

Appendix-I

PEACE ACCORDS IN ASSAM

PROBLEM OF FOREIGNERS IN ASSAM MEMORANDUM OF SETTLEMENT

Chief Minister Assam
August, 16, 1985.

The issue of foreign nationals in Assam, which had agitated the popular mind, has been resolved to the satisfaction of all sections of the people of the State. The Memorandum of Settlement, signed by the Union Government and the Government of Assam with the AASU and AAGSP which had spearheaded a movement on the issue, brought to an end the prolonged agitation and has opened up new possibilities of social and economic development in the State. The Memorandum, which accommodates all shades of opinion and satisfies all concerned sections apart from taking into full consideration the national commitments and international and humanitarian obligations, will go down in the country's history as a shining example of popular wisdom so brilliantly symbolised by the country's Prime Minister.

We present in the following pages the full text of the historic Memorandum of Settlement with the hope that the people in general will fully comprehend the spirit of the historic settlement and will extend full cooperation to the Government in implementing it.

Janata Bhavan,
Dispur, Guwahati.

HITESHWAR SAIKIA

MEMORANDUM OF SETTLEMENT

Sd/- (Biraj Sharma)
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 keenness to find such a solution.

Sd/- (P.K. Mahanta)
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 effects upon the political, social, cultural and economic life of the State.

Sd/- (B.K. Phukan)
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 and Home Minister's levels during the period 1980-83. Several round of informal talks were held during 1984. Formal discussions were resumed in March 1985.

4. Keeping all aspects of the problem including consitutional and legal provosions, Internatioinal agreements, national commitments and humanitarian considerations, it has been decided to proceed as follows:

Foreigners Issue

5.1 For purpose of detectioin and deletion of foreigners, 1.1.1966 shall be the base date and year.

5.2 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.

5.3 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 1964.

Sd/-
(Biraj Sharma)

5.4 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.

Sd/-
(P.K.Mahanta)

5.5 For the purpose, Government of India will undertake suitable strengthening of the governmental machinery.

5.6 On the expiry of a period of ten years following the date of detection, the names of all such persons which have been deleted from the electoral rolls shall be restored.

5.7 All persons who were expelled earlier, but have since re-entered illegally into Assam ; shall be expelled .

5.8 Foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, detected and expelled in accordance with law. Immediate and practical steps shall be taken to expel such foreigners.

5.9 The Government will give due consideration to certain difficulties expressed 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 may be appropriate, shall be provided to protect , preserve and promote the cultural, social, linguistic identity and heritage of the Assemese 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 certificates in future only by the authorities of the Central Government.

Sd/-
(P.K.Mahanta)

8.2 Specific complaints that may be made by the AASU/AAGSP about irregular issuance of Indian Citizenship Certificate (ICC) will be looked into.

Sd/-
(Biraj Sharma)

9. 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 filtration, an adequate number of check posts shall be set up.

9.2 Besides the arrangements mentioned above and keeping in view security consideration, 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 on 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 relevant laws for prevention of encroachment of government 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 relevant law restricting acquisition of immovable property by foreigners by in Assam is strictly enforced.

12. It will be ensured that Birth and Death Registers are duly maintained.

Restoration of normalcy :

Sd/- (P.K.Mahanta) 13. The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) call off the agitation, assure all cooperation and dedicate themselves towards the development of the country.

14. The Central and the State Government have agreed to :

Sd/- (Biraj Sharma) (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 not victimization;

(b) frame a scheme for ex-gratia payment to next of kin of those who were killed in the course of the agitation;

(c) give sympathetic consideration to proposal for relaxation of upper age limit for employment in public services 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/notification 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/-
(B.K. Phukan)
General Secretary
All Assam Students Union

Sd/-
(R. D. Pradhan)
Home Secretary
Govt. of India

Sd/-
(Biraj Sharma)
Convenor
All Assam Gana Sangram
Parishad

Sd/-
(Smt. P. P. Trivedi)
Chief Secretary
Govt. of Assam

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 claims 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/-

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 re-open :
 - (i) Ashok Paper Mill
 - (ii) Jute Mills
3. I.I.T. will be set up in Assam.

**MEMORANDUM OF SETTLEMENT
(BODO ACCORD)**

February 20, 1993, Guwahati

1. Preamble

(i) Both the Government of India and the Government of 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 meeting with the State Government as well as with leaders of All Bodo Students Union (ABSU) and Bodo People's Action Committee (BPAC). The State Government has also separately held discussion with the 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 continuous geographical areas between river Sankosh and Mazat/river Pasnoi. The land records authority of the State will scrutinize the list of villages furnished by ABSU/ BPAC having 50% and more of tribal population which shall be included in the

BAC. For the purpose of providing a contiguous areas, ever the villages having than 50% tribal population shall be included, BAC will also include Reserve Forests as per the guidelines laid by Ministry of Defence and Ministry of Environment and Forests, Govt. of India, not otherwise required by the Government for manning the international border and tea gardens located completely within the BAC contiguous area.

(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 bye-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 BAC area of the laws on subjects enumerated 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 leader of the majority party to constitute the BEC.

4. Finances

(i) (a) The finances for the BAC will be earmarked under a separate subhead within the State budget, in keeping with the guidelines laid down by the Government of India from time to time. The government 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 the line with the spirit of the Constitution (seventy second) and (seventy third) amendment.

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

(iii) 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.

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

5. Powers of Appointment

The Bodoland Executive Committee would have powers to appoint Class III and Class IV Staff within its jurisdiction for implementation of schemes 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 State Assembly, within the BAC area to the extent permitted by the Constitution and the law.

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 practice of the Bodos;
- ii) the Bodo customary laws and procedures; and
- iii) the ownership and transfer of land within and BAC area.

8. Special status for the Bodoland and 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 Guwahati High Court to set up within BAC Special Courts as specified below to try suits and cases between parties all of whom belong to Scheduled Tribe 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.

10. Appointment in the Central Bodies

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

11. Official Language

The General Council can lay down policy with regard to use of Bodo languages as medium of official correspondence within the BAC area. However, while corresponding with offices outside the BAC area, correspondence will have to be

in bilingual form in accordance with the Article 345 of the Constitution and the provision of law in this behalf.

12. Changes in Geographical Boundary

The geographical areas 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 Scheduled Castes and Scheduled Tribes

The scheduling and de-scheduling of Scheduled Castes and Scheduled Tribes residing within the Bodo areas will be down 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 in accordance with the existing law. For this purpose, it can issue permits and licences to individuals within the BAC areas. The Government of Assam and the Union Government while considering allotment of permits to people residing within the BAC areas will give preference to the Bodos.

15. Employment Opportunities

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

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 postings due regard will be given the views of BAC about officers being so posted.

ii) The officers posted to the BAC areas will be accountable to the BAC for the 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, para-military 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 elections. Such Interim council would be formed before a prescribed date mutually agreed between the Central and State Governments.

18. Relief and Rehabilitation

i) ABSU-BPAC leaders will take immediate steps to bring overground 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 overground 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 of 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 Movements excluding those relating to heinous crimes.

iii) 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 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 overground as a result of this settlement. Similarly, the Government will organise ex-gratia payments as per rules to next of the 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 right of non-tribals

The Government of Assam and the BAC will jointly ensure that all rights and interests of the non-tribals as on date living in BAC area in matters pertaining to land as well as their language protected.

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 for necessary financial support.

Sd/- S.K.Bwiswamutary
President, ABSU

Sd/- K.S.Rao
Addl. Chief Secretary to the
Government of Assam.

Sd/- Rabi Ram Brahma
General Secretary, ABSU.

Sd/- Subhash Basumatari
Chairman, BPAC.

In the presence of

Sd/- Rajesh Pilot
Minister of State (Internal Security)
Ministry of Home Affairs
Government of India.

Sd/- Hiteswar Saikia
Chief Minister of Assam
State Govt. of Assam.

PEACE ACCORD IN THE SUB-HIMALAYA
Accord on Darjeeling

Text of The Accord on Darjeeling :

The demands of the GNLF having been considered by the Government of India and the Government of West Bengal and consequent upon the tripartite meeting between Shri Buta Singh, Union Home Minister, Shri Jyoti Basu, Chief Minister of West Bengal and Shri Subhas Ghising, President GNLF at New Delhi on 25.7.88, it is hereby agreed between Government of India, Government of West Bengal and GNLF as below :

1. Separate State of Gorkhaland

In the overall national interest and in response to Prime Minister's call, the GNLF agree to drop the demand for a separate State of Gorkhaland. For the social, economic, education and cultural advancement of the people residing in the hill areas of darjeeling district, it is agreed to have an autonomous hill council to be set up under a State Act. The salient features of the hill council would be as follows :

(i) The name of the Council will be Darjeeling Gorkha Hill Council.

(ii) The Council will cover the three hill subdivisions of Darjeeling district namely, Darjeeling, Kalimpong and Kurseong, plus the Mouzas of Lohagarh T.G., Lohagarh Forest, Eangmohan, Barachenga, Panighata Chota Adalpur, Poharu, Sukna forest, Sukna Part I, Pantapati Forest I, Mahanadi forest and Salbari Chhat Part II within Siliguri Subdivision.

(iii) The state government agrees to lease to the Council, after it is formed, or acquire for it the use of such land as may be required and necessary for

administrative and developmental purposes, anywhere in the State and in particular in or around 'Darjeeling more' in Siliguri subdivision.

(iv) The executive powers of the Council will cover the following subjects to the provision of the Central and State laws.

1. The allotment, occupation, use or setting apart of land other than any land which is reserved forest, for the purpose of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely to promote the interest of the inhabitants of any village, locality or town;

2. The management of any forest, not being a reserved forest.

3. The use of any canal or water-course for the purpose of agriculture.

4. Agriculture

5. Public health and sanitation, hospitals and dispensaries.

6. Tourism

7. Vocational training

8. Public Works-Development

9. Construction and maintenance of all roads except national highways and state highways.

10. Transport and development of transport

11. Management of burials and burial grounds, cremation and cremation-grounds.

12. Preservation, protection and improvement of livestock and prevention of animal diseases, veterinary training and practice.

13. Pounds and the prevention of cattle trespass.
14. Water, that is to say water supplies, irrigation and canals, drainage and embankment, water storage.
15. Fisheries
16. Management of markets and fairs not being already managed by municipal authorities, panchayat samiti or gram panchayats.
17. Education-primary, secondary and higher secondary
18. Works, lands and buildings vested in or in the lawful possession of the council and
19. Small scale and cottage industries

V. The council shall exercise general powers of supervision over Panchayat Samitis, Gram Panchayats and Municipalities falling within the area of the Council's jurisdiction.

VI. The general council will have a total of 42 members out of which 28 will be elected and the rest nominated by the State government.

VII. There will be an executive Council and the Chairman and the Vice-Chairman of the general Council will be ex-official members of the executive council with the Chairman the general council functioning as the Chief executive councillor. The Chief executive councillor will nominate five members to the executive council from out of the elected members of the council and the state government will nominate two members to the executive council from out of the non-official nominated members of the General Council.

VIII. The Chairman of the general Council cum Chief executive councillor will have the ex-official status and privileges of a minister in the council of minister in the state.

IX. The bill for setting up the hill council will be introduced and passed in a special session of the state legislature which has been summoned, the election to the hill council will be held by the 10 December, 1988.

2. Restoration of Normalcy :

(i) Review of criminal cases :

It is agreed that a review will be done by the State government of all the cases registered under various laws against persons involved in the GNLF agitation. Action will be taken, in the light of the review, not to proceed with prosecution in all cases except those charged with murder. Release of persons in custody will follow the withdrawal of cases. This review will be completed within 15 days of signing of this agreement.

(ii) Action against Government servants :

The State government agrees to withdraw all cases of disciplinary action taken against employees in the context of the agitation. There will be no victimisation of government servants.

(iii) The GNLF agrees to issue a call to its cadre for the surrender of all unauthorized arms to the district administration. It will be made clear in the call that such surrenders made voluntarily within the prescribed date will not attract any prosecution.

(iv) The GNLF hereby agrees to withdraw all agitational activities and to extend full cooperation to the administration for the maintenance of peace and normalisation of the political process in the hill areas of Darjeeling.

(Subhash Ghising)

President, GNLF

(R. N. Sen gupta)

Chief Secretary on behalf of the
Government of West Bengal

(C. G. Somiah)

Union Home Secretary
on behalf of the Union Govt.

In the presence of Union Home
Minister, Chief Minister, Govt. of West
Union Home Minister Chief Minister
Govt. of West Bengal.

Peace Accords in Mizoram

Memorandum of Settlement, 1986 (The Mizo Accord)

Preamble

1. Government of India have all along been making earnest efforts to bring about an end to the disturbed conditions in Mizoram and to restore peace and harmony.
2. Towards this end, initiative was taken by the Prime Minister, Smt. Indira Gandji, On the acceptance by Shri Laldenga on behalf of the Mizo National Front (MNF) of the two conditions namely cessation of violence by MNF and holding of talks within the framework of the Constitution of India, a series of discussions were held with Shri Laldenga. Settlement on various issues reached during the course of the talks is incorporated in the following paragraph.

RESTORATION OF NORMALCY :

- 3.1 With a view to restoring peace and normalcy in Mizoram the MNF party, on their part, undertakes within the agreed timeframe, to take all necessary steps to end all underground activities to bring out all underground personnel of the MNF with their arms, ammunition and equipment to ensure their return to civil life, to abjure violence and generally to help in the process of restoration of normalcy. The modalities of bringing out all underground personnel and the deposit of arms, ammunition and equipment will be as worked out. The implementation of the foregoing will be under the supervision of the Central Government.
- 3.2 The MNF Party will take immediate steps to amend its Articles of Association so as to make them conform to the provision of law.
- 3.3 The Central Government will take steps for the resettlement and rehabilitation of underground MNF personnel coming overground after considering the schemes proposed in this regard by the Government of Mizoram.
- 3.4 The MNF undertakes not to extend any support to Tripura/Tribal National Volunteers(TNV) , People's Liberation Army of Manipur (PLA) and any other such groups, by way of training, supply of arms or providing protection or in any other manner.

proposed in this regard by the Government of Mizoram.

3.4 The MNF undertakes not to extend any support to Tripura/Tribal National Volunteers(TNV) , People's Liberation Army of Manipur (PLA) and any other such groups, by way of training, supply of arms or providing protection or in any other manner.

LEGAL ADMINISTRATIVE AND OTHER STEPS

4.1 With a view to satisfying the desires and aspirations of all sections of the people of Mizoram, the Government will initiate measure to confer Statehood on the Union Territory of Mizoram, subject to the other stipulations contained in this Memorandum of Settlement.

4.2 To give effect to the above, the necessary legislative and administrative measures will be undertaken, including those for the enactment of Bills for the amendment of the Constitution and other laws for the conferment of Statehood as aforesaid, to come into effect on a date to be notified by the Central Government.

4.3 The amendments aforesaid shall provide, among other things, for the following

- :
- (I) The territory of Mizoram shall consist of the territory specified in Section 6 of the North Eastern Areas (Reorganisation) Act, 1971.
 - (II) Notwithstanding anything contained in the Constitution, no Act of Parliament in respect of

- (a) religious or social practices of the Mizos,
- (b) Mizo customary law or procedure
- (c) administration of Civil and Criminal justice involving decisions according to Mizo customary law,
- (d) ownership and transfer of land.

shall apply to the State of Mizoram unless the Legislative Assembly of Mizoram by a resolution so decides :

Provided that nothing in this clause shall apply to any Central Act in force in Mizoram immediately before that appointed day.

(III) Article 170, Clause (1) shall, in relation to the Legislative Assembly of Mizoram, have effect as if for the word 'sixty', the word 'forty' has been substituted.

5. Soon after the Bill for conferment of Statehood becomes law, and when the President is satisfied that normalcy has returned and that conditions conducive to the holding of free and fair elections exist, the process of holding elections to the Legislative Assembly will be initiated.

6. (a) The Centre will transfer resources to the new Government keeping in view the change in status from a Union Territory to a State and this will include resources to cover the revenue gap for the year.

(b) Central assistance for Plan will be fixed taking note of any residuary gap in resources so as to sustain the approved Plan outlay and the pattern of assistance will be in the case of special category States.

7. Border trade in locally produced or grown agricultural commodities could be allowed under the scheme to be formulated by the Central Government, subject to international arrangements with neighbouring countries.

8. The inner Line Regulations, as now in force in Mizoram, will not be amended or repeated without consulting the State Government.

OTHER MATTERS

9. The rights and privileges of the minorities in Mizoram as envisaged in the Constitution, shall continue to be preserved and protected and their social and economic advancement shall be ensured.

10. Steps will be taken by the Government of Mizoram at the earliest to review and codify the existing customs, practices, laws or other usages relating to the matters specified in clauses (a) to (d) of para 4.3 (II) of the Memorandum keeping in view that any individual Mizo may prefer to be governed by Acts of Parliament dealing with such matters and which are of general application.

11. The questions of the unification of Mizo inhabited areas of other States to form one administrative unit was raised by the MNF delegation. It was pointed out to them on behalf of the Government of India, that Article 3 of the Constitution of India prescribes the procedure in this regard but that the Government cannot make any commitment in this respect.

12. It was also pointed out on behalf of the Government that as soon as Mizoram becomes a state :

(i) the provisions of Part XVII of the Constitution will apply and the State will be at liberty to adopt any one or more of the languages in use in the State as the language to be used for all or any of the official purposes of the State:

(ii) it is open to the State to move for the establishment of a separate University in the State in accordance with the prescribed procedure: in the light of the Prime Minister's statement at the Joint Conferences of the Chief Justices Chief Ministers and Law Ministers held at New Delhi on 31st August, 1985. Mizoram will be entitled to have a High Court of its own if it so wishes

(a) It was noted that there is already a scheme in force for payment of ex-gratia amount to heirs dependents of persons who were killed during disturbances in 1966 and thereafter in the Union Territory of Mizoram. Arrangements will be made to expeditiously disburse payment to those eligible persons who had not been made over payment of the same.

(b) It was noted that consequent on verification done by a joint team of officers, the Government of India had already made arrangements for payment of compensation in respect of damage to crops; buildings destroyed/damaged during the action in Mizoram; and rental charges of buildings and lands occupied by the Security

Forces. There may, however be some claims which were preferred and verified by the above team but have not yet been settled. These pending claims will be settled expeditiously. Arrangement will also be made for payment of pending claims of rental charges for lands/buildings occupied by the Security Forces.

LALDENGA

On behalf of

Mizo National Front

Dated: 30th June, 1986

Place : New Delhi.

R. D. PRADHAN

Home Secretary

Govt. of India

LALKHAMA

Chief Secretary

Govt. of Mizoram.

SEQUENCE OF EVENTS

The Memorandum of Settlement contemplates the following sequence of event :

1. Coming overground of MNF personnel and depositing of arms, ammunition and equipment by them in accordance with the time bound programme as already agreed upon between the Ministry of Home Affairs and the MNF delegation.
2. The MNF Party should take immediate steps to amend its Articles of Association to make them conform to the provisions of law.
3. Government will initiate steps for rehabilitation of MNF personnel coming overground.
4. After completion of action under paragraphs(1) and (2) above, a Constitution Amemdment Bill will be introduced in Parliament for the grant of Statehood and other consequential legislative measures to be taken up.

5. After the Bill becomes law, preparations for delimitation of constituencies and holding election to the State Legislature will be taken on hand when the President is satisfied that normalcy has been restored.

LALDENGA

On behalf of

Mizo National Front

Dated: 30th June, 1986

Place : New Delhi.

R. D. PRADHAN

Home Secretary

Govt. of India

LALKHAMA

Chief Secretary

Govt. of Mizoram.

5 POINT AGREEMENT BETWEEN THE GOVT. OF MIZORAM AND THE HMAR PEOPLE'S CONVENTION, 1993

1. To bring out an amicable solution to the problems arising out of the demands of the Hmar People's Convention.
2. To give adequate autonomy to the Council for social, economic, cultural and educational advancement of the people under the jurisdiction of the Council.
3. To initiate measures for use of Hmar language as a medium of instruction upto Primary level and recognition of the Hmar language as one of the major language of the State of Mizoram.
4. The name of the Council shall be 'Sirlung Hills Development Council'.
5. To take immediate measures for inclusion of an area to be specified within the H.P.C. Demand Area of Mizoram and the other non-scheduled

areas of Mizoram in the Scheduled (Tribal) Area of the Sixth Schedule to the Constitution of India so that the above mentioned area are safeguarded under the Sixth Schedule to the Constitution of India.

Final bilateral settlement shall be made after working out the details of the Council within the framework of the above agreed points.

Sd/-
Upa Thansung
Vice President
Hmar People's
Convention

Sd/-
(Vaivenga)
Minister
Health & Family
Welfare etc.
Mizoram.

September 29, 1993

PEACE ACCORDS IN NAGALAND

The Naga-Akbar Hydari Accord, 1947

Tribes represented at discussions on the 26th and 28th June, 1947, at Kohima.

Western Angamis

Eastern Angamis

Kukis

Kacha Nagas (Mzemi)

Rengmas

Semas

Lothas

Aos

Sangtams

Changs

Heads of Proposed Understanding

That the right of the Nagas to develop themselves according to their freely expressed wishes is recognized.

I, Judicial - All cases whether civil or criminal arising between Nagas in the Naga Hills will be disposed of by duly constituted Naga Courts according to Naga Customary law or such law as may be introduced with the consent of duly recognized Naga representative organizations : save that where a sentence of transportation or death has been passed there will be a right of appeal to the Governor.

In cases arising between Nagas and non-Nagas in (a) Kohima and Mokokchung town areas, and (b) in the neighbouring plains districts the judge if not a Naga will be assisted by a Naga assessor.

2. Executive : The general principle is accepted that what the Naga Council is prepared to pay for the Naga Council should control. This principle will apply equally to the work done as well as the staff employed.

While the District Officer will be appointed at the discretion of the Governor Subdivisions of the Naga Hills should be administered by a Subdivisional Council with a full time executive President paid by Naga Council who would be responsible to the District Officer for all matters falling within the latter's responsibility, and to the Naga Council for all matters falling within their responsibility.

In regard to : (a) Agriculture - the Naga council will exercise all the powers now vested in the District Officer.

(b) C.W.D. the Naga Council would take over full control.

(c) Education and Forest Department - The Naga Council is prepared to pay for all the services and staff.

3. Legislative - That no laws passed by the Provincial or Central Legislature which would materially affect the terms of this agreement or the religious practices of the Nagas shall have legal force in the Naga Hills without the consent of the Naga Council. In cases of dispute as to whether any law did so affect this agreement the matter would be referred by the Naga Council to the Governor who would then direct that the law in question should not have legal force in the Naga Hills pending the decision of the Central Government.

4. Land - That land with all its resources in the Naga Hills should not be alienated to a non-Naga without the consent of the Naga Council.

5. Taxation - That the Naga Council will be responsible for the imposition, collection, and expenditure of land revenue and house tax and of such other taxes as may be imposed by the Naga Council.

6. Boundaries - That present administrative divisions should be modified so as

- (i) to bring back into the Naga Hills District at the forests transferred to the Sibsagar and Nowgong Districts in the past, and
- (ii) to bring under one unified administrative unit as far as possible all Nagas. All the areas so included would be within the scope of the present proposed agreement. No areas should be transferred out of the Naga Hills without the consent of the Naga Council.

7. Arms Act - The Deputy Commissioner will act on the advice of the Naga Council in accordance with the provisions of the Arms Act.

8. Regulations - The Chin Hills regulations and the Bengal Eastern Frontier Regulations will remain in force.

9. Period of Agreement : The Governor of Assam as the Agent of the Government of the Indian Union will have a special responsibility for period of 10 years to ensure the due observance of this agreement ; at the end of this period the Naga Council will be asked whether they require the above agreement to be extended for a further period or a new agreement regarding the future of Naga people arrived at.

THE SIXTEEN POINT AGREEMENT, 1960

THE SIXTEEN POINT AGREEMENT ARRIVED AT BETWEEN THE NAGA PEOPLE'S CONVENTION AND THE GOVERNMENT OF INDIA IN JULY, 1960.

The points placed by the delegates of the Naga People's Convention before the Prime Minister on 26 July 1960, as finally recast by the Delegation in the light of discussions on 27 and 28th July 1960 with the Foreign Secretary.

1. The Name

The territories that were heretofore known as the Naga Hills- Tuensang Area under the Naga Hills-Tunesang Area Act 1957, shall form a State within the Indian Union and be hereafter known as Nagaland.

2. The Ministry Incharge

The Nagaland shall be under the Ministry of External Affairs of the Government of India.

3. The Governor of Nagaland

(1) The President of India shall appoint a Governor for Nagaland and he will be vested with the executive powers of the government of nagaland. He will have his headquarters in Nagaland.

2. The Ministry Incharge

The Nagaland shall be under the Ministry of External Affairs of the Government of India.

3. The Governor of Nagaland

(1) The President of India shall appoint a Governor for Nagaland and he will be vested with the executive powers of the government of Nagaland. He will have his headquarters in Nagaland.

(2) His administrative secretariat will be headed by a Chief Secretary stationed at the Headquarters with other Secretarial Staff as necessary.

(3) The Governor shall have special responsibility with regard to law and order during the transitional period and for so long as the law and order situation continues to remain disturbed on account of hostile activities. In exercising this special responsibility, the Governor, shall, after consultation with the Ministry, act in his individual judgement. This special responsibility of the Governor will cease when normalcy returns.

4. Council of Ministers

(1) There shall be a council of Ministers with a Chief Minister at the head to assist and advise the Governor in the exercise of his functions.

(2) The Council of Ministers shall be responsible to the naga Legislative Assembly.

5. The Legislature

There shall be constituted a legislative Assembly consisting of elected and nominated members as may be deemed necessary representing different tribes. (Further a duly constituted body of Experts may be formed to examine and determine the principles of representation on democratic basis).

6. Representation in Parliament

Two elected members shall represent Nagaland in the Union Parliament, that is to say one for the Lok Sabha and the other for the Rajya Sabha.

7. Acts of Parliament

No act or law passed by the Union Parliament affecting the following provisions shall have legal force in the Nagaland unless specifically applied to it by a majority vote of the Nagaland Legislative Assembly.

(1) The Religious or Social Practices of the Nagas.

(2) Naga Customary Laws and Procedure

(3) Civil and Criminal Justice so far as these concern decisions according to Naga Customary Law.

The existing laws relating to administration of civil and criminal justice as provided in the Rules for the Administration of Justice and Police in the Naga Hills District shall continue to be in force.

(4) The ownership and transfer of land and its resources.

8. Local Self Government

Each tribe shall have the following units of rule-making and administrative local bodies to deal with matters concerning the respective tribes and area :

(1) The Village Council

(2) The Range Council and

(3) The Tribal Council.

These Councils will also deal with disputes and cases involving breaches of customary laws and usages.

9. Administration of Justice:

(a) The existing system of administration of civil and criminal justice shall continue.

(b) appellate Courts;

(i) The District Court -cum-Sessions Court (for each district), High Court and Supreme Court of India.

(2) The Naga Tribunal (for the whole of the Nagaland) in respect of cases decided according to Customary Law.

10. Administration of Tuensang District

(1) The Governor shall carry on the administration of the Tuensang District for a period of 10(ten) years until such time when the tribes in the Tuensang District are capable of shouldering more responsibility of the advanced system of administration. The commencement of the ten-year period of administration will start simultaneously with the enforcement of detailed workings of the constitution in other parts of the Nagaland.

(2) Provided further that Regional Council shall be formed for Tuensang District by elected representatives from all the tribes in Tuensang District, and the Governor may nominate representatives to the Regional Council as well. The Deputy Commissioner will be the Ex-Officio Chairman of the Council. The Regional Council will elect members to the Naga Legislative to represent Tuensang District.

(3) Provided further that on the advice of the Regional Council, steps will be taken to start various Councils and Courts, in those areas where the people feel themselves capable of establishing such institutions.

(4) Provided further that no Act or Law passed by the Naga Legislative Assembly shall be applicable to Tuensang District unless specifically recommended by the Regional Council.

(5) Provided further that the Regional Council shall supervise and guide the working of the various Councils and Tribal Courts within Tuensang District and wherever necessary depute the local officers to act as Chairman thereof.

(6) Provided further the Councils of such areas inhabited by a mixed population or which have not as yet decided to which specific Tribal Council to be affiliated to shall be directly under the Regional Council for the time being. And at the end of ten years the situation will be reviewed and if the people so desire the period will be further extended.

11. Financial Assistance from the Government of India

To supplement the revenues of the Nagaland, there will be need for the Government of India to pay out of the Consolidated Fund of India.

(1) A lump sum each year for the development programme in the Nagaland and (2) A grant-in-aid towards meeting the cost of administration.

Proposals for the above grants shall be prepared and submitted by the Government of Nagaland to the Government of India for their approval. The Governor will have general responsibility for ensuring that the funds made available by the Government of India are expended for purposes for which they have been approved.

12. Consolidation of Forest Areas

The delegation wished the following to be placed on record:

The Naga delegation discussed the question of the inclusion of the Reserve Forests and of contiguous areas inhabited by the Nagas. They were referred to the provisions in Articles 3 and 4 of the Constitution, prescribing the procedure for the transfer of areas from one State to another.

13. Consolidation of Contiguous Naga Areas

The delegation wished the following to be placed on record :

The Naga leaders expressed the wish for the contiguous areas to join the new State. It was pointed out to them on behalf of the Government of India that Articles 3 and 4 of the Constitution provided for increasing the area of any State, but that it was not possible for the Government of India to make any commitment in this regard at this stage.

14. Formation of Separate Naga Regiment

In order that the Naga people can fulfill their desire of playing a full role in the defence forces of India the question of raising a separate Naga Regiment should be duly examined for action.

15. Transitional Period

(a) On reaching the political settlement with the Government of India, the Government of India will prepare a Bill for such amendment of the Constitution, as may be necessary, in order to implement the decision. The Draft Bill, before presentation to parliament, will be shown to the delegate of the NPC.

(b) There shall be constituted an Interim Body with elected representatives from every tribe, to assist and advise the Governor in the administration of the Nagaland during the transitional period. The tenure of office of the Interim Body will be 3 (three) years subject to re election.

16. Inner Line Regulation

Rules embodied in the Bengal Eastern Frontier Regulation, 1873.

SHILLONG ACCORD, 1975

THE SHILLONG ACCORD OF 11 NOVEMBER 1975 BETWEEN THE GOVERNMENT OF INDIA AND THE UNDERGROUND NAGAS.

1. The following representatives of the underground organizations met the Governor of Nagaland Shri L P Singh, representing the Government of India, at Shillong on 10 and 11 November 1975.

1. Shri I Temjenba
2. Shri S. Dahru
3. Shri Z Ramyo
5. Shri M Assa
6. Shri Kevi Yallay

2. There was a series of four discussions. Some of the discussions were held with the Governor alone; at others, the Governor was assisted by the two Advisers for Nagaland, Shri Ramunny And Shri H Zopianga, and Shri M L Kampani, Joint Secretary in the Ministry of Home Affairs. All the five members of the Liaison Committee namely Rev. Longri Ao, Dr. M. Aram, Shri L Lungaland, Shri Kemmeth Kerhuo and Shri Lungshim Shaiza, participated in the discussions.

3. The following were the outcome of the discussions :

(i) The representatives of the underground organisations conveyed their decision, of their own volition, to accept, without condition, the Constitution of India.

(ii) It was agreed that the arms, now underground, would be brought out and deposited at appointed places. Details for giving effect to this agreement will be worked out between them and representatives of the Government, the Security forces, and members of the Liaison committee.

(iii) It was agreed that the representatives of the underground organisations should have reasonable time to formulate other issues for discussions for final settlement.

Dated, Shillong

11 November 1975.

I Temjenba ; S Dehru

Z Ramyo; M Assa; Kevi Yallay

On behalf of the representatives of
underground organisations.

L P Singh

On behalf of the

Government of India

SUPPLEMENTARY AGREEMENT TO THE SHILLONG ACORD ON 5 JANUARY 1976

Implementation of Clause II of the shillong Accord of 11 November 1975.

1. It was decided that the collection of arms initially at collection centres, would commence as early as possible, and will be completed by 25 January 1976. Initial places of collection to be decided through discussion between Commissioner, representatives of underground organisations and the members of the Liaison Committee.

2. Once all arms are collected, these will be handed over to Peace Council team at the respective places of collection.

3. Peace Council team will arrange to transport the arms from collection centres to Chedema Peace Camp and arrange guards, etc. for safe custody of arm.
4. Similar arrangement at agreed place/places will be made in Manipur with concurrence of the Manipur Government.
5. The underground may stay at peace Camps to be established at suitable places, and their maintenance will be arranged only by the Peace Council. Any voluntary contribution from any source will be made to the Peace Council, who will utilise the fund according to necessity.

Biseto Medom Keyho; Pukrove Nakru;
Z Ramyo; I Temjenba

L P Singh
Governor

Dated, Shillong
5 January, 1976.

(PEACE ACCORD IN PUNJAB)

Memorandum of Settlement

signed by

Shri Rajiv Gandhi

Prime Minister

&

Sant Harchand Singh Longowal

President, Shromani Akali Das,

on July 24, 1985.

According to this historic document:

1. Compensation to innocent persons killed

1.1 Along the exgratia payment to those innocent killed in agitation or any action after 1st August, 1982, compensation for properly damaged will also be paid.

2. Army recruitment

2.1 All citizens of the country have the right to enrol in the Army and merit will remain the criterion for selection.

3. Enquiry into November incidents

3.1 The jurisdiction of Shri Justice Ranganath Mishra Commission enquiring into the November riots of Delhi would be extended to cover the disturbances at Bokaro and Kanpour also.

4. Rehabilitation of those discharged from the Army

4.1 For all those discharged efforts will be made to rehabilitate and provide gainful employment.

5. All India Gurudwara Act

5.1 The Government of India agrees to consider the formulation of an All India Gurudwara Bill. Legislation will be brought forward for this purpose in consultation with Shiromani Akali Dal, others concerned and after fulfilling all relevant constitutional requirements.

6. Disposal of Pending Cases

6.1 The notifications applying the Armed Forces Special Powers Act to Punjab will be withdrawn. Existing Special Courts will try only cases relating to the following type of offences:

(a) Waging war

(b) Hijacking

6.2 All other cases will be transferred to ordinary courts and enabling Legislation if needed will be brought forward in this Session of Parliament.

7. Territorial Claims

7.1 The Capital Project Area of Chandigarh will go to Punjab. Some adjoining areas which were previously part of Hindi or the Punjabi regions were included in the Union Territory. With the capital region going to Punjab the areas which were added to the Union Territory from the Punjabi region of the erstwhile State of Punjab will be transferred to Punjab and those from Hindi regions to Haryana. The entire Sukhna lake will be kept as part of the Chandigarh and will thus go to Punjab.

7.2 It had always been maintained by Smt. Indira Gandhi that when Chandigarh is to go to Punjab. Some Hindi speaking territories in Punjab will go to Haryana. A Commission will be constituted to determine the specific Hindi speaking areas of Punjab which should go to Haryana in lieu of Chandigarh.

The principle of contiguity and linguistic affinity with a village as a unit will be the basis of such determination. The Commission will be required to give its findings by 31st December, 1985 and these will be binding on both sides. The work of the Commission will be limited to this aspect and will be distinct from the general boundary claims which the other Commission referred to in para 7.4 will handle.

7.3 The actual transfer of Chandigarh to Punjab and areas in lieu thereof to Haryana will take place simultaneously on 26th January, 1986.

7.4 There are other claims and counterclaims for readjustment of the existing Punjab-Haryana boundaries. The Government will appoint another Commission to consider these matters and give its findings. Such findings will be binding on the concerned States. The terms of reference will be based on a village as a unit, linguistic affinity and conguity.

8. Centre-State Relations

8.1 Shiromani Akali Dal states that the Anandpur Sahib resolution is entirely within the framework of the Indian Constitution: that it attempts to define the concept of Centre-State relations in a manner which may bring out the true federal characteristics of our Unitary Constitution and that the purpose of the Resolution is to provide greater autonomy to the State with a view to strengthening the unity and integrity of the country, since unity in diversity forms the corner-stone of our national unity.

8.2 In view of the above, the Anandpur Sahib Resolution in so far as it deals with Centre-State relations, stands referred to the Sarkaria Commission.

9. Sharing of River Waters

9.1 The farmers of Punjab, Haryana and Rajasthan will continue to get water not less than what they are using from the Ravi-Beas system as on 1st July 1985. Water used for consumptive purposes will also remain unaffected. Quantum of usage claimed shall be verified by the Tribunal referred to in para 9.2 below.

9.2 The claims of Punjab and Haryana regarding the shares in their remaining waters will be referred for adjudication to a Tribunal to be presided over by a Supreme Court Judge. The decision of this Tribunal will be rendered within six months and would be binding on both parties. All legal and constitutional steps required in this respect be taken expeditiously.

9.3 The construction of the SYL canal shall continue. The canal shall be completed by 15th August, 1986.

10. Representation of Minorities

10.1 Existing instructions regarding protection of interests of minorities will be recirculated to the State Chief Ministers. (P.M. will write to all Chief Ministers)

11. Promotion of Punjabi Language

11.1 The Central Government may take some steps for the promotion of the Punjabi language.

RAJIV GANDHI
Prime Minister

SANT HARCHAND SINGH LONGOWAL
President, Shiromani Akali Dal.

PEACE ACCORDS IN TRIPURA**MEMORANDUM OF SETTLEMENT, 1988****Preamble :**

Government of India have been making efforts to bring about a satisfactory settlement of the problems of tribals in Tripura by restoring peace and harmony in areas where disturbed conditions prevailed.

2. The Tripura National Volunteer (TNV), through their letter dated the 4th May, 1988, addressed to the Governor of Tripura and signed by Shri Bijoy Kumar Hranugkhaw, stated that keeping in view the Prime Minister Shri Rajiv Gandhi's policy of solution of problems through negotiations, TNV have decided to abjure violence, give up secessionist demand and to hold negotiations for a peaceful solution of all the problems of Tripura within the Constitution of India. The TNV also furnished its bye-laws which conform to the laws in force. On the basis a series of discussions were held with representatives of TNV.

3. The following were the outcome of the discussions :

Deposit of Arms and Ammunition and ending of Underground Activities by TNV.

3.1 The TNV undertakes to take all necessary steps to end underground activities and to bring out all undergrounds of the TNV with their arms, ammunition and equipment within one month of signing of this Memorandum. Details for giving effect to this part of Settlement will be worked out and implemented under the Supervision of the Central

Government. The TNV further undertakes to ensure that it does not resort to violence and to help in restoration of amity between different sections of the population.

3.2 The TNV undertakes not to extend any support to any other extremist groups by way of training, supply of arms or providing protection or in any other manner.

Rehabilitation of Undergrounds:

3.3 Suitable steps will be taken for the resettlement and rehabilitation of TNV undergrounds coming over ground in the light of the schemes drawn up for the purpose.

Measures to prevent infiltration:

3.4 Stringent measures will be taken to prevent infiltration from across the border by strengthening arrangement on the border and construction of roads along vulnerable sections for better patrolling and vigil. Vigorous action against such infiltrators would also be taken under the law.

Reservation of Seats in the Tripura Legislative Assembly for Tribals:

3.5 With a view to satisfying the aspirations of tribals of Tripura for a greater share in the governance of the State, legislative measures will be taken including those for the enactment of the Bill for the amendment of the Constitution. The Constitutional amendments shall provide that notwithstanding anything contained in the Constitution, the number of seats in the Legislative Assembly of Tripura reserved for Scheduled Tribes shall be such number of seats as bears to the total number of seats, a proportion not less than the number, as on the date of coming into force of the Constitutional amendment, of members belonging to the Scheduled Tribes in the existing Assembly bears to the total number of seats in the existing Assembly. The Representation of the People Act, 1950 shall also

be amended to provide for reservation of 20 seats for the Scheduled Tribes in the Assembly of Tripura. However, the amendments shall not effect any representation in the existing Assembly of Tripura until its dissolution.

Restoration of alienated lands to tribals :

3.6 It was agreed that following measures will be taken :

- (i) Review of rejected applications for restoration of tribal land under the Tripura Land Revenue and Land Reforms Act, 1960.
- (ii) Effective implementation of the law for restoration.
- (iii) Stringent measures to prevent fresh alienation.
- (iv) Provision of soil conservation measures and irrigation facilities in tribal areas and
- (v) Strengthening of the Agricultural Credit System so as to provide for an appropriate agency with adequate tribal representation to ensure easy facilities for both consumption and operational credit to tribals.

Redrawing of the Boundaries of Autonomous District Council Area :

3.7 Tribal - majority villages which now fall outside the autonomous District Council area and are contiguous to such area will be included in the Autonomous District Council area and are contiguous to such area will be included in the Autonomous District and similarly placed non-tribal majority villages presently in the Autonomous District and on the periphery may be excluded.

Measures for Long Term Economic Development of Tripura :

3.8 Maximum emphasis will be placed on extensive and intensive skill-formation of the tribal youths of Tripura so as to improve their prospects of employment including self employment in various trades such as motor workshops, pharmacies, electronic goods, carpentry, tailoring, stationery weaving, rice and oil mills, general stores, fishery, poultry piggery, horticulture, handloom and handicrafts.

3.9 Special intensive recruitment drives will be organised for police and para military forces in Tripura with a view to enlisting as many tribal youths as possible.

3.10. All India Radio will increase the duration and content of their programmes in tribal languages or dialects of Tripura. Additional transmitting stations will be provided for coverage even of the remoter areas of the State.

3.11 The demands relating to self-employment of tribals, issue of permits for vehicles to tribals for commercial purposes, visits of tribal men and women to such places in the country as may be of value for the viewpoint of inspiration, training and experience in relevant fields will be considered sympathetically by the Government.

3.12 At least 2,500 jhumia families will be rehabilitated in 5 centres or more in accordance with model schemes based on agriculture, horticulture including vegetable growing, animal husbandry, fisheries and plantations, with a view to weaning them away from jhum cultivation. The scheme would also provide for housing assistance.

3.13 In the Autonomous District Council area of Tripura, rice, salt and kerosene oil will be given at subsidised rates during lean months for a period of three years.

3.14 Conscious efforts will be made for effective implementation of the provisions of the Sixth Schedule to the Constitution in so far as it relates to Tripura.

1. Sd/- Bijoy Kumar Hrangkhawl

Sd/-
(P.P.Shrivastav)
Additional Secretary to the
Government of India
Ministry of Home Affairs.

Sd/-
Ananta Deb Barma

Sd/-
Kartik Kalai

Sd/-
(I. P. Gupta)
Chief Secretary to the
Government of Tripura

Sd/-
Haripada Hrangkhwal

Sd/-
(Birenjoy Reang)

Sd/-
Binoy Deb barma
On behalf of
Tripura National volunteer

Sd/-
General K.V.Krishna Rao Retd.)
Governor of Tripura

In the presence of
(Sudhir Ranjan Majumdar)
Chief Minister of Tripura

Dated : 12th August, '88

MEMORANDUM OF SETTLEMENT, 1993

This indenture made on this the twenty third day of August one thousand nine hundred and ninety-three BETWEEN the All Tripura Tribal Force (hereinafter referred to as the ATTF) of the ONE PART and the Governor of Tripura (which expression shall unless excluded by or repugnant to the subject or context include his successors in office and assigns of the Other Part.

PREAMBLE

Whereas the Government of Tripura have been making concerted efforts to bring about an effective settlement of the problems of the tribals who are presently minority in Tripura and attempts have been made on a continuing basis to usher in peace and harmony in areas in which disturbed conditions have prevailed for long:

AND

Whereas - All Tripura Tribal Force have given a clear indication that they would like to give up the path of armed struggle and would like to resume a normal life and they have decided to abandon the path of violence and seek solutions to their problems within the framework of the Constitution of India and, therefore, they have responded positively to the appeals made by the Government of Tripura to join the mainstream and to help in the cause of building a prosperous Tripura:

AND

Whereas on a series of discussions between the parties hereto and based on such discussions it has been mutually agreed by and between the parties hereto that the FIRST ATTF shall give up the path of violence and surrender to the Other Party the Government of Tripura along with all their arms and ammunition ending their under ground activities and the Governor of Tripura will provide economic package and financial benefits and other facilities hereinafter provided:

Now it is Hereby Agreed And Decided between the parties hereto as follows:

1. Deposit of Arms and Ammunition and ending of underground activities by ATTF:

The ATTF hereby conveys that -

(a) The ATTF undertakes to end all underground activities and to bring overground all their member with their arms and ammunition and equipment within 15(fifteen) days of the signing of this Memorandum. Details for giving effect to this part of the Settlement will be worked out and implemented under the supervision of the State Government. The ATTF further undertakes to ensure that it will not resort to any manner of violence and will positively help in the restoration of amity and goodwill between different sections of the population of Tripura.

(b) The ATTF undertakes not to extend any support in any manner whatsoever to any other underground or extremist group by way of training, supply of arms, providing protection, providing shelter or in any other manner.

2. The Government of Tripura hereby conveys that -

(a) Rehabilitation of ATTF personnel :

Steps would be taken for the resettlement and rehabilitation of ATTF personnel coming overground on the basis of schemes already decided for the purpose.

(b) Action to be taken against foreign nationals :

Action would be taken in respect of sending back all Bangladesh foreign nationals who have come to Tripura after 25th March, 1971 and are not in possession of valid documents authorising their presence in Tripura.

(c) Restoration of alienated land :

Effective steps would be taken in terms of the Tripura Land Revenue and land Reforms Act, 1960 for restoring land alienated by tribals.

(d) Inclusion of tribal majority villages in ADC areas :

Tribal majority villages which now fall outside the ADC area and are contiguous to the ADC area, would be included in the TTAADC.

(e) Introduction of Inner-Line Permit :

The case for introduction of an Inner-Line permit system would be taken up with the Government of India. The State Government will insist on the Government of India to approve this demand.

(f) Village police force for the ADC :

The constitution of Village Police Force under the administrative control of the TTAADC is acceptable in principle to the State Government and the State Government will take up with the Government of India for Constitutional amendment, if required, to fulfil this demand.

(g) Increase in the number of seats for Scheduled Tribe candidates in the TTAADC :

The demand for more representation of Scheduled Tribe members in the Autonomous District council is acceptable to the State Government in principle and efforts will be made for amendment of the Rules which deals with reservation of seats for Scheduled Tribe in order to increase the number of reserve seats to 25 (twenty five).

(h) Setting up of a Cultural Development Centre :

Upajati Sanskritik Vikas Kendra (Tribal Cultural Development Centre) with arrangements for training would be set up in the TTAADC area.

(i) Improvement of Kok Borak and other Tribal Languages :

A Bhasa Commission would be set up for the improvement of Kok Borak and other Tribal languages. Steps would also be taken for the introduction, in phases, of Kok Borak at progressively higher levels of education.

(j) Preservation of Ujjayanta Palace as a Historical Monument and shifting of Tripura Legislative Assembly :

Respecting the sentiments of all section of the population, especially the tribals of Tripura, steps would be taken to construct a separate building for the Tripura Legislative Assembly and to retain the Ujjayanta Palace as a Historical Monument.

(k) Re-naming of villages, rivers etcetra :

Steps would be initiated to ensure that all villages and rivers which earlier had tribal names and which were subsequently re-named, are given their original tribal names.

(l) Jhumia resettlement :

Area based resettlement of jhumias would continue to be implemented in order to provide for a strong economic base for the Jhumias of Tripura.

(m) Industrial development of the TTAADC area :

All necessary steps would be taken to ensure the promotion of industrial activities in the TTAADC areas :

(n) Secured accommodation and escorts for Office Bearers :

The President, Vice President, Convenor and 4 (four) other members of the Executive Committee of the ATTF will be given secured accommodation subsequent to their surrender and they will also be given personal security guard for such period as may be decided by the Government. They will be provided with police escort during their movement outside Agartala as and when required.

(o) Housing facility :

After surrender, ATTF personnel shall be provided with a house with GCI sheet roofing with a floor area of 220 square feet for their accommodation as early as possible and the ATTF personnel shall take part in constructing such houses, provided that the cost of each house shall not exceed Rs. 20,000/- (Rupees twenty thousand).

(p) Drinking water facilities :

Steps should be taken by the State Government to provide drinking water in the resettlement colonies set up by the Government to resettle the ATTF personnel.

(q) Government employment or economic package :

All ATTF personnel, on their surrender, will be provided with Government employment according to their qualification or economic facilities as provided herein and till such Government employment or economic facilities are given, each surrendered ATTF personnel shall be paid subsistence allowance at the rate of Rs. 500/- (Rupees five hundred) only per month, so, however, that the subsistence allowance shall not be paid beyond a period of 10(ten) months.

In witness, whereof the ATTF being represented by (1) Shri Lalit Debbarma, President, ATTF, (2) Shri Ramendra Reang, Vice President, ATTF, (3) Shri Rabindra Reang, General Secretary, ATTF, (4) Shri Dilip Deb Barma, Treasurer, ATTF and (5) Shri Santaram Reang, Accountant, ATTF, and the Governnor of Tripura being represented by Shri M. Damodaran, Chief Secretary to the Government of Tripura, have hereunto set their hand on the date, month and year as afore-mentioned.

Signed on behalf of First Party
ATTF by

Signed for and on behalf of the
Governor of Tripura

Sd/-

1. (Shri Lalit Deb Barma)

President, ATTF.

2. Sd/-

(Shri Ramendra Reang)

Vice President, ATTF

Sd/-

(Shri M. Damodaran)

Chief Secretary

Government of Tripura

3. Sd/-

(Shri Rabindra Reang)

General Secretary, ATTF.

4. Sd/-

(Shri Dilip Deb Barma)

Treasurer, ATTF.

5.

Sd/-

(Shri Santaram Reang)

Accountant, ATTF.

In the presence of -

Sd/-

(Shri Dasaratha Deb)

Chief Minister, Tripura

Sd/-

(Shri Baidyanath Majumdar)

Minister, PWD etc. Deptts.

Tripura.