

Appendix-1

Memorandum Submitted before the by Bodo Community of Simon Commission Goalpara District on 4th January, 1929

We the undersigned on behalf of the Bodo-Community of the district of Goalpara of Assam beg to submit the following memorandum. Some of the important points touching the enquiry with a special reference to the District of Goalpara and to the Bodo Community of the said district.

1) That the Bodo Community forms a considerable portion of the population of the district of Goalpara and its numbers about 1 lakh 50 thousands. In the whole province of Assam its numbers are almost eight lakhs. A large number of Bodos live in the district of Jalpaiguri and Cochbihar in the province of Bengal. Out of one Lakh and fifty thousands, some thousands have been treated as Hindus which is the cause of decrease in number of the Bodo population in the district of Goalpara. The Bodos have a district civilization of their own. There should be a separate category as 'the Bodos' in the Census Report. The history shows very clearly what part of this community has been playing in the history of Assam since the time of Bhagadutta, who ruled over Assam during the time of the great Epic, the Mahabharata. Many kings who rules over Assam belonged to this race. Bhisma raja, Bali raja, Ban raja and ViswaSingha all belonged to this race and history will prove how influential once they were.

2) The people of this race are born warriors and even now many people have listed their names in the military under the British Government. The original proprietor of the Bijni Estate and Cochbehar Estate were people of this race. But in the course of time, they

styled themselves as Hindus, their Estates are still existing but are totally ignored. We belong back-wards, failed together to place the opinion of our community before. So we could not submit the memorandum in time and we hope that you will be pleased to accept it and to consider it favourably for your decisions as regards Indian constitution, will make a distinctly new stage in our political life.

3) **Electorate:** In our opinion, there should not be mixed electorate. Each section of the people should have the liberty of sending their representatives in the local councils. The peculiar position in which we are placed offers as practically no chance of sending our representatives in which, though there is a large number of voters in our community. Out of the total population of the whole district of Goalpara which numbers about Six lakhs eighty five thousand eight hundred and eighty two, three lakhs sixty nine thousand three hundred ninety seven fall under the heads of non-Mohammadians. Non-mohammadians mean Hindus, Christians, Jains, Sikhs and the like. A liberal view of the thing shows that we cannot enjoy the advantages of the reform as the other community does. In spite of our being in such a large number all advantages of the reform are being enjoyed either by the Brahmins or by the Khatriyas or by the Sudras. So in order to safeguard the interest of our community we should have a separate representative in the council.

4) In our opinion, there should not be a second chamber in the local council.

5) At present there are certain restrictions which debar many to exercise their right of franchise. This should be removed and more liberty be given for that purpose. There should be four seats in the central legislature one for Mhammadians and three for non-Mhammadians; and one of the three non-Mhammadian seats should be reserved for Bodos of Assam.

6) **Territorial pre-distribution:**Some interested persons of our district are agitating for the transfer of the district of Goalpara over to Bengal. As far as we are concerned, we opposed it. Goalpara is a part and parcel of Assam and history will prove what part she has been playing since the time immemorial. The habits and customs of the people of this district are more akin to Assamese than to Bengalis. We the Bodos can by no means call ourselves other than Assamese. The transfer of this district to Bengal will be prejudicial to the interest not only of this community, but all the other communities, and this transfer will seriously hamper our progress in all directions.

7) We also desire to put it before you that there be a sub-division either at Kokrajhar or at Haltugaon within the sub-division of Dhubri. This community should be benefited as "listed community" and more opportunity of employment be given.

8) **Education and appointment:**We the undersigned beg to lay before you that this community should receive special treatment at the hands of the Government in matters of education and appointment. Our community is most backward in point of education. Such being the case, our people are always misled. They cannot understand the value of reform. They cannot save themselves from the hands of the foreign money lenders. To remove this drawback there should be compulsory pre-primary education and special scholarship for going facility for higher education to Bodo students be provided for. As stated before, a large number of our people are serving the Military and thereby rendering loyal service to the British Government. We claim certain provincial and executive posts for some of our people who are getting higher education.

9) A large number of Bodo Sepoys are included in the Gurkha-regiment and are generally known as Gurkha. To our opinion, there should be a separate regiment as the 'Bodo-Regiment' for the Bodo people of Assam.

10) **Local Boards:** The Chairman of the Boards during the term of their office — big land holders should not be allowed to stand for election from general constituency. There is no objection if they are given special seats in the Boards.

11) In matters of Board election under the Dhubri Local Board, our community should have separate electorate just like the Mhammadians — under the thanas of Bilasipara, Kokrajhar, Bijni and Dhubri. The Bodo people who are in the majority in those areas should have separate seats at the Dhubri Local Board. As stated before, our peoples are illiterate and ignorant. So they are easily misled by others at the time of elections and consequently, the people of other communities are elected. In view of the illiteracy, ignorance and influence of other communities we earnestly pray so that we get separate seats in Dhubri Local Board, Such is also the condition of Goalpara Local Board. There too we want separate seats.

12) In conclusion, we beg to lay before you that, if required, any one of us is willing to appear before you and to give evidence.

Signatory

Kalicharan Brahma and others.

Appendix-2

Agreement between the Assam Plains Tribals League and the Assam Congress on 10th September, 1939 in Shillong

1. That the Assam Tribal Party will remain an independent Party and its members will not be bound to put their signatures pertaining to the creed of the Congress.
2. The present system of the separate electorate will continue till the Congress Party agree to accept the system of keeping separate seats in the joint electorate for the tribal communities in proportion to their populations.
3. The tribal communities will be allowed to send their members to the Local Boards according to the electoral system to be determined by the Tribal League in its next session.
4. The people of the tribal communities who have embraced Hinduism or Christianity will be included in the Schedule of the tribal people provided they identify themselves as the tribals.
5. The plains tribals will be treated as a separate class for Government services and in the matter of appointment. Preference will be given to them till the quota provided for them in proportion to their number is filled up. In case any candidate from among the tribal people does not possess the requisite qualification for any service, no candidate belonging to other community and possessing additional qualification will be appointed in place of such tribal candidate,

6. For the spread of education among these communities provisions must be made and maximum amount of financial grants be allocated every year out of the budget for their education.

7. Sufficient number of scholarships and stipends must be given to their students for general and professional education.

8. Sufficient number of scholarships and exemption of tuition fees must be granted in the High Schools and the M E Schools too.

9. One of their members must be included as a Minister in the Ministry.

10. The Government must make provisions for given settlement of lands to the landless tribals, particularly to the Miri people.

These conditions are considered as demands in addition to the demands laid down in the resolution of the League.

Appendix-3

Agreement between the Assam Tribal League And the Assam Muslim League on 16th March, 1940 which is accepted by Sir Md.Sadullah as the Prime Minister of Assam United Party

1. The Assam Plains Tribal party will remain as an independent party and stay as a co-partner with the United Party as long as the Assam United Party will remain in the minister. It has been expressly said that in absence of the ministry of the United Party, it will not be obligatory on the part of the Plains Tribal Party to remain a party to the United Party.

2. Regarding the Line System, policy embodied in the resolution of November 4, 1939, was accepted as the original policy and demand was available in the resolution. Accepting that condition, Sir Md.Sadullah held the Line System Conference and steps were taken to ensure the protection of the tribal interests.

3. Land settlement will be given to the landless tribal after taking into account of landless tribals.

4. The Assam United Party and their Ministry have recognised the tribals as a main minority group of Assam. They have admitted that the tribal groups like other tribal groups or communities deserve separate seats in the Central and Provincial Legislative Councils in proportion to their populations. The United Party and their Ministry will place this demand of the tribal group before the Central Government at the time of amending the India Reforms Act of 1935.

5. In case of Local Boards, there shall be a separate electorate for the plain tribal constituencies and they will get seats in proportion to their populations. The Government shall

place the Amendment Bill before the Legislative Council in order to implement this policy as early as possible.

6. Some conditions were also placed, seeking the opportunity for the educational development of the tribal communities. The Government accepted these conditions and held the Tribal Education Conference and decided to give the opportunities sought for in the conditions.

7. Those people of the tribal communities, who have embraced Hindusim of Christianity, will be included in the Schedule of the tribals provided they identify themselves as tribals. The Government will, by all legislative means, render its help so that their number is not reduced in the next census.

8. The plains tribals will be treated as a separate class for Government services and in the matter of appointment. Preference will be given to them till the quota provided for them in proportion to their number is filled up. In case any tribal candidate from among the tribal people does not possess the requisite qualification for any service, no candidate belonging to other community and possessing additional qualification will be appointed in place of such tribal candidate.

9. Special privileges and encouragement will be given to the plains tribal people in the matter of Government contract, Mahals, etc.

10. One Minister, and if it is expedient to appoint parliamentary Secretary, one Parliamentary Secretary will be appointed from the Tribal Party.

Besides, assurance was sought for to complete the works initiated during the period of the Assam United Party Ministry for exemption of taxes, total prevention of opium, removal of illiteracy and spread of Primary education for the general improvement of the public and the tribal people. We owe our gratitude to the present United Party Ministry as it has decided to continue and has been continuing those works.

Appendix-4

Resolution of the Bodo Sahitya Sabha Expressing its Viewpoints on the Issue of Assam's State Language Bill

"Whereas the repercussion of the Official Language issue in Assam has threatened the very unity of the Nation, in particular the unity of the State of Assam, the Bodo people of Assam view the development with grave concern. It has given its anxious thoughts over the issue and came to the conclusion that 'Hindi', the official language of India should be the only Official Language of Assam for the following reasons

1. The unity of India has to be maintained in order to preserve the newly won independence. The issue of the official language issue in Assam has threatened the unity giving rise to fissiparous tendency which is harmful for Assam and for India as a whole. To put an end to this tendency the best course is, in the opinion of the Bodo people, to accept 'Hindi' as the official language of the Assam placing thereby every linguistic group in the state on the same footing; that way putting the people of the State of Assam one step forward towards learning 'Hindi'. Further, the Bodo people of Assam consider that the panacea for the linguistic trouble not only of Assam but the whole of India is to adopt Hindi as the common official language of every State of India and treat any other language as vernacular.

2. It cannot be denied that Assam is multilingual State. Every linguistic group desires to keep alive their literature and get education in their own mother-tongue. The biggest linguistic group in the State is that of Assamese which can claim only 54 percent. According to the opinion, of the S.R.C. a language should be spoken by seventy per cent or more to be recognised as an Official Language of a State. Looked at from this point of

view the declaration of Assamese as official language of Assam, will mean imposition on the people of other linguistic groups. The people of Hill districts and of Cachar are almost one and all ignorant of this language. Even in the Brahmaputra Valley Districts, mainly the northern parts of Goalpara, Kamrup and Darrang and some parts of Nowgoen and North Lakhimpur Districts the uneducated rural tribal people, mostly the Bodo people, are totally ignorant of this language. The purpose for the adoption of the official language of a State is to better and smoothen the administration. In this adoption of Assamese as an official language will totally fail.

3. In Assam, the Bodo speaking people are the largest tribal group. They have preserved their language and culture all these years under adverse circumstances. They desire very legitimately to preserve them in future also. They consider that to maintain their separate identity and to develop themselves most speedily. Their children must be given education in their mother tongue. This will not be possible if Assamese is recognised as the official language of Assam: for, in that case Assamese will be an extra language that the Bodo students will have to learn putting thereby an extra burden upon them and placing them at a disadvantageous position vis-a-vis the Assamese speaking students."

Appendix-5

Memorandum Submitted to the President of India Dr. Zakir Hissain by Plains Tribal Council of Assam on 20th May, 1967 DEMANDS

1. Full autonomy in the predominantly plains tribal areas of the northern tract of Goalpara, Kamrup, Darrang, Lakhimpur and Sibsagar Districts including all the Tribal Belts and Block of those areas. so that the tribals can —

- a. adequately protect their land,
- b. give effective check to economic exploitation of tribals by non-tribals,
- c. conserve their language, culture, customs and what is best in themselves,
- d. prevent political domination by non tribals over tribals and imposition of anything which would disrupt their traditions and customs and
- e. grow according to their own genius and traditions.

The plains Tribals' Council of Assam considers that the proposed federal plan Tribals provided enough to fulfil this aspiration of the Plains Tribals, provided a federating unit is carved out for the plains tribals of Assam. Hence, the Plains Tribals' Council of Assam decides to welcome the reorganisation of Assam on federal plan with the condition that a federating unit be carved out for the plains tribals also with the areas suggested above.

2. In determining areas where the plains tribals are predominant, the population that exist in the year 1947 should be the basis.

3. The plains tribal areas, which will not be continuous to the proposed federating unit for the plains tribals and consequently will remain outside that unit should be declared as Scheduled Areas and the Provisions of the Sixth Schedule should be applicable to those areas.

4. The recommendation made by the Dhebar Commission to prevent alienation of tribal land to non-tribals in the para 45 of chapter 11 which reads: we further recommend that the Deputy Commissioner or Collector should have powers suo moto or at the instance of the aggrieved tribal land holder within a period of 12 years to institute enquiries and restore possession of the land with or without payment of any compensation to the transferee. This provision should be made applicable to all transfers of land by tribals to non-tribals with retrospective effect from the 26th January, 1950, adequate machinery should be created to implement this law or regulations', should immediately be given effect to, by making suitable laws.

Appendix-6

Demands of All Bodo Students' Union Which were included in the memorandum Submitted to Prime Minister Rajiv Gandhi on 22nd January, 1987

Demand No. 1— Creation of Separate State with the Status of Union Territory for the Plains Tribals of Assam

The all Bodo Students' Union has been demanding a Separate State with the Status of Union Territory under the Provision of Articles 2 & 3 of Indian Constitution for the Plains Tribals of Assam in the Northern Valley of the Brahmaputra along the foothills of Bhutan and Arunachal Pradesh for all round security and development.

Demand No. 2 — Extension of the Provision of Sixth Schedule of Indian Constitution in the Tribal Compact Areas of the Southern Valley of the Brahmaputra of Assam

The Provision of Sixth Schedule of Indian Constitution should be extended to the Tribal compact areas in the Southern Valley of the Brahmaputra River of Assam and create Autonomous District for those tribals who will be residing in Assam after the creation of Separate state in the Northern Valley of the Brahmaputra River for the plains tribals people of Assam.

Demand No. 3— Creation of Regional Council for Non-Karbi Tribes in Karbi Anglong Autonomous District

All Bodo Students' Union urges to create Regional Council for the Non-Karbi Tribes such as Bodos, Rengmas, etc. within the Karbi-Anglong Autonomous District council as per the provision of paragraph (2) of sixth Schedule of Indian Constitution.

Demand No. 4 — Preservation of Tribal Belts and Blocks and Creation of new ones

All Bodo Students' Union demands the Government of Assam as well as India to

(a) Evict all un-authorised non-Tribal encroachers from Tribal Belts and Blocks giving them alternative rehabilitation somewhere outside Tribal Belts & Blocks and other predominantly Tribal areas provided they are Indian citizens.

(b) Detect and deport all foreign nationals from Assam and India.

(c) Check further infiltration of un-authorised non-Tribal people into Tribal Belts & Blocks and other predominantly Tribal areas.

(d) Turn null and void the Land registration of non-Tribal encroachers into Belts and Blocks and restore all alienated Lands and properties to original Tribal proprietors or to their nearest kith and kins.

(e) Create new Tribal Belts and Blocks within Assam comprising all contiguous and pocket Tribal areas with retrospective effect from the 26th January, 1950. (t) operate all encroachment cases with retrospective effect from 26th January, 1950 as per the U N Dhebar Commission's Report.

Demand No. 5 — Central University at Kokrajhar

The Central Government is urged upon to sanction and install a Central University at Kokrajhar.

Demand No. 6 — Indian Institute of Technology at Kokrajhar

Your Honour is urged to direct the state Government of Assam to install the proposed IIT at Kokrajhar.

Demand No. 7 — Retention of English as the Medium of Instruction in the Colleges of Gauhati and Dibrugarh University

The Central Government is urged to direct the Universities of Gauhati and Dibrugarh to retain English as a medium of instruction along with Assamese in their colleges for an indefinite period.

Demand No. 8 — Central Museum at Kokrajhar

A Central Museum should be installed at Kokrajhar to preserve the historical and cultural monuments, sculptures, stones, symbols etc. of Bodos and other indigenous people of North East along with the Indian historical and cultural monuments, sculptures, etc. The Central Government is urged to take keen initiative to install the same at Kokrajhar with immediate effect.

Demand No. 9 — Installation of Air Station at Kokrajhar

- a. Install a new AIR station at Kokrajhar to cover all kinds of colourful Bodo programmes,
- b. To grant Bodo programmes of 60 (sixty) minutes in Dibrugarh and Siliguri stations of All India Radio.
- c. Allot 60 (sixty) minutes Bodo programme in the morning to broadcast Bodo views and news through AIR Gauhati.
- d. Increase time period of evening Bodo programme from existing 45 (fourty five) minutes upto 60 (sixty) minutes in AIR Gauhati.

Demand No. 10 — DoordarshanKendras at Udalguri and Kokrajhar

The All Bodo Students' Union has been demanding DoordarshanKendras at Udalguri and Kokrajhar to give wide coverage of Bodo programmes. Besides Bodo programmes, news should be telecast from the GauhatiDoordarshan Kendra. The central Government and the Doordarshan authorities are urged to give effect to this demand without delay.

Demand No. 11- Revival of Balajan Airport at Kokrajhar

The deserted Balajan Airport near Kokrajhar should be revived to link Kokrajhar with Air route and remove its bottleneck transportation. Kokrajhar should have direct Air link with new Delhi as well.

Demand No. 12 — Increment of Scheduled Tribes Reserve Quota in Government Services and Fulfillment of its Backlog

The Government of Assam as well as India are urged to —

- (i) Increase the Scheduled Tribes Reservation Quota in Services upto 41 % in the state.
- (ii) Fill up the Backlog posts by Schedule Tribe Candidates in no delay.
- (iii) Provide 75% job reservation in respect of new District and Sub divisions in Tribal areas like Kokrajhar, Gossaigaon and Udalguri, etc.
- (iv) Provide Rs. 100 p.m. Pension for all educated unemployed Tribal youths.

Demand No. 13 —Recognition and Implementation of Bodo as one of the Regional Language Subjects in UPSC and other Civil Services Examination

The Government of India is urged upon for immediately recognising Bodo as one of the Regional language papers in the UPSC and other Civil Service Examinations for the greater interests of the Bodo nationality.

Demand No. 14 —Inclusion of Bodo in the 8th Schedule of the Indian Constitution

The Bodo Sahitya Sabha and All Bodo Students' Union have been demanding the Government of India for the inclusion of Bodo into the 8th Schedule of Indian Constitution since long. But it has not been conceded uptill now. As such, the All Bodo Students' Union reiterates the same demand and requests you the take necessary steps for including Bodo Language into the 8th Schedule of Indian Constitution.

Demand No. 15 — Extension of Special Provision for Tribals in Indian Constitution from 1990 to Indefinite Period

It is needless to reiterate that the Tribal people are lagging far behind in respect of education, economy, jobs, social customs and traditions, etc.

That is why the Central Government is urged to extend the special provision for Tribals in Indian Constitution from 1990 to an indefinite period until and unless the Tribals are fully developed.

Demand No. 16 — Eradication of Poverty

It is needless to state that the plains Tribal people of Assam, particularly the Bodos are wretched, poverty stricken people. Moreover in state as well as National level over-all people are badly inflicted by severe poverty. Therefore, the Government of India is urged to follow and implement constructive policies for the eradication of poverty.

Demand No. 17 — Free and Compulsory Education for Children upto Fourteen Years of Age

The Indian Constitution provides free and compulsory education for children upto fourteen years of age in its Article 45 which had not yet been implemented with due stress. Therefore, the Government of India is urged to implement the Constitutional Provision and impart education to children upto fourteen years of age compulsory and free of cost.

Demand No. 18 — Opposition to Clause No. 6 of Assam Accord.

The Clause No. 6 of Assam Accord is being misused against the interest of Tribals in general and Bodo in particular. On the basis of this Clause, the Assamese language has been imposed upon the non-Assamese indigenous people of Assam such as Bodos which is quite undemocratic and unconstitutional. This Clause No. 6 of Assam Accord is nothing but only meant for Assamisation and assimilation. Therefore, the centre which was also a partner in signing that Accord is urged to scrap the Clause No. 6 of that Assam Accord.

Demand No. 19 — Opposition to Clause No. 10 of Assam Accord and Eviction Operation from the Forest of Assam

The All Bodo Students' Union strongly opposes the AGP Government's policy of eviction operation of tens of thousands of poor landless Tribal families from the Forest and khas lands of Assam. The Government of Assam has already issued eviction notice and started eviction operation. The ABSU also vehemently opposes the clause No. 10 of Assam Accord and the Assam Forest Protection Force Act, 1986 which are meant for the same purpose of eviction. There are enough reasons to apprehend that the Assam Forest Protection Force which has already trained up would be misused to evict, harass and massacre the Tribal people living in the Forests of Assam. The Accord which was originally arrived at for detection and deportation of real foreigners had been diverted with an ulterior motive against Tribals of Assam. On the other hand, the non-Tribal encroachers of Tribal Belts and Blocks have not been evicted at all under the Clause No. 10 of Assam Accord itself. Therefore, the Central Government is urged to direct the state Government of Assam to stop the policy of evicting Tribal families from the Forest and khas lands of Assam but to give permanent settlement where they are living in. The ABSU also demands to scrap the Clause No. 10 of Assam Accord and the Assam Forest Protection Force to bring peace in the jungles of Assam.

Demand No. 20 - Opposition to Four Language Formula

It is reportedly learnt that, although the SEBA Circular of 28th February, 1986 has been suspended, the Government of Assam is still planning to introduce Four Language Formula in Secondary School of Assam imposing Assamese as Compulsory Subject upon the non-Assamese Medium Students from the Academic Session of 1987 which is in contravention with the National Three-Language Formula of 1968. Moreover, this is an undemocratic and unconstitutional move of the State Government. Nowhere in any other State of India Four Language Formula has been implemented. Say, in Bihar and UP only

Two Language Formula is used in secondary stage. The ABSU states that the Bodo Medium Student will read their mother tongue Bodo. International Language English and National Language Hindi only in Secondary stage. Bodo students cannot take the extra burden of fourth language. Therefore, ABSU opposes the Four Language Formula and urges the Central Government to pressurise the State Government of Assam not to introduce Four Language Formula.

Demand No. 21 — Revocation of Assamese from the Pre-Condition in State Service

It has been noticed that in various advertisements and circulars for the recruitments in state services the Government of Assam has laid a pre-condition of the knowledge of Assamese Language which is discriminatory against the non-Assamese speaking candidates as a result of which the Bodo Medium Students are deprived of getting state jobs. This pre-condition is against the provisions of Articles 14, 15 & 16 of Indian Constitution and a flagrant violation of Clause No. 7 of Assam Official Language Act, 1960. Under such circumstances, ABSU demands the Government of India to set aside the pre-condition of Assamese language in the recruitments for state services. Furthermore, Assamese must not be the sole official language of Assam. English should not be totally removed from the offices of Assam.

Demand No. 22 — Extension of Bodo as Associate Official Language in other Districts of Assam

The erstwhile Assam Government confined the jurisdiction of recognition of Bodo as Associate official language only in Kokrajhar District and Udalguri Sub-Division depriving the large section of Bodo speaking people as well as Bodo medium Students of other districts of their legitimate rights. Therefore, the Central Government is urged to direct the state Government to recognise Bodo as Associate Official Language in other districts too under the Provision of Art. 347 of Indian Constitution to give equal status to Bodo language as well as

to give facilities to all Bodo speaking people and Bodo medium students of all districts of Assam. As such, the ABSU demands that Bodo should be extended as Associate official language in the Districts of Dhubri, Barpeta, Nalbari, Kamrup, Sonitpur, Lahimpur, Goalpara, Nagaon and Karbi-Anglong with immediate effect.

Demand No. 23 — Opposition to AASU's Demand for Constitutional Amendments

The All Bodo Student's Union vehemently opposes the All Assam Student's Union's (AASU) demand for Constitutional Amendments so as not to apply the provisions of Articles 330 and 347 of Indian Constitution in the case of Assam which a great threat to the interest of the plains Tribals of Assam particularly the Bodos. It is reportedly learnt that the AsomGanaParishad Party is also taking such a move. The demand is an undemocratic and unconstitutional one and chauvinist in its nature. As such, the all Bodo Students' Union urges upon the Government of India not to succumb to such chauvinist pressure and not to amend the Indian Constitution in such a crooked way.

Demand No. 24 — Stoppage of Political Assassination and Extremism in Assam

It is seen that an ugly head of extremism and political assassination is mounting up and a number of political assassinations have already taken place and many other political leaders and activists are getting threatening letters to their lives. This is an omen in a democratic country like India. On the other hand, the State Government and the administration completely failed to protect the lives of people and maintain law and order situation in the state rather including Assamese extremists. ABSU is opposed to the principle of violence.

Demand No. 25 — Stoppage of Brutal Police Atrocities upon the Bodo Students

The Assam Government and administration has let loose the police atrocities and reign of terror upon the Bodo students for demanding separate State and struggling to preserve their identity and culture. Police Forces are deadly hostile and repressive upon the Bodos

particularly in Kokrajhar District and Udlguri Sub-Division. Police forces are out to crush down the Bodos. So, your Honour is urged to take all necessary steps to stop police atrocities upon the Bodos and the Bodo Students and youths in particular.

Appendix-7

The Bodo Accord (BAC Accord, 20 February, 1993)

1. Preamble

- (i) Both the Government of India and Assam have been making earnest efforts to bring about an amicable solution to the problems of the Bodos and other Plains Tribals living in the north bank of river Brahmaputra within Assam.
- (ii) Towards this end, the Government of India held a series of meetings with the State Government as well as with leaders of All Bodo leaders. As a result, it has been considered necessary to set up an administrative authority within the state of Assam under a scheme, the details of which are outlined in the succeeding paragraphs:

2. Objective

The objective of this scheme is to provide maximum autonomy within the framework of the Constitution to the Bodos for social, economic, educational, ethnic and cultural advancement.

3.

- a. **Name:** Bodoland Autonomous council (BAC): There shall be formed, by an Act of Assam Legislative Assembly, a Bodoland Autonomous Council (BAC) within the State of Assam comprising contiguous geographical areas between river Sankosh and Majbat river Pansnoi. The land records authority of the State will scrutinize the list of villages furnished by ABSU/BPAC having 50 per cent and more of tribal population which shall be included. BAC will also include Reserve Forest as per guidelines laid

by Ministry of Defense and Ministry of Environment and forests, Government of India, not otherwise required by the Government for manning the international border and tea gardens located completely within the BAC contiguous areas.

- b. **Powers:** The BAC WILL COMPRISE OF A General Council comprising 40 members, 35 elected on the basis of adult suffrage and having a life of five years. The Government will have powers to nominate 5 members to the Council, particularly from groups which could not otherwise be represented. This Council will have powers to make by-laws, rules and orders for application within the BAC area on the subjects enumerated in Schedule 'A'.
- c. The Executive Authority of the BAC would be exercised in its Executive Body to be known as Bodoland Executive Council (BEC). The BEC will be responsible for implementation within the areas of the laws in Schedule 'A'.
- d. The General council and the BEC will hold office during the pleasure of the Governor of Assam. Consultation with the State Law Department of Government of Assam would be necessary if the Governor proposed to dissolve either the General Council or the BEC before the expiry of its term in accordance with the provisions of law. The Executive authority of the BEC will be exercised by the party enjoying a simple majority in the General Council. On completion of elections, the Governor would invite the leaders of the majority party to constitute the BEC.

4.

- 1) a. The finances for the BAC will be earmarked under a separate sub-head within the State budget in keeping with the guidelines laid down by the Government of India from time to time. The Governor of Assam would have no powers to divert this earmarked allocation to other heads areas except in exigencies when there is unavoidable overall Budget cut.

b. The provisions made in 4 (i) (a) regarding allocation of funds should be in line with the spirit of the Constitution (seventy second) and (seventy third) amendment.

2). The BAC would also receive grant –in aid from time to time within the principles and policies enunciated by the Government of India.

3). The General Council will have powers to raise finances from levies/fees/taxes etc on subjects mentioned in Schedule ‘A’ subject to Constitutional amendment mentioned above.

4). The finances for the BAC will be managed exclusively by the General Council and the statement of its annual of its annual accounts will be laid on the table of the State Assembly.

5. Powers of Appointments

The Bodoland Executive Committee would have powers to appoint Class III and Class IV staff within its Jurisdiction for implementation of scheme connected with the subjects enumerated in Schedule ‘A’.

6. Reservation of Seats

The Election Commission of India will be requested by the BAC to consider seat reservation and delimitation of Constituencies, both Lok Sabha and the State Assembly, within the BAC area to the extent permitted by the Constitution and the law. Thereafter, only candidates belonging to the Schedule Tribes (Plains) will remain entitled to contest these reserved seats.

7. Special Provisions for the BAC Area

The General Council shall be consulted and its views shall be given due regard before any law made on the following subjects, is implemented in the BAC area.

- (i) The religious or social practices of the Bodos:
- (ii) The Bodo customary laws and procedures; and

(iii) The ownership and transfer of land within the BAC area.

8. Special Status of the Bodoland Autonomous Council

The BAC shall, within the laws of the land, take steps to protect the demographic complexion of the areas falling within its jurisdiction.

9. Special Courts

Action will be taken in consultation with the Gauhati High court to set up within BAC area Special Courts as specified below to try suits and cases between parties all of whom belong to Scheduled Tribes or Tribes in accordance with the tribal customary law and procedure, if any.

(a) Village Courts

(b) Subordinate District Customary Law Courts within a civil Sub-Divisional Territory, and

(c) District Customary Law Court

11. Appointment in Central Bodies

The claims of the Bodos shall be considered for appointment to the North-Eastern Council.

12. Official Language

The general council can lay down policy with regard to use of Bodo language as medium of official correspondence with the BAC area. However, while corresponding with office outside the BAC area, correspondence will have to be in bilingual form in accordance with the article 345 the Constitution and the provision of law in this behalf.

12. Changes in Geographical

The geographical area of the Bodoland Autonomous Council as agreed upon can be changed with the mutual consent of the BAC and the Government of Assam.

13. Revision of List of Schedule Castes and Scheduled Tribes

The scheduling and rescheduling of Schedule Castes and Scheduled Tribes residing within the Bodo areas will be done as per the Commission appointed by the Government of India under the Constitution.

14. Trade and Commerce

The General Council will have powers to regulate trade and commerce within its jurisdiction within the existing law. For this purpose, it can issue permits and licenses to individuals within the BAC area. The Government while considering allotment of permits to people residing within the BAC area will give preference to the Bodos.

15. Employment Opportunities

The BAC will have powers to restore jobs for Scheduled Tribes within its jurisdiction. However, exercise of such powers shall be in accordance with the existing Constitutional and legal provision.

16. Civil and Police Services

- (i) The Government of Assam may from time to time post officers of the rank of Class II and above to posts within the BAC in accordance with the exigencies. While making these posting due regard will be given to, views of BAC about officers being so posted.
- (ii) The officers posted to the BAC area will be accountable to the BAC for their performance and the assessment of their work recorded by the BEC authorities will be incorporated to their ACRs by the State Government.
- (iii) The Central Government, while making recruitment from the State of Assam to the army, paramilitary forces and police units, will hold special recruitment drives within the BAC area.

17. Appointment of Interim Bodoland Executive Council

The Government of Assam will take steps for the formation of an Interim Bodoland Executive Council for the BAC from amongst the leaders of the present Bodoland movement who are signatories to this settlement, during the transition period, i.e. prior to the holding of election of election. Such Interim Council would be formed before a prescribed date mutually agreed between the Central and State Government.

18. Relief and Rehabilitation

- (i) ABSU-BPAC leaders will take immediate steps to bring over ground and deposit with the District authorities all arms, ammunition and explosives in the possession of their own supporters and will cooperate with the administration in bringing over ground all Bodo militants along with their arms and ammunition etc. Within one month of the formation of the Interim BEC. In order to ensure the smooth return to civil life to the cadre and to assist in the quick restoration of peace and normalcy, such surrenders made voluntarily will not attract prosecution.
- (ii) The Government of Assam will consider sympathetically the withdrawal of all cases against persons connected with the Bodoland Movement excluding those relating to heinous crimes.
- (iii) The Government of India will initiate steps for review of action against the employees of Government of India and subordinate offices as well as in respect of Central undertakings. Similar action would be taken by the Government of Assam.
- (iv) The Government of Assam will initiate immediate steps for suitable rehabilitation of the Bodo militants coming over ground as a result of this

settlement, similarly, the Government will organize ex-gratia payments as, per rules to next of kins killed during the Bodo agitation.

19. Share in Collection of Excise Duty on Tea

The Government of Assam will deposit in the BAC fund revenue collected from the tea gardens falling within the BAC area.

20. Protection of Rights of Non-Tribals

The Government of Assam and the BAC fund revenue collected from the tea gardens falling within the BAC area.

21. Ad-hoc Central Grant for Launching the BAC

After the signing of this settlement, an ad-hoc Budget on reasonable basis will be prepared by Interim BEC and discussed with the State and Central Government by necessary financial support.

Sd/-
(S.K. Bwismutiary)
President, ABSU.
Government of Assam

Sd/-
(K.S. Rao)
Addl. Chief Secretary

Sd/-
(Rabi Ram Brahma)
General Secretary, ABSU

Sd/-
(SubhashBasumatari)
Chairman, BPAC.

Sd/-
(Rajesh Pilot)
Minister of State (Internal Security)
Ministry of Home Affairs,

Sd/-
(HiteshwarSaikia)
Chief Minister of Assam
State Government of Assam

Demands

(A) On Government of India

1. Education

The Government of India will give sympathetic consideration to the requests of the Bodo leaders:

- (i) For the setting up of a Central University, Agricultural University, Medical College, Ayurvedic College, Forest Training School, Sainik School, Textile Institute and a Central School within BAC area; and
- (ii) Introduction of Bodo language as medium of instruction in Post-graduate course in the Universities within the North-Eastern hills University, Shillong, by opening of a separate Bodo Department therein.

2. Cultural Development

The Government of India shall refer to the Ministry of Information and Broadcasting the request of the Bodo leaders for;

- (i) Creation of facilities for programme production and opening of a TV station at Kokrajhar;
- (ii) Providing facility and capacity for production of Bodo and other tribal programmes including the broadcast of regional news from Kokrajhar Radio Station;
- (iii) Opening of one Radio Station each at Udalguri and Jonai;
- (iv) Reservation within the rules in matters of employment for the local Bodos in above mentioned new TV/Radio Stations; and
- (v) The Government of India would consider establishing a Museum at Kokrajhar for preserving and display of Bodo and other indigenous art and culture.
- (vi) All historical relics, monuments, archeological sites and remains and important historical place like Dimapur, Maibong etc. will be protected/ preserved.

3. Economic Development of Bodo Areas

The Government of India will sympathetically consider depending upon vitality, the setting up of the following in Bodo Areas:

- (i) Some forest based industries
- (ii) Some hydro-electric projects
- (iii) Some multi-purpose irrigation projects
- (iv) One fertilizer plant
- (v) One cement factory
- (vi) One paper mill
- (vii) One textile mill

4. Scholarship

The BAC will be helped by the Government of India in making arrangements for the payments for the payment of scholarships to Schedule Tribe students from primary school onward up to University level at enhanced rate and on monthly basis.

5. Bodo Hostels

The Government of India will be requested to help in establishing hostels for Bodos at New Delhi, Calcutta, Guwahati, Shillong, Madras and Bombay.

6. General

The Government of India for national security point of view shall consider construction of a National Highway starting from Raimana in the district of Kokrajhar up to Itanagar, the Capital of Arunachal Pradesh touching the Indo-Bhutan border through Bodoland and Arunachal Pradesh.

(B) On Government of Assam

1. Language and Literature

- (i) Establishment of a separate directorate of Plains Tribal Education in the BAC area with separate budget allocation.
- (ii) Establishment of a separate Education Ministry along with a separate Secretariat for Tribal Education in Assam.

- (iii) Recognition of Bodo language as one of the language subject in the Assam Public Service Commission.

2. Reservation

Increasing the reservation quota to 40 percent for the Scheduled Tribes for admission to educational institutions within Assam.

List of Subjects and Departments over which BAC will have control within the BAC area

1. Cottage Industries
2. Animal Husbandry and Veterinary
3. Forests
4. Agriculture
5. PWD
6. Sericulture
7. Education
 - (a) Adult Education
 - (b) Primary Education
 - (c) Up to Higher Secondary including Vocational Training
8. Cultural Affairs
9. Soil Conservation
10. Co-operation
11. Fisheries
12. Panchayat and Rural Development
13. Handloom and Textiles
14. Health and Family Welfare
15. Public Health Engineering

16. Irrigation
17. Social Welfare
18. Flood Control scheme for protection of villages (not of highly technical nature)
19. Sports and Youth Welfare
20. Weight and measures
21. Library Services
22. Museums and Archeology
23. Urban Development – Town and country Planning
24. Tribal Research Institute
25. College Education (General)
26. Land and Revenue
27. Public/Public Relation
28. Printing and Stationary
29. Transport
30. Any other matter connected with development
31. Municipal Corporation, Improvement Trusts, District Boards and other local authorities
32. Tribal Welfare
33. Markets and Fairs
34. Lotteries, Theaters, Dramatic Performances and Cinemas
35. Vital Statistics including registration of births and deaths
36. Food and Civil Supply
37. Intoxicating Liquors, opium and derivatives etc.

Appendix-8

Memorandum of Settlement On Bodoland Territorial Council (BTC), 2003

The Government of India and the Government of Assam have been making concerted efforts to fulfill the aspirations of the Bodo people relating to their cultural identity, language, education and economic development. Towards this end, a series of talks were held between Government of India, Government of Assam and Bodo Liberation Tigers (BLT) since March, 2000. As a result, it is agreed to create a self-governing body for the Bodo areas in the state of Assam as follows:

2. Objectives

The objectives of the agreement are: to create an Autonomous self governing body known as the Bodoland Territorial Council (BTC) within the State of Assam and to provide Constitutional protection under the Sixth Schedule to the said Autonomous Body; to fulfill economic, educational and linguistic aspirations and the preservation of land-rights, socio-cultural and ethnic identity of the Bodos; and speed up the infrastructure development in BTC area.

3. Area

3.1 The area of proposed BTC will comprise all the 3082 villages and the areas shall be divided into 4 contiguous districts after reorganization of the existing districts of Assam within a period of months of the signing of the agreement on the lines of the proposal given by BLT subject to clearance of the Delimitation Commission.

3.2 A committee comprising one representative each from Governments of India and Assam and BLT will be decided by consensus on the inclusion of additional villages and areas in the BTC from out of 95 villages and areas on the basis of the criteria of tribal population being less than 50 per cent, contiguity and any other agreed relevant criteria within a period of three months of signing its MoS.

4. Status of Bodoland Territorial Council

The Provision of the Sixth Schedule and other Relevant Articles of the Constitution of India will apply to BTC, Mutatis Mutandis in terms of this agreement. The safeguards/modifications for the non-tribals in BTC area, inter-alia, will include the following:

Provision of Para 1 (2) of Sixth Schedule regarding Autonomous Region will not be applicable to BTC.

A provision will be made in Para 2 (1) of the Sixth Schedule for increasing the number of members for BTC up to 46 out of which 30 will be reserved for Schedule Tribes, 5 for non-tribal communities, 5 open for all communities and 6 to be nominated by governor of Assam from the unrepresented communities from BTC area of which at least two should be women. Nominated member will have the same right and privileges as other members, including voting rights. Election from the 40 constituencies of BTC shall be on the basis of adult franchise. The term of the elected members of BTC shall be for five years.

Safeguards for the settlement rights, transfer and inheritance for property etc. of non-tribal will be suitably incorporated in Para 3 of the Sixth Schedule. Any such law as may be made by the BTC in this regard will not, in particular:

- a) Extinguish the rights and privileges enjoyed by any citizen of India in respect of their land at the commencement of BTC, and

- b) Bar any citizen from acquiring land either by way of inheritance, allotment, settlement or by way of transfer if such citizens were eligible for such bonafide acquisition of land within the BTC area.

Provision will be added in Para 6 of the Sixth Schedule that in BTC area, language and medium of instruction in educational institutions will not be changed without the approval or the State Government.

Provisions of Para 8 of Sixth Schedule regarding power to asses and collect land revenue and impose taxes shall be applicable to BTC.

Para 10 of the Sixth Schedule will not be applicable to BTC area.

Provision of Article 332 (6) of the Constitution will be so modified that the existing status of representation of BTC area in the State Assembly is kept intact. After the creation of BTC, the Parliamentary Assembly Constituencies shall be delimited by the Delimitation Commission in accordance with the provisions of the Constitution.

In the event, Panchayati Raj system ceases to be in force in the council area, the power of the Panchayati Raj institutions in such manner that not-tribals are not disadvantaged in relation to the rights enjoyed by them at the commencement of BTC and their rights and privileges including land rights are fully protected.

5. Powers and Functions

The Council shall have legislative powers in respect to subjects transferred to it as enumerated below. All laws made under this paragraph shall be submitted forthwith to the Governor and until assented to by him, shall have no effect. The BTC shall have executive, administrative and financial powers in respect of subjects transferred to it.

Subject to be enumerated to BTC by Assam Government:

1. Small, cottage and rural industry, 2. Animal Husbandry and Veterinary, 3. Forests, 4. Agriculture, 5. PWD, 6. Sericulture, 7. Education (Primary Education),

Higher Secondary including Vocational Training, Adult Education, College Education (General) 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, 19. Sports and youth Welfare, 20. Weights and Measures, 21. Library Services, 22. Museum and Archeology, 23. Urban Development-Town and country Planning, 24. Tribal Research Institute, 25. Land and Revenue, 26. Publicity /Public Relations, 27. Printing and Stationery, 28. Tourism, 29. Transport, 30. Planning and Development, 31. Municipal Corporation, Improvement Trust, District Boards and other local authorities 32. Welfare of Plains Tribes and Backward classes, 33. Markets and fairs, 34. Lotteries, Theaters and Dramatic performances and cinemas, 35. Statistics, 36. Food and Civil Supply. 37. Intoxicating liquors, opium and derivatives etc., 38. Labour and employment, 39. Relief and Rehabilitation, 40. Registration of Births and Deaths.

5.2 There shall be an Executive council comprising of not more than 12 Executive members, one of whom shall be the Chief and nether one the Deputy Chief of the said Executive council. There shall be adequate representation for the non-tribal members in the Executive council. The Chief and the Deputy Chief of the council shall have the status equivalent to the Cabinet Minister and the other Executive Members equivalent to the Minister of State of Assam for protocol purpose in BTC area.

5.3 The BTC shall have the full control over the officials and staff connected with the delegates subjects working on the BTC area and shall be competent to transfer officers and staff within the BTC area. ACRs of these officers shall also be written by the appropriate BTC authority.

5.4 BTC shall also be competent to make appointments for all posts under its control in accordance with the rules of appointment followed by the Government of Assam. However, the posts where recruitment is made on the recommendation of APSC shall not be covered under this provision. The Council may constitute a Selection Board for appointment and to ensure adequate representation for all communities living in the Council area.

5.5 No posts shall be created by BTC without concurrence of the Government of Assam and it shall also abide by the decision of the government of Assam in respect of abolition of temporarily keeping any vacant posts.

5.6 Development functions and bodies with the Competence of BTC shall be transferred to BTC. In respect of DRDA, concurrence of Government of India will be obtained.

5.7 The offices of the Deputy Commissioner and Superintendent of Police will be outside the superintendence and control of BTC.

5.8 The State Government would provide an amount, to be decided every year on population ratio basis, grants in aid in two equal installments to the BTC for executing development works. The proportionate share for the BTC shall be calculated on the Basis of the plan funds available after setting aside the funds required for earmarked sectors and salary. This amount may be reduced proportionately if the state plan allocated is reduced or there is plan cut due to resource problem. In addition, the Council will be office expenses and the salaries of the staff working under their control. The BTC shall disburse the salaries of the staff under their control and would ensure strict economy in the matter.

5.9 BTC authority shall prepare a plan with the amounts likely to be available for development works, both under State share and Central share, covering any, or all the

activities of the Departments under their control. The council shall have full discretion in selection the activities and choosing the amount for investment under the same in any year covering all groups of people in a fair and equitable manner. This plan will be a sub set of the State plan and would be treated as its integral part. Once the plan of the State, including the BTC plan, gets the approval of the planning Commission the BTC authority will start execution of their plan in the BTC area. Modifications, if any, made by the Planning Commission in the BTC proposal, shall be binding on the BTC authority. The State Government shall not divert the funds allocated to the BTC to other heads and also ensure its timely release. BTC may have planning Department to prepare the plans for BTC area to be submitted to Planning Commission through the Government of Assam.

5.10 The executive functions of the BTC shall be exercised through its Principal Secretary who shall be an officer of the rank not below of commissioner/Secretary to Government of Assam. The sanctioning power of Government of Assam shall be vested with the Principal Secretary of BTC and sanctioning powers of head(s) of the Department (s) including the technical section shall be conferred on the senior most officer of that Department, preferably not below the rank of Additional Director, who may be designated as Director of BTC for that Department. The Principal Secretary and other officers shall exercise their powers under the overall guidance and supervision of BTC.

6. Law and Order

To strengthen the Police Administration, Government of Assam shall appoint an IGP for 4 districts of BTC and the jurisdiction of the DIG Kokrajhar shall also be modified to cover these 4 districts.

7. Revision of List of ST

Consequent to the inclusion of BTC area into the sixth Schedule, the list of ST for the State of Assam shall be modified so as to ensure that the tribal status of Bodos and other tribals living outside the BTC area does not get affected adversely.

8. Grands of ST Status of Bodo-Kacharies of KarbiAnglong and N.C. Hills district

The Government of India agrees to consider sympathetically the inclusion of the Bodo Kacharies living in KarbiAnglong and N C Hills Autonomous Council area in the ST (Hill) List of State of Assam.

9. Development of Bodo Language

9.1 The Government of India agrees to consider favorably the inclusion of Bodo language in Devanagiri Script in the Eight Schedule of the Constitution.

9.2 Bodo language shall be the official language of BTC subject to the condition that Assamese and English shall also continue to be used for official purpose.

10. Additional Development Package for BTC

10.1 The State Government, within the limitation of financial and other constraints, may offer or allow the council to offer, possible and sustainable additional incentives for 'attracting' private investment in the Council area and would also support projects for external funding.

10.2 In order to accelerate the development of the region and to meet the aspirations of the people, the Government of India will provide financial assistance of Rs. 100 Crores per annum for five years for projects to develop the socio-economic infrastructure in BTC area over and above Normal plan assistance to the State of Assam. The size of the Corpus will be reviewed after a period of five years. Suitable mechanism will be built in the system to ensure that the funds are transferred to BTC

in time and at regular intervals. An illustrative list of projects which may be considered to be taken up in BTC given below:

List of Projects: 1. to establish a centre for development and research of Bodo language. 2. Up gradation of existing educational infrastructure by way of renovation/addition of buildings, providing modern facilities for teaching such as computers, science laboratories etc. from primary level to college in BTC area. 3. A cultural complex to be established at Kokrajhar to promote and develop Bodo tradition and cultural heritage. 4. To establish a super specialty hospital with all modern facilities at Kokrajhar. Government hospitals shall be established in all district, sub-divisional and block headquarters. 5. To establish spors complexes in all district headquarters. 6. Food processing plants and cold storage facilities at Kokrajhar, Kalaigaon, Udalguri and Tamulpur. & Construction of a bridge over river Aai o connect Koilamoila, Amguri etc. with the rest of the district. 8. To build a Bodoland Bhawan in Delhi, 9. To set up intergrated agro-processing park and textile-cum-apparel park. 10. Revitatzation of KokilabariAgrucultural Farm. 11. To develop adequate infrastructure to develop Manas sanctuary as an internal tourist spot. 12. To complete Campa, Suklai and Dhansiriri irrigation projects. 13. To construct a highway on the Indi-Bhutan border from Jamduar to Bhairabbkunda to connect remote place located adjacent to the border. 14. To set up model diary, fishery, horticulture and poultry farms/training centers at different places in all the 4 districts to encourage youth for self-employment. 15. To enhance the existing facilities in veterinary hospitals in BTC areas.

10.3 Government of India will provide necessary one time financial assistance required for development of administrative infrastructure in the newly created district

headquarters, sub-divisional headquarters and block headquarters, besides the BTC Secretariat Complex at Kokrajhar.

11. Centrally Funded University

11.1 A centrally funded Central Institute of Technology (CIT) will be set up to impart education in various technological/vocational disciplines such as Information Technology, Bio-technology, Food Processing, Rural Industries, and Business Management etc.

11.2 The CIT will be subsequently upgraded to a centrally funded State University with technical and non-technical disciplines to be run by the BTC.

12. Relief and Rehabilitation

12.1 The BLT would join the national mainstream and shun the path of violence in the interest of peace and development. After the formation of the interim council of BTC, BLT will dissolve itself as an organization and will surrender with arms within a week of swearing in of the interim council. The State Government would provide full support to relief and rehabilitation of the members of BLT who would surrender with arms in this process in accordance with the existing polity of the State, Financial support in such cases, however, shall be limited to the provisions of the scheme prepared and funded by the Government of India. Withdrawal of cases against such persons and those related to over ground Bodo Movement since 1987 shall be considered according to the existing policy of the State of Assam.

12.2 The Government of India will initiate steps for review of action against the Bodo employees of Government of India and subordinate offices as well as in respect of Central Government Undertakings. Similar action will be taken by the Government of Assam.

12.3 Bodo youth will be considered for recruitment in Police, Army and paramilitary forces to increase their representation in these forces.

13. Special Rehabilitation Programme for the People Affected by Ethnic Disturbances

The Special Rehabilitation Programme (SRP) for the people affected by ethnic disturbances in Assam, who are at present living at relief camps in Kokrajhar, Bongaigaon etc. shall be completed by the Government of Assam with active support of BTC. Necessary funds for their rehabilitation shall be provided by the government of India and lands which are free from all encumbrances required for such rehabilitation shall be made available by the BTC.

14. Interim Council

Immediately after the signing of the agreement, Interim Executive Council for BTC shall be formed by the Governor of Assam from amongst the leaders of the present Bodo movement, including the signatories to this settlement, and shall include adequate representation to the non-tribal communities in BTC area. The Interim Council shall continue for a period beyond 6 months during which period election to the Council shall be held. Government of Assam shall dissolve the Bodoland Autonomous Council (BAC) and repeal the BAC Act.

15. Government of Assam will consider inclusion of all tribals including Bodos in RHAC/MAC/LAC in consultation with the leaders of these Councils.

16. The implementation of the provision of the Memorandum of Settlement shall be periodically reviewed by a Committee comprising representatives of Government of India, Government of Assam and BTC.

Signed on 10 February, 2003 at New Delhi in the presence of Shri L.K. Advani, Hon'ble Deputy Prime Minister of India and Shri TarunGogoi, Chief Minister of Assam.

Sd/-
(Hagrama Basumatary)
Chairman
Bodo Liberation Tigers

Sd/-
(P.K. Dutta)
Chief Secretary,
Govt. of Assam

(R.C.A. Jain)
Secretary (B M)
Ministry of Home Affairs, Govt. of India

Appendix-9

(Copy of the Amendment Act of the Sixth Schedule to the Constitution of India in Pursuance of the Memorandum of Settlement Signed on 10th February 2003)

The Sixth Schedule to the Constitution (Amendment) Act, 2003 No. 44 of 2003

An Act further to amend the Constitution of India in its application to the State of Assam BE it enacted by Parliament in the Fifty-fourth year of the Republic of India as follows:-

1. This Act may be called the Sixth Scheduled to the Constitution (Amendment) Act 2003.
2. The Sixth Schedule to the Constitution shall, in its application to the State of Assam, have effect subject to the following modifications, namely:-
 - (1) In paragraph 1, after sub-paragraph (2), the following proviso shall be inserted, namely: - “Provide that nothing this sub-paragraph shall apply to the Bodoland Territorial Areas Districts”.
 - (2) In paragraph 2, after sub-paragraph (1) the following proviso shall be inserted, namely:- “Provided that the Bodoland Territorial Council shall consists of not more than forty-six members of whom forty shall be elected on the basis of adult suffrage, of whom thirty shall be five open for all communities and the remaining six shall be nominated by the Governor having same rights and privileges as other
 - (3) In paragraph 2, in sub-paragraph (3), after the proviso, the following proviso shall be inserted, namely:-

“Provided further that the District Council constituted for the Bodoland Territorial Council;”

- (4) In paragraph 3, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely:-

“(3) save as otherwise provided in sub-paragraph (2) of paragraph 3A or sub-paragraph (2) of paragraph 3B, all laws made under this paragraph or sub-paragraph (1) of paragraph 3A or sub-paragraph (1) of paragraph 3B shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect;”

- (5) After paragraph 3A, the following paragraph shall be inserted, namely:-

“3B. Additional powers of the Bodoland Territorial Council to make laws:-

1. Without prejudice to the provisions of paragraph 3, the Bodoland Territorial Council within its areas shall have power to make laws with respect to:-
 - i. Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases;
 - ii. Animal husbandry and veterinary, that is to say preservation, protection and improvement of stock and prevention of animal diseases, veterinary training and practice, cattle pounds;
 - iii. Co-operation;
 - iv. Cultural Affairs;
 - v. Education, this is to say, primary education, higher secondary education including vocational training, adult education, and college education (general);
 - vi. fisheries;
 - vii. Flood control for protection of village, paddy fields, markets and towns (not technical nature);
 - viii. Food and civil supply;
 - ix. Forests (other than reserve forests);
 - x. Handloom and textile;
 - xi. Health and family welfare;
 - xii. Intoxicating liquors, opium and derivatives, subject to the provisions of entry 84 of List 1 of the Seventh Schedule;
 - xiii. Irrigation;
 - xiv. Labour and employment;
 - xv. Land and Revenue;
 - xvi. Library services (finance and controlled by the state Government);
 - xvii. Lotteries (subject to the provisions of entry 40 of List 1 of the Seventh Schedule), theatres,

dramatic performances and cinemas (subject to the provisions of entry 60 of List 1 of the Seventh Schedule); xviii. Markets and fairs; xix. Municipal Corporation, improvement trust, district boards and other local authorities; xx. Museum and archaeology institutions controlled or finance by the state, ancient and historical monuments and records other than those declared by or under any law made by Parliament to be of national importance; xxi. Panchayat and rural development; xxii. Planning and development; xxiii. Printing and stationery; xxiv. Public health engineering; xxv. Public works department; xxvi. Publicity and public relations; xxvii. Registration of birth and deaths; xxviii. Relief and rehabilitation; xxix. Sericulture; xxx. Small, cottage and rural industry subject to the provisions of entries 7 and 52 of List 1 of the Seventh Schedule; xxxi. Social welfare; xxxii. Soil conservation; xxxiv. Statistics; xxxv. Tourism; xxxvi. Transport (roads, bridges, ferries and other means of communication not specific not specified in List I and List III of the Seventh Schedule with regard to such waterways, vehicles other than mechanically propelled vehicles); xxxvii. Tribal research institute controlled and financed by the state Government; xxxviii. Urban development- town and country planning; xxxix. Weights and measures subject to the provisions of entry 50 of List 1 of the Seventh Schedule; and xi. Welfare of plains tribes and backward classes:

Provided that nothing in such laws shall-

- (a) Extinguish or modify the existing rights and privileges of any citizen in respect of his land at the date of commencement of this Act; and
- (b) Disallow any citizens from acquiring land either by way of inheritance, allotment, settlement or by any other way of transfer if such citizen is otherwise eligible for such acquisition of land within the Bodoland Territorial Council Areas District.

(2) All laws made under paragraph 3 or under this paragraph shall in so far as they relate to matters specified in List III of the Seventh Schedule, be submitted forthwith to the Governor who shall reverse the same for the consideration of the President.

(3) When a law is reserved for the consideration of the President shall declare either that he assents to the said law or that he withholds assent there from:

Provided that the President may direct the Governor to return the law to the Bodoland Territorial Council, together with the message requesting that the said Council will reconsider the law or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when the law is so returned, the said Council shall consider the law according within a period of six months from the date of receipt of such message and, if the law is again passed by the said Council with or without amendment it shall be presented again to the President for his consideration”.

(6) In paragraph 4, after sub-paragraph (5), the following sub-paragraph shall be inserted, namely:-

“(6) Nothing in this paragraph shall apply to the Bodoland Territorial Council constituted under the proviso to sub-paragraph (3) of paragraph 2 of this Schedule”

(7) In paragraph 10, after sub-paragraph (3), the following sub- paragraph shall be inserted, namely:-

“(4) Nothing in this paragraph shall apply to the Bodoland Territorial Council constituted under the proviso to sub-paragraph (3) of paragraph 2 of this Schedule”

(8) In paragraph 12, in sub-paragraph (10, in clause (a), for words, figure and letter” matters specified in paragraph 3 or paragraph 3A or paragraph 3B of this Schedule” shall be submitted;

(9) In paragraph 17, the following proviso shall be inserted namely:-

“Provided that nothing in this paragraph shall apply to the Bodoland Territorial Areas District.”

- (10) In paragraph 19, after sub-paragraph (3), the following sub-paragraph shall inserted, namely: -

“(4) As soon as possible after the commencement of this Act, an Interim Executive Council for Bodoland Territorial Areas District in Assam shall be formed by the Governor from amongst leaders of the Bodo Movement, including the signatories of the Memorandum of Settlement, and shall provide adequate representation to the non-tribal communities in this area;

Provided that the Interim Council shall be for a period of six months during which endeavours to hold the election to the Council shall be made.

Explanation: - For the purpose of this sub-paragraph, the expression “Memorandum of Settlement” means the Memorandum signed on the 10th day of February, 2003 between Government of India, Government of Assam and Bodo Liberation Tigers”.

- (11) In paragraph 20, in part I of the table, after entry 2, the following entry shall be inserted, namely:-

“3, the Bodoland Territorial Area District”;

Subash C. Jain

Secretary to the Govt. of India

GLOSSARY

Bodo	English
<i>Agor Gidit</i>	- A design representing a Diamond shape.
<i>Banduram Agor</i>	- A design first crafted by Bandhuram kachari.
<i>Bisa Har</i>	- A necklace.
<i>Bwigri Bibar</i>	- A design representing the flowers of plum
<i>Bwisagu</i>	- Bodo new year feasible celebrated during the month of April.
<i>Bwirathi</i>	- Woman receptionist of bride and bridegroom in Bodo marriage.
<i>Chandra Har</i>	- A heavy necklace.
<i>Duars</i>	- Door.
<i>Dokhna</i>	- Tradition dress of Bodo woman
<i>Daokhi Agor</i>	- A design representing stool of a hen.
<i>Doudini</i>	- A dancing woman in Kherai puza.
<i>Daorai Mukhreb</i>	- Winkle of peacock.
<i>Daosa Mwkhrreb</i>	-Winkle of chicken.
<i>Dinkhia Mohor</i>	-A design representing fern of Dhekia
<i>Endi</i>	- Eri Silk
<i>Garja</i>	- Traditional way of worshipping 18 tribal Deities/ Gods by Bodos
<i>Goṅarthaisip</i>	- A design representing the fruit of Nui tree).
<i>Gangu Godo</i>	- An Agor representing the shape of a kind insect called Gangu).
<i>Gandola agor</i>	- A design representing an insect Gandoula.
<i>Gorkha Goṅbrui Agor</i>	- design representing twill.
<i>Haba</i>	– Marriage
<i>Kherai</i>	- Traditional way of worshipping lord Shiva by Bodos.
<i>Khulshi Dentha</i>	- A design representing the spoon.
<i>Laoson Agor</i>	- A design invented by a Bodo girl called Laosong
<i>Mokhordoma Ago r</i>	-A design representing a litigation or zig zag.
<i>Muphur Apha</i>	-A design representing the footprint of bear.
<i>Mwitha bibar</i>	- A design representing a kind of vegetable's flower
<i>Noni Mainao</i>	- Goddess Laxmi
<i>PhareoMegon</i>	- Pigeon eye.

- Phul Mubla* - Varieties of bloomed flowers.
- Sinri Bibar* - A design representing the Singri flower
- Thaigir Bibar* - design representing the flower of Thaigir plant .
- Thanka Siri* - Around neck ornament.
- Zibou Zinziri* - A snake like chain.