeguard is very much essential to protect the identity of the tribal and non-tribal indigenous people of Assam. The Assam Accord has promised "Constitutional, Legislative and Administrative safeguard as may be appropriate shall be provided to protect, preserve and promote the cultural, social, linguistic identity and heritage of Assamese people"

However, no safeguard has been provided so far. Some suggested measures are as follows:

In the case of the State of Jammu and Kashmir, Article 370 of the Constitution has been provided to safeguard the interest of Kashmiri people. In accordance with the powers conferred by this Article, the President of India has promulgated an order-" The Constitution (Application to Jammu and Kashmir) order, 1954". A provision of this order is the addition of Article 35 A to the Constitution which provides for saving of laws with respect to the permanent residents of the State and their rights.

In the case of Assam, which has borne the brunt of a national problem caused by international migration, there should be a provision similar to "The Constitution (Application to Jammu and Kashmir) Order, 1954".

Article 170(3) of the Constitution restricts further delimitation of the constituencies up to 2000 AD. This provision was added in 1976 by the 42nd Amendment to the Constitution. It has become absolutely necessary to review the position after the signing of the Accord since voting rights will be conferred on migrants who will be residents in Assam. The amendment to Article 170 of the Constitution made in 1976 could possibly never have visualized the situation obtaining in Assam today. As such, the amendment should not be applicable to Assam.

It was, therefore, suggested that the restriction imposed on delimitation of constituencies up to 2000 AD, vide the relevant proviso to Article 170 (3), should be waived in respect of Assam. This is because a review of the position has become necessary after the Accord. The process should be started instantaneously in case of Assam as a special case.

As provided in Article 169(1) and Article 171 of the Constitution of India a second chamber, viz., Legislative Council should be added to the State Legislature of Assam making it convenient to all the ethnic groups as well as arithmetically or numerically smaller groups of bonafide citizens to have their due and proper representation. This will help ventilate their genuine grievances to, besides creating a congenial atmosphere of understanding among all sections of the people in the State. This step should be considered in an expeditious manner in view of the gravity of the political, social and economic situation, prevailing in the State.

In the interest of protecting the socio-cultural identity of the indigenous people of Assam, which is unique in itself, being unity in diversity, in addition to the Constitutional safeguard, the time has come to introduce the inner line permit system in the State of Assam like its neighbouring State of Arunachal Pradesh by adopting suitable legislative measures with reference to entry 81 of

the Union List under seventh schedule of the Constitution. Time has given birth to the reasonable doubt that if this system is not introduced with immediate effect the identity of the indigenous people of Assam in the very near future shall be in great trouble.

There is an urgent need to consider the concept of dual citizenship, which is being felt more than ever before in the context of rising of regional forces all over the country. To fight against disparities, regional imbalances and all sorts of inequalities to establish the concept of equality, the regional forces had been very naturally raising their heads. In this context the issue of dual citizenship is becoming more and more relevant. Every constituent state of the Union of India should have its own citizenship and have the right to grant state citizenship besides Federal Citizenship and as such every citizen of the constituent state shall also be a citizen of India. The loyalty to the Republic of India will be further strengthened by this recognition.

Therefore, the time has come to adopt proper and acceptable legislative measures with reference to entry 17 of the Union List under the Seventh Schedule of the Constitution of India.

To represent the real will of the people of the State in true sense and spirit, there should be contemplated appropriate legislative restrictions with reference to entry 72 of the Union List as well as entry 5 and 37 of the State List in favor of allowing only the indigenous people of Assam to contest elections to be elected to Parliament and to the Legislative of State and other democratic institutions at all levels. It is the need of the time to formulate relevant statutory measures, if need be even by making amendment to the Constitution.

In this regard in the tripartite talk between Central Government, State Government and AASU it has been agreed in principle to reserve the seats for

indigenous Assamese people in Parliament, Assembly and local bodies. Significantly, definition of indigenous person was defined in 1951 census report by both the Central and State Governments. In 1951, census report it was stated "Indigeneous persons of Assam" means a person belonging to the State of Assam and speaking Assamese Language or any tribal dialect of Assam or in the case of Cachar the language of the region". The legislator has a great responsibility to play an important role in the policy making, to translate the suggestions into reality.

SELECTED BIBLIOGRAPHY

SECONDARY SOURCES :

- BAROOAH; G. L. : POPULATION GEOGRAPHY OF ASSAM.
(A Study of Dibrugarh District) 1972-1771.
Published by Mittal Publications, Delhi, 110035(India),
Year -1985.
- BARPUJARI; H. K. : NORTH EAST INDIA, PROBLEMS, POLICIES &
PROSPECTS.
Pub:-Spectrum Publications Guwahati: Delhi.
First Ed. 1998. Rs. 320/-
- BORDOLOI; B. N. : APPLICATION OF SCIENCE AND TECHNOLOGY
FOR TRIBAL DEVELOPMENT
Published by:- B. N. Bordoloi, Director, Tribal Research
Institute, Assam, Guwahati, 1988 (First Ed.)
- BORDOLOI; B. N. : TRIBES OF ASSAM (Part-II)
Pub:- Tribal Research Institute, Assam, Guwahati,
First Ed.-1988
- BORDOLOI; B.N. : TRANSFER ALIENATION OF TRIBAL LAND IN
ASSAM.
Pub:- Dr. B. N. Bordoloi, Chandan Nagar, Beltola,
Guwahati-781028. First Pub-1991.

- BORDOLOI; B. N. : AIRTSC POPULATION SERIES,TRIBALS OF
ASSAM.(Part-III)
Pub:-Assam Institute of Research for Tribals and Scheduled
Castes,Guwahati, First Ed.-1991.
- BORDOLOI; B. N. : ALIENATION OF TRIBAL LAND AND
INDEBTEDNESS.
Pub:- Tribal Research Institute, Assam.
First Ed.-August-1986. Rs 30/-
- BORDOLOI; B. N. :- CONSTRAINTS OF TRIBAL DEVELOPMENT IN
NORTH EAST INDIA.
Pub:- Tribal Research Institute ,Assam .Guwahati. First
Ed.-February-1990 Rs.32/-
- REPORT ON THE SURVEY OF ALIENATION OF
TRIBAL LAND IN ASSAM.
Pub:- Assam Institute of Research for Tribal and Sched
uled Castes. Jawahar Nagar .Guwahati-22
First Ed.-1999.
- BHOWMICK; P.K. : RURAL AND TRIBAL DEVELOPMENT PRACTICES
IN INDIA.
Pub :-M.D. Publications Pvt.Ltd. New Delhi First Ed.1984.
- BHUYAN; B.C. : POLITICAL DEVELOPMENT OF THE NORTHEAST,
VOL-I
Pub:- Omsons Publications. New Delhi -53. Rs. 175/-
- DAS; B : UNEMPLOYMENT IN ASSAM AN ACCOUNT OF
HUMAN ERROR.
Pub:- Cosmo Publication. New Delhi-22.
First Ed. 1992.Rs. 200/-.

- DAS; J.N. : AN INTRODUCTION TO THE LAND LAWS OF ASSAM.
Pub:- Book Land. PanBazar, Guwahati-1.
Ninth Ed.-1996. Rs. 75/-
- DALTON; E.T. : TRIBAL HISTORY OF EASTERN INDIA.
Pub:- Cosmo Publication. New Delhi.
- DATTARY; B. : TRIBAL IDENTITY AND TENSION IN NORTH EAST INDIA.
Pub:-Omsons Publications.First Ed.-1989.
- DUTTA; P. S. : AUTONOMY MOVEMINTS IN ASSAM(Documents) Edition -I,1993.
Pub:- Omsons Publications. New Delhi-110027. Rs 500/-
- HAZARIKA; N : PROFILE OF YOUTH ORGANIZATION OF NORTH EAST INDIA.
Pub:- V.V.Rao Institute of Micro Studies and Research. Guwahati Assam India. 1998.
- HAZARIKA; B. B. : POLITICAL LIFE IN ASSAM DURING THE 19TH CENTURY.
Pub:- Gian Publishing House, 29/6 Shakti Nagar, Delhi-110007, India.
- HIDYATULLAH; M. : THE FIFTH AND SIXTH SCHEDULES TO THE CONSTITUTION OF INDIA.
Pub:- Ashok Publishing House, Guwahati,First Ed. 1979.
- KAROT; E. S. : THE TRIBES OF NORTH EAST INDIA.
Pub:- Firma KLM Privated Limited, Calcutta.
First Ed. 1984,Shillong.

- MIPUN; J. : THE MISINGS (MIRIS) OF ASSAM DEVELOPMENT
OF A NEW LIFE STYLE
Pub:- Gyan Publishing House, New Delhi-110002. , 1993.
- MURTY; T.S. : ASSAM THE DIFFICULTY YEARS
(A STUDY OF POLITICAL DEVELOPMENT IN
1979-83)
Pub:- Himalayan Book, New Delhi.Pub-1983.
- NATH; B. M. : THE ASSAM LEGISLATIVE ASSEMBLY
1937-1962
Pub:-Mrs Annada Borgohain Sibsagar,Assam.
First Ed.-September 1994 Rs-160/-
- NIKHLESH; T. K. : TRIBAL DEMOGRAPHY AND DEVELOPMENT IN
NORTH EAST INDIA.
Pub:-B.R.Publishing Corporation Divison of
D.K.Publishers Distributors (P) Ltd. Delhi-110007.
- SHARMAH; T.G.C., TRIBES OF ASSAM. Part-I
SAIKIA; M.C. & Pub:- Tribal Research Institute ,Assam. Guwahati,
BORDOLOI; B.N. First Ed.- 1987
- SAIKIA; P.D.& : CONSTRAINTS OF ECONOMIC DEVELOPMENT
BORAH; D. IN NORTH EAST INDIA (Problems & Propects.)
Pub:- Omsons Publication,New Delhi, Guwahati,
First Ed.1992
- SENGUPTA; S. : TRIBES OF NORTH EAST INDIA,
BIOLOGICAL AND CULTURAL PERSPECTIVES.
Pub:- Gyan Publishing House, New Delhi-110002.

VENKATA RAO; V. : A CENTURY OF TRIBAL POLITICS IN NORTH EAST
INDIA,

Pub:- S.Chand & Co. 1874-1974.

ZAMAN; R. : FOREST RESOURCES IN HILL DISTRICTS OF
ASSAM -Constraints For Development

Pub:- Assam Institute of Research For Tribals and
Scheduled Castes. Jawahar Nagar, Guwahati-22 First
Ed.-1998

Primary Sources :

1. Reports on the General Election to the Assam Legislative Assembly from 1972 to 1996; Election Department, Government of Assam.
2. Census Report of 1951, 1961, 1971 & 1991; Directorate of Census, Assam; Government of India.
3. Circular related to recognition of Rabha Language (EDG 170/85/part I, 3/3/87 Govt. of Assam) up to primary level; Directorate of Elementary Education, Government of Assam.
4. Circular related to recognition of Mising Language (EDG 128/84-PT, Part I/94) up to primary level; Directorate of Elementary Education, Government of Assam.
5. Circular related to Land Administration in Protected Belts and Blocks, Assam; Revenue Department, Government of Assam.
6. Government Land Policies in recent times, A compilation from 1942 to 1989; Revenue Department (Settlement Branch) Government of Assam.
7. Annual Plan from 1999 to 2000 for Tribal Sub-plan; Department of Welfare of Plains Tribes and Backward Classes etc. Government of Assam.
8. Hand book on Government Circular (From 1990 to 1993) Vol III Revenue Department, Dispur Guwahati, Government of Assam.
9. The Foreigners' Problem; Why a solution is still Elusive ? Handbook of All Assam Students' Union contains different Government Correspondence.

10. Circular relating to Boro Script and Boro Associated State Language; The Bodo Sovenir of Bodo Sahitya Sabha, 1992.
11. MoU between Government of Assam, KSA and ASDC relating to the hand over of 30 Departments to Karbi Anglong & NC Hills District Council; Development Commissioner for Hill areas of Assam.
12. Acts relating to Bodoland Autonomous Council, Mising Autonomous Council, Rabha Autonomous Council, Tiwa Autonomous Council, Bhupendra Singh Committee Report; Department Welfare of Plain Tribes and Backward Classes, Government of Assam.
13. Proceedings of Assam Legislative Assembly of the session 1972-78, 1983-85, 1985-91, 1991-96; Assam Legislative Assembly Library, Dispur.
14. Assam 2000; A Hand Book; Janasanjog Assam.
15. General Election 1996, Assam; Directorate of Information and Public Relations, Assam.
16. Nath; Ramesh Chandra ; "Growth and Development of Political Consciousness Among Tiwa (Lalung) Community of Assam in the Post Independence Period." Unpublished Ph.D. Thesis
17. Bora; Binu ; "Language controversy in North East India and its impact on national integration." Unpublished Ph. D Thesis.

APPENDIX - 1
DISTRICTWISE SCHEDULED CASTE AND SECHEDULED TRIBE
POPULATION OF ASSAM

No	DISTRICT	Total Population	S.C. Population	P.C. of S.C. to Total Population	S.T. Population	P.C. of S.T. to Total Population
	1	2	3	4	5	6
1.	Dhubri	1332475	64161	4.82	32260	2.42
2.	Kokrajhar	800659	30114	3.76	329461	41.15
3.	Bongaigaon	807523	86744	10.74	141542	17.53
4.	Goalpara	668138	36746	5.50	115099	17.23
5.	Barpeta	1385659	90687	6.54	110452	7.97
6.	Nalbari	1016390	89194	8.78	179641	17.67
7.	Kamrup	2000071	150743	7.54	214340	10.72
8.	Darrang	1298860	64350	4.95	224957	17.32
9.	Sonitpur	1424287	81000	5.69	152498	10.71
10.	Lakhimpur	751517	60180	8.01	177156	23.57
11.	Dhemaji	47830	30482	6.37	210312	43.92
12.	Marigaon	639682	88136	13.78	98483	15.40
13.	Nagaon	1893171	189693	10.02	69848	3.69
14.	Golaghat	828096	46262	5.59	84916	10.25
15.	Jorhat	871206	66311	7.61	105307	12.09
16.	Sibsagar	907983	32303	3.56	34496	3.80
17.	Dibrugarh	1042457	41927	4.02	82920	7.97
18.	Tinsukia	962298	25137	2.61	51493	5.35
19.	Karbi-Anglong	662723	27991	4.22	341718	51.56
20.	N.C. Hills	150801	3918	2.60	98834	65.54
21.	Karimganj	827063	120602	14.58	1430	0.17
22.	Hailakandi	449048	54107	12.05	715	0.16
23.	Cachar	1215385	178624	14.70	16563	1.36
	ASSAM	22414322	1659412	7.40	2874441	12.82

Source :- Directorate of Information And Public Relations , Assam

APPENDIX - 2**Composition of Legislature and allocation of seats :****Allocation of Seats**

Year of Election	Leg. Assembly	House of People
1952	108	12
1957	108	12
1962	105	12
1967	126	14
1972	114	14
1978	126	14
1983	126	14
1985	126	14
1991	126	14

APPENDIX - 3(A)**PARTYWISE POSITION**

General Elections to Assam Legislative Assembly 1972

(Total Seats-114)

Party	Seats Contested	Seats Won	Votes Polled	Percentage
INC	112	95	19,75,203	53.19
INC(O)	14	-	17,367	00.47
SP	38	4	2,14,342	5.78
CPI	28	3	2,09,550	5.65
CPI(M)	20	-	96,097	2.59
BJS	3	-	10,061	0.26
Swatantra	1	1	21,663	0.59
FB	1	-	2,403	0.07
PTCA	2	1	36,151	0.98
IND	257	10	11,30,933	30.46

APPENDIX - 3 (B)**General Elections to Assam Legislative Assembly 1978****(Total Seats - 126)**

Party	Seats Contested	Seats Won	Votes Polled	Percentage
INC	126	26	12,23,189	23.69
Janata	117	53	14,23,204	27.56
INC(I)	115	8	4,53,623	8.79
CPI(M)	27	11	2,90,385	5.62
CPI	35	5	2,11,384	4.10
RCPI	10	4	72,445	1.40
PTCA	9	4	1,34,533	2.60
SUCI	4	-	3,711	0.06
RSP	6	-	22,685	0.43
AIFB	3	-	4,839	0.09
AIGL	1	-	2,305	0.04
IND	485	15	13,22,949	25.62

APPENDIX - 3(C)**General Elections to Assam Legislative Assembly 1983****(Total Seats - 126)**

Party	Seats Contested	Seats Won	Votes Polled	Percentage
INC(I)	105	91	11,94,657	52.53
IC(S)	34	2	1,37,685	6.05
CPI(M)	24	2	1,16,923	5.14
CPI	25	1	58,745	2.58
PTCA	21	3	1,05,526	4.64
IND	258	10	6,60,553	29.40

* Poll adjourned in 16 Constituencies and Countermanded 1 Returned Uncontested

APPENDIX - 3(D)
General Elections to Assam Legislative Assembly 1985
(Total Seats - 126)

Party	Seats Contested	Seats Won	Votes Polled	Percentage
AGP	105	63	25,43,102	34.54
INC	125	25	17,28,403	23.47
ICS	73	4	2,35,572	3.20
JNP	87	-	1,07,077	1.45
CPI(M)	38	2	2,19,832	4.34
UMF	56	17	7,98,558	10.85
PTC	27	3	2,67,640	3.64
UTNLF	15	1	-	-
CPI	20	-	72,877	0.99
Lokdal	19	-	11,806	0.23
IND	650	10	11,94,222	16.22

APPENDIX - 3(E)
General Elections to Assam Legislative Assembly 1991

Name of Party	Seats Contested	Seats Won	P.C. of Votes secured
INC	124	65	28.98
BJP	47	10	6.42
CPI	37	4	2.46
CPI(M)	28	2	3.87
JD	95	1	4.81
JD(S)	5	-	0.02
JP	31	-	0.32
Lok Dal	4	-	0.01
IC(S)	45	-	1.46
CPI(ML)	2	-	0.05
RCPI	2	-	0.01
RCPI(RB)	3	-	0.03
IPF	4	-	0.11
AGP	120	19	18.07
NAGP	85	5	5.50
AJD	20	-	0.12
AJP	6	-	0.04
ASDC	8	4	1.61
URMCA	54	-	1.32
GGS	12	-	0.51
PTCA	15	-	1.07
UPCA	9	-	0.22
UMF	29	-	1.31
SLP	7	-	0.08
DP	1	-	0.004
AB	2	-	0.002
IND	85	-	21.60

APPENDIX - 4
Spell of President's Rule in Assam

1. 25 Dec. 1941 to Nov. 1942- Governor's Rule for want majority of any Party.
2. 2 Oct. 1945 to 11 March 1946- Governor's Rule for want of majority of any Party.
3. 12 Dec. 1979 to 6 Dec. 1980 - President's Rule.
4. 30 June 1981 to 13 Jan. 1982 - President's Rule.
5. 19 March 1982 to 27 Feb. 1983 - President's Rule.
6. 27 Nov. (Midnight) 1990 to 30 June 1991 - President's Rule.

APPENDIX - 5
Percentage of votes secured by major Political Parties in
General Elections to Assam Legislative Assembly
(Seats Won shown within brackets)

Years of Elections	INC / Congress	JNP	INC (I)	AGP
1952	43.9(78)	-	-	-
1957	52.35(67)	-	-	-
1962	48.25(79)	-	-	-
1967	43.60(70)	-	-	-
1972	53.19(95)	-	-	-
1978	22.74(26)	26.69(53)	8.51(8)-	-
1983	52.53(91)	-	-	-
1985	23.47(24)	-	-	34.54(63)
1991	-	-	28.96(5)	18.07(19)

APPENDIX - 6
Name of Chief Ministers of Assam :

1. Sayed Sir Mahammad Sadulla : 7.4.37 to 13.12.38,
17.11.39 to 25.12.41
and 12.11.42 to 10.2.46
2. Gopinath Bordoloi : 19.9.39 to 17.11.39 and
11.2.46 to 6.8.50
3. Bishnu Ram Medhi : 9.8.50 to 27.12.57
4. Bimala Prasad Chaliha : 28.12.57 to 6.11.70
5. Mahendra Mohan Choudhury : 6.11.70 to 30.1.72
6. Sarat Chandra Sinha : 31.1.72 to 12.3.78
7. Golap Barbora : 12.3.78 to 8.9.79
8. Jogendra Nath Hazarika : 9.9.79 to 11.12.79
9. Mrs. Anowara Taimur : 6.12.80 to 30.6.81
10. Keshab Chandra Gogoy : 13.1.82 to 19.3.82
11. Hiteswar Saikia : 27.2.83 to 23.12.85
12. Prafulla Kumar Mahanta : 24.12.85 to 27.11.90
13. Hiteswar Saikia : 30.6.91 to 22.4.96
14. Dr. Bhumidhar Barman : 22.4.96 to 14.5.96
15. Prafulla Kumar Mahanta : 15.6.96

APPENDIX - 7
INTERVIEW SCHEDULED

(TO BE USED FOR RESEARCH PURPOSE ONLY)

“ROLE OF ST’s IN ASSAM LEGISLATIVE ASSEMBLY SINCE 1972”

(A Ph. D RESEARCH TOPIC)

Personal details of the respondent

- Part - I** :-
1. Name :-
2. Age :-
3. Sex :-
4. Name of the Constituency :-
5. Name of the political party representing :-
6. Permanent Address :-
7. Present Address :-
8. Educational Qualifications :-

Examination	Institution	Result / Place
Primary Education		
H.S.L.C.		
H.S.		
Graduation		
P.G.		
Others		

Family Details
(Socio Economics Background)

Part - II

9. (A) Father's Name :-
(B) Profession :-
(C) Mother's Name :-
(D) Profession :-
(E) Total No. of Family members :-
(F) Profession of the members :-
(G) How long the family has been
staying in this Village/Town :-

Previous Experiences

Part - III

10. How long you are in politics ? :-
11. How have you inspired for
joining in politics ? From whom ? :-
12. Whether you were in association with any students or youths or other organisation
prior to joining the politics? If yes in what capacity ? :-
13. Whether you are in touch with any Social reform ? Have you been actively associated
with the following movements ? If yes, how ? :-
- | | |
|------------------------------|----------------------------|
| a) Freedom movement of India | b) Language movement |
| c) Script movement | d) Mediam movement |
| e) Foreign national movement | f) Oil Refinery movement |
| g) Autonomy movement | h) Separate State movement |
| i) Food movement | j) Others. |

Political role, Political life as a member of Assam Legislative Assembly

Part - IV

14. Why have you selected the party where you joined ?
15. Have you ever changed political party. If yes, why ? :-
16. Please write briefly about the burning problems of your community.
17. What is your role in implementing the different schemes for development of ST community within the constitutional framework ? :-
18. Whether the actual ST community is getting the facilities provided for ST by the Government ? If not, as a member of Legislative Assembly how have you showed your role in this regard ?
19. How you experiences the role and views of SC and other communities in the solution of the problems of ST's ?
20. Have you ever initiated a proposal regarding the various demands from different pressure groups of your community in the floor of the assembly ?

Research Scholar

Signataure of the MLA/Minister

(Samujjal Kumar Bhattacharjya)

APPENDIX - 8

**WOMEN MEMBERS ELECTED FROM
VARIOUS CONSTITUENCIES INCLUDING ST MLAs**

Sl.No.	Name of the Constituencies	Name of Members
1972-78		
1.	Dudhnai	Smti. Anandi Bala Rava (ST)
2.	Chaygaon	Smti. Satyabati Goswami
3.	Jhalukbari	Smti. Rebati Das
4.	Hajo	Smti. Renuka Devi Barkataki
5.	Mangaldai	Smti. Syeda Anowara Taimur
6.	Sootea	Smti. Swarna Prava Mahanta
7.	Saikhowa	Smti. Tarulata Bora
1978-82		
1.	Dalgaon	Smti. Syeda Anowara Taimur
1983-85		
1.	Paneri	Smti. Mridula Saharia
2.	Dalgaon	Smti. Syeda Anowara Taimur
1985-90		
1.	Ratabari	Kumari Rabidas
2.	Barama	Smti. Rekha Rani Das Boro (ST)
3.	Duliajan	Smti. Amiya Gogoi
4.	Sadiya	Smti. Jyotsna Sonowal (ST)
1991-96		
1.	Kokrajhar East	Smti. Pramila Rani Brahma (ST)
2.	Dalgaon	Smti. Syeda Anowara Taimur
3.	Teok	Smti. Renu Poma Rajkhowa
4.	Duliajan	Smti. Amiya Gogoi

APPENDIX -9(A)

LIST OF ST MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY
1972-78

MEMBERS ELECTED FROM
ST RESERVED CONSTITUENCIES

Sl.No.	Name of the Constituencies	Name of Members
1.	Bokajan	Shri Sai Sai Terang
2.	Howraghat	Shri Chatrasing Teron
3.	Baithalangso	Shri Dhani Ram Rongpi
4.	Kokrajhar West	Shri Charan Narzary
5.	Sidli	Shri Uttam Brahma
6.	Abhayapuri	Shri Ayodhya Ram Das
7.	Dudhnai	Smti. Anandi Bala Rava
8.	Sarukhetri	Shri Kandarpa Kr. Das
9.	Barama	Shri Surendra Nath Das
10.	Tamulpur	Shri Ambarish Chandra Lahari
11.	Udalguri	Shri Bahadur Basumatari
12.	Morigaon	Shri Pitsing Konwar
13.	Majuli	Shri Mal Chandra Pegu
14.	Dhakuakhana	Shri Lakshyanath Doley
15.	Dhemaji	Shri Romesh Mohan Kouli

APPENDIX -9(B)

LIST OF ST MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY
1978-82

MEMBERS ELECTED FROM
ST RESERVED CONSTITUENCIES

Sl.No.	Name of the Constituencies	Name of Members
1.	Haflong	Shri Sona Ram Thaosen
2.	Bokajan	Shri Bilton G. Momin
3.	Howraghat	Shri Barelong Terang
4.	Diphu	Shri Gandhi Ram Timung
5.	Baithalangshu	Shri Dhani Ram Rongpi
6.	Kokrajhar West	Shri Ranendra Narayan Basumatary
7.	Kokrajhar East	Shri Samar Brahma Choudhury
8.	Sidli	Shri Panchanan Brahma
9.	Dudhnai	Shri Jagat Chandra Patgiri
10.	Dhemaji	Shri Purna Chandra Bora

APPENDIX -9(C)
1983-85

Sl.No.	Name of the Constituencies	Name of Members
1.	Haflong	Shri G. C. Langthasa
2.	Bokajan	Shri Rajen Timung
3.	Diphu	Shri Kaizasong
4.	Baithalangshu	Shri Dhani Ram Rongpi
5.	Kokrajhar West	Shri Ranendra Narayan Basumatary
6.	Dudhnai	Shri Jagat Patgiri
7.	Barama	Shri Atul Ch. Boro
8.	Chapaguri	Shri Bimal Goyari
9.	Udalguri	Shri Binoy Kr. Basumatary
10.	Dhakuakhana	Shri Raghunath Ramegam

APPENDIX -9(D)

LIST OF ST MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY
1985-90

MEMBERS ELECTED FROM
ST RESERVED CONSTITUENCIES

Sl.No.	Name of the Constituencies	Name of Members
1.	Haflong	Shri G. C. Langthasa
2.	Bokajan	Shri Rajen Timung
3.	Howraghat	Shri Khorsing Engti
4.	Diphu	Shri Samsing Hanse
5.	Baithalangshu	Shri Holi Ram Terang
6.	Kokrajhar West	Shri Amrit Lal Basumatary
7.	Kokrajhar East	Shri Charan Narzary
8.	Sidli	Shri Jnanendra Basumatary
9.	Dudhnai	Shri Akan Chandra Rabha
10.	Barama	Smti. Rekha Rani Das Boro
11.	Chapaguri	Shri Suren Swargiary
12.	Udalguri	Shri Binai Khungur Basumatary
13.	Majuli	Shri Padmeswar Doley
14.	Dhakuakhana	Shri Bharat Chandra Narah
15.	Dhemaji	Shri Dilip Kumar Saikia
16.	Jonai	Shri Phani Ram Tayeng

APPENDIX -9(E)

LIST OF ST MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY
1991-96

MEMBERS ELECTED FROM
ST RESERVED CONSTITUENCIES

Sl.No. Name of the Constituencies	Name of Members
1. Haflong	Shri G. C. Langthasa
2. Bokajan	Shri Monsing Rongpi
3. Howraghat	Shri Babu Rongpi
4. Diphu	Shri Dipendra Rongpi
5. Baithalangshu	Shri Holi Ram Terang
6. Kokrajhar West	Shri Parameswar Brahma
7. Kokrajhar East	Smti. Pramila Brahma
8. Sidli	Shri Khiren Borgoyary
9. Dudhnai	Shri Akan Chandra Rabha
10. Barama	Shri Pani Ram Rabha
11. Chapaguri	Shri Surendra Swargiary
12. Udalguri	Shri Jaman Singh Brahma
13. Majuli	Shri Padmeswar Doley
14. Dhakuakhana	Shri Bharat Chandra Narah
15. Dhemaji	Shri Dilip Kumar Saikia
16. Jonai	Shri Gomeswar Pegu

APPENDIX 9 (F)

**LIST OF ST MEMBERS OF THE ASSAM LEGISLATIVE ASSEMBLY
(TENTH ASSEMBLY)**

**MEMBERS ELECTED FROM
ST RESERVED CONSTITUENCIES**

Number and name of the Constituencies	Name of Members	Present Status	Party
16 – Haflong	Shri Samarjit Haflongbar	MLA	ASDC
17 – Bokajan	Shri Jagat Sing Engti	MLA	ASDC
18 – Howraghat	Shri Chandra Kanta Terang	MLA	ASDC
19 – Diphu	Shri Hensing Tisso	MLA	ASDC
20 – Baithalangso	Shri Holiram Terang	MLA	ASDC
29 – Kokrajhar West	Shri Hemendra Nath Brahma	MLA	Ind (BMC/Sup.-ABSU)
30 – Kokrajhat East	Smt. Pramila Rani Brahma	MLA	Ind (BMC/Sup.-ABSU)
31 – Sidli	Shri Andrias Hajowary	MLA	PDF
36 – Dudhnai	Shri Akan Rabha	Cabinet Minister	AGP
62 – Barama	Smt. Rekha Rani Das Boro	Cabinet Minister	AGP
63 – Chapaguri	Shri Jagmohan Basumatary	MLA	PDF
69 – Udalguri	Shri Deva Kanta Ramchiary	MLA	PDF
99 – Majuli	Shri Jogeswar Doley	MLA	AGP

NOTE : Koch Rajbongshi community of Assam was declared ST. Under this circumstances, Karuna Dutta, who hails from Koch Rajbongshi community, was elected as MLA from this reserved seat. But after he elected from this reserved seat, the ST status of Koch Rajbongshi community was abolished. The status of the constituency and the elected MLA was in a hanging position. As he expired, bye-election was held and Shri Jogeswar Doley was elected.

112 – Dhakuakhana	Shri Bharat Chandra Narah	MLA	Congress (I)
113 – Dhemaji	Shri Dilip Kumar Saikia	MLA	AGP
114 – Jonai	Shri Pradan Boruah	MLA	AGP

APPENDIX -9 (G)

ST MEMBERS ELECTED FROM
UN-RESERVED CONSTITUENCIES

1972-78

Sl.No.	Name of the Constituencies	Name of Members
1.	Bhabanipur	Shri Ghana Kanta Boro

APPENDIX -9 (H)

1978-82

Sl.No.	Name of the Constituencies	Name of Members
1.	Bijni	Shri Padmolochan Boro
2.	Rangiya	Shri Purna Boro
3.	Majuli	Shri Chakbhal Kagyung
4.	Dhakuakhana	Shri Lakya Nath Doley
5.	Jonai	Shri Romesh Mohan Kouli

APPENDIX -9 (I)

1983-85

Sl.No.	Name of the Constituencies	Name of Members
1.	Kokrajhar East	Shri Dambarudhar Brahma
2.	Rangiya	Shri Purna Boro
3.	Bihpuria	Shri Borgoram Deuri
4.	Sadiya	Shri Lambheswar Sonowal

APPENDIX -9 (J)

ST MEMBERS ELECTED FROM
UN-RESERVED CONSTITUENCIES

1985-90

Sl.No.	Name of the Constituencies	Name of Members
1.	Bijni	Shri Ganesh Boro
2.	Rangiya	Shri Thaneswar Boro
3.	Tamulpur	Shri Bhaben Narji
4.	Panery	Shri Durga Das Boro
5.	Gohpur	Shri Ganesh Kutum
6.	Sadiya	Smti. Jyotsna Sonowal

APPENDIX -9 (K)

1991-96

Sl.No.	Name of the Constituencies	Name of Members
1.	Gossaigaon	Shri Tajendra Narzary
2.	Bijni	Shri Kamal Brahma
3.	Dudhnai	Shri Jagat Patgiri
4.	Bhawanipur	Shri Milan Boro
5.	Rangiya	Shri Thaneswar Boro
6.	Tamulpur	Shri Derhagra Mushahary
7.	Panery	Shri Kalendra Basumatary
8.	Kalaigaon	Shri Jew Ram Boro
9.	Bihpuria	Shri Borgoram Deuri

Appendix 9 (L)
ST MEMBERS ELECTED FROM
UN-RESERVED CONSTITUENCIES

1996-2001

Number and name of the Constituencies	Name of Members	Present Status	Party
24 – Gauripur	Shri Banendra Kumar Mushahary	MLA	AGP
28 – Gossaigaon	Shri Rajendra Mushahary	Minister of State	AGP
33 – Bijni	Shri Mohini Basumatary	MLA	PDF
41 – Bhabanipur	Shri Binod Goyary	MLA	PDF
57 – Rangiya	Shri Thaneswar Boro	Cabinet Minister	AGP
58 – Tamulpur	Shri Derhagra Mochahary	MLA	UBNLF
64 – Panery	Shri Kumud Chandra Das	MLA	PDF
78 – Gohpur	Shri Ganesh Kutum	Speaker, ALA	AGP
110 – Naoboicha	Shri Mani Ram Pathari	MLA	AGP

REPORT ON ILLEGAL MIGRATION INTO ASSAM

SUBMITTED TO

THE PRESIDENT OF INDIA

BY

THE GOVERNOR OF ASSAM

RAJ BHAVAN

GUWAHATI

D.O.NO. GSAG.3/98/

NOVEMBER 8,1998

Dear Adarniya Rashtrapatiji,

Large scale illegal migration from East Pakistan/Bangladesh over several decades has been altering the demographic complexion of this State. It poses a grave threat both to the identity of the Assamese people and to our national security. Successive Governments at the Centre and in the State have not adequately met this challenge.

As Governor of Assam, I fell it is my bounden duty, both to the Nation and the State I have sworn to serve, to place before you this report on the dangers arising from the continuing silent demographic invasion. I have also formulated my recommendations for dealing with this issue of vital importance. I earnestly hope that this matter will receive due consideration and suitable action taken to avert the grave danger that has been building up for some time.

With profound regards.

Yours sincerely,

(Lt Gen (Retd) S.K. Sinha, PVSM)

Shri K.R. Narayanan,

President of India,

Rashtrapati Bhawan
New Delhi

Chapter 1

INTRODUCTION

1. The unabated influx of illegal migrants from Bangladesh into Assam and the consequent perceptible change in the demographic pattern of the State, has been a matter of grave concern. It threatens to reduce the Assamese people to a minority in their own State, as happened in Tripura and, Sikkim.
2. Illegal migration into Assam was the core issue behind the Assam student movement. It was also the prime contributory factor behind the outbreak of insurgency in the State. Yet we have not made much tangible progress in dealing with this all important issue.
3. There is a tendency to view illegal migration into Assam as a regional matter, affecting only the people of Assam. Its more dangerous dimension of greatly undermining our national security, is ignored. The long cherished design of Greater East Pakistan/Bangladesh, making inroads into the strategic land link of Assam with the rest of the country, can lead to severing the entire land mass of the North East, with all its rich resources, from the rest of the country. This will have disastrous strategic and economic consequences.
4. I have held prolonged discussions about illegal migration with a large number of people in Assam of different background and with different shades of opinion. This has included politicians, leaders of the minority community, journalists, lawyers, Government officials, both serving and retired, social workers and so on. I have also discussed this issue at length with the Indian High Commissioner at Dhaka. Besides, I have extensively toured the border areas of Assam with Bangladesh, visiting a number of land and riverine BOPs of the Border Security Force. Further, I have studied the relevant literature and statistics on this subject. On this basis, I have formulated my views and recommendations contained in this report. Different aspects connected with illegal migration have been examined. Recommendations have been made for more effectively arresting the ongoing influx of illegal migrants and taking practical steps to soften the adverse fall outs from the large scale infiltration that has already taken place.

Chapter II

MIGRATION INTO ASSAM

Historical Background

1. Illegal migration from Bangladesh into Assam should be viewed against the backdrop of past history, present realities and future designs. Migration into Assam has been taking place from the dawn of history. However, after the British annexed Assam, large scale population movement from the South (Bengal, East Pakistan and now Bangladesh) has been an ongoing phenomenon for over a century. Initially, this movement was for economic reasons only but with the approach of Independence, it started developing both communal and political overtones. After Independence, it acquired an international dimension and it now poses a grave threat to our national security.

2. The British developed the tea industry in Assam. They imported labour from Bihar and other provinces to work in the tea gardens. The Assamese people living mostly in Upper Assam and cultivating one crop per year, were not interested in working as labour in the tea gardens nor in increasing or expanding land cultivation to meet the additional requirement of food for the large labour population employed in the tea gardens. Therefore, the British encouraged Bengali Muslim peasants from present Bangladesh to move into lower Assam for putting virgin land under cultivation. This set in motion a movement pattern which despite changed conditions, has been continuing to this day.
3. When Lord Curzon partitioned erstwhile Bengal Presidency in 1905, Assam was a Chief Commissioner's province. It was merged with the new Muslim majority province of East Bengal. This led to tremendous popular resentment in the country and it ushered political awareness, ultimately culminating in India's Independence. In 1911, the British Government annulled the partition of Bengal. Assam was restored its status as a province and was now placed under a Lieutenant Governor. The Assamese fear of losing their identity and being swamped by Bengalis goes back to this merger and even earlier. This fear had been aroused both by the Bengali Hindus dominating the administration and the professions, and the Bengali Muslims altering the demography of the province. The Bengali Muslims were hard working peasants who occupied vacant land and put virgin areas under cultivation. They made a significant contribution to the agricultural economy of Assam.
4. With Constitutional Reforms, the country started advancing towards democracy, which is a game of numbers. The Muslim League now came up with its demand for Partition, on the basis of religion. This added a new twist to this population movement. During Sir Mohammed Sadulla's Muslim League Ministry, a concerted effort was made to encourage the migration of Bengali Muslims into Assam for political reasons. The Viceroy, Lord Wavell wrote in the Viceroy's Journal, "The chief political problem is the desire of the Muslim Ministers to increase this immigration into the uncultivated Government lands under the slogan of Grow More Food but what they are really after, is Grow More Muslims."
5. When the demand for Partition was raised, it was visualised that Pakistan would comprise Muslim majority provinces in the West and Bang-e-Islam comprising Bengal and Assam, in the East. Mr. Moinul Haque Chowdhary the Private Secretary of Jinnah, who after Independence became a Minister in Assam and later at Delhi, told Jinnah that he would "present Assam to him on a silver platter". Jinnah confidently declared at Guwahati that Assam was in his pocket. The Cabinet Mission Plan placed Assam in Group C with Bengal. Both the Congress High Command and the Muslim League accepted the grouping plan but Lokapriya Gopinath Borodoloi vehemently opposed it. He was supported by Mahatma Gandhi. The grouping plan was foiled and Assam was saved from becoming a part of Pakistan.
6. Partition brought about a sea change in the situation. An international border now separated Assam and East Pakistan. Population movement from East Pakistan continued but it was initially mostly of Hindu refugees, fleeing from religious persecution. Unlike the West, where refugee movement lasted for a few months only, in the case of the East, this spread over several years and is still continuing.

Hindu population in East Pakistan started declining steeply. In 1947 it was 27%, by 1971 it got reduced to 14% and by 1991 it was down to 10%. Along with Hindu refugees, Muslim infiltrators continued migrating into Assam for economic reasons. The movement of Hindu refugees into Assam got largely arrested due to anti-Bengali riots and as a result of violence in the wake of insurgency in the State. However, Hindu refugee movement from Bangladesh has continued to Tripura and West Bengal. Illegal migrants from Bangladesh into Assam are now almost exclusively Muslims.

7. Failure to get Assam included in East Pakistan in 1947 remained a source of abiding resentment in that country. Zulfikar Ali Bhutto in his book, *Myths of Independence* wrote, "it would be wrong to think that Kashmir is the only dispute that divides India and Pakistan, though undoubtedly the most significant. One at least is nearly as important as the Kashmir dispute, that of Assam and some districts of India adjacent to East Pakistan. To these Pakistan has very good claims." Even a pro-India leader like Sheikh Mujibur Rahman in his book, *Eastern Pakistan : Its population and Economics*, observed, "Because Eastern Pakistan must have sufficient land for its expansion and because Assam has abundant forests and mineral resources, coal, petroleum etc., Eastern Pakistan must include Assam to be financially and economically strong".

8. Leading intellectuals in Bangladesh have been making out a case for "lebansraum" (living space) for their country. Mr. Sadeq Khan, a former diplomat wrote in *Holiday* of October 18, 1991, a All projections, however, clearly indicate that by the next decade, that is to say by the first decade of the 21st century, Bangladesh will face a serious crisis of labansraum... if consumer benefit is considered to be better served by borderless competitive trade of labour, there is no reason why regional and international co-operation could not be worked out to plan and execute population movements and settlements to avoid critical demographic pressure in pockets of high concentration... A natural overflow of population pressure is there very much on the cards and will not be restrainable by barbed wire or border patrol measures. The natural trend of population over-flow from Bangladesh is towards the sparsely populated lands in the South East in the Arakan side and of the North East in the Seven Sisters side of the Indian sub-continent". Mr. Abdul Momin, former Foreign Secretary and Bangladesh's first Ambassador to China writing in the same magazine in its issue of November 22, 1991 stated, "The runaway population growth in Bangladesh resulting in suffocating density of population in a territorially small country, presents a nightmarish picture". Urging that along with borderless circulation of goods and commodities there should, be borderless competitive trade of labour, he proposed that "if we in Bangladesh ingratiate ourselves with the hill tribes within our borders, our bulging population might find a welcome in adjacent lands inhabited by kindred peoples". The views of Jinnah, Zulfikar Ali Bhutto, Sheikh Mujibur Rahman, Sadeq Khan and Abdul Momin have a common thread running through them. No matter how friendly our relations with Bangladesh, we can ill afford to ignore the dangers inherent in demographic invasion from that country.

Contributory Factors

9. Illegal migration from Assam has been taking place primarily for economic reasons. Bangladesh is the world's most densely populated country with a population density of 969 per square kilometre. The growth rate of population in that country is 2.2 per cent and its population is growing at the rate of 2.8 million per year. Each year nearly one third of Bangladesh gets inundated by floods, displacing 19 million people. 70 million people constituting 60 percent the population live below the poverty line. The per capita income in Bangladesh is 170 dollars per year, which is much lower than the per capita income in India. The border between India and Bangladesh is very porous. In these circumstances, the continued large scale population movement from Bangladesh to India, is inevitable, unless effective measures are taken to counter it.
10. Besides the above considerations, there are other contributory factors facilitating infiltration from Bangladesh. Ethnic, linguistic and religious commonality between the illegal migrants and many people on our side of the border, enables them to find shelter. It makes their detection difficult. Some political parties have been encouraging and even helping illegal migration, with a view to building vote banks. These immigrants are hard-working and are prepared to work as cheap labour and domestic for lower remuneration, than the local people. This makes them acceptable. Moreover, with corruption being all pervasive, corrupt officials, are bribed to provide help. Recently, a racket has been busted in Lakhimpur. Four individuals were found to have been providing forged citizenship certificates and other documents to illegal migrants for the last 14 years.
11. There is no evidence of Bangladesh authorities organising this movement of population but they certainly have made no attempts to prevent it and indeed, may be welcoming it, to ease their problem of bursting population. Thus, there is now even an attempt to cover up this movement. Prime Minister Sheikh Haseena has recently asserted that no Bangladeshi is illegally living in India.

Illegal Migrants

12. Illegal migrants have been defined in Assam Accord as those who infiltrated illegally after 24 December 1971. However, the stream that infiltrated illegally between 1 January 1966 and 24 December 1971 was not to be deported and was to be given Indian citizenship after a lapse of ten years. No doubt, Hindus required special consideration at the time of Partition and had to be treated as refugees, but this cannot be allowed to continue forever. Post - 1971 Hindu illegal migrants cannot justifiably claim refugee status.
13. No census has been carried out to determine the number of these illegal migrants. Precise and authentic figures are not available but on the basis of estimates, extrapolations and various indicators, their number runs into millions.
14. Mr. S.C. Mullan, ICS, Census Superintendent of Assam, wrote in 1931, "Probably the most important event in the province during the last twenty five years-an event, moreover, which seems likely to alter permanently the whole future of Assam and

to destroy more surely than did the Burmese invaders of 1829, the whole structure of Assamese culture and civilisation - has been the invasion of a vast horde of land hungry Bengali immigrants; mostly Muslims, from the districts of Eastern Bengal and in particular Mymensingh. This invasion began sometime before 1911 and the census report of that is the first report which makes mention of the advancing host. But, as we now know, the Bengali, immigrants censused for the first time on their char islands of Goalpara in 1921 were merely the advance guard - or rather the scouts - of a huge army following closely at their heels. By 1921 the first army corps had passed into Assam and had practically conquered the district of Goalpara. Where there is waste land thither flock the Mymensinghians, In fact, the way in which they have seized upon the vacant areas in the Assam valley seems almost uncanny. Without fuss, without tumult, without undue trouble to the district revenue staffs, a population which must amount to over half a million has transplanted itself from Bengal into Assam Valley during the last twenty-five years. It looks like a marvel of administrative organisation on the part of Government but it is nothing of the sort; the only thing I can compare it to is the mass movement of a large body of ants... it is sad but by no means improbable that in another thirty years Sibsagar district will be the only part of Assam in which an Assamese will find himself at home." The Census Report of 1931 has graphically shown and growth of Mymensinghians in the three undivided districts of Goalpara, Kamrup and Nowgong from 1911 to 1931 as follows :

15. I have quoted the 1931 census report in extension for three reasons. First, it contains precise figures for migration from Bengal into Assam even when this did not involve any movement across international border. Unfortunately, today we have no census report on the basis of which we can accurately define the contours of trans-border movement. Thus we have to rely on broad estimates or theatrical extrapolations to work out the dimension of illegal migration that has taken place from East Pakistan/Bangladesh. Second, Mr. Mullan described this invasion using military terminology which in Present geostrategic context, underscores the strategic aspect of the problem. It is unfortunate that to this day, after half a century of Independence, we have chosen to remain virtually oblivious to the grave danger to our national security arising from this unabated influx of illegal migrants. Third, the prophecy that except in Sibsagar District, the Assamese people will not find themselves at home in Assam, is well on its way to becoming true as reflected by the present demographic pattern of Assam.
16. Shri Indrajit Gupta, the then Home Minister of India stated in the Parliament on 6 May, 1997 that there were 10 million illegal migrants residing in India. Quoting Home Ministry/intelligence Bureau sources, the 10 August 1998 issue of India Today has given the breakdown of these illegal migrants by States - West Bengal 5.4 Millions, Assam 4 millions, Tripura 8 millions, Bihar 0.5 million, Maharashtra 0.5 million, Rajasthan 0.5 million and Delhi 0.3 million making a total of 10.83 millions.
17. On 10 April, 1992, Shri Hiteswar Saikia, the then Chief Minister of Assam stated that there were 3 million Bangladeshi illegal migrants in Assam but two days later, he committed a volteface and declared that there were no illegal migrants in Assam. However, one can see for oneself, the large scale infiltration of Bangladeshis that has taken place into Assam. Looking at the population in the border areas of Assam,

sometimes one wonders whether one is in Assam or in Bangladesh. Shri E. N. Rammohan, DG. BSF, who is an IPS officer of Assam cadre, in his report of 10 February, 1997 has stated, "As Additional S.P in 1968 in Nowgaon, I did not see a single Bangladeshi village in Jagi Road or in Kaziranga. In 1982, when I was posted as DIGP, Northern Range, Tezpur, five new Bangladeshis Muslim villages had come up near Jagi Road and hundreds of families had built up their huts encroaching into the land of the Kaziranga Game Sanctuary". He mentioned that in 1971 the large island of Chawalkhoa comprising 5000 bighas of land was being cultivated by Assamese villagers from Gorukhut and Sanuna and went on to state, "in 1982 when I was posted as DIGP, Tezpur, there was a population of more than 10, -000 immigrant Muslims on the island. The pleas of the Assamese villagers to the District Administration to evict those people from the island fell on deaf ears. Any honest young IAS, SDO of Mangaidoi Sub-division who tried to do this, found himself transferred. In 1983 when an election was forced on the people of Assam... the people of the villages living on the banks of the Brahmaputra opposite Chawalkhoa attacked the encroaches on this island, when they found that they had been, given voting rights by the Government. It is of interest that Assamese Muslims of Sanuna village attacked the Bengali Muslim encroaches on this island I am a direct witness to this."

18. The following indicators of the dimension of illegal migration taking place are relevant
- a) Bangladesh census records indicate a reduction of 39 lakhs Hindus between 1971 and 1981 and another 36 lakhs between 1981. And 1989. These 75 lakhs (39+36) Hindus have obviously come into India. Perhaps most of them have come into States other than Assam.
 - b) There were 7.5 lakh Bibari Muslims in refugee camps in Bangladesh in 1971. At the instance of Saudi Arabia, Pakistan was persuaded to accept 33,000 Bihari Muslims. There are at present only 2 lakh Bihari Muslims in refugee camps in Bangladesh. The unaccounted for 5.17 lakhs must have infiltrated into India, as there is little possibility or evidence of their having merged into Bangladesh society.
 - c) In 1970 the total population of East Pakistan was 7.5 crores but in 1974 it had crores down to 7.14 crores. On the basis of 3.1 % annual population growth rate of that period, the population in 1974 should have been 7.7 crores. The shortfall of 6 million people can be explained only by large scale migration.
19. Assam specific figures of illegal migrants have been worked out from available statistics as follows :-
- a) Recent increase of electors list in Assam by the Election Commission shows more than 30% increase in 17 Assembly constituencies and more than 20% increase in 40 constituencies between 1994 and 1997. Whereas the All India average growth for a three year period intervening the two intensive revisions in 1994 and 1997, is 7%, the growth in Assam for this period is 16.4%.

b) Relative decadal percentage growth of population of Assam. All India and Bangladesh is as follows:-

	Assam	All India	Bangladesh
(i) 1901-1911	16.99	5.75	9.1
(ii) 1911-1912	20.48	-0.31	5.4
(iii) 1921-1931	19.91	11.00	7.06
(iv) 1931-1941	20.40	14.22	17.6
(v) 1941-1951	34.98	21.51	0.1
(vi) 1951-1961	34.95	24.80	29.83
(vii) 1971-1981	23.8	24.66	31.83
(viii) 1981-1991	23.8	23.85	22.00

Explanatory Notes

- (i) There was no census in Assam in 1981. The figures indicated have been worked out on the basis of 1971-91 growth rate.
- (ii) There was no census Bangladesh in 1971. It was carried out 1974. The population grew by 40.4% between 1961-74 and another 9% during 1974-81
- (iii) The much higher percentage of growth rate in Assam from 1911 to 1971 over the All India and Bangladesh figures indicate migration into Assam. The All India growth rate for 1921 should be treated as an aberration but even in that decade Assam's growth rate was higher than neighbouring Bengal districts which now constitute Bangladesh.
- (iv) The reduced percentage of growth rates for Assam in 1971-91 presents a distorted picture unless one relates it to community-wise percentage of growth in Assam as compared to All India figures. This is shown at sub-para (c) below.

c) Community-wise growth:

	Assam		All India	
	Hindus	Muslims	Hindus	Muslims
(i) 1951-1961	33.71	38.35	20.29	25.61
(ii) 1961-1971	37.17	30.99	23.72	30.85
(iii) 1971-1991	41.89	77.42	48.32	55.04

Explanatory Note

The decadal growth rate for both Hindus and Muslims for the periods 1051-61 and, 1961-71 was higher than their respective All India growth rate, indicating migration of both communities into Assam. However, during the period 1971-91 Hindu growth rate in Assam was much less than the All India figure. Possibly, this was due to large scale population movement of non-Assamese Hindus out of Assam during the Students movement and subsequent militancy in the State. In the case of Muslims the Assam growth rate was much higher than the All India rate... This suggests continued large scale Muslim illegal migration into Assam.

- d) Muslim population of Assam has shown a rise of 77.42% in 1991 from what it was in 1971. Hindu population has risen by nearly 41.89% in this period.
 - e) Muslim population in Assam has risen from 24.68% in 1951 to 28.42% in 1991. As per 1991 census, four districts (Dhubri, Goalpara, Barpeta and Hailakandi) have become Muslim majority districts. Two more districts (Nowgaon and Karimganj) should have become so by 1998 and one district (Morgaon) is fast approaching this position.
20. The growth of Muslim population has been emphasised in the previous paragraph to indicate the extent of illegal migration from Bangladesh to Assam because as stated earlier, the illegal migrants coming into India after 1971 have been almost exclusively Muslims.
21. Pakistan's ISI has been active in Bangladesh supporting militant movements in Assam. Muslim militant organisations have mushroomed in Assam and there are reports of some 50 Assamese Muslim youth having gone for training to Afghanistan and Kashmir.

Consequences

22. The dangerous consequences of large scale illegal migration from Bangladesh, both for the people of Assam and more for the Nation as a whole, need to be emphatically stressed. No misconceived and mistaken notions of secularism should be allowed to come in the way of doing so.
23. As a result of population movement from Bangladesh, the spectre looms large of the indigenous people of Assam being reduced to a minority in their home State. Their cultural survival will be in jeopardy, their political control will be weakened and their employment opportunities will be undermined.
24. This silent and invidious demographic invasion of Assam may result in the loss of the geostrategically vital districts of Lower Assam. The influx of these illegal migrants is turning these districts into a Muslim majority region. It will then only be a matter of time when a demand for their merger with Bangladesh may be made. The rapid growth of international Islamic fundamentalism may provide the driving force for this demand. In this context, it is pertinent that Bangladesh has long discarded secularism and has chosen to become an Islamic State. Loss of Lower Assam will sever the entire land mass of the North East, from the rest of India and the rich natural resources of that region will be lost to the Nation.

Chapter III

PREVENTING INFILTRATION

Early Years

1. Assam has 262 km border with Bangladesh out of which 92 km is riverine. In 1947 with the emergence of two dominions on the Sub-Continent, India and Pakistan, this became an international border. For the first few years, unrestricted trans-border movement continued in this sector. Bengali Hindu refugees from East Pakistan fleeing from their homes poured across this border seeking asylum. Concurrently, Bengali Muslims too continued to come across the border for economic reasons. There was also some movement of Muslims from Assam into East Pakistan.
2. Whereas in the West, the trans-border movement of refugees from India to Pakistan and vice versa was a deluge which lasted only a few months, in the East the situation was very different. Hindus from East Pakistan (Bangladesh) kept coming across for many years and indeed they still continue to come. Muslims from Assam going into East Pakistan were relatively in much less numbers. The traditional influx of Bengali Muslims into Assam continued unabated. The large scale movement of Bengali population, both Hindus and Muslims into Assam, caused considerable resentment among the Assamese people and there were instances of anti-Bengali riots.
3. Initially, the State Police with its limited resources policed this border but they could not stem the trans-border movement. The large influx into Assam was a matter of great concern. Government of India evolved the PIP (Prevention of Infiltration from Pakistan) scheme, which came into operation in 1964. 159 Watch Posts, 15 Patrol Posts and 6 Passport Check Posts were set up. A Police force of 1914 personnel under a DIG was deployed, to check infiltration. After the 1965 war, when the Border Security Force came into being, responsibility for guarding the border was taken over by that Force. The Border organisation set up under the PIP scheme was now deployed in the interior to identify and deport illegal migrants. In 1987 this organisation was augmented by 1280 officers and men provided by Government of India and 806 by Government of Assam, making a total of 4000 personnel. Currently, this organisation is functioning under an Additional DG Police of Assam.
4. Neither the BSF on the border nor the Border organisation in the interior, could prevent large scale illegal migration from Bangladesh. The border is very porous and the illegal migrants enjoyed political patronage. Efforts to prevent their ingress or to deport them were not very successful. Nevertheless in the first flush as per JIC Paper No 04/95 of 3 January 1995, 1.5 lakhs illegal migrants were pushed back but many managed to re-enter from different points on the border. There were reports of police excesses and high-handedness, as also allegation of harassment of genuine Indian Muslims.
5. The Chief Election Commissioner, Shri S. L. Shakhder told a conference of State Chief Electoral Officers in 1978, "in one State (Assam), the population in 1971 recorded an increase as high as 34.98 percent, over the 1961 figures and this increase was attributed to the influx of a very large number of persons from the neighbouring

countries. The influx has become a regular feature. I think it may not be a wrong assessment to make, on the basis of the increase of 34.98 percent between the two censuses, the increase that is likely to be recorded in 1991 census would be more than 100 percent over the 1961 census. In other words, a stage would be reached when the State would have to reckon with the foreign nationals who may probably constitute a sizeable percentage, if not the majority of the population of the State. Another disturbing factor in this regard is the demand made by the political parties for the inclusion in the electoral rolls of the names of such migrants who are not Indian citizens, without even questioning and properly determining the citizenship status". A few months later a by-election was to be held at Mangaidai in which there were complaints about 70,000 illegal migrants figuring in the voter's list. The people got convinced that illegal migration on a colossal scale had been taking place and this sparked the anti-foreigner's movement in Assam. Government of India forced the 1983 election in Assam on the basis of a defective voters list. This was done on the plea that there was not enough time to revise the electoral rolls before the election. There was widespread violence during this agitation including the infamous massacre of 1700 Bengali Muslims at Nellie by the Lalung tribe.

6. After years of a massive agitation, demanding detection, deletion and deportation of foreigners, the agitators reached a settlement with Government of India. Assam Accord was signed in 1985. Besides other issues agreed on, Assam Accord stipulated fencing of the border with Bangladesh, to prevent ingress of illegal migrants.

Border Fencing

7. A border fence may not be a fool proof method of preventing infiltration but there is no better way of doing so. To be effective, border fencing has to be supplemented by vigorous patrolling and other measures. The motivating factors behind infiltration must be addressed. If this can be done successfully, then a permanent solution of the problem can be found.
8. Border policing in both Punjab and Assam should prevent trans-border movement of smugglers, militants and infiltrators. In the case of Assam, infiltration has a much bigger and a more dangerous dimension. Despite this, the measures to counter trans-border movement in Assam appear to have been given a lower priority than in Punjab. This is evident from the following facts :-
 - a) The decision to fence the border was taken in 1985 and reflected in Assam Accord but the work on fencing started seven years later in 1992. 13 years have elapsed since this Accord and fencing has not yet been completed. Whereas in Dhubri sector of Assam it is nearly complete, in the Cachar sector, only a little over half has been completed. As against this, fencing in Punjab started in 1988 and was completed in 3 years by 1991.
 - b) The quality of fencing in Punjab is superior. It is two feet taller. Observation towers and lighting of the fence have been provided in Punjab, all along the border. In Assam observation towers have been constructed in Dhubri sector only and there are none in Cachar sector. There is no lighting of the fence anywhere in Assam.

- c) The density of troops guarding the fence is higher in Punjab. A BSF battalion in Punjab holds a frontage of approximately 30 kilometres. In Assam, BSF Battalions in Dhubri sector are deployed over frontages of 70 kilometres and in Cachar sector over a frontage of 40 kilometres.
9. Border fencing in Assam must be completed forthwith on a war footing. In terms of cost outlay, it may not now be possible to provide border fencing of the same height as in Punjab but there must be lighting arrangements for the fence. Observation towers must be provided in Cachar Sector.
10. Additional BSF battalions should be provided in the East with each battalion having a frontage of 30 kilometres. It is understood that one reason for thin deployment of BSF in the East is the fact that 16 battalions are deployed on counter insurgency tasks. Such diversion of forces from border policing to other duties, when the battle against illegal migrants is on, cannot but have adverse effect. The shortage of BSF units must be made up on priority through new raising.
11. The present arrangement of guarding the riverine border with some speed boats and out-board fitted country boats, is not adequate. There is a need to have floating BOPs on medium watercraft with four to five speed boats attached to them. A proposal for nine medium crafts has been put up by DG BSF This should be sanctioned soon.
12. All country boats plying on the river near the border must be registered with their registration number marked on them and the registration papers available with the crew for verification, when required.

Other measures

13. Certain other measures are also required to be taken to deal with illegal migration. These are as follows:-
- a) Our nationals in the border districts and for that matter in the whole State, should be provided multipurpose photo identity card. This task should be completely on high priority
- b) Effective arrangements must be made for registration of births and deaths in the State.
- c) The 1950 National Register of Citizens should be updated. Computerisation will facilitate this process. A separate register for illegal migrants (Stateless citizens) should also be maintained.
14. The Brahmaputra is normally 5 to 7 Km wide and during floods has only one water channel. However, in lean season, there are two, three or even more water channels throwing up chars (river islands). Due to changing river configurations, it is difficult to survey the chars. The Bangladeshi Muslims settle on these chars. They are hardy and are prepared to face difficult living conditions, particularly when the chars get

submerged for a few days during floods, which come three to four times in a season. Chickens are put on roofs, cattle herded on platforms above the water level and in emergent situations men and cattle live in boats. This hardy community has been living on chars in the Brahmaputra from Dhubri (near the international border) to Lakhimpur. There are still several chars which are uninhabited. These should be handed over to the Forest Department and notified as forest land. Trees which can withstand 1 to 3 feet of water during the flood season should be planted on them.

Developments in Bangladesh

15. The measures recommended to arrest the influx of illegal migrants may not completely stop their ingress but will certainly go a long way in reducing it to a small trickle. A more lasting and effective solution can come about through economic development in Bangladesh. This will remove the motivation behind trans-border migration. Lately, there have been welcome developments in this regard in Bangladesh. There are signs of the economy picking up in that country through the unique experiment of Grameen Bank supported by a large amount of international funding and the efforts of the Government and other NGOs. The Grameen Bank has been targeting the women. Its membership has swelled to over 2 million, and of these, 93 percent are women. It is providing micro-credit loans without any collateral. These run into several billions and they have a record recovery rate of 98 percent. This is bringing about a perceptible change in the rural areas. Targeting women for economic development provides multi-benefits. It adds to the earning of the family, encourages gender justice, promotes women's education, which acts as a curb on population growth, and liberated women become a bulwark against the spread of Islamic fundamentalism. All these benefits suit the interests of India. India should, as far as possible, be prepared to assist in socio-economic development of Bangladesh.

Implementation

16. The various measures recommended to stop illegal migration are non-Controversial. No Political party or organisation within the country can legitimately protest and demand that these steps should not be taken. Through these measures, we can bring about a sea change in the situation and trans-border migration will become a trickle. If we do not take effective measures to stop this movement and allow trans-border migration to continue unabated, then it may spell the doom of Assam and put our national security in grave jeopardy.

Chapter IV

DETECTION AND DEPORTATION

Conflicting Viewpoints

1. Measures to stem illegal migration can be undertaken without any controversy but any alteration of status quo in regard to detection and deportation of these migrants will result in strident assertion of conflicting viewpoints. The "secular" parties and the minorities do not see any danger from illegal migration. They believe that most of the so called illegal migrants are Bengali speaking Indian Muslims and this issue has been unnecessarily blown out of proportion. They fear that in the garb of deporting foreigners, Indian Muslims will be harassed. Thus they are for the continuance of IMDT Act in its present form. On the other hand, the majority community of Assam and the political parties dubbed as "communal" by the secularists have a diametrically opposite viewpoint. They are gravely concerned about the large influx of illegal migrants and want their ingress stopped. They also want that the highly discriminating IMDT Act be repealed forthwith. There appears to be no meeting ground between these opposing views. Notwithstanding this, it is in our national interest to work out a mutually acceptable solution to this burning problem, which not only affects the people of Assam but the entire Nation.
2. The furore raised over the attempt by Maharashtra Government to deport 34 Bangladeshis from Mumbai in accordance with the due Process of underscored the sharp divide in the country over this issue. The ugly incidents in Calcutta, the stalling of the proceedings of the Parliament and the outraged feelings so strongly expressed in the Press, showed how sensitivities got aroused on this issue. In the past few years, many illegal migrants from different States, including Maharashtra, were being pushed back into Bangladesh – 4895 in 1993, 5782 in 1994, 3612 in 1995, 2791 in 1996, 4222 in 1997 and 1597 upto September 1998. In other words such deportation had been a common feature and no protests were being raised on that account. The point about Government of West Bengal not being given prior information does not hold much water. The deportation had to be affected by a central agency. The BSF. No doubt the illegal migrants escorted by Maharashtra Police had to transit through other States en route. On that basis, each State Government en route. On that basis, each State Government en route could ask for prior information of their deportation. It is pertinent that during the days of terrorism in Punjab, Policemen from that State had come to Calcutta and had picked up suspected terrorists without any intimation to West Bengal Government. The protest made about that action was almost mute compared to what happened in the case of the attempted deportation of the Bangladeshis from Mumbai. Understandably there was sharp reaction in Bangladesh. The Bangladeshi Press was highly critical of the designs of the "Hindu fundamentalist Government" in India, trying to throw out innocent Indian Muslims and dump them on Bangladesh. One newspaper went to the extent of demanding that Bangladesh should seek assistance from the USA to deal with India. Prime Minister, Sheikh Haseena, a known friend of India, issued a statement that no Bangladeshi was illegally living in India. Her predecessor, not known to be so friendly towards India, had agreed to a Joint Working Group of India and Bangladesh to be set up for examining the issue of illegal migrants. This had implied acceptance of the existence of this problem, which was now being so summarily dismissed.

Deportation

3. International law does not provide for unilateral deportation in defiance of the views of the country to which the deportation is to take place. With the stand now taken by Bangladesh, it will not be possible for India to deport millions of illegal migrants to Bangladesh. From 1993 to September 1998, the BSF tried to hand over 39,746 illegal migrants to Bangladesh Rifles. The latter accepted only 9,253 and refused to accept 30,493. The acceptance figures by Bangladesh declined from 5799 in 1993 to only 55 in 1998 (upto 30 September). With the recent developments in the wake of the attempt to deport 34 Bangladeshi Muslims from Mumbai and the statement of the Prime Minister of Bangladesh, it is unlikely that Bangladesh Rifles will now accept Bangladeshi migrants. Moreover, the bursting population of Bangladesh creates a Malthusian nightmare and is not conducive to that country accepting them. Further, our capability to identify and deport over ten million such people is questionable. In these circumstances, deportation of these illegal migrants is not now a practical proposition.

IMDT Act

4. IMDT Act was enacted at the height of the anti-foreigner's movement in Assam. The large scale violence during the including the Neille massacre, had led to understandable apprehension among the minorities of harassment and victimisation. A large number of illegal migrants had been pushed back in previous years. It is possible that in this process, some genuine Indian citizens had been harassed and pushed back. Be that as it may, the fact is that on the plea of protecting genuine Indian citizens, the IMDT Act was formulated but in practice, it has been found to be primarily serving the interests of the illegal migrants.
5. The Act provided for two individuals living within a radius of 3 kilometres of a suspected illegal migrant to file a complaint accompanied with a deposit sum of Rs. 25. The 3 km restriction was modified and now the complainant can be from the same Police station area as the individual being complained the deposit fee has been reduced from Rs. 25 to Rs. 10. The Police can also suo moto initiate action. Elaborate time consuming procedures have been laid down for screening, for examination by District Tribunals and for appeal to the Appellate Tribunal.
6. Proponents of IMDT maintain that unwarranted fears have been aroused about the large influx of population from Bangladesh when in actual fact their number is very small. They want to retain this Act at all costs. They feel that otherwise, the minorities would face great hardship and harassment.
7. The opponents of this Act demand its immediate repeal as it is, a highly discriminatory legislation applying only to Assam and not to any other State. They argue that such a legislation should not have been on the statute of any sovereign State. It gives freedom to an alien to enter this country, secure in the knowledge that the country he has entered illegally, will have to prove that he is an illegal migrant to deny him citizenship. Under the Foreigners Act which applies to the rest of the country and which is in consonance with the practice followed the world over, it is for the foreigner to prove that he is an Indian national to claim Indian citizenship. The

IMDT Act shifts the burden of proof on the complainant or the Police, to establish that the person complained against is a foreigner.

8. This Act caters for an Appellant Tribunal of two retired High Court Judges, sixteen district Tribunals of two retired District/Additional District Judges with supporting staff. The Border organisation of 4000 Policemen processes the cases of alleged illegal migrants. The efforts of these agencies maintained at a cost of hundreds of crores to the Exchequer, extending over a period of 15 years, has led to the identification of only 9,599 illegal migrants. Out of these only 1,454 could be deported. These statistics amply establish the futility of continuing with the IMDT Act in its present form.
9. Apart from the conflicting views of the proponents and opponents of the IMDT Act, those working for executing its provisions have been facing difficulties as indicated below :-
 - a) The Tribunals have been starved of funds and resources. Out of 16 District Tribunals only 5 are functioning. The remaining 11 tribunals have only one person each on the bench and as such are non-functional. Salaries and TA bills of the staff are not paid in time. Essential facilities, like transport and telephone are lacking and funds are often not available to buy even postage stamps.
 - b) The Border Organisation required to process these cases has been encountering difficulties at every step. Often by the time a complaint is received or the Police initiates inquiry against a suspect, that individual shifts to another location and is not traceable. When the individual is available, he insists he is an Indian national and while the Police tries to collect evidence, he often disappears. The process of absconding also occurs at two subsequent stages - before the case is heard by the Tribunal and during the 30 days period allowed to the person to appeal to the higher tribunal or face expulsion. (Under this Act, the Police does not have the powers of search, seizure or arrest as available under the Foreigners Act. During trial by Tribunals, Prosecutor., witnesses do not appear because there is no Provision for paying them their travelling expense.
10. Any move to repeal the IMDT Act is likely to encounter strong opposition from the minorities and their supporters, for vested and opportunistic reasons. Some of these have begun to suggest that to remove the allegation of discrimination connected with this Act, its provisions should be extended to other States. They argue that the Foreigners Act of 1946 is a legacy of the British era and was meant to deal with foreign nationals who were ethnically and culturally different from Indians. The requirements for dealing with Bangladeshis who have ethnic, cultural, linguistic and religious affinities with our population, are different. This requires a different legislation. This line of argument ignores similarities between the Tamil people of Sri Lanka and of Tamil Nadu or for that matter, the similarities among the people living on either side of the Indo-Nepal border. It is further argued that the meagre number of foreigners detected under the IMDT Act is not due to any infirmities of this Act or in the procedures being followed, but due to the very small numbers of illegal migrants in the country. This argument flies in the face of all available statistics and other indicators, establishing the presence of a very large number of illegal Bangladeshi migrants in the country.

11. As deportation of such a large number of illegal migrants is no longer a viable option and because of the numerous infirmities in the IMDT Act which have rendered its continuation a wasteful exercise, it is imperative that this Act be repealed. It should be replaced by a more just, workable and fair enactment.

Replacing IMDT Act

12. The IMDT Act does not exclusively apply to any religious community. It is applicable as much to Bengali Hindus as to Bengali Muslims. Providing asylum to minorities fleeing from their home country was a Partition liability for both India and Pakistan. Yet in Assam no distinction has been made between Hindus and Muslims. Those migrants who came into Assam upto 24 March, 1971 have been given Indian citizenship, irrespective of the religious community to which they belong. However, the ground reality is that of late almost all the illegal migrants now coming into Assam are Muslims.
13. The repeal of IMDT Act and its replacement by another Act, must take into account the legitimate fears of the minorities. They should be assured that the new Act will be fair, just and transparent, leading to expeditious disposal of cases. The following aspects have to be noted :-
- a) Partition liability of India in relation to refugees from East Pakistan/Bangladesh is only in respect of the minority community of that country. However, this liability should not be extended beyond a reasonable time frame. A quarter of a century is adequate for this purpose. Any Hindu migrant coming to India after 24 March 1971 without valid papers should be classified as an illegal migrant.
 - b) Although India had no Partition liability for East Pakistani Muslims, Assam Accord caters for Indian citizenship being granted to all East Pakistani Muslims who came across illegally between 15 August 1947 and 24 March 1971, with a special provision that those who came between 1 January 1966 and 24 March 1971 would be eligible for this, only after a lapse of ten years of being identified as foreigners.
 - c) As per JIC Paper No 04/95 of 3 January 1995, even after legitimising pre-1971 illegal migrants, 18% of the population of Assam in 1991 comprises illegal migrants. Since deportation is being ruled out as a viable option, even those, whether Hindus or Muslims, who came in illegally after 24 March 1971, will now not, be deported. Thus the scope for harassment gets considerably reduced and the main sting in the whole process gets taken out.
14. Although illegal migrants, who came in after 24 March, 1971 will not be deported, they must be identified and after identification denied voting rights and certain other facilities like acquisition of immovable property. A suitable process for doing so which may have acceptability and command credibility should be evolved. This exercise should be completed expeditiously. This process for doing so should be on the following lines :
- a) Ground survey teams each under a Magistrate assisted by the Border Organisation, should extensively tour the areas allotted to them, to identify illegal migrants. To

ensure maximum objectivity and freedom from local pressures, political or otherwise, Magistrates from outside Assam be deputed for this task. The survey should be completed in a fixed time frame of a few months. Inducting Magistrates from outside will be on the lines of what happened in 1983 elections, when officers were brought into Assam from different States on temporary deputation.

- b) Individuals identified as illegal migrants should be allowed the right of appeal before Foreigners Tribunal set up under the Foreigners Act.' This will provide necessary judicial sanctity to this exercise.
 - c) Foreigners identified as illegal migrants should be denied voting rights and their children born in India should not automatically become eligible for Indian citizenship. Disenfranchisement may be a big issue for political parties who so assiduously try to build vote banks but is no hardship to the immigrant. The denial of voting rights to these migrants can by no stretch be deemed to be unjust. Over 1 lakh Hindu and Sikh refugees from West Pakistan, who settled in Jammu region in 1947, have to this day, after a lapse of over 50 years, not been given voting rights. However, refugees from West Pakistan who settled in other States were given full citizenship rights and many amongst them became Union Cabinet Ministers and one became Prime Minister.
15. The proposed arrangement should adequately assuage the legitimate fears of the minority community and will also be a human measure for the illegal migrants. Pre- 1971 illegal migrants stand already legitimised and the post-1971 illegal migrants, not now to be deported, will be partially legitimised.
16. The minority community in Assam now comprises nearly 30% of the population and with their tendency to vote as a bloc, they can hardly be considered a minority, in real terms. They have come to acquire a decisive role in Assam's democratic polity, which the majority community with its split votes, cannot match. So far as the majority community is concerned, they may resent the decision not to deport the illegal migrants but in the present circumstances, there is no other alternative. They should get reconciled to it. Illegal migrants upto 24 March 1971 have been made Indian citizens and this has been accepted by them. Illegal migrants of post 24 March, 1971 vintage will not be deported but will be made Stateless citizens. The minority community should appreciate that the repeal of IMDT Act and its replacement by a just, fair, transparent and expeditious act will provide adequate safeguards against harassment and victimisation. This will also reduce political patronage for illegal migration and will be yet another disincentive for prospective illegal migrants.

Chapter V

CONCLUSION

1. A silent and invidious invasion of Assam has been taking place for several decades and successive Governments have failed to stem this demographic onslaught. It started as a purely economic movement contributing to the development of Assam's agricultural economy. As Independence approached, it acquired communal and political contours. And today, an international dimension with security overtones has got added to this population movement.
2. Hitherto the intrusion of illegal migrants has generally been looked upon as a local problem affecting only the people of Assam. This myopic view accounts for the more sinister and dangerous aspects being overlooked. The views expressed by Jinnah, Bhutto, Sheikh Mujib-ur-Rahman and the present day intellectuals in Bangladesh cannot be ignored. Assam can provide the much desired lebensraum for Bangladesh. This fact coupled with Assam's geostrategic importance, Bangladesh's bursting population and growing international Islamic fundamentalism, underscore the volatile situation created by this ongoing demographic intrusion from across the border. We must not allow any misconceived notions of secularism to blind us to these realities.
3. Although Bangladeshi illegal migrants have come into several States of India and they are more numerous in West Bengal than in Assam, they pose a much greater threat in Assam than in any other State. If not effectively checked, they may swamp the Assamese people and may sever the North East land mass from the rest of India. This will lead to disastrous strategic and economic results.
4. Political parties have been underplaying the grave importance of this problem and have been viewing it as something affecting only the Assamese people. Thus an issue of great concern for national security has been made into a partisan affair and a matter of vote banks. It must be lifted above the mire of party politics and viewed as a national security issue of great importance. There is an imperative need to evolve a national consensus on this all important threat facing the Nation.
5. Concrete steps must be taken on war footing to ensure that the borders are as nearly sealed as possible and the unabated flood of infiltration, reduced to a trickle. Concurrently, the highly discriminatory IMDT Act which during the last 15 years has proved to be an exercise in futility, should be repealed. With deportation of illegal migrants to Bangladesh no longer a viable option, a new legislation needs to be introduced which will ensure a just, fair, practical and expeditious approach to detecting illegal migrants and declaring them Stateless citizens without voting rights, and without the right to acquire immovable property.
5. A summary of recommendations is attached as an appendix to this report.

(Lt. Gen. (Retd.) S. K. Sinha, PVSM)
Governor of Assam

Guwahati
8 November

APPENDIX

SUMMARY-OF RECOMMENDATIONS

1. Awareness should be promoted about illegal migration into Assam being not only a threat to the identity of the Assamese people but what is more, being a grave threat to our national security.
2. Border fencing in Assam should be completed on a war footing. Observation towers and lighting should be provided on the same scale as in Punjab.
3. BSF battalions deployed in Assam should not be given responsibility to hold unduly extended frontages. As in the case of Punjab, BSF battalions should hold a frontage of 30 kilometers. Additional BSF battalions should be provided for this purpose.
4. Diversion of BSF battalions from the border in Assam for other tasks, when the battle against infiltrators is on, must be scrupulously avoided.
5. All country boats, plying in the river near the border should be registered and their registration numbers marked on them.
6. Medium crafts for floating BOPs with adequate speed boats for the riverine sector, should be made available as early as possible.
7. Multi-purpose photo identity cards should be provided to all our nationals. Districts bordering Bangladesh should be accorded higher priority.
8. Effective arrangements should be made for registration of births and deaths.
9. The National Register of Citizens should be updated and computerised. A separate register of Stateless citizens should also be maintained.
10. Vacant Chars in the river should be handed over to the Forest Department and trees planted on them.
11. As far as possible, we should assist in the process of economic development in Bangladesh. Socio-economic programmes designed to improve the lot of women should be given priority due to its multiple beneficiary spin offs - improving the family's income, womens education curbing population growth and educated women becoming a bulwark against the spread of Islamic fundamentalism.
12. Hindu illegal migrants who have infiltrated after 24 March 1971 should not be given refugee status. They should be treated as illegal migrants.
13. While maximum effort must be made to stem the ingress of illegal migrants, those who have already infiltrated after 24 March 1971 to date, may not be deported.

14. The IMDT Act should be repealed and replaced by a new legislation which should provide for detection for illegal migrants in a just, fair and expeditious manner, with due judicial sanctity accorded to the process. Those identified as illegal migrants should be allowed to stay in the country as Stateless citizens with no voting right nor the right to acquire immovable property.
15. Survey teams working under Magistrates on deputation from other States assisted by policemen of Border Organisation, should identify illegal migrants in a fixed time frame of short duration. Those identified as foreigners by these teams should be given the right of appeal to tribunals set up under Foreigners Act.

APPENDIX -11

ASSAM ACCORD

15th August, 1985

**(Accord between AASU, AAGSP, Central and State Government
on the Foreigner Problem Issue)**

MEMORANDUM OF SETTLEMENT

1. Government have all along been most anxious to find a satisfactory solution to the problem of foreigners in Assam. The All Assam Students' Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) have also expressed their Keeness to find such a solution.
2. The AASU through their Memorandum dated 2nd February 1980 presented to the Late Prime Minister Smt. Indira Gandhi, conveyed their profound sense of apprehensions regarding the continuing influx of foreign nationals into Assam and the fear about adverse affects upon the political, social, cultural and economic life of the State.
3. Being fully alive to the genuine apprehensions of the people of Assam, the then Prime Minister initiated the dialogue with the AASU/AAGSP. Subsequently, talks were held at the Prime Minister's and Home Ministers levels during the period 1980-83. Several rounds of informal talks were held during 1984. Formal discussions were resumed in March, 1985.
4. Keeping all aspects of the problem including constitutional and legal provision, international agreements, national commitments and humanitarian considerations, it has been decided to proceed as follows:-

Foreigners Issue :

5. (1) For purpose of detection and deletion of foreigners, 1.1. 1966 shall be the base date and year .
- (2) All persons who came to Assam prior to 1.1.1966, including those amongst them whose names appeared on the electoral rolls used in 1967 elections, shall be regularised.
- (3) Foreigners who came to Assam after 1.1.1966 (inclusive) and upto 24th March 1971 shall be detected in accordance with the provisions of the Foreigners Act, 1946 and the Foreigners (Tribunals) Order, 1939.
- (4) Names of foreigners so detected will be deleted from the electoral rolls in force. Such persons will be required to register themselves before the Registration Officers of the respective districts in accordance with the provisions of the Registration of Foreigners Act, 1939 and the Registration of Foreigners Rules, 1939.
- (5) For this purpose, Govt of India will undertake suitable strengthening of the governmental machinery.

- (6) On the expiry of a period of ten year following the date of detection, the names of all such persons which have been deleted from the electoral rolls shall be restored.
- (7) All persons who were expelled earlier, but have since re-entered illegally into Assam, shall be expelled.
- (8) Foreigners who came to Assam on or after March 25,1971 shall continue to be detected,deleted and expelled in accordance with law. Immediate and practical steps shall be taken to expel such foreigners.
- (9) The Government will give due consideration to certain difficulties express by the AASU/ AAGSP regarding the implementation of the illegal Migrants (Determination by Tribunals) Act, 1983.

Safeguards and Economic Development :

6. Constitutional, legislative and administrative safeguards, as many be appropriate , shall be provided to protect , preserve and promote the cultural, social, linguistic identity and heritage of the Assamese people
7. The Government take this opportunity to renew their commitment for the speedy all round economic development of Assam, so as to improve the standard of living of the people . Special emphasis will be placed on education and science & technology through establishment of national institutions.

Other Issues :

8. (1) The Government will arrange for the issue of citizenship certificate in future only by the authorities of the central Government.
- (2) Specific complaints that may be made by the AASU/AAGSP about irregular issuance of Indian Citizenship Certificates (ICC) will be looked into.
9. (1) The international border shall be made secure against future infiltration by erection of physical barriers like walls barbed wire fencing and other obstacles at appropriate places. Patrolling by security forces on land and riverine routes all along the international border shall be adequately intensified. In order to further strengthen the security arrangements, to prevent effectively future infiltration, an adequate number of check posts shall be set up.
- (2) Besides the arrangement mentioned above and keeping in view security consid erations, a road all along the international border shall be constructed so as to facilitate patrolling by security forces. Land between border and the road would be kept free of human habitation, wherever possible. Riverine patrolling along the international border would be intensified. All effective measures would be adopted to prevent infiltrators crossing or attempting to cross the international border.
10. It will be ensured that relevent laws for prevention of encroachment of govern ment lands and lands in tribal belts and blocks are strictly enforced and unauthorised encroachers evicted as laid down under such laws.
11. It will be ensured that the law restricting acquisition of immovable property by foreigners in Assam is strictly enforced.
12. It will be ensured that Birth and Death Registers are duly maintained.

Restoration of Normalcy :

13. The All Assam Students Unions (AASU) and the All Assam Gana Sangram Parishad (AAGSP) call off the agitation, assure full co-operation and dedicate themselves towards the development of the country.
14. The Central and the State Government have agreed to :
- a) Review with sympathy and withdraw cases of disciplinary action taken against employees in the context of the agitation and to ensure that there is no victimization;
 - b) Frame a scheme for ex-gratia payment to next of kin of those who were killed in the course in the agitation.
 - c) Give sympathetic consideration to proposal for relaxation of upper age limit for employment in public service in Assam, having regard to exceptional situation that prevailed in holding of academic and competitive examinations, etc. in the context of agitation in Assam ;
 - d) Undertake review of detention cases, if any, as well as cases against persons charged with criminal offences in connection with the agitation, except those charged with commission of heinous offences ;
 - e) Consider withdrawal of the prohibitory orders/notifications in force, if any:
15. The Ministry of Home Affairs will be the nodal Ministry for the implementation of the above.

Sd/-

(P.K. Mahanta)
President
All Assam Students' Union

Sd/-

(R.D. Pradhan)
Home Secretary
Govt. of India

Sd/-

(B.K. Phukan)
General Secretary
All Assam Students' Union

Sd/-

(Smt. P. P. Trevedi)
Chief Secretary
Govt. of Assam

Sd/-

(Biraj Sharma)

Convenor
All Assam Gana Sangram Parishad

In the Presence of

Sd/-

(RAJIV GANDHI)

PRIME MINISTER OF INDIA

Date: 15th August, 1985.

Place: New Delhi.

1. Election Commission will be requested to ensure preparation of fair electoral rolls.
2. Time for submission of claim and objections will be extended by 30 days, subject to this being consistent with the Election Rules.
3. The Election Commission will be requested to send Central Observers.

Sd/- Illegible

HOME SECRETARY

1. Oil refinery will be established in Assam
2. Central Government will render full assistance to the State Government in their efforts to reopen.
 - i) Ashok Paper Mill.
 - ii) Jute Mills
3. I.I.T. will be set up in Assam.

Sd/- Illegible

HOME SECRETARY

ASSAM ACT NO. XXVI 1995

(Received the assent of the Governor on 27th October, 1995)

THE MISING AUTONOMOUS COUNCIL ACT, 1995

AN

ACT

Preamble

to provide for the establishment of an administrative authority in the name and style of "Mising Autonomous Council" and for certain matters incidental there to and connected therewith.

Whereas it is expedient to provide for the establishment of a Mising Autonomous Council within the State of Assam with maximum autonomy within Councils formed out of blocks of contiguous revenue villages, each having more than 50% population of Mising Community, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Mising community residing therein.

It is hereby enacted in the Forty-sixth Year of the Republic of India, as follows:-

CHAPTER II

PRELIMINARY

Short Title, extent and commencement Definitions

1. (1) This Act may be called the Mising Autonomous Council Act, 1995.
- (2) It extends to the whole of the State of Assam.
- (3) It shall be deemed to have come into force with effect from 13-07-95.
2. In this Act, unless the context otherwise requires :-
 - a) 'bye-law' means the bye-law framed by the General Council;
 - b) 'Constituency' means a constituency referred to in section 48;
 - c) 'Constitution' means the constitution of India;
 - d) 'Council Area' means the Mising Autonomous Council Area.
 - e) 'Elector' in relation to a constituency means a person whose name is entered in the electoral roll of that constituency;
 - f) 'Executive Council' means the executive body of the General Council of the Mising Autonomous Council constituted under Section 3 (3) and 24.

CHAPTER II

THE GENERAL COUNCIL

Incorporation of the General Council

5. The General Council shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property and to contract and sue or be sued by its corporate name.

Constitution of the General Council

6. (1) The General Council shall consist of 40 (Forty) members of which 35 (Thirty five) shall be directly elected and 5 (Five) shall be nominated by the Government from amongst the groups of communities residing in the Council area and not otherwise represented in the General Council. Out of the 40 (Forty) seats 20 (Twenty) seats shall be reserved for Mising Community and out of these 20 (Twenty) reserved seats, at least 6 (Six) seats shall again be reserved for women.
- (2) The Members of Parliament, and the Members of Legislative Assembly, Assam belonging to Scheduled Tribes Reserved Constituencies of the Council Area shall ex-officio members of the General Council.
- (3) Every members of the General Council shall be entitled to such allowances as may be fixed by the General Council and approved by the Government.
- (4) The elected member of the General Council shall, at the first meeting after the election, for the purpose of constitution of the Executive Council, elect from amongst themselves in the manner prescribed,—
- i) One member to be the Chief Executive Councillor who shall also be the President of the General Council.
 - ii) One member to be the deputy Chief Executive Councillor who shall act as President of the General Council in absence of the Chief Executive Councillor.
 - iii) Seven Executive Councillors.

Term of Office

7. (1) The term of office of the General Council shall be five years from the date of the first meeting as appointed by the Government after the election of the members, unless dissolved earlier under section 63.
- (2) Notwithstanding anything contained in sub-section (1) above, the Chief Executive Councillor; the Deputy Chief Executive Councillor or the Executive Councillors shall cease to hold office as such forthwith if he, for any reason, ceases to be a member.
- (3) Notwithstanding anything contained in sub-section (1) the Governor may, if he is satisfied that circumstances exist which render the holding of the election, as provided, impracticable, extend the term for a period not exceeding one year.

Resignation of Members of the General Council

8. (1) Any member of the General Council including the Deputy Chief Executive Councillor may, at any time by giving notice in writing addressed to the chief Executive Councillor, resign his office :

Provided that in case of the Chief Executive Councillor the notice shall be addressed to the Deputy Chief Executive Councillor.

- (2) Such resignation shall take effect from, such date as specified in the notice or if no such date is specified, from the date of its receipt by the office bearer addressed.

Removal of Members of General Council

9. (1) The Chief Executive Councillor, the Deputy Chief Executive Councillor or the Executive Councillor or any of them or all of them may be removed from office by a resolution carried by a majority of the total number of the elected members at a special meeting of the General Council called for the purpose upon a requisition made in writing by not less than one third of the members of the General Council.

- (2) The Government, after giving an opportunity to an elected member of the General Council to show cause against the action proposed to be taken against him and after giving a reasonable opportunity of being heard, may by order, remove him from the office, if he -

- a) after his election, is convicted by a criminal court of an offence involving moral turpitude punishable with imprisonment for any period exceeding six months, or
- b) incurs any of the disqualifications mentioned in section 54 after his election as member of the General Council, or
- c) is absent from three consecutive meetings of the General Council.

- (3) Any member of the General Council who is removed from the office under sub-section (2) above, may within thirty days from the date of the order, appeal to such Judicial Authority as the Government may prescribe and the authority so prescribed after admitting an appeal may, after complying with the normal and fundamental principles of judicial proceedings, pass such order or orders either confirming or modifying or setting aside the order appealed against and pending the final disposal of the appeal may pass such other interlocutory order or orders including stay of operation of the order appealed against.

- (4) The order passed, by the Judicial Authority referred to in sub-section (3) above, on such appeal shall be final

Salaries, allowances and Other Emoluments.

10. (1) The Chief Executive Councillor, Deputy Chief Executive Councillor and the Executive Councillors shall be wholetime functionaries and shall be paid out of the general Council Fund such salaries and allowances as may be prescribed.

- (2) The other terms and conditions of service of the Chief Executive Councillor, Deputy Chief Executive Councillor and the Executive Councillors shall be such as may be prescribed.

Filling up Vacancies

- 11.(1) Where the office of any member falls vacant by reason of his death, resignation, removal or otherwise the vacancy shall be filled up by election in accordance with the provision of this Act and the ruled framed thereunder:

Provided that any vacancy in the office of the Chief Executive Councillor, Deputy Chief Executive Councillor and the Executive Councillors shall be filled up by the General Council; by electing a member thereof in the manner prescribed for the election of the Chief Executive Councillor, Deputy Chief Executive Councillor or the Executive Councillors as the case may be :

- (2) Any member elected in accordance with the provisions of sub-section (1) above, shall hold such office only for the remainder of the term of the General Council or the period extended under sub-section (3) of section 7.

Powers, Functions and Duties of the Chief Executive Councillor

- 12.(1) The Chief Executive Councillor shall –
- a) be responsible for the maintenance of the records of the General Council;
 - b) have general responsibility for the financial and executive administration of the General Council.
 - c) exercise administrative supervision and control over the officers and employees of the General Council and the officers and employees whose services may be placed at the disposal of the General Council by the Government;
 - d) for transaction of business under this Act or for the purpose of making any order under this Act, exercise such powers, perform or discharged by the General Council at meeting;
 - e) exercise such other powers, perform such other duties as the General Council may, by General or special resolution, direct or the Government may, by rules made in this behalf, prescribe.

Meeting of the General Council

- 13.(1) The General Council shall meet at least once in every three months for transaction of its business.
- (2) The meeting of the General Council shall be held at the headquarter of the Mising Autonomous Council at such time as may be notified by the Chief Executive Councillor :

Provided that the first meeting of the General Council after the election shall be held on such date as may be appointed by the Government.

Oath of Affirmation by Members

14. Every member of the General Council shall, before taking his seat, make and subscribe before such person as may be appointed by the Governor in this behalf an oath or affirmation in the manner and form as may be prescribed.

Quorum

15. The quorum necessary for transaction of business at a meeting of the General Council shall be 10 (ten) members and the decision of the General Council shall be by a single majority of votes of the members present.

Headquarter of the General Council

16. The Government may, by notification in the Official Gazette, declare any place within the Council Area to be the headquarter of the General Council.

Secretariat of the Mising Autonomous Council

- 17.(1) There shall be a secretariat for the Mising Autonomous Council at the head-quarter of the General Council headed by a Principal Secretary to be appointed by the Government in consultation with the chief Executive Councillor.
- (2) The Principal Secretary shall be the Principal Executive Officer of the General Council and all other officers of the General Council shall be subordinate to him.
- (3) The Principal Secretary shall be present and take part in the discussion of all the meetings of the General Council and may, with the consent of the Chief Executive Councillor or any other person presiding over such meeting for the time being, as the case may be, at any time make a statement or give explanation of the facts and circumstances but shall not be entitled to vote in any such meeting.
- (4) The Principal Secretary and the other officers of the secretariat shall be paid out of the General Council Fund.
- (5) The term of appointment of the Principal Secretary shall be for a period of three years but may be extended by the Government in consultation with the Chief Executive Councillor.
- (6) The Government may appoint such other Secretaries for the General Council on such terms and conditions as the Government may in consultation with the Chief Executive Councillor, determine.
- (7) The Government may, in consultation with the Chief Executive Councillor, depute such other officers or experts, as may be, required, to assist the General Council on such terms and conditions as may be determined by the Government.
- (8) The Government may from time to time post officers of the rank of class 11 and above within the Council Area in accordance with the exigencies, but while making such posting due regard may be given to the views of the General Council.
- (9) All officers and other staff posted in the Council Area shall be accountable to the General Council for their performance and assessment of their works recorded by the Executive Council shall be incorporated in their Annual Confidential Reports by the Government.
- (10) Notwithstanding anything contained in sub-section (5) above, the Government may, at any time in consultation with the Chief Executive Councillor, withdraw the Principal Secretary or any other officer posted or appointed by it in the, Secretariat.

CHAPTER - III

POWERS AND FUNCTIONS OF THE GENERALCOUNCIL

Subject to be under the control and administration of the General Council.

18. Notwithstanding anything contained in any other law or rules for the time being in force, the General Council shall have executive powers in relation to the Council Area over the Following subjects :-
1. Cottage Industry
 2. Animal Husbandry and Veterinary,
 3. Forest, other than Reserved Forest,
 4. Agriculture,
 5. Rural Roads and Bridges,
 6. Sericulture,
 7. Education,
 - a) Adult Education.
 - b) Primary Education.
 - c) Up-to Higher Secondary including Vocational Training.
 8. Cultural Affairs.
 9. Social Conservation,
 10. Co-operation,
 11. Fisheries,
 12. Panchayat and Rural Development,
 13. Handloom and Textile,
 14. Public Health Engineering - Drinking Water.
 15. Minor Irrigation,
 16. Social Welfare,
 17. Flood Control Schemes for protection of villages (not of highly technical nature)
 18. Sports and Youth Welfare,
 19. Weights and Measures,
 20. Library services,
 21. Museum and Archaeology,

22. Urban Development, Town and Country Planning.
 23. Tribal Research.
 24. Land and Land Revenue.
 25. Publicity and Public Relation, 26. Tourism,
 27. Transport,
 28. Any other matter connected with development,
 29. Municipal Board, Improvement Trust, District Boards and other local-self Government of Village Administration,
 30. Tribal Welfare,
 31. Market and fairs,
 32. Lotteries, Theatres, Dramatic Performance and Cinema,
 33. Vital Statistics including registration of birth and death.
 34. Food and Civil Supplies.
19. Subject to general policy of the Government, the General Council shall, -
- i) formulate integrated development plans for the Council Area
 - ii) implement schemes and programmes for the development of the Council Area;
 - iii) have powers to appoint Class III and Class IV staff within the Council Area;
 - iv) have powers to regulate trade and commerce within the Council Area in accordance with the existing law including issue of permits or licences to individuals within the Council Area;
 - v) guide customs and traditions and social justice of the Mising community according to the traditional laws ;
 - vi) organise special recruitment drive into Army, Navy, and other paramilitary forces, Police Forces and other Central Government establishments for appointment of the persons belong to the Mising community;
 - vii) allot permits for trade and commerce to the people residing in the Council Area preference being given to the Mising community.

Power to Impose Levy and Collect Taxes

- 20.(1) Subject to the provisions of any other law for the time being in force, the General Council shall have the powers to collect within the Council Area such taxes as are payable under the law for the time being in force in the manner as may be prescribed.
- Provided that the tax or taxes is aforesaid shall be collected from such date as may be appointed by the Government by notification in this behalf in the Official Gazette.
- (2) Subject to sub-section (1) and such maximum rates as the Government may prescribe, the General Council shall -

- a) levy tolls on persons, vehicles or animals of a class, for the use of any or road other than Kacha road, or ferry constructed or established and managed by it;
- b) levy the following fees and rates, namely :-
 - i) fees on the registration of boats or vehicles ,
 - ii) fees for providing sanitary arrangements at such places of worship, pilgrimage, fairs, melas, other public places within the Council Area as may be specified by the Government by Notification, in the Official Gazette.
 - iii) fees for licences ;
 - iv) water rates, where arrangements for irrigation or drinking water is made by it within the Council Area;
 - v) lighting rate where arrangements for lighting of public street or places are made by it within the Council Area;
- (3) Notwithstanding anything contained in the foregoing sub-sections, the General Council shall not undertake registration of any vehicle or levy any fees in respect thereof and shall not provide sanitary arrangements at places of worship, pilgrimage, fairs, meals or other public places within the Council Area or levy any fees in respect thereof if such vehicle has already been registered by, any other authority under the law for the time being in force, or if such provisions for sanitary arrangements have already been made by the Government or any other local authority.
- (4) The collection of tolls, fees or rates and the terms and conditions for the imposition thereof shall be such as may be prescribed by the bye-laws. Such by- laws may, inter alia, provide for exemption from all or any class of cases.
- (5) The General Council may levy fee or taxes on any or all the subjects assigned to the Village Council.

Power to entrust functions.

- 21. Notwithstanding anything contained in this Act, the Government may, in consultation with the General Council, entrust, either conditionally or without any condition to the General Council or their officers any function in relation to any matter not enumerated in section 18 to which the executive powers of the Government extends.

Power to acquire hold and Dispose of Property

- 22. Notwithstanding anything contained in Section 5, the General Council, subject to the previous approval of the Government and subject to such terms and conditions as may be imposed by the Government, shall have the power to acquire, hold or dispose or any immovable property for movable property for value of which exceeds Rupees One lakh and to enter into contract or agreement with any party or authority:

Power to make bye- laws.

- 23. (1) General Council, may subject to the provisions of this Act and the rules made thereunder and subject to the approval of the Government, make bye- laws to be applicable within the Council Area with respect to all or any of the matters enumerated in sections 18, 19, 43 and 44 for regulation, control and administration thereof.

- (2) All bye-laws made under sub-section (1) above, shall have effect upon their, publication in the Official Gazette.

CHAPTER - IV

THE EXECUTIVE COUNCIL

The Executive Council.

24. (1) The Executive Council shall consist of the Chief Executive Councillor, Deputy Chief Councillor and seven Executive Councillors elected in accordance with the provisions of sub-section (4) of section 6.
- (2) The Chief Executive Councillors shall be the Chairman of the Executive Council and shall preside over the meetings thereof :
- Provided that in case of the absence the Chief Executive Councillor, the Deputy Chief Councillor shall preside over the meeting of the Executive Council.
- (3) Any casual vacancy among the members of the Executive Council occurring by reasons of death, resignation, removal or otherwise shall be filled through election by the members of the General Council in the same manner as provided in subsection (4) of Section 6 :
- Provided that no act or proceeding of the Executive Council shall I)... called in question or shall become invalid merely by reason of any vacancy among its members.
- (4) The manner of transaction of business of the Executive Council shall be such as may be determined by the General Council by bye-laws made by it with the approval of the Government.
- (5) The Executive Council shall be collectively responsible to the General Council.

Terms of office of the Executive Council

25. A member of the Executive Council shall hold office until he
- a) ceases to be a member of the General Council, or
- b) resigns his office in writing under his hand addressed to the Chief Executive Councillor in which case the resignation shall take effect from the date of acceptance thereof :
- Provided that in case of the Chief Executive Councillor, the resignation shall be addressed to any one of the Deputy Chief Executive Councillor.

Powers and Functions of the Executive Council

26. (1) The Executive powers of the General Council shall vest in the Executive Council
- (2) All orders or instructions made or executed by the Executive Council shall be deemed to have been made or executed by or under the authority of the General Council

- (3) Every order made or instruction issued or resolution passed by the General Council shall be authenticated by the signature of the Chief Executive Councillor or in his absence by Deputy Chief Executive Councillor.

General Powers of the Chief Executive Councillor

- 27.(1) The Chief Executive Councillor shall be the Chief of the Mising Autonomous Council and shall exercise such powers and discharge such functions as are conferred on him by or under this Act or the rules made thereunder.
- (2) The Chief Executive Councillor, shall for the smooth and convenient transaction of business of the Executive Council allocate among the Executive Councillor such business in such manner as he may deem fit.

Special Powers of the Chief Executive Councillor

- 28.(1) The Executive Council may, in cases where the Chief Executive Councillor is required to take, in accordance with the provisions of this Act or the rules made thereunder or any other law for the time being in force, any action subject to the approval of the Executive Council, by a general or special resolution, authorise the Chief Executive Council to take such action subject to such condition, if any, as may be specified therein, in anticipation of such approval.
- (2) Whenever the Chief Executive Councillor takes any action under sub-section (1) above, he shall inform the Executive Council forthwith and shall obtain the approval thereof.

Meeting of Executive Council

- 29.(1) The Executive Council shall meet at least once in every three months for transaction of its business at such place and time as the Chief Executive Councillor may direct.
- (2) The Meeting shall be convened by the Chief Executive Councillor by giving seven clear days notice in writing to each member of the Executive Council.

Quorum

30. The Quorum for transaction of business at a meeting of the Executive Council shall be three members including the Chief Executive Councillor.

CHAPTER - V

THE VILLAGE COUNCIL

Incorporation the village Council

31. The Village Council shall be a body corporate having perpetual succession and a common seal with powers to acquire, hold and dispose of property and shall sue or be sued by its corporate name.

Constitution of the Village Council.

- 32.(1) The village Council shall consist of 10 (ten) members of which 5 (five) seats shall

be reserved for the Mising Community out of which at least one shall be a woman.

- (2) Every member of the Village Council shall be entitled to such sitting allowances as may be fixed by the Village council subject to the approval of the General council and the Government.
- (3) The elected members of the Village Council shall, at the first meeting after the election, elect from among themselves, in the manner prescribed, -
 - i) One member to be the President who shall also be the Chief of the Village Council, and
 - ii) One member to be the Vice President who shall be the Chief of the Village Council.

Terms of office

- 33.(1) The term of office of the Village Council shall be five years from the date of the first meeting as appointed by the Government after the election of the members unless dissolved earlier under section 68.

Provided that the Government may, if it is satisfied that circumstances exist which render the holding of election, as provided, impracticable, extend the term for a period not exceeding one year.
- (2) Notwithstanding anything contained in sub-section (1) above, the President or the Vice-President of a Village Council shall cease to hold office as such forthwith if he, for any reason, ceases to be a member.
- (3) Notwithstanding anything contained in sub-section (1) or sub-section (2) above, the term of the Village Council shall be co-terminus with the General Council.

Resignation of members of the Village Council.

- 34.(1) Any member of the Village Council may, at any time by giving notice in writing addressed to the President resign his office.

Provided that in case of the President the notice shall be addressed to the Vice President.
- (2) Such resignation shall take effect from such date as specified in the notice or if no such date is specified from the date of its receipt of the office bearer addressed.

Removal of members of the Village Council.

- 35.(1) The President or the Vice-President or both of a Village Council may be removed from office by a resolution carried by a majority of the total number of the elected members at a special meeting of the Village Council called for the purpose upon requisition made in writing by not less than one third of the members of the Village Council.
- (2) The Government after giving in opportunity to an elected member of the Village Council to show cause against the action proposed to be taken against high and after giving a reasonable opportunity of being heard, may by order, remove him from the office, if he—

- a) after his election, is convicted by a criminal court of an offence involving moral turpitude punishable with imprisonment for any period exceeding six months; or
 - b) incurs any of the disqualification mentioned in section 54 after his election as member of the Village Council; or
 - c) is absent from three consecutive meetings of the Village Council.
- (3) Any member of the Village Council who is removed from the office under sub-section (2) above, may within thirty days from the date of the order, appeal to such Judicial Authority as the Government may prescribe and the authority so prescribed, after admitting an appeal may, after complying with the normal and fundamental principles of Judicial Proceedings, pass such order or orders either confirming or modifying or setting aside the order appealed against and the final disposal of the appeal, may pass such other interlocutory order or orders including stay of operation or the order appealed against.
- (4) The order passed by the Judicial Authority referred to in sub-section (3) above, on such appeal shall be final.

Filling up of vacancy In the office of the President or the Vice-President.

36. Any vacancy in the office of the President or Vice-President by, reason of death, resignation, removal or otherwise, shall be filled up within one month from the date of occurrence thereof, from amongst the elected members of the Village Council in the same manner as has been provided in section 32 for the election of the President or the Vice-President, as the case may be.

Salaries, allowances and other emoluments.

- 37.(1) The President and the Vice-President shall be whole time functionaries and shall be paid out of the Village Council fund such salaries and allowances as may be prescribed.
- (2) The other terms and conditions of service of the President and the Vice- President shall be such as may be prescribed.

Powers, Functions and duties of the President and Vice-President

- 38.(1) The President of the Village Council shall be responsible for the maintenance of records of the Village Council, for administrative control and supervision of all officers and employees in the Village Council.
- (2) The President shall exercise such powers, discharge such duties and perform such functions as may be entrusted by the Village Council.
- (3) The Vice-President of the Village Council shall exercise such of the powers perform such of the functions and discharge such of the duties of the President as the President may, from time to time subject to the rules, if any made in this behalf by the Government delegate to him in writing.
- (4) Notwithstanding anything contained in the foregoing sub-sections, neither the President nor the Vice-President shall exercise such powers, perform such functions or discharge

such duties as may be required by the ruled made under this Act to be exercised, performed or discharged by the Village Council at a meeting.

Meeting of the Village Council

- 39.(1) The Village Council shall meet at least once in every month for transaction of its business.
- (2) The meeting of the Village Council shall be held at the office of the Village Council or at such other convenient place at such time as may be notified by the President :

Provided that the first meeting of the Village Council after the election shall be held on such date and time as may be appointed by the Government.

Oath of affirmation

40. Every member of the Village Council shall before taking his seat, make and subscribe, before such person as may be appointed by the Government in his behalf, an oath of affirmation in the manner and form as may be prescribed.

Meeting of the Village Council

41. The Quorum necessary for transaction of business at a meeting of the Village Council shall be 4 (Four) members and the decision of the Village Council shall be by a single majority of votes of the members present.

Office of the Village Council

- 42.(1) There shall be an office of the Village Council at such place as may be determined by the Village Council with the approval of the Government.
- (2) The Government shall, in consultation with the President of the Village Council, appoint a Secretary to the Village Council.
- (3) The Secretary to the Village Council shall be the Chief Executive of the Village Council and shall act under the direction and control of the President. All other officers and staff shall be subordinate to him.
- (4) The Secretary shall be present and take part in the discussion of all meeting of the Village Council or any Committee of the Village Council and may with the consent of the President or any other person presiding over such meeting for the time being, as the case may be, at any time make a statement or give explanation of the facts and circumstances but shall not be entitled to vote in any such meeting.
- (5) The Government may, in consultation with the President, depute such other officers or experts, as may be required to assist the Village Council on such terms and conditions as may be determined by the Government.
- (6) The Government may, from time to time, post such other officer or staff as may be required so as to meet the exigencies but while making such position due regard may be given to the views of the Village Council.

- (7) All Officers and staff posted in the Village Council office shall be accountable to the Village Council for their performances and assessment of their works recorded by the Village Council shall be incorporated in their Annual Confidential Reports by the Government.
- (8) Notwithstanding anything contained in any of the foregoing sub-sections the Government may at any time, in consultation with the President, withdraw the Secretary or any other officer or staff posted or appointed by it in the office of the Village Council.

CHAPTER VI

POWERS AND FUNCTIONS OF THE VILLAGE COUNCIL

Subject to be under the control and administration of the Village Council

43. Notwithstanding anything contained in any other law or rules for the time being in force, the Village Council shall have the executive power in relation to the Village Council Area over the following subjects :
1. Agriculture including Agricultural Extension.
 2. Animal Husbandry, Dairy Development and Poultry.
 3. Fisheries,
 4. Social and Farm Forestry/Minor Forest Produce, fuel & fodder,
 5. Khadi, Village & Cottage Industry,
 6. Rural Housing,
 7. Drinking Water,
 8. Road, Building, culverts, bridges, tunnels, waterways and other means of communication,
 9. Rural Electrification
 10. Nonconventional Energy Sources,
 11. Poverty alleviation programme,
 12. Education including Primary School,
 13. Adult & Non-formal Education.
 14. Libraries,
 15. Cultural Activities,
 16. Markets and Fairs,
 17. Rural sanitation,
 18. Public Health & Family Welfare,
 19. Women & Child Development,

20. Social Welfare including Welfare of Handicapped & mentally retarded,
21. Welfare of weaker section and in particular the SC/ST,
22. Public Distribution System,
23. Maintenance of community assets,
24. Construction and maintenance of Dharamasalas and similar institutions,
25. Construction and maintenance of cattle sheds, pounds, and cart stands,
26. Maintenance of Public parks and play grounds,
27. Construction and maintenance of slaughter houses,
28. Maintenance and regulation of manure,
29. Such other functions as may be entrusted by the Govt. from time to time.

Other matters to be under the control & administration of the Village Council

44. Subject to the general policy of the Government and subject to the general control and supervision of the General Council, the Village Council shall-
 - i) formulate integrated development plan for the Village Council area,
 - ii) implement schemes and programmes for the development of the Village Council Area,
 - iii) have powers to appoint Class-III and Class-IV staff of the Village Council,
 - iv) have powers to regulate trade and commerce within the Village Council Area in accordance with the existing laws including issue of permits of licences to individuals within the Village Council Area,
 - v) guide customs and traditions and social justice of the Mising Community according to their traditional laws and
 - vi) allot permits for trade and commerce to the people residing in the Village Council Area preference being give to the Mising Community.

Power to Impose levy and taxes

45. (1) Subject to the provisions of any other laws for the time being in force and subject to the previous approval of the General Council, the Village Council shall have the power to collect within the Village Council Area such taxes as are payable under the law for the time being force in the manner as may be prescribed :

Provided that the tax or taxes as aforesaid shall be collected from such date as may be appointed by the Government by notification in the behalf in the Official Gazette.
- (2) Subject to sub-section (1) and such maximum rates as the Government may prescribe, the Village Council shall,-
 - a) levy tolls on persons, vehicles or animals of any class, for the use of any bridge,

or road other than kacha road or ferry constructed or established by it :

b) levy the following fees and rates namely :-

- (i) fees on the registration of boats or vehicles
 - (ii) fees for providing sanitary arrangements at such places of worship, pilgrimages, fairs, melas or other public places within the Village Council Area as may be specified by the Government by notification in the Official Gazette
 - (iii) fees for licences
 - (iv) water rates where arrangements for irrigation or drinking water is made by it within the Village Council Area.
 - (v) lighting rate where arrangements for lighting on public streets or places are made by it within the Village Council Area.
- (3) Notwithstanding anything contained in the foregoing sub-sections, the Village Council shall not undertake registration of any vehicle or levy any fee in respect thereof and shall not provide sanitary arrangements at places of worship, pilgrimages, fairs, melas or other public places within the Village Council Area or levy any fees in respect thereof, if such vehicle has already been registered by any other authority under the law for the time being in force or if such provision for sanitary arrangements has already been made by the Government or any other local authority.
- (4) The collection of tolls fees or rates and the terms and conditions for the imposition thereof shall be such as may be prescribed by the bye-laws, Such bye-laws may, inter alia, provide for exemption from all any class or cases.

Power to entrust functions

46. Notwithstanding anything contained in this Act, the Government may, in consultation with the Village Council, entrust either conditionally or without any condition to the Village Council or its officers any functions in relation to any matter not enumerated in Section 43 to which the executive power of the Government extends.

Power to acquire, hold and dispose of property

47. Notwithstanding anything contained in section 31, the Village Council subject to the previous approval of the Government of the Government and subject to such terms and conditions as may be imposed by the Government, shall have the power to acquire, which exceeds rupees, fifty thousand and to enter into any agreement or contract with any party or authority.

CHAPTER- VII

ELECTION

Delimitation

- 48.(1) There shall be 10 (ten) constituencies in a Village Council Area for electing members to the Village Council, Each such constituency shall be single member constituency and shall be territorial.

- (2) There shall be 26 (twenty six) constituencies covering the Council Area for electing members to the General Council. Each constituency shall be a single member constituency and territorial.
- (3) The Government shall, by order published in the Official Gazette, determine the territorial limits of the constituencies into which the Village Council Area or the Council area shall be delimited for the purpose of election of members to the Village Council and the General Council.

Power to amend or alter delimitation

49. Notwithstanding anything contained in section 48 above the Government may, by order published in the Official Gazette, alter or amend the order made under section 48;

Provided that no such order shall be made after the commencement of the election process.
50. (1) Subject to the provisions of this Act and the rules made thereunder, so much of the electoral roll for the Assembly Constituency in force on the last date of nomination, as is relatable to a Village Council Constituency, as defined in clause (b) of section 2, shall be the electoral roll for that Village Council Constituency.
 - (2) The Electoral rolls of the Village Council Constituencies as are relatable to a constituency or the General Council, as defined in clause (b) of section 2, shall be the electoral roll for the constituency of the General Council.
 - (3) Persons whose names are included in the electoral roll as aforesaid in sub-section (1) or (2) above, shall be the electorate for the election of members of the Village Council of the General Council, as the case may be.
 - (4) The Government shall at the time and in the manner prescribed, cause to be published the electoral roll in respect of a constituency.

Right to vote

51. (1) Save as otherwise provided in this Act every person whose name is entered in the electoral roll for the time being in force, of any constituency shall be entitled to vote in that constituency.
 - (2) No person shall vote at an election in any constituency, if he is subject to any of the disqualifications referred to in Section 10 of the Representation of People Ordinance, 1951.
 - (3) No person shall vote in more than one constituency.
 - (4) No person shall vote in the same constituency more than once.
 - (5) No person shall vote at any election if he is confined in a prison, whether under a sentence or imprisonment or otherwise or in the lawful custody of police :

Provided that nothing in this sub-section shall apply to a person subjected to preventive detention under any law for the time being in force.

Election of Members

52. Election of members shall be held in accordance with the rules made under section 60 and the first election for the purpose of constituting the General Council and the Village Council shall be held on such date or dates as the Government may direct in consultation with the Interim Mising Executive Council referred to in Section 80.

Qualification for membership of Village Council or General Council

53. A person shall be qualified to be elected as member or either to the Village Council or the General Council if he is an elector as defined in clause (f) of section 2.

Disqualification for membership of Village Council for General Council

- 54.(1) A person shall not be qualified for being elected either to the Village Council or the General Council, if –

- a) he is not a citizen of India;
- b) he is less than 18 years of age on such date as may be fixed by the Government, or
- c) he has been elected to any Municipality, Panchayat within the State of Assam; or
- d) he is in service of the Central or State Government, Municipality or other authority;
- e) he has either directly or indirectly by himself, or by the person or employer or employee, any share or interest in any contract with, by or on behalf of the Village Council, General Council or Municipality or Panchayat within the Council Area; or

Provided that no person shall be deemed to be so disqualified by reason only of his having a share or interest in a public company, as defined in the Companies Act, 1956, which contracts with or is employed by a Municipal Authority or Panchayat within the Council Area; or (*Central Act of 1956*)

- f) he has been dismissed from the service of the Central or State Government or a local authority or a co-operative society or a Government Company as defined in the Companies Act, 1956 or a Corporation owned or controlled by the Central or the State Government for misconduct involving moral turpitude and five years have not elapsed from the date of such dismissal; or (*Central Act of 1956*)
- g) he has been adjudged by a competent court to be of unsound mind; or
- h) he has been convicted by a court of an offence involving moral turpitude punishable with imprisonment for a period of more than six months or an offence under Chapter IX A of the Indian Penal Code or Chapter III, part III or Part VII of the Representation of peoples Act. 1951 and five years have not elapsed from the date of expiration of the sentence:

Provided that a person shall not be disqualified under this section, by reason only of his being a member, President or Vice-President of the Village Council or a member, Chief Executive Councillor or Executive Councillor of the General Council. (*Central Act No. 43 of 1951*)

Filling of Vacancies

55. Where the office of any member becomes vacant by reason of his death, resignation, removal or otherwise, the vacancy shall be filled by election in accordance with the provisions of this Act and the rules made thereunder.

Validation

56. Where the members elected at an election are restrained from functioning on account of the election as a whole being set aside by order of a court, anything done or any action taken by such members before they are so restrained or before the election is so set aside as the case may be, shall be deemed to have been validly done or taken.

Publication of results of elections

57. The name of all persons elected to Village Council and the General Council shall be published by the Government in the Official Gazette and upon such publication, the Village Council and the General Council; shall be deemed to have been duly constituted.

Vacation of Post

58. If an elected member is chosen to be member of Parliament or the State legislatures and of the General Council in case of member of the Village Council, then at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, as the case may be, of the declaration that he has been so chosen, the seat of such member in the General Council or the Village Council, as the case may be, shall become vacant unless he has previously resigned his seat in the Parliament, or the State Legislature or the General Council as the case may be.

Disputes regarding election

59. (1) No election shall be called in question except by an election petition presented in such manner as may be prescribed and before such authority as may be appointed by the Government, from time to time, by notification in the Official Gazette :

Provided that no person below rank of Assistant District Judge, in case of member of village Council and District Judge, within the meaning of Article 236 of the Constitution, in case of member of the General Council, shall be appointed for the purpose.

- (2) No election shall be called into question except on any one or more of the following grounds, namely :-

- a) that on the date of his election the returned candidate was not qualified or was disqualified to be chosen to fill the seat in the Village Council or the General Council, as the case may be;
- b) That corrupt practice has been committed by the returned candidate or his election agent or by any other person with the consent of the returned candidate or his election agent

- c) the drawing up of programme for election
- d) the nomination of candidates and scrutiny of such nominations
- e) the deposits to be made by the candidates and the time and manner of making such deposits;
- f) the withdrawal of candidature;
- g) the appointment of agents of candidates.,
- h) the filling up of casual vacancies;
- i) the general procedure at the election including the time, place and hours of poll and the methods by which votes shall be cast; the fee to be paid on election petition';
- k) any other matter relating to election or election disputes in respect of which the Government deems if necessary to make rules under this section or in respect of which there is no provision in this Act or the provision is insufficient and in the opinion of the Government, adequate provision is necessary.

CHAPTER VIII

FUNDS, AUDIT AND BUDGET

General Council Fund and Village Council Fund.

61. (1) There shall be two funds to be called respectively the General Council Fund, meant for the General Council and the Village Council Fund meant for the Village Councils.
- (2) Each fund as aforesaid shall be under separate Sub-Heads within the state budget to be held for the purpose of this Act and all moneys realised or realisable under this Act and all moneys otherwise received by the General Council or the Village Council, as the case may be, shall be credited to its respective fund.
- (3) The Government shall provide funds to the General Council Fund and the Village Council Fund from the Tribal Sub-Plan and other resources in accordance with the appropriate formulas to be worked out keeping in mind the resources of the Government, priorities or development works in other areas including other tribal areas along with other relevant deciding factors.
- (4) The following shall be deposited to the Village, Council Fund:-
- a) Contribution and grants received from the Government.
 - b) Contribution and grants from the General Council.
 - c) All receipts on account of donation, rates, fees, taxes etc.
 - d) All other sums received by or on behalf of the Village Council.
 - e) Land Revenue and local rates, if any, on land including Tea Garden, which has in the Village Council Area.

- (5) The allocation made under these Sub-Heads shall be in keeping with the guidelines laid down by the Government of India from time to time in the spirit of the Constitution of India.
- (6) The Government shall not divert the fund allocated under these Sub- Heads except in exigencies of when there is unavoidable budget deficit.
- (7) All funds, as may be allocated by the Central Government or the State Government for the General Council or the Village Council, as the case may be, shall be assigned to it and shall be credited to the General Council Fund or the Village Council Fund, as the case may be.
- (8) The General Council or the Village Council, loans by as the case be subject to the provisions of loans by any law relating to the raising of local authorities, may raise with the approval of the Government loans for the purposes of this Act and create a sinking fund for the repayment of such loan.
- (9) The money credited to the General Council Fund or the Village Council Fund shall be applied for the payment of all sums, charges and costs necessary for carrying out the purposes of this Act.
- (10) No payment shall be made out of the General Council Fund or the Village Council Fund unless such expenditure is covered by a current budget grant:

Provided that the General Council or the Village Council as the case may be, may make payments in terms of refund of deposits by contractors or for urgent works undertaken in an emergency or when required by the Government in the interest of the public or under the decree or order of a civil or criminal court against the General Council or the Village Council, as the case may be, and for such other cases as may be prescribed:

Provided further that such expenditure shall be reported to the General Council or the Village Council, as the case may be, for taking such action under the provisions of this Act as may appear to it to be feasible for covering the amount of such payments

- (11) Surplus money,, standing at the credit of the General Council or the Village Council its the case silly be, at the end of the Financial Year, shall be invested in accordance with such bye-laws as may be made by the General Council, in this behalf :

Provided that no funds standing at the credit of the General Council or the Village Council, as the case may be, shall be lapsed but shall be carried over to the budget of the next financial year.

- (12) The General Council shall make bye-laws for the management of the General Council Fund and the Village Council Fund and for the procedure to be followed in respect of payment of money into the said funds, withdrawal of moneys therefore, the custody of the moneys therein and any other matter incidental thereto or connected therewith.
- (13) The accounts of the General Council and the Village Council shall be kept In such form and manner as may be prescribed in consultation with the Accountant General, Assam.

Audit.

62. Subject to the provisions of the Comptroller and Auditor General's (Duties, Power and Conditions of Service Act, 1971 and the rules and the Act 56 of orders made there under, the audit of the accounts of the General 1971, Council shall be entrusted by the Government to the Comptroller and Auditor General of India who may submit to Government such report therein as it may fit. The Government shall transit the report to the General Council and the Village Councils for discussion and consideration. The General Council and the Village Councils shall return the report to the Government with comments, if any, the Government shall lay such report along with the comments of the General Council and the Village Councils before the State legislature.
63. (1) The General Council shall at such time and in such manner of its estimated receipts and disbursements for the following financial year and submit it to the Government by 1st November of the current financial year. The Village Councils also shall prepare its budget in the like manner and shall submit the same to the General Council for Consideration and onward transmission to the Government on or before the 1st October of the current financial year.
- (2) The Government may within such time as may be prescribed, either approve the budget or return it to the General Council or the Village Council concerned, as the case may be, for reconsideration on the observations of the Government, if any. The General Council or the Village Council concerned as the case may be, shall thereupon resubmit the budget along with its comments on the observations and if the approval of the Government upon such submission or resubmission as the case may be, is not received by the budget shall be deemed to have been approved by the Government.
- (3) No expenditure shall be incurred unless the budget of the Village Council as well as the budget of the Village Councils are either approved or deemed to have been approved by the Government.

CHAPTER - IX

MISCELLANEOUS

Effect of bye-law, etc.

64. All the bye-laws, regulations made, orders passed and notification issued bye-law, etc. under this Act by the General Council or the Executive Council or the Village Councils as the case may be shall be subject to maintenance of security and safety of the State of Assam and Government shall have the powers to take such steps as may be deemed necessary for the purpose.

Power to Issue Instruction

65. The Government shall have the general power to issue instructions from time to time Instruction to time for the purpose of implementation of this Act.

Protection of right of the non-tribals and other ethnic group

66. All right and interest of the non-tribal citizens and other ethnic groups other than the Mising Community within the Council Area as exist at the commencement of

this Act, in matters pertaining to their language, literature, culture, religion, customs and traditions, trade and Commerce, Industry, land, etc. shall be protected.

Properties situated in the Council Areas

67. (1) Subject to such restrictions as the Government may impose, all properties specified below and situated in the Council Area shall vest in and belong to General Council, namely :-
- a) All public buildings constructed or maintained out of the General Council Fund.
 - b) All public roads which have been constructed and maintained out of the General Council Fund and stones and other materials thereof and also trees, erections, materials, implements and things provided for such roads;
 - c) All land and other properties movable and immovable transferred to the General Council by the Government.
 - d) Such properties owned and controlled by the Municipality or the Panchayat as may be assigned to the General Council by the Government.
- (2) Notwithstanding anything contained in sub-section (1) above all the properties specified in sub-section (1) and constructions and maintenance of which has been done out of the Village Council Fund shall vest in the property is situated.
- (3) The properties vested under sub-section (1) or (2) above and all the properties which become vested in the General Council, as the case may be, shall be under the management, direction and control of General Council or the Village Council concerned as the case may be.

Dissolution of General Council & Village Council

68. (1) The Governor may, if he is satisfied, on receipt of a report or otherwise and in consultation with the Judicial Department of the Government that a situation has arisen in which the administration of the Council Area cannot be carried out Councils, & Village Council. In accordance with the provisions of the law for the time being in force or the general or the special instructions issued by the Government from time to time, by notification in the Official Gazette, dissolve the General Council, the Executive Council and the Village Council before the expiry of the term and assume to himself all or any of the powers and functions of the General Council, the Executive Council and shall be exercised by such persons or authority as may specify in this behalf for a period not exceeding six months at a time.
- (2) Every order made under sub-section (1) above shall be laid before the State Legislature for approval and unless approved by the State Legislature shall cease to operate on the expiry of thirty days from the date on which the Assam legislative Assembly first sits after the issue of the orders.

Effect of dissolution

69. When an order of dissolution is made under section 68, with effect from the date of orders :-
- a) All the members of the General Council, the Executive Council and the Village Councils shall vacate their offices; and

- b) all powers and duties, functions of the General Council, the Executive Councils and the Village Council shall be exercised, discharged and performed by- such authorities or persons as may be appointed by the Governor in this behalf.

Special provision for Council Areas

70. The Government shall consult and give due regard to the views of the General Council before any law is made and implemented in the Council Area on the following subjects, namely: -
- (i) the religious and social practice of the Mising Community
 - (ii) the customary laws and procedures of the Mising Community
 - (iii) ownership and transfer of land within the Council Area ;

Reservation for services.

71. Subject to the provisions of the law for the time being in force the General Council shall have the power to reserve jobs for the Scheduled Tribes within its jurisdiction.

Members, Officers and employees to be public servants.

72. The Chief Executive Councillors, Deputy Chief Executive Councillor the Executive Councillor of the General Council and the President and the Vice-President of the Village Council shall be deemed to be public servants within the meaning of section 21 of the Indian Panel Code.

Validation.

73. No act or proceedings of the General Council or the Executive Council or the Village Council, as the case may be, shall be deemed to be invalid merely by reason of existing of any vacancy therein or any defect or irregularity in the constitution thereof.

Immunity.

74. No suit or other legal proceeding shall lie against the General Council or the Executive Council or the Village Council or any member or officer or employee thereof for anything done in good faith or intended to be done in pursuance of this Act, or any rules or bye-law made thereunder.

Interpretation.

75. If any question arises as to the interpretation of this Act or the rules made thereunder the same shall be referred to the Government whose decision thereon shall be final.
76. If an difficulty arises in giving effect to any provision of this Act, the Government may, by order, do, anything not inconsistent with the provisions of this Act as may appear necessary or expedient for the purpose of removing the difficulty.

Special status.

77. The General Council shall, within the law for the time being in force, take steps to protect the demographic complexion of the areas falling within its jurisdiction.

Application of Act of the Legislature of the State

78. If any provision of the bye-law made by the General Council is repugnant to any provision of the law made by the Legislature of the State of Assam, with respect to that matter then the bye-laws so made, whether before or after the made by the Legislature of the State of Assam, shall to the extent of repugnancy be void and the law made by the Legislature shall prevail.
79. i) Every rules made under this section shall be laid as soon as may be after it is made before the State Legislature, while it is in session for total period of fourteen days which may be comprised in one session or in two or more successive sessions and if before the expiry of the sessions immediately following the session or the successive sessions aforesaid, the State Legislature agree in making any modification in the rule or State Legislature agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be:

Provided however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.

Transitional Provisions

80. The Government shall, as soon as possible, take steps for the constitution of an Interim Mising Executive Council by nomination until the General Council is constituted under this Act. The Interim Executive Council by nomination until the General Council shall, in addition, look after the duties of the Village Councils till the same are constituted under this Act.

Saving

81. Nothing in this Act shall affect the applications of any law, whether made before or after this Act, to the Council Area unless such law specifically provides for exclusion of the Council Area of such application.

Explanation :-

For the purpose, of this section 'Law' shall, include any enactment, Ordinance, regulation, order, bye-law, rules, scheme, notification or other instrument having the force of law.

- 82.(1) The Mising Autonomous Council Ordinance, 1995 (*Assam. Ordinance No. VI of 1995*) is hereby repealed. (*Assam ordiance No VI of 1995*)
- (2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

M. K. DEKA,

Joint Secretary and i/c Secretary to the Govt. of Assam,

Legislative Department.

ASSAM ACT NO. XI 01: 1993

(Received the assent of the President on the 13th May, 1993)

THE BODOLAND AUTONOMOUS COUNCIL ACT, 1993

AN

ACT

To provided for the establishment of an Administrative Authority in the name and style of "BODOLAND AUTONOMOUS COUNCIL" and for certain matters incidental thereto and connected therewith.

Preamble

Whereas it is expedient to provide for the establishment of Bodoland Autonomous Council within the State of Assam with maximum autonomy within the framework of the Constitution comprising contiguous geographical areas between the river Sankosh and Mazbat the river Pasnoi for social, economic, educational, ethnic and cultural advancement of the Bodoland resident therein.

It is hereby enacted in the Forth-fourth Year of the Republic of India as follows:-

CHAPTER - 1

Short title extent and commencement

1. (1) This Act may be called the Bodoland Autonomous Council Act ,1993
- (2) It extends to the Bodoland Autonomous Council Area.
- (3) It shall come into force on such date as the State Government may by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of the Act.

Definitions.

2. In this Act unless the context otherwise requires.
 - a) "Constitution" means the Constitution of India.
 - b) "Constituency" means a constituency provided by an order made under section 6 for the purpose election to the General Council.
 - c) "Council Area" means the Bodoland Autonomous Council Areas.

- d) "Council Fund" means the fund constituted under section 46.
- e) "Executive Council" means the Bodoland Executive Council constituted under section 35.
- f) "Elector" in relation to a constituency means a person whose name is entered in the electoral roll of that constituency for the time being in force.
- g) "Government" means the State Government of Assam.
- h) "Governor" means the Governor of Assam.
- i) "General Council" means the General Council constituted under section 5.
- j) "Gaon Panchayat", "Anchalik Panchayat" and "Mahkuma Parishad" have the same meaning as defined the Assam Panchayati Raj Act, 1986 (Assam Act, XVII of 1986)
- k) "Member" means the member of the General Council and the Executive Council.
- l) "Municipality" has the same meaning as in the Assam Municipal Act, 1956 (Assam Act XV of 1957)
- m) "Notification" means the notification issued under this Act.
- n) "Official Gazette" means the Official Gazette of Assam.
- o) "Prescribed" means prescribed by rules made under this Act.

Bodoland Autonomous Council.

3. (1) There shall be an Autonomous Council to be called the Bodoland Autonomous Council within the State of Assam comprising the areas as may be specified by the Government by notification in the Official Gazette.
- (2) The Bodoland Autonomous Council shall have maximum autonomy within the framework of the Constitution.
- (3) The Bodoland Autonomous Council shall have a General Council and an Executive Council to be known as the Bodoland Executive Council as provided hereinafter

Incorporation of General Council.

4. The General Council shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property and to contract and shall by its corporate name sue or be sued.

Constitution of General Council

5. The General Council shall consist of 40 (forty) elected members of which 30 (thirty) seats shall be reserved for Schedule Tribes (Plains) on the basis of adult suffrage from the territorial constituencies referred to in section

Delimitation

6. (1) There shall be 40 (forty) constituencies covering the Council Area for electing members to the General Council. Each constituency shall be a single member constituency and shall be territorial.

- (2) The Government shall by order published in the Official Gazette, determine the territorial limits of the constituencies into which the Council Area shall be delimited for the purpose of election of members to the General Council.

Power to alter or amend delimitation

7. The Government may, by order, published in the Official Gazette, alter or amend any order made under section 6.

Qualification for membership of General Council

8. A person shall not be qualified to be elected as a member of the General Council unless he is an elector as defined in clause (f) section 2.

Disqualification for membership of General Council

9. (1) A person shall not be qualified for being elected to the General Council, if
- a) he is not a citizen of India; or
 - b) he is less than 18 years of age on such date as may be fixed by the Government; or
 - c) he has been elected to any Municipality Panchayat within the State of Assam; or
 - d) he is in service of the Central or State Government, Municipality or other authority; or
 - e) he has, directly or indirectly by himself or by his person or employer or employee any share or interest in any contract with, by or on behalf of the General Council or a Municipality or Panchayat within the Council Area ;

Provided that no person shall be deemed to be to be so disqualified by reason only of his having a share or interest in any public company as defined in the Companies Act, 1956 which contract with or is employed by a Municipal Authority or Panchayat within the Council Areas; or

- f) he has been dismissed from service of the Central or State Government or a local authority or a Co-operative society or a Government company as defined in the Companies Act, 1956 or a Corporation owned or controlled by the Central or the State Government for misconduct involving moral turpitude and five years have not elapsed from the date of such dismissal; or
 - g) he has been adjudged by a competent Court to be of unsound mind; or
 - h) he is an undischarged insolvent; or
 - i) he being a discharged insolvent has not obtained from the Court a certificate that his insolvency was caused by misfortune, without any misconduct on his part; or
 - j) he has been convicted by a Court of an offence involving moral turpitude punishable with imprisonment for a period of more than six months or an offence under Chapter IX A of the Indian Penal Code, or Chapter III or Part VII of Representation of people Act, 1951 and five years have not elapsed from the date of expiration of the sentence.
- (2) For the purpose of this section a person shall not be deemed to hold an office of profit under the General Council by reason only of his being a member Chief of the Executive Council or Deputy Chief of the Executive Council thereof.

Electoral Rolls

10. (1) So month of the electoral roll for any Assembly Constituency in force on the last date of nomination for the General Council election as relates to the area comprised within a constituency, as defined in Clause(b) of section 2 shall, subject to the provision of this Act and the rules made thereunder, be the electoral roll for the election of members of the General Council from that constituency.
- (2) Persons whose name are included in the electoral roll of the relevant Assembly Constituency in force on the last date of nomination for General Council election pertaining to the area shall be electorate for the election of members of the General Council.
- (3) The Government shall, at the time and in the manner prescribed, cause to be published the electoral roll in respect of a constituency.

Right to Vote

11. (1) Save as otherwise provided in this Act, every person whose name is, for the time being entered in the electoral roll of any constituency shall be entitled to vote in that constituency.
- (2) No person shall vote an election in any constituency, if he is subject to any of the disqualification's referred to in section 10 of the Representation of the People Act 1951.
- (3) No person shall vote in more than one constituency.
- (4) No person shall vote in the same constituency more than once.
- (5) No person shall vote at any election if he is confined in a prison, whether under a sentence of imprisonment or otherwise or in the lawful custody of the police;

Provided that nothing in this sub-section shall apply to a person subject to preventive detention under any law for the time being in force.

Election of members

12. Election of members shall be held in accordance with the rules made under section 19 and the first election for the purpose of constituting the General Council shall be held on such date or dates as the Government may direct consult with the interim Badland Executive Council referred to in section 50.

Filling up of Vacancies

13. If the office of member becomes vacant by reason of his death resignation or otherwise, the vacancy shall be filled by election in accordance with the provisions of this Act and the rule made thereunder.

Validation

14. Where the members elected at an election are restrained from functioning on account of the election as a whole being set aside by order of a Court, anything done or any action by such members before they are so restricted or before the election is so set aside, as the case may be, shall be deemed to have been validly done or taken.

Publication of results of election

15. The names of all persons elected to the General Council shall be published by the Government in the Official Gazette and upon such publication, the General Council shall be deemed to have been duly constituted.

Vacation of Post

16. If an elected member is chosen to be a member of Parliament or the State legislature then, at the expiration of fourteen days from the date of publication in the Gazette of India or the Official Gazette, of the declaration that he has been so chosen, the seat of such member in the General Council shall become vacant unless he has previously resigned his seat in Parliament or the State Legislature, as the case may be.

Terms of Office of members

17. The elected members shall hold office for a period of five years from the date appointed by the Government for the first meeting of the General Council after the election for constitution of the General Council, unless it is dissolved earlier under section 52.

Provided that the said period of five years may if the circumstances exist which, in the opinion of the Governor, render the holding of the election as aforesaid impracticable, be extended by the Governor for a period not exceeding one years.

Removal of members

- 18.(1) The Government may, after giving an opportunity to an elected member of the General Council to show cause against the action proposed to be taken against him, by order removal him from office,
- a) if after his election he is convicted by a criminal Court of an offence involving moral turpitude punishable with imprisonment for a period of more than six months; or
 - b) if he incurs any of the disqualification's mentioned in sub-section (1) of section 9 after his election as a member of the General Council; or
 - c) if he is absent there consecutive meetings of the General Council without the leave of the General Council.
- (2) Any member of the General Council who is removal from the office under sub-section (1) may, within thirty days from the date of the order, appeal to such judicial authority as the Government may appoint in this behalf, and thereupon , the authority so appointed may stay the operation of the order till the disposal of the appeal and may, after giving notice of the appeal to such authority as may be prescribed and after giving the appellant an opportunity of being heard, modify, set aside or confirm the order.
- (3) The order passed by the authority appointed under sub-section (2) on such appeal shall be final.

Powers to make rules regulating the election of members

19. The Government may be, by notification in the Official Gazette, make rules to regulate all or any of the following matters for the purpose of holding of elections to the General Council under this act,

- a) the designation of the Officer or authority to whom the power to determine the territorial limits of constituencies under sub-section (2) of section 6 may be delegated and the officer or authority who may prepare and maintain the election roll under section 10;
- b) the appointment of Returning Officers, Presiding Officers and Polling Officers for election;
- c) the drawing up of the programme of election;
- d) the nomination of candidates and the scrutiny of such nomination;
- e) the deposits to be made by candidates and the time and manner of making such deposit;
- f) the withdrawal of candidature;
- g) the appointment of against of candidates;
- h) the filling up of casual vacancies;
- i) the general procedure at the election including the time place and hours of poll and the method by which votes shall be cast;
- j) the fee to be paid on election petition;
- k) any other matter relating to election or election disputes in respects of which the Government deems it necessary to make rules under this section or in respect of which there is no provision in this Act; or the provision is insufficient and in the opinion of the Government adequate provision is necessary.

Disputes regarding election

- 20.(1) No election shall be called in question except by an election petition presented in such manner as may be prescribed and before such authority as may be appointed by the Government from time to time by notification in the Official Gazette.

Provided that no person below the rank of a District Judge within the meaning of Article 236 of the Constitution shall be appointed for the purpose.

- (2) No election shall be called in question except on any one or more of the following grounds, namely:-

- a) that on the date of his election the returned candidate was not qualified or was disqualified to be chosen to fill the seat in the General Council;
- b) that a corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of the returned candidates or his election agent:-

Explanation- For the purposes of this section, "corrupt practice" shall mean any of the corrupt practices specified in section 123 of the representation of the People Act, 1951;

- c) that any nomination has been improperly rejected;
- d) that the result of the election in so far as it concerns the returned candidate has been

materially affected-

- (i) by the improper acceptance of any nomination; or
 - (ii) by any corrupt practice committed in the interest of the returned candidate by an agent other than his election agent; or
 - (iii) by the improper reception, refusal or rejection of any vote; or
 - (iv) by the reception of any vote which is void; or
 - (v) by any noncompliance with the provisions of this Act, or any rules or order made thereunder.
- (3) At the conclusion of the trial of an election petition the authority appointed under sub-section (1) shall make an order-
- a) dismissing the election petition; or
 - b) declaring the elections of all or any of the returned candidates to be void; or
 - c) declaring the election of all or any of the returned candidates to be void and the petitioner or any other candidate to have been duly elected.
- (4) If a petitioner, in addition to calling in question the election of a returned candidate, make a declaration that he himself or any other candidate has been duly elected and the authority under sub-section (1) is of opinion that-
- a) in fact the petitioner or such other candidate has received the majority of votes; or
 - b) but for the votes obtained by the returned candidate by corrupt practice the petition or such other candidate would have obtained the majority of the valid votes, the authority as aforesaid shall, after declaring the election of the returned candidate to be void declare the petitioner or such other candidate, as the case may be, to have been duly elected.

Oath or affirmation by member

21. Every member shall, before taking his seat, make and subscribe before such person as may be appointed by the Governor from amongst the, elected members of the General Council, in this behalf, an oath or affirmation according to the prescribed form.

Allowance of members

22. Every member shall be entitled to receive such allowances as may be fixed by the General Council and as may be approved by the Government.

CHAPTER – II

POWER AND FUNCTIONS OF THE GENERAL COUNCIL

Conduct of business

- 23.(1) The General Council shall meet for the conduct of business once in every three months and shall conduct its business in such manner and in accordance with such procedures as may be determined by it regulation.

- (2) The quorum necessary for the transaction of business at a meeting of the General Council shall be thirteen members and the decision of the General Council shall be by a single majority of votes of the members present.

Matter to be under the control and administration of the General Council.

24. Subject to the provisions of this Act and any other law for the time being in force the General Council shall have executive powers in the area relating to the following subject, namely:-
- (1) Cottage Industry
 - (2) Animal Husbandry and Veterinary
 - (3) Forest
 - (4) Agriculture
 - (5) P.W.D.
 - (6) Sericulture
 - (7) Education
 - a) Adult Education
 - b) Primary Education
 - c) Upto Higher Secondary including vocational training.
 - (8) Cultural Affairs
 - (9) Soil Conservation
 - (10) Co-operation
 - (11) Fisheries
 - (12) Panchayat and rural Development
 - (13) Handloom and Textile
 - (14) Health and Family welfare
 - (15) Public Health Engineering
 - (16) Irrigation
 - (17) Social Welfare
 - (18) Flood control schemes for protection of villages (non of highly technical nature)
 - (19) Sports and Youth Welfare
 - (20) Weights and Measures
 - (21) Library Services
 - (22) Museums and Archaeology

- (23) Urban Development- Town and Country Planning
- (24) Tribal Research Institute
- (25) College Education(General)
- (26) Land, Land Revenue and Revenue
- (27) Publicity /Public Relations
- (28) Printing and Stationary
- (29) Tourism
- (30) Transport
- (31) Any other matter connected with development.
- (32) Municipal Corporation Improvement Trust District Boards and other local self Government or village administration.
- (33) Tribal Welfare
- (34) Markets and fairs
- (35) Lotteries, Theatres, Dramatic Performance and Cinemas.
- (36) Vital Statistics including registration of Births and Deaths.
- (37) Food and Civil Supplies.
- (38) Intoxicating liquors opium and derivatives etc.

General Powers

25. Subject to the general policy of the Government the general Council shall
- i) formulate integrated development plans for the Council Area;
 - ii) implement schemes and programmes for development of the council Area;
 - iii) have power to appoint class III and class IV staff within its jurisdiction;
 - iv) have powers to regulate under and commerce within its jurisdiction in accordance with the existing law including issue of permits and licenses to individuals within the Council Areas;
 - v) guide customs and traditions and social Justice of the Bodos according to the traditional law;
 - vi) organizes special recruitment drive into army, Par-military forces and Police units for job appointment from the Council Area in consultation with the Central Government;
 - vii) allot permits for trade and commerce to the people residing in the Council Area preference being given to the Bodos.

Powers to acquire to held and dispose of property etc. to be subject to

Govt. approval

26. The power of General Council to acquire hold and dispose of property and to entire into contracts shall be subject to the condition that in cases of acquisition or disposal of immovable property the General Council shall obtain previous approval or the Government .

Power to make by-law

27. (1) The General Council shall have powers subject to the provision of the Act and the rules made thereunder to make by laws rules orders to be applicable within the council Area with respect to all or any of the matters enumerated in section 24 for the regulation and control thereof.
- (2) All by-laws made under sub-section (1) shall have affect upon their publication in the Official Gazette.

Power to entrust function

28. Notwithstanding anything contained in this Act, the Government may after consultation with the General Council entrust either conditionally or unconditionally to the General Council or its officers functions in relation to any matter not enumerated in section 24 to which the executive power of the State extends.

Property vested in General Council

29. Subject to such restriction as the Government may think fit to impose all properties specified below and situated in the Council Area shall vest in and belong to the General Council with all other properties which may become vested in the General Council and shall be under the direction, management and control of the General Council and shall be held and applied by it for the purposes of this act, namely:-
- a) all public building constructed or maintained-out of the Council Fund
 - b) all public roads which have been contracted or maintained out of the Council Fund and stones and other materials thereof and also trees, creations materials implements and thing provided for such roads.
 - c) all lands and other properties movable or immovable tranferred to the General Council by the Government.
 - d) such properties owned and controlled by the Municipality Panchayat as may be assigned to the General Council by the Government.

Power to impose levy and collect taxes and fees

30. (1) Subject to the provision of any other laws for the tome being in force General Council shall have power to collect within the Council Area such taxes payable under any laws for time being in force as may be prescribed.
- Provided that the tax or taxes as aforesaid shall be collected by the General Council from such date as may be appointed by the Government in this behalf by notification in the Official Gazette.
- (2) Subject to sub-section (1) and such maximum rates as the Government may

prescribed, the General Council may-

- a) levy tolls on persons vehicles or animals or any class of them at any toll bar established by it on any road other than a hutch road or any bridge vested in it or under its management;
- b) levy tolls in respect of any ferry establishment by it or under its management;
- c) levy the following fees and rates, namely:-
 - (i) fee on the registration of boats or vehicles;
 - (ii) fee for providing sanitary arrangements such places of worship or pilgrimage fairs and meals within its jurisdiction as may be specified by the Government by notification in the Official Gazette;
 - (iii) fee for licenses;
 - (iv) water-rate where arrangement at for the supply of water for drinking, irrigation or any other purpose is made by the General Council within its jurisdiction;
 - (v) lighting rate where arrangement for lighting of public streets and place is made by the General Council within its jurisdiction.
- (3) The General Council shall not undertake registration of any vehicles or levy fee thereof and shall not provided sanitary arrangement at place of worship or pilgrimage fairs and meals within its jurisdiction or levy fee thereof if such vehicles has already been registered by any other authority under law for the time being in force or if such provision, for sanitary arrangement has already been made by any other local authority.
- (4) The scale of tools, fees for rates and the terms and conditions for the imposition there of shall be such as may be provided by byelaws. Such byelaws may provide for exemption from all or any of the tools, fees or rates in any class of cases.
- (5) The General Council will levy fees and taxes or the subjects assigned to the Bodoland Autonomous Council.

CHAPTER - III

CHIEF OF THE BODOLAND EXECUTIVE COUNCIL AND DEPUTY CHIEF OF THE BODOLAND EXECUTIVE COUNCIL.

31. The elected members of the General council shall in the prescribed manner elect from amongst themselves -
 - a) At the first meeting of the General council after General Election
 - (i) One member to be Chairman who shall also be the chief of Bodoland Executive Council.
 - (ii) One member to be the Vice Chairman who shall also be the Deputy Chief of Bodoland Executive Council
 - b) As often as a vacancy in the office of the Chief of the Bodoland Executive Council or the Deputy Chief of the Bodoland Executive Council as the case may be occurs

by reason of death, resignation, removal or otherwise and within one month of occurrence of such vacancy one member to be the Chief of the Bodoland Executive Council or Deputy Chief of the Bodoland Executive Council.

Terms of Office

32. The Chief of the Bodoland Executive Council or the Chief of the Bodoland Executive Council, as the case may be -
- a) Shall cease to hold office as such forthwith if he ceases to be a member
 - b) May at anytime by giving notice in writing to the Chief of the Bodoland Executive Council in the case of Chief of the Bodoland Executive Council and to the Deputy Chief of the Bodoland Executive Council in the case of the Chief of the Bodoland Executive Council, resign his office and such resignation shall take effect from such date as may be specified in the notice or if no such date is specified from the date of its receipts by the Chief of the Bodoland Executive Council as the case may be :
 - c) May be removed from office by a resolution carried by a majority of the total number of elected members at a special meetings of the general council called for this purpose upon a requisition made in writing by not less than one third of such members.

Salaries and Allowances

33. The Chief of the Bodoland Executive Council and the Deputy Chief of the Bodoland Executive Council shall be whole time functionaries and shall be paid out of the Council Fund such salaries and allowances and shall be entitled to such terms and conditions as may be prescribed.

Powers, Functions and Duties

- 34.(1) The Chief of the Bodoland Executive Council shall
- a) Be responsible for the maintenance of the records of the General Council
 - b) Have general responsibility for the financial and executive administration
 - c) Exercise administrative supervision and control over all officers and employees of the General Council and the officers and employees whose services may be placed at the disposal of the General Council by the Government.
 - d) For the transaction of the business under this act or for the purpose of making any other under this act, exercise such powers, perform such functions and discharge such as may be exercised, performed or discharged by the General Council under this Act or the rules made thereunder.

Provided that the Chief of the Bodoland Executive Council shall not exercise such power perform such function or discharge such duties as may be required by the rules made under this Act to be exercised performed and discharged by the General Council at a meeting.

- e) Exercises such other power, perform such other functions and discharge such other duties as the general Council may , by general or special resolution, direct or as the Government may , by rules made in this behalf, prescribe.

- (2) The deputy Chief of the Bodoland Executive Council shall exercise such of the power perform such of the functions and discharge such of the duties of the Chief of the Bodoland Executive Council as the Chief of the Bodoland Executive Council may from time to time subject to the rules made in this behalf by the Government delegate to him by order in writing.

CHAPTER - IV

BODOLAND EXECUTIVE COUNCIL AND ITS COMMITTEES

Executive Council

35. (1) There shall be an Executive Council to be called the Bodoland Executive Council, consisting of the Chief of the Bodoland Executive Council and the Deputy Chief of the Bodoland Executive Council as the ex-office members and seven other members of the General Council all of whom shall be mentioned by the Chief of the Bodoland Executive Council from amongst the elected members of the General Council.
- (2) On completion of the election the Governor shall invite the leader of the party enjoying simple majority to be the Chief of the Bodoland Executive Council to constitute the Executive Council.
- (3) The Chief of the Bodoland Executive Council and the Deputy Chief of the Bodoland Executive Council shall respectively be the Chairman and the Vice Chairman of the Executive Council.
- (4) Any casual vacancy among the members of the Executive Council referred to in subsection (1) occurring by reason of death, resignation or otherwise shall be filled by the Chief of the Bodoland Executive Council.
- Provided that no act on proceeding of the Executive Council shall be called in question or shall become invalid merely by reason of any vacancy among its members.
- (5) The manner of transaction of business of the Executive Council shall be such as may be determined by the general council by regulations with approval of the Government.
- (6) The executive Council shall be collectively responsible to the General Council.

Terms of Office of other Members of Executive Council

36. A member of Executive Council other than the Chief of the Bodoland Executive Council or the Deputy Chief of the Bodoland Executive Council shall hold office until.
- a) He ceases to be member of the General Council : or
- b) He resigns his office in writing under his hand addressed to the Chief of the Bodoland Executive Council in which case the resignation shall take effect from the date of its acceptance : or
- c) His nomination is cancelled by the Chief of the Bodoland Executive Council

Discharge of Functions

- 37.(1) The executive functions of the General Council shall vest in the Executive Council.
- (2) All orders or instructions made or executed by the Executive Council shall be deemed to have been made or executed by or under the authority of the General Council. Every such order or instrument shall be authenticated by the signature of the Head of the Executive Council or any other member of the Executive Council.

General Powers of Chief of the Executive Council

- 38.(1) The Chief of the Bodoland Executive Council shall exercise such power and discharge such functions as are conferred on him by or under this act.
- (2) The Chief of the Bodoland Executive Council shall for convenient transactions of business of the Executive Council allocate among its members such business and in such manner as he thinks fit.

Meetings

39. The Chief of the Bodoland Executive Council shall preside over meetings of the General Council and the Executive Council. The Executive Council shall meet not less than once in every three months from the transaction of business as such place and at such time as the Chief of the Bodoland Executive Council may direct.

Quorum

40. The quorum necessary for the transaction of business at a meeting of the Executive Council shall be five members.

Special Power of the Chief of the Executive Council

- 41.(1) In any case in which of the Chief of the Bodoland Executive Council is required to like in accordance with provisions of the Act of the rules made thereunder of any other law for the time being in force any action subject to the approval of the Executive Council, the Executive Council may subject to such conditions, if any as if any specify authorise the Chief of the Bodoland Executive Council in writing to take such action in anticipation of such approval.
- (2) Whenever the Chief of the Bodoland Executive Council takes any action under subsection (1) he shall inform the executive Council forthwith.

CHAPTER - V

SECRETARIAT OF BODOLAND AUTONOMOUS COUNCIL

Principal Secretary

42. There shall be Secretariat for the Bodoland Autonomous Council the establishment of which shall be as follow ;-
- (1) There shall be a Principal Secretary as the Head of the Bodoland Autonomous secretariats.
- (2) The Principal Secretary referred to in subsections (1) shall be appointed by the

Government in consultation of the Chief of the Bodoland Executive Council and shall be paid out of the Council Fund such salaries and allowances may, from time to time be fixed by the Government. Such appointment shall ordinary be a period of three years.

- (3) The Principal Secretary shall be Principal Executive Council of the General Council and all other officers of the General Council shall be subordinate to him. His presence will be compulsory at the meeting of the General Council or the Executive Council or of any committee of the General Council and to take part in the discussion in all the meetings, and may with the consent of the Chief of the Bodoland Executive Council or any other person presiding over such meeting for the time being as the case may be at any time make a statement or give an explanation of facts but he shall not be entitled to vote.
- (4) The Principal Secretary act under the direction of the Chief of the Bodoland Executive Council and shall be responsible to the General Council through the Chief of the Bodoland Executive Council.
- (5) The general Council may, upon a resolution carried at a special meeting held for the purpose and supported by a majority of the total number of members holding office for the time being, request the Government for replacement of the Principal Secretary appointed under subsection (2) and the Government may, on being satisfied as to the necessity of such replacement, replace the Principal secretary.

Provided that the Government may at any time withdraw the Principal Secretary appointed under subsections (2) in consultation with the Chief of the Bodoland Executive Council.

Appointment of Other Secretary

43. The Government may appoint such other Secretaries for the General Council on such terms and conditions as the Government may determine in consultation with Chief of the Bodoland Executive Council.

Deputation of Other Officers

44. The Government may, in consultation with the Chief of the Bodoland Executive Council depute such other officers and experts as may be required to assist the General Council on such terms and conditions and as the Government may determine.

Officers and Other Employees

- 45.(1) The government may from time to time post officers of the rank of class - II and above within the Council area in accordance with the exigencies. While making these posting due regards may be given to the views of the General Council about the officers being so posted.
- (2) The officers posted to the Council Area shall be accountable to the General Council for their performance and assessment of their works recorded by the Executive council shall be incorporated in their Annual Confidential Reports by the Government.

Funds and Audit

46. Council Fund

- (1) There shall be a fund to be called the "COUNCIL FUND" under the separate Sub-Head within the State budget to be hold for the purpose of this Act and all moneys otherwise received by the General Council shall be credited thereto.
- (2) The allocation made under this Sub-Head shall be keeping with the guided lines laid down by the Government of India from time to time in spirit of the Constitution of India.
- (3) The Government shall not divert the fund allocated under this Sub-Head except in exigencies when there is unavailable budget deficit.
- (4) All fund as may be allocated by the Central Government or the state Government for the General Council shall be assigned to it and shall be credited to the council fund.
- (5) The Government Council may subject to the provisions of any law relating to the raising of loans by local authorities, raise with the approval of the Government loans for the purpose of this Act and create a sinking fund for the repayment of such loans.
- (6) The Money credited to the Council Fund shall be applied for payment of all sums, charges and cost necessary for carrying out the purpose of this act.
- (7) No payment shall be made out of the council Fund unless such expenditure is covered by a current budget grant :

Provided the General Council may make payments in terms of refund of deposits by contractors or the urgent works undertaken in an emergency or required by the Government in the public interest or under the decree or order of a civil or criminal court against the General Council and for such other cases as may be prescribed.

Provided further that such expenditure shall be reported to the general Council for taking such action under the provisions of this Act as may appear to it to be feasible for covering the amount of such payments.

- (8) Surplus moneys standing at the credit of the General Council at the end of the Financial Year shall be invested in accordance with such rules as may be made by General Council in this behalf provided that no funds standing at the credit of the General Council shall be lapsed but will be carried over to the budget of the next financial year.
- (9) The general council will make rules for the management of the council Fund and for the procedure to be followed in respect of the payment of moneys in to the said fund, withdrawal of moneys therein and any other matter accidental thereto or connected therewith.
- (10) The accounts of the General Council shall be kept in such form as may be prescribed in consultation with the Accountant General.
- (11) Subjects to the provisions of the controller and Auditor general's (Duties, Power and conditions of Service) Act, 1971 and the rules and the orders made thereunder, the audit of the accounts of the general council shall be entrusted by the Government to

the Controller and auditor General of India who may submit to the Government such report thereon as it may deem fit. The Government shall transmit the report to the General Council for discussion and consideration. The General Council shall return the report to the Government with comments, if any. The Government shall lay such reports with the comments of the General Council before the state Legislature.

Collection of Excise Duty on Tea

47. The Government shall deposit within forty five days after the end of each Financial year in the Council Fund revenue collected from tea garden falling within the council Area.

Budget

48. (1) The General Council shall at such time and in such manner as may be prescribed, prepare in each Financial year a budget of its estimated receipts and disbursements for the following financial year and submit it to the Government by 1st November of the current financial year.
- (2) The Government may within such time as may be prescribed either approve the budget or return it to the General Council for its reconsideration on the observations of the Government if any. The General Council will submit the budget with its comments on the observation and if the approval of the Government is not received by the General Council by the last date of the Financial year, the Budget shall be deemed to have been approved by the Government.
- (3) No expenditure shall be incurred unless the budget is approved by the Government.

CHAPTER -VI

MISCELLANEOUS

Effect of Byelaws etc.

49. (1) All byelaws, regulations made orders and notifications issued by the General Council shall be subject to the maintenance of the security and safety of the State of Assam and the Government shall have the power to take such steps as may be deemed necessary for this purpose.

Power of Issue Instructions

- (2) The Government shall have the general power to issue instructions from time to time for proper implementation of this act.

Transitional Provision

50. The Government shall as soon as possible, take steps for the constitution of an Interim Bodoland Executive Council by nomination until an Executive Council is constituted under this Act.

Protection of Rights of Non-Tribals

51. All rights and interest of the non tribal citizens on the date of constitution of the Bodoland Autonomous Council within the Council Area shall be protected in matters pertaining to land and their language.

Dissolution of the General Council and the Executive Council

52. (1) If the Governor, on receipt of a report or otherwise and in consultation with the state Judicial Department is satisfied that a situation has arisen in which the administration of the council Area can not be carried on in accordance with the provisions of law in force or general or special instructions issued from time to time, the Governor may by notification in the Official Gazette, dissolve the General Council and the Executive Council before the expiry of the terms and assume himself all or any of the powers or functions of the General Council and Executive Council and declare that such powers and functions shall be exercisable by such persons or authority, as he may specify in this behalf, for a period not exceeding six months at a time.
- (2) Every order made under subsection (1) shall be laid before the state Legislature and shall cease to operate at the expiration of thirty days from the date on which the Assam Legislative Assembly first sits after the issue of the order, unless before the expiry of that period it has been approved by the State Legislature.

Effect of Supersession

53. When an order of supersession has been made under section 52 with effect from the date of the order.
- a) All the members of the General Council and Executive Council shall vacate their offices and
- b) All the powers, duties and functions of the General Council and the Executive Council shall be exercised, discharged and performed by such authority or authorities or such person or persons as may be appointed by the Government in this behalf.

Application of Acts of the Legislature of the State

54. If any provision of any regulation or bye-law made by the General Council is repugnant to any provisions of a law made by the Legislature of the State Assam with respect to that matter, then the regulation or bye-law so made, whether before or after the law made by the Legislature of the State of Assam shall to the extent of the repugnancy, be void and the law made by the Legislature of the State Assam shall prevail.

Power of Government to make rules

55. (1) If the Government may make rules providing for any matter under any provision of this act is required to be prescribed or to be provided for by rules.
- (2) Every rule made under this section or under section 19 shall be laid, as soon as may be after it is made before the state Legislature, while it is in session, for total period of fourteen days which may be comprised in one section or in two or more successive sections, and if, before the expiry of the section immediately following the section or the successive sections aforesaid, the State Legislature agree in making any modification in the rule or the State legislature agrees that the rules should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be so, however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Special Provision for Council Area

56. The Government shall consult and give due regard to the view of the General Council before any law is made and implemented in the Council Area on the following subjects :
- a) the religions or social practice of the books
 - b) the Bodo customary laws and procedures
 - c) ownership and transfer of land within the Council Area.

Reservation for Service

57. Subject to the provision of any law for the time being in force the General Council shall have power to reserve jobs for the Schedule Tribes within its jurisdiction.

Members, Officers and Employees to the Public Servants

58. The Chief of the Bodoland Executive Council, the Deputy Chief of the Bodoland Executive Council and other members of the executive council another officers and other employees of the General Council shall be deemed to be public servant within the meaning of section 21 of the Indian Penal Code.

Validation

59. No act or proceeding of the General Council shall be deemed to invalid merely by reason of existence of any vacancy in the General Council or any defect or irregularity in the constitution thereof.

Indemnity

60. No suit or other legal proceeding shall lie against the General Council or against any general member or officer or employee thereof for anything in goodfaith done or intended to be done in pursuance of this Act or of any rules or regulations made thereunder.

Interpretation

61. If any question arises as to the interpretation of any of the provisions of this act or the rules made thereunder, the same shall be referred to the Government whose decision there or shall be final.

Removal of Difficulties

62. If any difficulty arises in giving effect to any provisions of this act, the Government may by order do anything not inconsistent with the provisions of this Act as may appear necessary or expedient for the purpose of removing the difficulty.

Official Language

63. Subject to the provision of Article 345 and 350 A of the Constitution and Assam Official Language Act, 1960 (XXXIII of 1960) the General Council may lay down policy with regard to the use of Bodo Language as medium of official correspondence within the Council Area.

Special Status

64. The General Council shall, within the laws of the land take steps to protect the demographic complexion of the areas falling within its jurisdiction.

Special Courts

65. Special Courts shall be set up in consultation with the Gauhati High Court to try suit and cases between parties of all of whom belong to Scheduled Tribe or Tribes in accordance with the tribal customary laws and procedures as follows :
- a) Village Courts
 - b) Subordinate District Customary Law Courts within Civil sub-divisional territory, and
 - c) District Customary Law Courts

Area

66. The geographical area of the Bodoland Autonomous Council Area can be changed with mutual consent of the Bodoland Executive Council and the Government of Assam.

Saving

67. Nothing in this Act shall affect the application of any law, whether made before or after this Act, to the Council Area unless such law specifically provides for exclusion of the Council Area of such application.

Explanation: For the purpose of this section, " Law" shall include any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law.

APPENDIX -14

GOVERNMENT OF ASSAM
REVENUE (SETTLEMENT) DEPARTMENT, DISPUR
PROTECTED BELTS AND BLOCKS IN ASSAM
(As on 30th June 1990)

District	Name of Belt or Block	Notification No. and date	Area (in Bighas)	No. of villages	Name of Revenue Circle
(1)	(2)	(3)	(4)	(5)	(6)
1. Barpeta	1. Gobardhana Tribal Block	RD. 74/46/161 dated 22 nd August 1949.	38,348	24	Barnagar Circle,
	2. Bajegaon Tribal Block	do	6,526	4	do
	3. Kharija Rajni Tribal Block	do	34,932	16	do
	4. Chapaguri Tribal Block	do	1,63,578	85	Sarupeta Circle, Jalah Circle.
2. Bongaigaon	1. Bijni Tribal Block	RD. 69/45/20 dated 5 th , December, 1947	2,35,759	131	Bijni Circle.
	2. Sidli Tribal Belt (PART)	do	1,35,759	93	Sidli Circle
3. Darrang	1. Kalaigaon Tribal Belt	RD. 74/46/119 dated 12 th July, 1948	11,99,409	704	Kalaigram Circle, Khoirabari Circle Harisinga Circle, Majbat Circle Udalguri Circle.
	2. Telia Bhanguria Tribal Block	do	10,117	8	Mangaldai Circle
	3. Kacharipara Tribal Block	do	9,656	5	do
	4. Bhuyakhat Tribal Block	do	9,299	5	Kalaigaon Circle
	5. Tezjal Tribal Block	do	8,867	6	Dalgaon Circle
	6. Dalgaon Tribal Block	do	38,299	18	do
4. Dhemajji	1. Murkongselek Jonai Tribal Block	TAD/REV/79/50/43, dtd. 13 th March, 1951.	8,46,032	209	Jonai Circle
5. Dhubri	1. Balaghat Nayakaon Tribal Block	RSD. 1/53/15, dtd. 5 th July, 1984.	78,776	43	Chapor Circle
	2. Parbatjowar Tribal Belt	RSD. 5/82/44 dtd. 23 rd November, 1984.	3,23,187	182	Dhubri Circle, Golokgang Circle Bagribari Circle
6. Goalpara	1. Bardamal Tribal Block	RSD. 14/81/1 dtd. 9 th August, 1982.	13,592	7	Balijang Circle
	2. Hatigaon Tribal Block	RSD. 14/81/13 dtd. 9 th August, 1982.	41,040	25	do

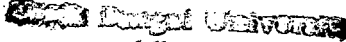
(1)	(2)	(3)	(4)	(5)	(6)
	3. Khardong Tribal Block	RSS. 183/85/30. dtd. 15 June, 1989	76,839	24	Matia Circle
7. Kamrup	1. South Kamrup (Chaygaon) Tribal Belt	RD. 74/46/161. dtd. 22 nd August, 1949	3,43,755	170	Chaygaon Circle, Boko Circle
	2. South Kamrup (Guwahati) Tribal Belt	RD. 74/46/172 dtd. 27th February, 1950.	3,01,104	236	Sonapur Circle, Chandrapur Circle Palasbari Circle
	3. Tamulpur Tribal Belt (Part)	RD. 74/46/161 dtd. 22nd, August 1949	2,01,029	91	Goreswar Circle
8. Kokrajhar	1. Sidli Tribal Belt (Part)	RD. 69/45/20. dtd. 5th, December 1947	4,66,270	333	Sidli Circle, Dotoma Circle Gossaigaon Circle, Kokrajhar Circle Gossaigaon Circle
	2. Santhal Colony Tribal Block	RSD. 9/77/11 dtd. 24 th August, 1977	57,930	43	
	3. Dotoma Tribal Belt	RSD. 2/82/10 dtd. 16 th June, 1983	38,185	37	Dotoma Circle
	4. Ripu Tribal Belt	RSD. 5/82/43 dtd. 23 rd November 1984	1, 60, 644	106	Gossaigaon Circle, Bhowraguri Circle
9. Lakhimpur	1. North Lakhimpur (Sub-Montane) Tribal Belt	RD. 92/46/34 dtd. 28 th April, 1945	4,86,323	342	North Lakhimpur Circle, Cadam Circle, Naoboicha Circle
	2. North Lakhimpur (Riverine) Tribal Belt	do	2,25,740	206	Bihpuria Circle Narayanpur Circle
10. Morigaon	1. Bhalukjari Tribal Block	RD. 9/46/94 dtd. 7th November, 1950	2,466	3	Mayong Circle
	2. Ghagua Tribal Block	do	27,866	20	do
	3. Tetelia Tribal Block	do	37,751	25	do
	4. Gobha Tribal Block	do	31,190	16	do
	5. Palashguri Tribal Block	do	2,071	21	do
	6. Jamadari Tribal Block	RD. 91/46/313 dtd. 29 th June 1948	8,398	6	Lahorighat Circle
	7. Borongani Pathar Tribal Block	do	21,451	12	do
11. Nagaon	1. Barkachari gaon Tribal Block	RD. 91/46/80 dtd. 19th Septepber 1950	22,090	14	Nagaon Circle

(1)	(2)	(3)	(4)	(5)	(6)
	2. Amsoi Tribal Block	RD. 91/46/94 dtd. 17 th November 1950	19,926	10	Roha Circle
	3. Bogariguri Tribal Block	do	25,759	12	do
	4. Bordolong Lankabheta Tribal Belt	RD 91/46/21 dtd. 18 th September 1953	52,176	18	Lanka Circle
	5. Angurichang Phulagurichang Tribal Block	RD. 91/46/294 dtd. 1 st February 1958	6,851	2	Kaliabor Circle
	6. Barpathar Tribal Block	RD. 11/61/32 dtd. 6th April 1964	17,030	9	Kampur Circle
	7. Kaki Tribal Block	RSD. 66/61/33 dtd. 12 th December 1978	4,988	8	Lanka Circle
	8. Kandur Tribal Block	RSD. 4/76/9 dtd. 12 th April 1979	10,347	4	do
	9. Batabarigaon Tribal Block	RSD. 34/76/28 dtd. 15 th March 1982	9,794	4	Dhing Circle
12. Nalbari	1. Baska Tribal Belt	RD. 74/46/161 dtd. 22 nd August 1949	3,33,982	146	Baska Circle Barama Circle
	2. Tamulpur Tribal Belt (Part)	do	2,43,509	161	Tamulpur Circle
13. Sonitpur	1. Gohpur Tribal Block	RD. 90/46/82 dtd. 2 nd December 1950	46,350	28	Gohpur Circle Helem Circle
	2. Balipara Tribal Belt	TAD/REV/73/50/43 dtd. 10 th March 1951	10,30,084	30	Dhekrajuli Circle, Naduar Circle Chariduar Circle, Gohpur Circle Helem Circle, Biswanath Circle
14. Tinsukia	1. Sadiya Tribal Belt	TAD/REV/73/50/43 date 13 th March 1951	5,90,851	123	Sadiya Circle
	(a) North Sadiya		64,614	43	Doomdooma Circle
	(b) South Sadiya		6,55,465	166	
	2. Tirap Tribal Belt	do	2,90,400	62	Margherita Circle
Total			85,80,842	3980	

Note : The no. of villages and areas shown against the Belts and Blocks are as per notifications and reports of the concerned DCs & SDOs

Summary of Appendix 14

District	No. of Belt	No. of Block	Total
Barpeta	1	3	4
Bongaigaon	1 (part)	1	1+1 (part)
Darrang	1	5	6
Dhemaji	1	nil	1
Dhubri	1	1	2
Goalpara	nil	3	3
Kamrup	2+1(part)	nil	2+1(part)
Kokrajhar	2+1(part)	1	3+1(part)
Lakhimpur	2	nil	2
Morigaon	nil	7	7
Nagaon	1	8	9
Nalbari	1+1 (part)	nil	1+1 (part)
Sonitpur	1	1	2
Tinsukia	2	nil	2
Total	19	30	49


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