Abstract

Insurgency in India's Northeast remains a determining factor in the political set up, the state of regional economy and human development scenario of the area. Since Independence in 1947, movements and rebellions for self-determination and quest for identity assumed tremendous heights at different points of time which claimed, maimed and ruined thousands of lives. The question that this dissertation explores is, whether there is a relationship between the government's peace strategy and prolonged militancy and socio-political unrest in the region. Whether the government lacks a holistic approach in dealing with insurgency and related issues in the state of Assam? Is it true that peace talks with each and every militant group are actually encouraging militancy in the region by making way to formation of splinter groups? In order to explore these questions, the research travelled around a broad canvas including the rise of insurgency in Assam, the root causes and the strategies adopted by the government to address the problem. The objectives of the research include: a. Identify the lacunae, if any, in the government's prevailing peace strategy with the militant groups, b. Explore the validity of the popular perception that the intense feeling of alienation fuels insurgency in the region and, c. Identify the pre-requisites and point out the parameters which need to be fulfilled to ensure that the peace initiative of the government leads to lasting and overall peace in the region. Delimitation of the study is that it covers the period from 1990 up to 2015, though the seeds of insurgency were sown in the period not mentioned in the study. The study has its limitations too. Some sensitive data and documents could not be accessed due to strict veil of secrecy maintained by government. Secondly, the researcher failed to come up with accurate data regarding many important parameters as the definitions of some sensitive concepts were found lacking and not available in public domain.

The research concentrates on the government's peace strategy in signing four peace agreements with different insurgent groups in Assam to achieve an effective policy framework. The study has been pursued with the application of qualitative research method by taking the status of the four peace accords as case studies. It analyses

implementation and other aspects of the clauses of the accords with the help of a tool of analysis in the form of a matrix. In its quest to find solutions to the problem at hand, the study critically analyses the strategies adopted by the government to tackle the problem of insurgency. While doing this, the research brings forth the experience, views and opinions of different stakeholders from the field. The study also explores the dynamics of two major insurgencies in Assam—the ULFA and the Bodo insurgency—and outlines how peace process, accords and development of the region have been used as strategies to achieve peace. The research discovered that neither the government nor the people with whom they signed the accords substantiated the documents. Several important and necessary provisions like human rights, inter-ethnic relations council, detailed implementation timeline were found missing in the accords. Government appeasement has been noticed during the process of the implementation as well as in the drafting of the accords. The Government of India's strategy of granting autonomous councils for specific ethnic tribes to address ethnic insurgency in the region has been falsified by the status of the accords under the case study. The study found that there is no institutionalisation of the peace process mechanism. The dissertation concludes by offering certain pre-requisites and parameters for a lasting peace.

Chapter 1

Introduction

For several decades, the problem of insurgency has been a determining factor in the political set up, the state of regional economy and human development scenario of the north-eastern region of India. Movements and rebellions for self-determination and quest for identity assumed tremendous heights at different points of time which claimed, maimed and ruined thousands of lives. The policies adopted by the government to deal with insurgency and related issues hold much significance for the region and its people. However, despite attempts by the government at restoring order, peace has remained elusive. Why has the peace efforts not succeeded in yielding results in bringing about permanent normality and peace in the region? The key question that crops up is, whether the government has a peace policy at all? This research intends to investigate the government's approach while dealing with insurgency in Assam and will try to find the gaps or lacunae in the existing policies adopted by the government to achieve peace. Unlike earlier work on peace process and strategies for peace, here the focus is exclusively on the Government of India's peace policy in the light of the framing of the provisions and implementation process of the four peace accords signed in Assam.

The Northeast of India witnessed many movements that began in a democratic non-violent manner and later took shape of violent rebellions, each displaying their own attributes. We know it as insurgency or extremism—a home grown militancy which challenges the state to meet their wide-ranging demands that include autonomous territory, autonomous state, statehood and in extreme cases, even secession from India. But can home grown insurgency be regarded as 'war' against the Indian state? Can the Government expect to achieve military solutions to the problems which are basically political in nature? If not, what strategy must be used by the government for conflict resolution and for establishing peace in the region? The sceptical paradox is well known—although the region has been in the grip of insurgency since the mid-forties, the Government of India has not been able to formulate an institutional mechanism to take the peace processes forward to achieve sustainable peace.

We find a considerable literature on ethnic issues, citizenship issue, issue of identity and development, insurgency politics, different roles played by various stakeholders, the government's counter-insurgency strategies and so on. Since there was already a substantial body of work on insurgency and related issues, we wished to explore the discourse further in a context that would satisfy our preference for research which might eventually be of practical value. Though the government's strategies and policies to address and resolve the insurgency conflict in the region have been much discussed, it is felt that the topic has not been treated properly or fully. There has been little systematic effort to document or analyse the impact or perceived flaws of government's peace policy while dealing with the major insurgent outfits of the region. Most research in the field is dominated by generalized literature that go into the causes of the origin of the extremist movements linking these to the prevailing sense of alienation among the people, due to the alleged neglect by the Union Government of the region.

Samir Kumar Das has written a generalised critique of the ethnic accords of the region in his article titled 'Ethnic Accords in Northeast India' (Das S. K., 2005). He critically observes the involvement of civil society in the peace processes in the Northeast (Das S. K., Where Are the 'People'? A Study of Peace Processes in India's Northeast, 2015). Swarna Rajagopalan, in her study report titled *Peace Accords in North East India: Journey over Milestones* mentions that the 'success' of a peace accord lies in the ability of an agreement to facilitate a dynamic of peace-building and reconciliation. The study is an examination of 13 peace accords signed from 1949 to 2005 to determine the efficacy and utility of peace accords in bringing an end to conflict in the region. Bethany Lacina in her paper 'Rethinking Delhi's Northeast India Policy' looks New Delhi's response to Northeast insurgency as a two-pronged strategy of tough counter-insurgency combined with development aid. However, no research has been done on the government's peace policy through a clause by clause investigation of the four peace accords that have been signed in the state of Assam from 1993 to 2012. Hence, the topic has its relevance for research studies.

This research study has analysed insurgency from a multi-dimensional point-of-view. A critical analysis of the peace processes and the peace agreements signed in Assam has clearly brought out the ad hocism of peace efforts and policies on the part of the government. It is expected that the research work will advocate certain pre-requisites and parameters necessary for lasting peace in the region. The research also aims at theorizing the current insurgency scenario prevailing in the Northeast of India. To evaluate the different dimensions of the insurgency issue, multiple players in the form of plethora of outfits, wide array of demands and the different shades of responses from the government calls for a framework of analysis. To do this in an objective manner, the researcher has fallen back on a tool of analysis known as the Peace Accords Matrix, a model used by Korc Institute of International Peace Studies and adapted it as part of research design. The discussions and analysis are mostly based on empirical data.

1.1 Key Terminology

1.1.1 insurgency versus terrorism.

In Northeast India, insurgents would like to be called by any terms—rebels, extremists, militants or guerrillas but do not like to be called as terrorists[1]. Ironically, there are instances where insurgents belonging to different groups have committed crimes that could be termed acts of terrorism. The term 'Insurgency' is defined as an organised rebellion which uses sabotage and armed conflict to achieve its aims.

> Insurgencies normally seek to overthrow the existing social order and reallocate power within the country. They may also seek to (1) Overthrow an established government without a follow-on social revolution. (2) Establish an autonomous national territory within the borders of a state. (3) Cause the withdrawal of an occupying power. (4) Extract political concessions that are unattainable through less violent means (What is the difference between insurgency and terrorism?, 2008).

On the other hand, terrorism means "calculated use of violence or threat of violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious, or ideological." Insurgents use ideology to target governments, terrorists target governments or societies to advance their motives (What is the difference between insurgency and terrorism?, 2008).

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[1]Based on self-compiled interview data of former militants

Insurgency or small wars occur between asymmetrical parties. Here the survival interests of the greater power are not immediately at stake. The conflict is conducted by the lesser power in a manner where superior military power, position and the might of the government cannot easily defeat it. Insurgency conflicts are protracted because diplomacy remains operative, restricting the level of violence and destruction. Often such conflicts aim at coming to terms with an agreement, instead of unconditional surrender.

1.1.2 Peace Accord

Peace accord, by definition, means "a formal agreement between two warring parties which addresses the disputed incompatibility, either by settling all or part of it, or by clearly outlining a process for how the warring parties plan to manage and regulate the incompatibility". Peace accords can be categorised into three types: i) Full, ii) Partial and iii) Peace process accords. We can find a full accord where one or more parties agree to settle the whole incompatibility. On the other hand, a partial peace agreement takes place where one or more parties to the conflict agree to settle a part of the incompatibility. A peace process agreement is an agreement where one or more parties to the conflict agree to initiate a process that aims to settle the incompatibility (Definitions, Uppsala Conflict Data Program).

We can find an example of full agreement in the Mizo Accord, which has been generally considered as a successful peace agreement. It is a full peace agreement where both the parties to conflict—the Mizo National Front and the Government of India—agreed to settle the whole incompatibility. However, questions could be raised as whether we can regard it as a comprehensive peace agreement since the Accord failed to address the demand of a 'Greater Mizoram' integrating all areas inhabited by Hmars in Mizoram, Assam and Manipur under a single administrative unit. Following the signing of the Mizo peace accord on 30 June 1986, the Hmar People's Convention (HPC) was established as a political party in the same year, advocating for the rights of members of the Hmar people (estimated 12,535 members in Mizoram as per 1991 census), one of the smaller tribes of north-eastern India. The HPC waged an armed

struggle for autonomy since April 1987. The Mizoram government is still busy with a peace process with the HPC.

1.1.3 Comprehensive Peace Accords

Another classification of peace accords is comprehensive peace accords and dyadic peace accords. A comprehensive peace accord includes all parties to a particular conflict. In a dyadic accord, at least one of the warring parties in the conflict is excluded (Definitions, Uppsala Conflict Data Program). Apart from the Mizo Accord, peace accords that were signed in the conflict-hit north-eastern region of India are hardly comprehensive in nature. The two Bodo peace accords, for instance, could be termed as dyadic peace accords since both the accords have excluded one or more than one parties to the conflict.

1.2 State Response to Insurgency

The usual state response to insurgency has been a counter-insurgency strategy with the use of the military. Some other approaches too have been adopted by the state such as measures to protect the population, different political and economic actions aimed at addressing issues raised by the insurgents, including lack of development and opportunity. But the most crucial role in resolving violence has been played by dialogues and peace talks between the state and the rebel groups (Das R. P., Insurgent Politics & Negotiations: Is a Moratorium on Peace Talks Needed?, 2012).

It has been observed that while military operations against the insurgency movements in the Northeast have achieved only limited results, it is the dialogue for peace with them that has brought some order to the region. Dialogue with the Mizo National Front (MNF) culminated in the signing of the Mizo Peace Accord in 1986 ending the 20-year-long insurrection. But it is only the Mizo Accord which is considered successful. Most of the peace accords signed in the region have been hardly able to bring the desired peace. The Shillong Accord signed in 1975 with the Naga National Council (NNC), the agreement signed with the Tripura National Volunteers (TNV) in 1988, the 1993 Bodoland Autonomous Council agreement signed with the Bodo hardliners in Assam fell through as new factions, dissatisfied with the terms of the agreement resumed hostilities under new leaderships. The Bodo

Liberation Tigers (BLT) was one such group that launched rebellion after the failure of the 1993 Bodo Accord. The BLT did en-masse surrender on 3 December 2003 and subsequently, Bodoland Territorial Council (BTC) was formed after signing of peace accord. With this, it appeared that peace will prevail in the Bodo dominated parts of western Assam. However, the reality turned out not as expected (Das R. P., Insurgent Politics & Negotiations: Is a Moratorium on Peace Talks Needed?, 2012). The two peace agreements that were signed with the United People's Democratic Solidarity (UPDS) in 2011 and Dima Halam Daogah (DHD) in 2012 respectively have not been able to resolve conflict.

Ceasefire by militant groups for dialogue and negotiations has played a key role in maintaining the region's stability. Cessation of hostility with insurgent groups in the Northeast by bringing them to ceasefire may be a strategy of the government to pacify the prevailing unrest, but the long-drawn-out peace talks and negotiations that follow such ceasefires without culminating in some meaningful resolutions raise questions about the effectiveness of such strategy. If the peace talks stretch indefinitely, the process may lead to violation of ceasefire rules, factional clashes, as well as emergence of new factions or newer insurgent outfits. Incomprehensive peace talks tend to give incentive to some, while those neglected tend to form new rebel groups to fight for their own causes. Here, fresh talks with new militant groups imply more militant groups emerging. Therefore, it has been argued that the government must form a firm policy on peace talks (Das R. P., Insurgent Politics & Negotiations: Is a Moratorium on Peace Talks Needed?, 2012). Piecemeal effort and half-baked attempts to resolve the problem of insurgency becomes counter-productive in a serious way and subsequently, government has to grapple with a condition more severe and complicated than the initial position. Thus, understanding the dynamics of peace process and paying attention to the unintended offshoots in case the process goes astray is very essential.

1.3 Background: Insurgency in Assam

The road to peace in India's Northeast has been hazy with the government pursuing a peace strategy that seems to be ever-evolving. Starting with the Naga insurgency

since India's independence in 1947, most of the states in the region have experienced various forms of insurgency. Demands of the insurgents too, cover a very wide spectrum. While groups like the United Liberation Front of Asom (ULFA) and the National Socialist Council of Nagaland (NSCN) aimed at establishing independent states, outfits such as the erstwhile Bodo Liberation Tigers (BLT) demanded separate states for their tribal constituency. Smaller outfits, such as the United People's Democratic Solidarity (UPDS) and Dima Halam Daogah (DHD), confining their activities to the geographical limits of separate districts in Assam, have fought for maximum autonomy, within the purview of the Indian Constitution (Das R. P., Insurgent Politics & Negotiations: Is a Moratorium on Peace Talks Needed?, 2012). While the government signed peace agreements with the BLT, the UPDS and the DHD in Assam, several others including the majority faction of the ULFA and two factions of the NDFB are now in peace mode. Yet a number of groups are still engaged in violent rebellion against the state machinery.

1.3.1 ULFA and the Assam Agitation.

The United Liberation Front of Asom (ULFA) was formed on 7 April 1979 by six radical Assamese youths with the objective to establish a 'sovereign socialist Assam' through an armed struggle. In the same year of the formation of ULFA, voters' rolls were revised for the Mongoldoi constituency in northern Assam. As many as 70,000 complaints were registered against inclusion of illegal Bangladeshi migrants in the voters' list. A tribunal was set up by the state government to investigate the complaints. It upheld 45,000 complaints or sixty-four per cent of the cases out of a total electorate of 6,00,000(Hazarika S. , 1995).The All Assam Students' Union (AASU), the State's largest student group, successfully mobilised the people to come out onto the streets, and enforced general strikes and a boycott of elections. The AASU-led anti-foreigner movement in Assam sought to halt the illegal influx of foreign nationals from across the porous border in Bangladesh as well as from Nepal, preventing these categories of people from taking part in the electoral process, and eventually detecting and deporting them. This was intended to protect the State, its people and culture against what it called the 'silent invasion from Bangladesh'. To

tackle the agitation, fresh elections were fixed for 1983. The people of Assam boycotted the elections.

After protracted negotiations, the Assam movement formally ended on 15 August 1985, with signing of the Assam Accord between the AASU and the central government. This Accord fixed 25 March 1971 as the cut-off date to determine who the illegal migrants in Assam were. The farcical election to Assam's 126-member State Assembly in February 1983 was the real turning point that transformed the ULFA from a directionless outfit to an armed group, promising to liberate Assam. The rebel leadership looked at the Assam agitation as an all-encompassing nationalism that ultimately unites the 'exploiter' and the 'exploited', and, therefore, serves no real purpose. The ULFA was shaping up the direction it would take to achieve a *Swadhin Asom* (independent Assam) and was growing stronger organizationally.

1.3.1.1. ULFA's political theory.

Though ULFA was formed in 1979, the organization came to surface and made its political presence visible only in 1983 with its boycott of elections in that year—by joining hands with the AASU and *All Assam Gana Sangram Parishad*. Gradually, it clutched the limelight in the State by almost replacing the namesake government through its criminal and social activities—from the daring bank robberies to gather money to buy arms and ammunitions, the delivery of summary justice by punishing and even killing those involved in corruption or social crimes, to their involvement or initiatives in rural development works e.g. building bridges, repairing roads, building temporary embankments in flood affected areas, running cooperatives in village cultivation etc.(Das S. K., Conflict and Peace in India's Northeast: The Role of Civil Society, 2007).The ruling government was hand in glove with the group as most of the political parties were concerned with their political mileage in those ULFA dominated areas and never tried to crack down on the outfit.

Samir Kumar Das points out ULFA's thesis of de-nationalization (*nirjatikaran*) during the early period of its formation. The organization wanted to build a strong trans-ethnic solidarity as a safeguard against New Delhi's "colonialism". This thesis was opposed by many communities who felt that in the name of de-nationalisation,

ULFA wanted to promote mainly the hegemony of the Assamese community. Sensing hysteric reactions from minorities and smaller tribal groups, ULFA revised the thesis and by May 1992, it came up with a new theory of "combined nationalism of all the exploited peoples of Assam" (*Asomar samuh soshit raijar sanmilit jatiyatabad*). It called for free self-development of each nationality, including the Bodos settled in the northern banks of the Brahmaputra. ULFA's popularity declined after its shift from its stance on the issue of illegal Bangladeshi migration. It was no doubt a survival strategy adopted by the ULFA in 1992, for want of safe hideouts in a foreign country after two major counter-insurgency operations against them by the Indian security forces. Later, in a pamphlet entitled ULFA's call to the groups from East Bengal living in Assam (*Asombasi purbabangeeya janagoshthiloi ULFAr Ahvan*) ULFA redefined the concept of Assamese as "a people of all communities, the mixture of people who are determined to work for all-round progress of Assam." The mention of the migrants from Bangladesh as "an indispensable part" of the Assamese society had alienated ULFA from the Assamese middle class (Das S. K., Conflict and Peace in India's Northeast: The Role of civil Society, 2007).The Assamese middle class, apart from being unhappy with the ULFA's seemingly pro-Bengali migrant stand, was also agitated with the rebel group for expanding its extortion demands to Assamese professionals like doctors, engineers and others. The ULFA had lost much of its earlier goodwill.

Within less than a decade, in 2003, the ULFA faced pressure of leaving their safe hideouts in adjoining Bhutan. Bangladesh followed suit and by 2010, almost all the top ULFA leaders were handed over by Dhaka to Indian authorities. While the group led by Chairman Arabinda Rajkhowa joined the peace process and began holding peace talks with New Delhi, one faction led by military chief Paresh Baruah decided to continue with the armed movement. Paresh Baruah had already left Bangladesh and was operating from the Myanmar-China border. Later, he renamed his outfit ULFA-Independent and is so far engaged in violence directed against the Indian state.

1.3.2 ethnic insurgencies in Assam.

1.3.2.1 Bodo insurgency.

Denial of Sixth Schedule status for the Bodos at a time when they needed it most for constitutional protection of their land and identity can be seen as one of the primary causes leading to the alienation of tribal land. With increasing flow of migrants in the immediate years before and after Independence, tribal land was increasingly acquired by non-tribal immigrants. This became a threat for the Bodos. The Bangladesh war added to the changing demographic scenario of the State, with several lakhs of immigrants, mostly Bengali Muslims, staying back in the Brahmaputra Valley(Misra U. , Bodoland: The Burden of History, 2012).

The demand of a separate homeland for the Bodos was first raised in an unorganized way before Independence. In 1967, the Bodos formed a political party called the Plains Tribals Council of Assam (PTCA). The party demanded a union territory for the Bodos and other plains tribals of the region called Udayachal. In the same year, the All Bodo Students' Union (ABSU) was formed and raised demand for a separate state for the Bodos. (George, 1994).During the 1980s, a majority of the Bodo youths landed support to the Assam Agitation. The Bodos began to hope for fulfillment of their longstanding demands as the AASU leaders gained political power in 1985. But as the euphoria of the Assam Accord waned away with time, the tribal leaders realized that the new government's attitude towards them was not much different from that of the earlier ones.

So the Bodos decided to fight for themselves and on 2 March 1987 launched a movement demanding creation of a full-fledged Bodoland state to be carved out of Assam. The ABSU formed its armed wing called ABSU Volunteer Force or AVF, later rechristened as Bodo Volunteer Force (BVF). Kokrajhar and Darrang—the two strategically located Bodo inhibited districts became the nerve centres of militancy initiated by the ABSU[2]. At the time of launching the movement, the ABSU released a list of 92 demands(Why Separate State , 1987). Over time, the demands centred around three major political issues: i) Formation of a separate state named Bodoland

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[2]Bodoland Territorial Council to come into being tomorrow, *The Hindu*, 6 December 2003

on the north bank of the Brahmaputra, ii) Establishment of autonomous district councils in the tribal dominant areas on the south bank of the Brahmaputra, and iii) Incorporation of the Bodo-Kacharis of Karbi Anglong in the Sixth Schedule[3] of the Indian Constitution.

It was during the same period that the insurgent group called Bodo Security Force (BdSF) was formed by Ranjan Daimary on 3 October 1986 which was later renamed National Democratic Front of Bodoland (NDFB). The NDFB emerged as the most violent outfit with the aim to secure an 'independent Bodo nation' on the north bank of the river Brahmaputra. The proportion of violence carried out by the outfit was extreme, including killings, explosions, arson and attacks on police stations. A 'working arrangement' was established by NDFB with the National Socialist Council of Nagaland-Isak Muivah faction (NSCN-IM). Another militant group, the Bodo Liberation Tiger Force (BLTF), was formed on 18 June 1996 under the leadership of Prem Singh Brahma. This group too was fighting for a separate State of Bodoland within the Indian Union.

The government signed two peace accords within the three decades since the Bodoland movement began in 1987—the Bodoand Autonomous Council Accord in 1993 and the Bodoland Territorial Council Accord in 2003. While the BAC Accord proved to be a failed experiment. Instead, fierce ethnic and fratricidal clashes followed the signing of the Accord. Both NDFB and the newly formed BLT militants were engaged in a campaign of violence since the mid-1990s, especially in the districts of western and northern Assam, particularly Kokrajhar district. The other ethnic groups within 'Bodo areas' were the main targets of the violence. Thousands died and millions were left homeless in the western Assam districts due to violence. In order to protect themselves, the Santhals and other non-Bodo communities too began to arm themselves and fight back. As a result, significant displacement of Bodo population took place from areas where they were a minority. Apart from being involved in

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[3] The Sixth Schedule [Articles 224 (2) and 275 (1)] provides the hill tribes of the Northeast with a simple, inexpensive, administrative set up of their own district councils to safeguard tribal customs and ways of life to secure to the tribes the maximum autonomy in management of their characteristically tribal affairs. See http://www.constitution.org/cons/india/shed06.htm

conflicts with non-Bodos, the Bodos were involved in fratricidal clashes, mainly between the NDFB and the erstwhile BLT militants.

The BLT signed a ceasefire agreement with the government on 29 March 2000. A second peace agreement was signed on 10 February 2003 between the Central Government, the State Government and the leaders of BLT (Bodo Liberation Tigers). BTC (Bodoland Territorial Council) was formed with jurisdiction over four districts of Assam: Kokrajhar, Baksa, Udalguri and Chirang.

Peace was not lasting this time, either. Insurgency violence continued, as the NDFB, which had been demanding for a sovereign territory, was not made a party in the Government's peace process. Besides, the second Bodo Accord was formulated and signed in haste, without taking into account the wishes of the majority 70 percent non-Bodo people living in the area who were against the creation of Bodoland. The Accord, as it speaks, is meant for the Bodo people of the area: "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." (See Bodoland Territorial Council Accord) This resulted in a feeling of insecurity among the non-Bodos living in the area. The provision in the Accord saying that "a committee comprising one representative each from Governments of India and Assam and BLT will decide 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 not less than 50 percent" has created much trouble and disturbance. This was a significant factor behind the escalating ethnic conflict and bloodshed in the BTC area.

A religious polarisation in Bodoland caused much harm to the Bodo movement. The Hindu dominated BLTF supported the Security Forces to act against the Christian dominated NDFB. While the BLTF demanded statehood, the NDFB was fighting for a separate state outside the Indian Union. At different points of time, the Bodo movement was weakened by internal differences and rivalries between different Bodo organizations. If at one time the ABSU alleged PTCA for betraying the Bodo cause, at

some other time there was rivalry between moderates like ABSU and hardliners like BdSF.

1.3.2.2 Karbi insurgency.

Karbi Anglong[4] is the largest district in Assam with a total geographical area of 10, 434 Sq. Kms and is considered one of the most backward districts. The area is populated by different ethnic tribes, such as Karbis, Bodos, Kukis, Dimasas, Hmars, Garos, Rengma Nagas, Tiwas, and Man (Tai Speaking). Karbis form the majority of the population at 46.3 per cent. The father and the architect of Karbi nation and nationalism was Semson Singh Ingti (1910-1948) who raised the issue of a separate district for the Karbis. He, along with a set of other educated elite from the community, tried to bring all the Karbis scattered in different places to one geographical space and to form a single political administration. They submitted a memorandum before the Bordoloi Committee on 18 May 1947 demanding a separate district for the Karbis and desiring consolidation of the Mikir areas, protection of customs and extension of franchise. This led the Constitution of India adopt the provision of Sixth Schedule for the hill population of Northeast India. The United Mikir and North Cacher Hills district was created and an Autonomous Council was formed in 1952. However, underdevelopment of the region led to bifurcation of the district in 1970 and MikirHills district and North Cachar Hills District were created. On 14October 1976, Mikir Hills District was renamed as Karbi Anglong(Growth and Development of the Karbi Ethnic Movement).

The demand for a separate Karbi Dimasa state was again raised on 20 August 1978 in the meeting of All Party Peoples Conference (APPC). The Autonomous State Demand Committee (ASDC) was formed on 17 May 1986. Various students' organizations joined the movement which was in its peak during 1986-1989. The Karbis were unhappy for the insufficient amount of power offered to them in the name of self-rule. After a prolonged agitation by organizations namely ASDC (Autonomous

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[4] Located in the central part of Assam, Karbi Anglong spreads over an area of 10,434 sqkms. As per the official census of 2011, Karbi Anglong has a population of 956,313 (951 females/1000 males) with average literacy rate of 69.25 per cent.3 It is geographically divided into two parts i.e. East Karbi Anglong (EKA) and West Karbi Anglong (WKA) with its administrative headquarters located at Diphu town in EKA. The terrain in the district is hilly with thick vegetation and dense tropical forest cover.

State Demand Committee, formed on 17 may 1986), KSA (Karbi Students Union), DSU (Dimasa Students Union), KNCA (Karbi Nimso Chingthur Asong) and NCHSF (North Cachar Hills Students Federation) a Memorandum of Understanding was signed on 1April 1996 with the Centre and the Government of Assam, Karbi Anglong District Council was renamed as the Karbi Anglong Autonomous Council (KAAC) by an Act of Parliament by incorporating the Sixth Schedule to the Constitution (Amendment) Act, 1995 (42 of 1995) to the Constitution of India granting greater autonomy to the Council (Sharma, 2016). The ASDC faced a split in August 2000 resulting in fratricidal conflicts and killings. None of the factions could win elections in Council, Assembly and Parliament and Congress came back to power in 2002.

1.3.2.2.1 insurgency breaks.

With the same demands of a separate homeland which was initiated by democratic movements, insurgent activities started in Karbi Anglong. In 1994, insurgent outfits called Karbi National Volunteers (KNF) and Karbi People's Force (KPF) were formed. In 1999, both the organizations merged to form the United Peoples' Democratic Solidarity (UPDS). The UPDS blamed the ASDC for its failure to achieve the demand of a separate state and started armed struggle to attain the same goal. After causing much violence, bloodshed and extortion, the UPDS came to a ceasefire agreement with the Government of India in 2002. Split in UPDS occurred due to disagreement on whether to hold talks with the government or not. The anti-talk faction led by H. E. Kathar decided to stay away and formed a separate group called Karbi Longri North Cachar Hills Liberation Front (KLNLF) in 2004. It demanded creation of a political institution for self-determination for the Karbi people of Karbi Anglong and contiguous Karbi dominated areas of Assam and Meghalaya (Mangattuthazhe, 2008).

Between 2000-2005 insurgent activities multiplied as several small insurgent groups were formed representing different ethnic tribes due to ethnic clashes that took place in the area. The KLNLF too signed a ceasefire agreement with the Government and 403 cadres of the KLNLF laid down their arms in a formal ceremony on 11

February 2010. Once again, 17 cadres defected from KLNLF and formed a breakaway group called Karbi People's Liberation Tigers (KPLT) on 8 January 2011.

Simultaneously, peace process continued with UPDS and on 25 November 2011, UPDS signed a tripartite Memorandum of Settlement (MOS) with the Centre and the State government. The agreement promised further decentralisation of powers by upgrading the existing Karbi Anglong Autonomous Council (KAAC) to Karbi Anglong Autonomous Territorial Council (KAATC).

The KPLT, on the other hand, continued to wage an armed struggle. In order to project itself as the only group fighting for Karbi statehood, the KPLT divided itself into three sub groups spread across different areas of Karbi Anglong under different leaders. It has been challenging civil administration and political leaders by frequently calling *bandh*s and carrying out extensive recruitment drives in the remote areas(Sharma, Karbi Insurgency in Assam: The Way Forward, 2016). The group has linkages with the ULFA (I), NDFB (S) and NSCN (IM). Being the only group carrying out an armed insurgency, KPLT also enjoys illegal support from all political groups, including Karbi Students' Association, fighting for the Karbi cause. Even the UPDS is said to have provided adequate political support during 2010-11. Reports also suggest that political parties of Karbi Anglong have maintained understanding with KPLT to keep the issue of Karbi statehood alive.

1.3.2.3 Dimasa insurgency.

Years of discontent, unfulfilled aspirations and under-development in NC Hills was a perfect recipe for the rise of an armed insurgency in the district. Geography, too, helped in the sense that it provided the perfect logistic support for the rebels to sustain themselves. The terrain in Dima Hasao is rugged and hilly, located on the Eastern flanks of the Jaintia Hills and the Northern flanks of the Barail mountain range. Besides, the district has common boundaries with three north-eastern states and three other districts of Assam. Because of its difficult terrain with thick jungles which provide safe shelter and hide outs of the militants in the adjoining states and countries counterinsurgency operations launched by the security forces here have not achieved satisfactory results (Gogoi, 2009).

Armed rebellion began with the formation of an outfit called the Dimasa National Security Force (DNSF). It emerged on the scene towards the end of 1990 and took shape in the early part of 1991 with the demand for 'revival of the lost Dimaland'. The DNSF was widely believed to have been patronised and supported by the Naga insurgent group, NSCN-IM (National Socialist Council of Nagaland, Isak-Muivah faction). The NC Hills district was already a known transit point for cadres of the NSCN-IM and Meitei insurgents from Manipur to Bangladesh. DNSF began its operation in the area and started gathering funds through extortion and other activities. The Assam government stepped in and started talks with the DNSF in a bid to end the insurgency. Finally, the DNSF surrendered en masse on 17 November 1994.

When the DNSF surrendered, its commander-in-chief Jewel Garlosa and some other leaders of the outfit stayed away from the process (Kashyap, 2009). On 1 January 1995, they floated a new militant outfit, the Dima Halam Daogah (DHD). The DHD's avowed objective was to carve out a separate Dimasa homeland, 'Dimaraji', comprising the Dimasa inhabited areas of Dima Hasao (North Cachar Hills), Karbi Anglong, parts of Nagaon district, and parts of Dimapur district in nearby Nagaland.

DHD signed a ceasefire agreement with the government on 1 January 2003. The cadre strength of the outfit at that time was around 800. The DHD ceasefire, however, did not bring an end to violent incidents in NC Hills. A new phase of violent insurgency and terror began in the district with the formation of the Black Widow in July 2004. It was formed by Jewel Garlosa, who once again decided to stay away from the peace process and created a reign of terror in the 4,890 square kilometre district. Aside from clashing with the parent faction of the DHD, the Black Widow or DHD (J) began killing and extorting people, besides attacking security force personnel. The outfit, with 416 cadres, had an arsenal of modern, sophisticated weapons including AK series rifles, machine guns and high explosives. Between 2004 and 2009, DHD (J) was involved in the killing of 108 civilians and 32 security force personnel. The internecine clashes with its parent group also led to the deaths of 28 cadres from both the groups.

The Assam Police launched 'Operation Treasure Hunt', a cross-country operation to apprehend DHD (J) leaders. On 4 June 2009, Assam Police officers managed to capture DHD (J) chief Jewel Garlosa and two of his associates. The central government took a tough stand asked the DHD (J) to surrender by 15 September 2009, adding that the government would consider talking peace with the group only if its cadres laid down arms before that deadline and agreed to stay in designated camps, end extortion altogether, and ensure the presence of all its top leaders at the talks, as and when they commenced. Between 13 and 14 September, 2009, as many as 372 rebels laid down their arms and the outfit formally surrendered on 2 October 2009 in Haflong, the district headquarters of NC Hills paving the way for peace talks. On 30 October 2009, former Intelligence Bureau (IB) Director P.C. Haldar was appointed interlocutor for talks with DHD (J). Talks with DHD (N) were already going on with P.C. Haldar being the interlocutor for this group as well. Finally, on 8 October 2012, a Memorandum of Settlement (MoS) was signed between the government and both factions of the DHD.

1.4 Insurgency and its Sustenance: Root Causes

There are different contours of insurgency in the region, advocated by different sets of people or groups claiming to represent different communities. The Indian nation-building process has rather been weak which is why struggle for self-determination has been observed in the peripheral regions of the country. Lack of a strong national identity, supported by several other factors, contributed to the rise and continuation of insurgency in Assam. These emerged as the key pull factors for the sustenance of insurgency problem in the State.

1.4.1 greed and grievance theory.

According to Paul Collier, one of the famous economic authors on greed theory, poverty or lack of economic development is the main cause of an armed conflict. A higher level of per capita income decreases the likelihood of conflict (Collier, 2000). This applies well to the causes of insurgency in Assam. About 150 years back, Assam was in the forefront of development. Way back in 1835, the first tea garden was set up by the British. Export of the first consignment of tea to London took place in 1838. In

this natural resource rich state, the discovery of oil in Makum and establishment of a refinery in Digboi in 1890 laid the foundation for the development of undivided Assam. In 1881, the first railway network began in Assam with the launch of 65-km-long metre gauge line from Dibrugarh to Margherita which was constructed mainly for transportation of tea and coal.

However, the most striking fact remains that the economic and human development indices of the State started falling behind the rest of India after the partition of India in 1947. Partition pushed the entire region to a remote entity which remained linked to the mainland India through a narrow 22 kms wide corridor in Siliguri, popularly known as the 'chicken's neck'. The creation of East Pakistan and then Bangladesh restricted land and water transport between Assam and the rest of India and trade and commerce was largely affected by this. The gradual downfall of the economic status of Assam is clearly reflected in the statistics of per capita income and GDP growth. We notice that Assam's economic position during the period just after Independence was above national average, while there has been a rapid downfall during the following decades [Table 1] (Strategy for Assam's Development).

Table 1: Per Capita Income (at constant 1980-81 prices)

Year	1950-51	1960-61	1970-71	1980-81	1990-91	1995-96	1996-97	1998-99
India	1127	1350	1520	1630	2222	2608	2761	3132
Assam	1173	1140	1221	1284	1524	1606	1628	1708
Difference	46(+)	210(-)	299(-)	346(-)	698(-)	1002(-)	1133(-)	1424(-)

Source: Government of Assam Vision Assam 2025

Table 2: Per Capita Income (at current prices as on 01.03.2012 In Rupees)

Year	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12
India	24143	27131	31206	35825	40775	46117	98719	60972
Assam	16782	18396	19737	21290	24099	27464	30569	33633
Difference	7361(-)	8735 (-)	11469(-)	14535(-)	16676(-)	18653(-)	68150(-)	27339(-)

Source: For Assam—Directorate of Economics & Statistics of respective State Governments, and for All-India—Central Statistics Office (Socio-economic Indicators, 2011)

Table 1 shows that during 1980 and 1990, per capita income grew 20 per cent in Assam as compared to 40 per cent in all India. Between 1980 and 1998 per capita income in Assam grew by 10 per cent compared to 39 per cent growth in national average. But if we look back during 1951 and 1979, we will find that the difference between the State's economic growth and the growth of national economy was not much. The rapid fall in per capita income graph of Assam since 1971 could be viewed in the backdrop of the creation of Bangladesh after which there was a higher rate of population growth due to immigration. Again in a duration of eight years, from 2004-05 to 2011-12, we have seen that the difference between state per capita income and national per capita income is increasing (Table 2).

Evidences based on objective criterion show that the gap between the north-eastern region and the rest of India has been ever widening making it unable to participate in the benefits of an expanding and growing economy. The Assam Human Development Report 2003 states that the pattern of incremental investment in India in the 1990s has been tilted in favour of regions having infrastructural and entrepreneurial environment with availability of skilled workers. The region, including Assam, is left backward precisely in these areas. Lack of development, unemployment and perceived discriminations have contributed to the unrest.

Considering the disadvantageous position the state was thrown into after Partition clearly demanded special attention by the Central government, which, however, did not happen. One cannot deny the root causes of restlessness in the State. The fire caught the imagination of the people with many ethnic and student organizations coming out demanding the rights of people where the notion of identity served well to ignite the fire.

David Keen, another eminent author of the greed theory states that those who initiate an armed conflict attain certain benefits including extortion of individuals, collecting protection money from companies etc. and kidnapping for ransom (Keen, 1998). These kinds of benefits fuel in prolonging conflict and spoiling peace.

Members of several insurgent groups of the region have been involved in such activities transforming insurgency into a sort of money-making business.

An effort at looking into the root causes behind armed struggle here actually finds a theoretical basis if we take a glance of the grievance model. According to the grievance theory, war emerges from the opposition to perceived or actual injustice. Because of oppression, inequality and discrimination people become agitated and resort to fighting. In the grievance literature, there is a distinction between identity driven and ideological or revolutionary wars (Steven Spittaels, Nick Meynen, Filip Hilgert, 2007). The ground for revenge may be based either on political and social injustice or on identity. However, in most of the times, the two sides are merged to form ground for grievance. In Assam, ULFA's struggle for a 'sovereign Assam' is primarily based on political or social injustice while groups like NDFB or other ethnic outfits mainly emerge from their ethnic identity.

1.4.2 ethnic diversity.

India is a land of ethnic and cultural diversity. This diversity is more intense in the north-eastern region of the country which is a mosaic of 160 Scheduled Tribes and 400 sub-tribal communities. A region of ethnic and linguistic convergence, the Northeast is home to 220 languages in multiple language families, including Indo-Arian, Sino-Tibetan, Tai–Kadai, and Austro-Asiatic. The multi-ethnic and multilingual diversity of the region stood as a challenge to the then government which was engaged in reorganisation of states in 1956. While most of the states were reorganised under the scheme of linguistic regions, states in the Northeast were reorganised neither on linguistic nor on the basis of ethnicity. It was actually based on administrative convenience (Verma, 2001).The advocacy of a single language for homogeneity and cohesiveness has been challenged here at different time periods. Ethnic assertions of socio-cultural and political aspirations of different ethnic groups are a common phenomenon here.

1.4.3 identity question.

In most of India's Northeast and particularly in Assam, the identity question takes the centre stage around which many other issues are revolving—lack of development,

feeling of alienation, exploitation of resources, discrimination and so on. Political aspirations of different ethnic groups living in the same space or overlapping each other's space may be different from each other, but one thread is common in all non-violent or violent agitations here—a quest for identity and efforts to establish it. Apprehensions and fears among communities of the region for a threat to their identity combined with the continued experience of remoteness and alienation from the Indian 'mainland' found expression in assertion of rights by different groups, political organizations or insurgent outfits. As Dr Udayon Misra states:

> Assam today poses a really grave challenge to the entire process of nation-building. With its really complex ethnic situation, the almost unsurmountable problem of influx and demographic change and the backward, almost "colonial" state of the economy, Assam has emerged as the problem state, next perhaps to Kashmir (Misra U. , The Periphery Strikes Back, 2000).

Identity, ethnicity and insurgency have developed deep interfaces, with the dividing line between these becoming quite thin at certain points.

1.5 Signing of Peace Agreements

As we have mentioned earlier, insurgency has affected most of the north-eastern region. The Government of India had its hands full engaging in efforts to restore peace in the region. The Government's peace initiatives were largely focused on bringing the rebels to a peace mode in order to find out a settlement to the issues raised by them.

1.5.1 Nine-point Agreement or the Naga-Akbar Hydari Accord, 1947.

This agreement was signed between the Governor of Assam Akbar Hydari and the representatives of the Naga National Council (NNC). The Agreement recognized the right of Nagas to "develop themselves according to their freely expressed wishes". Nagas assumed that they will gain independence after the stated 10 years period of the Agreement. The central government felt that the terms of the agreement were consistent with the Sixth Schedule of the Constitution (Verghese, 1997).

1.5.2 Sixteen-Point Agreement 1960.

The Naga moderates under the banner of Naga People's Convention gathered public opinion on the kind of freedom the Naga people would seek. They drafted a 16-point resolution which was accepted by the Government of India and the state of Nagaland came into existence. The NNC refused to recognize the Agreement.

1.5.3 Shillong Accord 1975.

The Government of India signed the Shillong Accord with the representatives of Naga 'underground organizations'. The agreement stated that the signatory 'representatives' have agreed to accept the Constitution of India on their own volition, without condition. But the Accord agreed to provide 'reasonable time' to the 'underground organizations' (significantly, there was no mention of specific name of the signatories) to formulate other issues for discussion for final settlement—indicating that the accord was not a 'final settlement'.

1.5.4 Mizo Accord 1986.

In Mizoram, the Government of India signed peace accord with the Mizo National Front (MNF) in June 1986 by making them key players to the electoral politics. Mizoram was declared a state in February 1987 and Laldenga and his party MNF won the first elections to the state legislature.

The Mizo Accord is commonly recognized as one of the most successful accords towards achieving sustaining peace. Several factors could be made responsible for this success. A give and take deal between the parties to conflict is seen when MNF gave up the idea of greater Mizoram, renounced violence and secession and delinked their connection with Tripura National Volunteers and People's Liberation Army, Manipur on one hand and on the other Mizoram became a state and MNF entered mainstream politics with Laldenga becoming the chief minister. Secondly, the Mizo leadership adopted a more inclusive nature of Mizo identity by mobilizing all sections of society and as Sajal Nag said "reducing an ideological battle into a simple law and order problem" (Nag: 2006). Thirdly, the close collaboration between the government and the civil society organizations in most of the negotiations made the state more responsive. Another important factor for the success of the accord can be attributed to the fact that the peace mediators remained part of the post-accord scenario and were also accountable to both the conflict parties for the consequences of the peace that was created.

1.5.5 Memorandum of Settlement with the Tripura National Volunteers, 1988.

This tripartite peace accord was signed on 10 August 1988to bring the Tripura National Volunteers (TNV) to the negotiation table. The Memorandum of Settlement declared reservation of three additional seats for Scheduled Tribes in the Tripura Legislative Assembly (out of total 60 LAC seats, now 20seats are reserved for STs). Discontent among one section of TNV members led to the formation of National Liberation Front of Tripura in 1989 while another section of TNV members formed the All Tripura Tribal Force in 1990. This second group had a further split with the formation of the All Tripura Tiger Force in 1992 which was responsible for raising the level of violence.

1.5.6 Memorandum of Settlement with All Tripura Tiger Force (the Agartala Agreement) 1993.

A Memorandum of Settlement was signed on 23 August 1993 between the All Tripura Tribal Force (ATTF) and the Government. The promises include: sending back all the foreign nationals from Bangladesh who have come to Tripura after 25 March 1971, restoration of alienated land, introduction of Inner-Line-Permit, 25 reserved seats out of 28 in the District Council, and a Bhasa Commission (Tribal Language). Of all these, only the provision of 25 reserved seats in the District Council was implemented (Sukhendu, 2006).

1.5.7 Bodo Memorandum of Settlement 1993.

This accord was signed between the Government of Assam and the representatives of All Bodo Students' Union (ABSU) and Bodo Peoples' Action Committee (BPAC) combined. However, the BAC became a failed experiment, as its territory was not fully demarcated, leaving room for all kinds of confusion and resentment among the people.

1.5.8 MoS establishing a Bodoland Territorial Council, 2003.

The second Bodo peace accord, signed by the Bodo Liberation Tigers (BLT), the Centre and the State Government, on 10 February 2003 led to the formation of BTC (Bodoland Territorial Council). Although the accord resulted in some kind of development in the area, different communities from the BTC area are having a strong

feeling of deprivation. This, along with the proliferation of arms in the area with insurgent groups as well as former militants indulging in killing, kidnapping and extortion, as well as the revival of the statehood demand by different Bodo groups, has kept the situation in the Bodo heartland on the boil.

1.5.9 Memorandum of Settlement with United People's Democratic Solidarity, 2011.

On 25 November 2011, the Centre and the Assam Government signed an accord with the United People's Democratic Solidarity (UPDS). The Centre granted enhanced autonomy to the existing Karbi Anglong Autonomous District Council. The implementation of the accord, however, has been limited to holding of the review meetings. Again, there are two more active armed outfits in the hill district—Karbi People's Liberation Tigers (KPLT) and Karbi Longri and North Cachar Liberation Front (under ceasefire) (KLNLF), and they are still fighting for statehood.

1.5.10 Memorandum of Settlement with Dima Halam Daogah, 2012.

The agreement was signed between both the factions of the Dima Halam Daogah (Dilip Nunisa faction and Jewel Garlosa faction) and the Central and State Governments in New Delhi for creation of Dima Hasao Autonomous Territorial Council (DHTC). However, the non-Dimasas living in the area, who constitute more than 50 per cent of the population, felt that their interests have not been taken care of by the agreement.

1.5.11 MoU with UPPK

On 25 May 2013, the Manipur based United Peoples' Party of Kangleipak (UPPK) signed a tripartite Memorandum of Understanding (MoU) with Centre and the Manipur Government. UPPK was dissolved by the Government on 4 April 2016(Present Status of Peace Process, 2013).

1.5.12 Agreed Text of Settlement with ANVC.

In Meghalaya, an 'Agreed Text Of Settlement' was inked between the Government of Meghalaya and the Achik National Volunteer Council (ANVC) mainly enhancing autonomy of the existing Garo Hills Autonomous District Council in Meghalaya. On 24 September 2014, the Central government and the Meghalaya government signed

peace settlement with the two factions of the Achik National Volunteers Council (ANVC). The ANVC was in a tripartite ceasefire agreement with the government since July 2004.

1.5.13 Framework Agreement with NSCN(IM).

A 'Framework Agreement' was signed on 3 August 2015 between NSCN-IM and the Government of India. A timeframe for the negotiation and settlement of the conflict was not fixed but the government of India on 20 January 2016 decided to speed up the process by holding formal talks twice a week (Sahni, 2015).However, the NSCN-IM is not the sole representative of the Nagas. At the same time, the worrying factor has been the discontinuation of ceasefire agreement with another powerful outfit – the NSCN-K and the subsequent ban of the outfit by the government. Along with these, the activities of other fringe outfits in Nagaland are working as deterrent to the much awaited peace in the territory.

1.6 Objectives of the Study

The objectives of the present study are:

a. Critically analyse the strategies and policies adopted by the government to address the insurgency problem, with special reference to the state of Assam.

b. Analysis of four peace agreements signed in Assam.

c. To identify the lacunae, if any, in the government's prevailing peace strategy with the militant groups

d. Explore the validity of the popular perception that the intense feeling of alienation fuels insurgency in the region.

e. Identify the pre-requisites and point out the parameters which need to be fulfilled to ensure that the peace initiative of the government leads to lasting and overall peace in the region.

1.7 Research Questions

The study has been interwoven within the parameters of the following research questions:

1) Whether the Government lacks a holistic approach in dealing with insurgency and related issues in the north-eastern region of India?

2) Is it true that peace talks with each and every militant group is actually encouraging militancy in the region by making way to formation of splinter groups?

3) Is there a relationship between the government's peace strategy and prolonged militancy and socio-political unrest in the region?

1.8 Scope of the Research

The present study concentrates on:

a) The government's peace policy in signing four peace agreements with different insurgent groups—

i) The 1993 Bodo Accord with the ABSU and BPAC combined

ii) The 2003 BTC Accord with the Bodo Liberation Tigers

iii) The 2011 Memorandum of Settlement with the UPDS

iv) The 2012 Memorandum of Settlement with the DHD and DHD-J combined.

It critically analyses the implementation status of the agreements and attempts to find gaps in the peace policy in the process.

b) The government's strategy and policy while dealing with ULFA and Bodo insurgency in Assam.

Peace is all pervasive and can't be fragmented. The north-eastern region, despite its inherent heterogeneity, emerges as an important conflict zone in Southeast Asia. For the purpose of the present study, the researcher has extrapolated Assam and has chosen to concentrate on   the core of the strategies that includes the four peace accords.

1.9 Delimitation

The Study covers the period from 1990 up to 2015, though the seeds of insurgency were sown in the period not mentioned in the study.

1.10 Limitations

1. Some sensitive data and documents, which could not be accessed due to strict veil of secrecy maintained by government

2. The researcher failed to come up with accurate data regarding many important parameters as the definitions of some sensitive concepts were found lacking and not available in public domain.

1.11 Methodology

The study has been pursued with the application of qualitative research method in order to explore the underlying reasons and motivations behind the problem of insurgency violence in the region. To develop a concrete, context-dependent knowledge, this empirical study has followed the case study approach as it is especially well suited to produce this knowledge. As subject of case studies, the research has concentrated on four peace accords signed in Assam and critically analyses the implementation status of the agreements and in the process attempts to find gaps in the peace policy. The study has deployed interconnected interpretive practices hoping to get a better understanding of the subject matter at hand. It tries to provide insight into the problem and help to develop ideas on finding a way to the solution of the problem. Data is used to support the arguments and give authenticity to the statements. Both primary and secondary sources of data has been gathered, analysed and interpreted in the study.

Secondary Data: The secondary data has been collected through visits to relevant departments, websites and institutional libraries. The secondary sources of data for the present study are:

- Books, Periodicals and Journals
- Media reports
- Monographs and Annual Reference Works such as Annual Reports of the Ministry of Home Affairs
- Published and unpublished dissertations/theses of various universities and research institutions
- Documents published by Intergovernmental and International Organizations
- Government websites for various departments

Primary Data: Primary information has been collected through interviews and interactions with different stakeholders of insurgency and peace in Assam. Visits to different government departments were also made to collect certain documents that are not in public domain.

Interviews with stakeholders: Interviews were conducted in a free, focused and interactive manner, through a semi-structured interview schedule using open ended questions to elicit views and comments from the individuals interviewed. The selection of respondents was purposive as the idea was to document different dimensions of elusive peace in the region. The target respondents were former rebel leaders, civil society leaders associated with the peace process, community leaders, serving/former police officers, other government officials, senior journalists, academics, leaders of students' organizations, social activists, etc.

Documents: Government studies and reports such as the minutes of meetings to review implementation status of the peace accords, Census Reports, Human Development Reports, non-government reports, police records and two peace agreements (MoS with UPDS and MoS with DHD) that are not available in public domain.

1.12 Research Design

Based on the objectives, the following analysis has been carried out for the study.

i. To subject the observations and viewpoints on the peace accords through a rigorous academic exercise, the study has adopted the concept of a matrix of peace accords from the Peace Accords Matrix (PAM)[5], established by Kroc Institute for International Studies, University of Notre Dame. The PAM database is a unique source of qualitative and quantitative longitudinal data[6] on the implementation of 34 Peace Agreements negotiated between 1989 and 2012. However, this study is concerned only with qualitative data and except some of the themes for different clauses of accords, the rest of the matrix framework is original. Here one can find a clause by clause analysis of implementation or otherwise of the provisions of the peace agreements signed. The study has reviewed the peace accords in this context and format so as to present an objective picture.

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[5] Peace Accords Matrix (Date of retrieval: (12/10/2016), http://peaceaccords.nd.edu/about, Kroc Institute for International Peace Studies, University of Notre Dame.

[6] A longitudinal study (or longitudinal survey, or panel study) is a quasi-experimental research design that involves repeated observations of the same variables (e.g., people) over long periods of time, often many decades (i.e., uses longitudinal data).

ii. Considering the fact that the present study is limited to the Northeast region of India, especially to the state of Assam, 11 provisions present in PAM are not included in this matrix as they are considered redundant or not relevant in the present context. On the other hand, new provisions have been added in this matrix in view of their relevance in the context of this research study. For example, the provision of Participation of Civil Society Groups as Witness Signatories in the Accord and the provision of Representation and Participation of Women have been added.

iii. For a systematic analysis, the matrix under the study consist 33 provisions. Different clauses of the peace accords are placed under appropriate provisions in the matrix. Against each provision, the research has viewed different levels of application or implementation and has made observations in the light of the implementation status of the provisions.

iv. Field-based interviews of experts formed an integral part of the study.

1.13 Structure of the Study

The report is divided into six chapters.

1.13.1 Chapter 1: Introduction.

The chapter provides the statement of the problem in the context of Assam and the north-eastern region. It outlines the rise of insurgency in Assam and brings out the root causes of insurgency with special reference to ULFA, Bodo, Dimasa and Karbi insurgency in Assam. It also provides a brief on the peace accords so far signed in the Northeast. The chapter presents the objectives of the research, research questions, methodology, delimitation of the research, limitations of the study, research design, scope of the research work, as well as structure of the study.

1.13.2 Chapter 2: Review of Literature.

This chapter brings out the status of the conceptual aspects and theoretical issues with reference to the existing studies related to insurgency and government's peace policy and strategy in the region. In the process it finds the research gap in the concerned area of study.

1.13.3 Chapter 3: Materials and Methods

This chapter tells about the participants of the study, the sampling procedures, measures of the study, the research design, data collection procedures and data analysis. The chapter takes the four peace agreements as case studies and observes the implementation process with the help of a tool of analysis in the form of a matrix. A clause by clause analysis of implementation status of the peace accords gives a clear idea about the ad hoc approach on the part of the government while dealing with the insurgency conflict in the state.

1.13.4 Chapter 4: Results

In the search for a comprehensive peace policy, the chapter takes cue from the field interviews taken with the help of a semi-structured open ended common questionnaire schedule as well as the existing insurgency and peace related policies of the government to critically analyse the problem at hand. The chapter throws light into the causal factors of the insurgency problem and gradually explores the issue of peace policy in the light of the field experience.

1.13.5 Chapter 5: Strategies for Approaches to Peace

This chapter provides critical analysis of the strategies and policies of the government while dealing with the insurgency issue. Tools used for this qualitative data include, interview transcripts, informants' texts (e.g. diaries and blogs) and field notes. It discusses definition of peace, its theoretical insights with reference to what is followed by the government. The chapter discusses different peace strategies of the government such as counterinsurgency, coercive diplomacy, ceasefire, peace process, dialogue and negotiations, peace agreements, elections and so on. The chapter observes how development of the region has been used as a peace building strategy. It refers to the government's rehabilitation policies for the surrendered insurgents as well as views how structural changes in administration have been adopted by the government as a strategy to address the insurgency problem. The chapter also focuses on gender perspective as well as the significance of participation of civil society organisations in the peace process. The chapter found that institutionalisation of the peace process would help the government to form a structured peace policy to address

the insurgency issue. It was established that the Government of India lacks an institutionalised peace process mechanism.

1.13.6 Chapter 6: Summary and Conclusion

This chapter provides a summary of the research findings, implications andsignificance of the findings, limitations of the study and recommendations for future research. It brings back the argument of the study that sustenance of the problem of insurgency is related to the policies practised by the government and has pointed out certain gaps in the prevailing peace strategy of the government. The chapter ends with certain policy recommendations. The emphasis on institutionalisation of the peace process is expected to help all the stakeholders to address the problem in a more systematic and holistic manner.

Chapter 2
Review of Literature

2.1 Introduction

Insurgency emerged in the north-eastern region of India even before Independence, during the early 1940s. Since then, non-violent and violent movements were gradually emerging at different parts of the region at different points of time. The region has been witness to a range of insurgencies at various levels. The immensity of the problem could be understood from the fact that insurgency has been a major determining factor in social, political and economic development life of the region for several decades. Insurgency and violent conflict has impacted deeply on the region as a whole and the lives of the people.

The government's policies and strategies adopted in order to address this problem hold much implication in this context. Despite efforts by the government and other agencies to bring peace to the region, peace has remained elusive. Counterinsurgency and peace processes has been common affair but resolution or transformation of the conflicts faced by the region no doubt demands a clear and effective peace policy on the part of the government.

2.2 Concepts of Peace

Johan Galtung offered three concepts of peace (Galtung, 1967):

i) Peace as a synonym for stability or equilibrium. This conception of peace covers the 'law and order' concept, which connotes the idea of a predictable social order even if this order is brought about by means of force. This concept does not exclude violence.

ii) Peace means the absence of organized collective violence. Violence can be between major human groups; particularly nations, also between classes and between racial and ethnic groups because of the magnitude internal wars can have. This type of peace is referred to as 'negative peace'.

iii) Peace as a synonym for cooperation and integration between human groups, with less emphasis on the absence of violence. This type of peace is referred to as positive peace. This concept excludes major violence, but tolerates occasional

violence. However, peace is something more than just absence of organized group violence; it also contains an element of equality and absence of exploitation.

Since peace is concerned with relations between groups, Galtung pointed out ten values as conditions that facilitate the presence of positive relations. These include: Presence of cooperation, Freedom from fear, Freedom from want, Economic growth and development, Absence of exploitation, Equality, Justice, Freedom of action, Pluralism and Dynamism. According to Galtung, who has offered 35 theories on peace thinking, these values serve to highlight some problems when they are considered in conjunction because of the difficulty in constructing a world that will maximize all ten - and, in addition, minimize the use of violence.

Towards the end of the eighteenth century, Abbé de Saint-Pierre (1658-1743), a French clergyman, was the pioneer as a proponent of international peace. His multi-volume *Project for Perpetual Peace in Europe* (1713 and 1717 editions) proposed a plan for the nations of Europe to form a confederation with a view to escaping the violent state of nature in which they found themselves.   This could be regarded as the forerunner to the European Union and other such projects of international organization for building peace. Swiss philosopher Jean-Jacques Rousseau (1712-1778) evaluated Saint-Pierre and argued that the only hope for perpetual peace lies in, if not universal monarchy, some form of benevolent hegemony (Rousseau, 2015).

However, it was philosopher Immanuel Kant, who in his essay *Perpetual Peace: A Philosophical Sketch* written in 1795, forwarded the basic principles of the concept of democratic peace theory. Kant argued that true peace is possible only when (a) states are organized internally according to 'republican' principles, (b) states are organized externally into a voluntary league that promotes peace, and (c) when states respect the human rights not only of their own citizens but also of foreigners. Kant claimed that 'republics' are more peaceful than other kinds of states and it was re-established in the 1980s when it was pointed out that the empirical record of the previous two centuries shows that democracies did indeed not wage war against each other during that time (Kleingeld, 2006).

It is true that any attempt at peace making requires understanding of the root causes of the conflict in hand. But, beyond that, there is a wide range of issues and aspects. John Paul Lederach, a key scholar in the field of peace studies, defines peace building as:

> ...a comprehensive concept that encompasses, generates, and sustains the full array of processes, approaches, and stages needed to transform conflict toward more sustainable, peaceful relationships. The term thus involves a wide range of activities that both precede and follow formal peace accords. Metaphorically, peace is seen not merely as a stage in time or a condition. It is a dynamic social construct. .....Peace building process must rely on and operate within a framework and a time frame defined by sustainable transformation... a sustainable transformative approach suggests that the key lies in the relationship of the involved parties, with all that the term encompasses at the psychological, spiritual, social, economic, political and military levels (Lederach, 1997).

Democracy and Deep-Rooted Conflict: Options for Negotiators observed that in the mid nineties, every major armed conflict originated at the domestic level within a state, rather than between states (Peter Harris, Ben Reilly, 1998). Such conflicts combine two powerful elements: identity and distribution. While 'identity' here implies mobilization of people in communal identity groups based on race, religion, culture or language, 'distribution' suggests the means of sharing the economic, social and political resources within a society. The striking characteristic of such conflict is pointed out as its sheer persistence which arises due to its origin in deep-seated issues of identity. These identity related issues often combine with distribution of resources – such as territory, economic power, employment prospects, etc. In this context, Assam can be a special case bearing highest potential for conflict where the identity and distributive issues are combined, providing the opportunity for alleged exploitation and manipulation by the federal government at the Centre for several decades. The conflicts in the region are deep rooted, and the situation could be best described under the assumption offered by Peter Harris: "The combination of potent identity-based factors with wider perceptions of economic and social injustice often fuels what we call deep rooted conflict" (Peter Harris, Ben Reilly, 1998).

Few essays in the publication titled *Peace in India's Northeast: Meaning, Metaphor and Method* critiqued the idea of peace as a construct that have been put to pragmatic uses and abuses (Biswas et al, 2006). The book analyses the inefficiency of

the conventional notion of peace as absence of conflict, the beaten track of conflict resolution in terms of accords and ceasefire and the political, economic and cultural instrumentalization of peace as 'instituted'. It explores the emancipatory dimension of peace by following what Foucault called "thinking of the outside" and what Galtung called "transcendence".

2.3 Previous Research on Insurgency in Northeast India

Discussion of the insurgency conflicts in Assam, or for that matter the entire region, generally concentrates on the root causes. The age-old feeling of deprivation and alienation among the people, the issues of identity and aspirations among various tribes and communities have been projected as the major causes. B G Verghese's *India's North East Resurgent: Ethnicity, Insurgency, Governance, Development* is a detailed attempt at assessing the entire issue of insurgency with a holistic perspective, but the two-decades-old publication does not describe the prevailing ground situation (Verghese, 1997).

Similarly, Sanjoy Hazarika has traced the emergence of several insurgencies, separatist movements and militant outfits—the ULFA in Assam, the Mizo National Front in Mizoram, the Tripura National Volunteer Force in Tripura, the Gorkha National Liberation Force in Darjeeling (Hazarika, 1995). He has observed that most of the expressions of discontentment have a common root—the hills people of the area, who share a racial, historical, anthropological and linguistic kinship, have long felt isolated from the non-Mongolian communities that dominate the Indian subcontinent and from the political and bureaucratic mainstream in New Delhi. The discussion on the role of the border nations of Bangladesh and Myanmar in exerting pressure by encouraging migration to the region and harbouring and training militants bears significance. Hazarika has discussed the push factors responsible for influx of migrants from Bangladesh and is critical of lack of political vision and will of governments in both countries. He has proposed for an Indian Migrant Law (Hazarika, 2000).

Samir Kumar Das has discussed the politics of United Liberation Front of Asom in the light of the larger problem of the State's abdication of the responsibility of

building the nation in India (Das S. K., 1994). He has argued that the political, economic and ideological backgrounds and their conjunction led to the emergence and persistence of ULFA.

The quest for identity by different communities has shaped many movements in the region. Udoyan Misra found that the state's excessive insistence to 'integrate' and 'absorb' the Northeast into the Indian 'mainstream' could not bear much fruit and argued that a big hindrance to the process of nation-building in the country has been the clash of cultures. He has pointed out that the presence of the people from the margins in the heartland of India and their demand that they be treated as equal citizens of the country has posed a challenge to all those who have long been accustomed to seeing only the dominant version of Indian culture. He analysed this as the root cause of alienation, social discrimination and the state's failure to implement effectively the constitutional rights of the minorities or the indigenous people at large (Misra, 2000).

Writings on the study of ethno-nationalism in India in its various forms— separatism, secessionism, sub-nationalism and regionalism (Baruah, 2010) focused on issues such as virtues and drawbacks of India's 'demos-enabling' federalism, 'consociationalism' in Indian Politics, and whether India is an ethnic democracy.

Earlier in 1996, one empirical study (Radha Rani, 1996) on how identities emerge, articulate, assert and change has stated that demands for provincial units based on linguistic-ethnic principle in post-Independent India assumed different forms of movements over the passage of time. Fresh demands of the ethnic and sub-regional identities emerged in the newly formed states / provinces. The study has provided a comparative analysis of Andhra Pradesh, Punjab and Assam and found that three democratic aspirations are common in all the states: pluralism, regionalism and decentralisation at the social, economic and political levels.

Another empirical study on the 'Emergence of Ethnic Movement in Assam: Issue of Language' argued that ethnic mobilisation occurs when there is threat to territorial rights and ethnic consciousness is articulated to the significant 'other' (Kimura, 2004). The study focused on the description of the 'other' and the 'self' in the context of the

six-year-long anti-foreigners movement in Assam launched in 1979. The report also discusses the Assamese nationality issue by focussing on the gap between the urban middle class and the rural masses.

By taking insurgency and its impact on women with particular reference to the women of Nalbari district of Assam, an empirical study titled 'Women in Conflict Situations: A Study of Nalbari District of Assam' attempted to understand the conflict dynamics in Assam (Choudhury, 2008). With its objective to analyse the impact of insurgency on women, the study supports the involvement of women in conflict resolution. The study maintains that peace is an ongoing process and that the government should have a transformative approach for sustainable peace. While the study discussed several components such as nature of the conflict persistent in Assam, issues related to identity and ethnicity and the gendered nature of ethnic identity, very little has been discussed regarding the government's approach to solve the insurgency problem in Assam.

A contemporary research on the socio-economic status of the Bodos and their human development indices (Basumatary, 2010) found that poor human development scenario has triggered identity movements among the Bodos. The study was an attempt to understand the Bodo issue by exploring different development indicators. Using this approach, the study found that the issues of identity and a feeling of neglect and exclusion fuelled conflicts in the area. Other causes stated by the study include a miserable state of public service and rampant corruption. This argument, along with the suggestion of an 'inclusive policy' offered by the study agrees with some of the arguments in the present study. On the other hand, though Basumatary recommended a model of development where "all sections of the population" would feel included, the study did not include the response of the majority non-Bodo people residing in the area. This could be pointed as a major gap in the study.

Inclusion of civil society in peace processes and peace negotiations has been a matter of debate in the recent past. According to Habermas, civil society is a "network of associations that institutionalises problem-solving discourses on questions of general interest inside the framework of organised public spheres". A study titled

'State, civil society and security: ascendancy of the new right and its implications for India' argued that the relative failure of the Indian State created feelings of exclusion amongst large segments of the population which ultimately led to demands and actions which seriously undermined the democratic system by the strengthening of exclusivist identities (Joshy, 2010).

M. S. Prabhakara examines questions of identity, ethnicity, sovereignty and insurgency in Northeast India, especially in Assam and its neighbourhood (Prabhakara, 2012). Prabhakara views a complex interlinking between the concepts of nationality, ethnicity and identity in the context of Assam. He states that unlike many other parts of the country where the Sanskrit word *jati* stands for caste, in Assam and in some other parts of eastern India, the word *jati* stands for the community of the people as a whole in the same way what the modern sociological and political term 'nation' would go to mean. Thus *Asomiya jati* stands for a whole community of people who identify themselves as Assamese people. While India can be seen as a nation-state and Indians as a people forming a nation in and of themselves, the self-perception of many people living in the eastern and north-eastern parts of the country, the Assamese, the Bodo, the Karbi and others also constitute a nation, an identifiable *jati*.

N. G. Mahanta has argued that to understand the phenomenon of insurgency, one has to understand the genesis of conflict between the Indian State and the state of Assam right from the very inception of the nation-state. According to him, the ideological and identity issues between India and Assam have remained unresolved, and ULFA is a manifestation of that unresolved crisis. He explains that ULFA represents a mindset, a suppressed voice, which is deeply rooted in Assam's psyche. The declining support base of ULFA is not to be seen in its numerical strength. Instead, it represents the unfulfilled aspirations of the tribal and ethnic groups of Assam (Mahanta, 2013).

2.4 Previous Research on Government of India's Peace Policy

A contemporary qualitative study titled 'State Model of Conflict Transformation: Critique from the Nagas' Perspective' has examined the Indian state's response to conflict resolution in Nagaland under three strategies: a) Constitution and law, b)

Peace processes and political negotiations and c) Counterinsurgency and repression (Ngalung, 2008). The thesis makes use f the conflict transformation theory as a model and found that most theories did not match the Nagas' struggle for self-determination or sovereignty. It offers a 'workable-transformative roadmap' as a stepping stone for solution of the Indo-Naga problem. The study supports the transformation of identity-based conflict or nationality-based conflict. However, this roadmap includes 'sovereignty' among other elements—a subject that comes outside the boundary of the Indian Constitution. While the study suggests full sovereign right of the Naga's over their land, natural and mineral resources, forest, oil, water, air, policing, judiciary, education and banking. It has also suggested a joint management by the Government of India and the Government of Nagaland in the areas of external, defence, monetary policy, communications and transportations. In this suggestion, the study supports the mode provided by the NSCN (National Socialist Council of Nagaland). As the insurgents' idea of 'Greater Nagaland' is already fuelling tension in the neighbouring states that share boundaries with Nagaland, the suggestion in the study to restore a contiguous Naga geographical location has potential to create further conflict.

In *Peace Processes and Peace Accords*, Samir Kumar Das has argued that conflict, peace processes and accords are supposed to follow an evolutionary schema in which one follows the other in a neat and precisely defined sequence. According to him, the very act of signing an accord could mark either the continuation of the same conflict or simply the transformation of the conflict. He defines peace as a process and accord as only a moment in the process, which is not irreversible (Das S. K., 2005). Das has focused on the role of governance in the resolution of socio-economic and political conflict by taking ULFA as a case study (Das S. K., 2012). His article titled 'Ethnic Accords in Northeast India' in this book is a generalized critique of the ethnic accords of the region. However, there is no clause-wise analysis regarding the implementation of the accords signed in Assam.

Sanjib Baruah's *Beyond Counter-insurgency: Breaking the Impasse in Northeast India* finds a tacit association between political organizations and insurgent groups (Bauah, 2009). In this book, Bethany Lacina's paper 'Rethinking Delhi's Northeast

India Policy' has viewed New Delhi's response to Northeast insurgency as a two-pronged strategy of tough counter-insurgency combined with development aid. Lacina argued that both security and development programmes are inefficacious in the face of a system of violent politics, corruption and immunity for the powerful. She believes that rule of law will provide lasting protection against violence from any source.

Peace Tools & Conflict Nuances in India's Northeast looks into the issues of civil liberty, moral economy of counter-insurgency, conceptualizing gender, peace and conflict in Assam, and conflict management approaches (Hussain, 2010). *Northeast India: Sustaining Peace Changing Dimensions* is an attempt at looking into the changing discourses of peace and security in the region. The book looks at the security scenario, the idea of a moratorium on peace talks with new insurgent groups, the changing contours and dynamics of conflict in the Northeast, possibility of the Look East Policy integrating the region by bringing about connectivity in the neighbourhood, and development as a means towards building peace (Das, 2012).

Subir Bhaumik has discussed how land, language and leadership issues have been the seed of contention in the Northeast and how factors like ethnicity, ideology and religion have shaped the conflicts (Bhaumik, 2009). He has examined the 'crisis of development' and the evolution of the polity and has offered a policy framework to combat the crisis. His suggestion of a constitutionally and politically viable structure of extensive autonomy to decentralize governance seems to imply an improvement over the already existing autonomy in certain areas of Assam.   Bhaumik has argued that negotiations with rebel groups should be started only when the government is clear about the bottom line and the kind of concessions it can make. He has advocated for transparency in the process of negotiation and warned that violent situations are likely to occur in the absence of transparency in negotiations.

By drawing on the concept of development, Rakhee Bhattacharya has been able to show that a more integrated understanding of development is required and this integrationist perspective prioritizes a panoptic analytic vision of the various problems instead of any single or delinked emphasis on economic underdevelopment, the insurgency threat or the ethnicity issue (Bhattacharya, 2011). She suggested that the

Central Government has to look at the Northeast in a new way, not simply as a single problem unit but as a sensitive, internally differentiated terrain, where intra-regional specificities need to be given attention. She has stated that the government's role and its policies have not been very successful in Northeast India and explained that the issues of conflict, underdevelopment and violence arose from an extremely complex scenario, rooted in the economic, political, social, ethnic, religious and many other ramifications in Northeast India.

In 2008, Swarna Rajagopalan reported that the "success" of a peace accord lies in the ability of an agreement to facilitate a dynamic of peace-building and reconciliation (Rajagopalan, 2008). Rajagopalan argued that the signing of a peace accord may be a stopping point impacting the course of history, but it is not the end-point. The study takes 13 peace accords signed from 1949 to 2005 and examines the efficacy and utility of peace accords in bringing an end to conflict in the region over past six decades. The study offers five main suggestions to peacemakers and policymakers: 1) Promote a peace process rather than expecting a peace-accord to be a cure-all, 2) Invest in Civil Society, 3) Broaden the constituencies and the issues addressed at the peace table, 4) Take a holistic view but disaggregate the solution, 5) Imagine non-territorial solution.

Kuldeep Kumar, who was a leader of the counter-insurgency operations implemented in Tripura, provides an interesting first-hand account and analysis of counter-insurgency success in Tripura (Kumar, 2016). He focused on the increased role of state police mainly at the local level in counter-insurgency operations. Tripura's success has made it the only state after Punjab and Andhra Pradesh where the police took full control of counter-insurgency operations. In his writing Kumar demonstrates a thorough research on general policing and counter-insurgency operations combined with perceptive analysis of multiple militancy movements in India.

A systematic way of analysing different peace accords could be found in the Peace Accord Matrix (PAM)[7] which was established by Kroc Institute for International

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[7] Peace Accords Matrix (Date of retrieval: (12/10/2016), http://peaceaccords.nd.edu/about, Kroc Institute for International Peace Studies, University of Notre Dame.

Studies, University of Notre Dame. This database is a unique source of qualitative and quantitative longitudinal data on the implementation of 34 Peace Agreements negotiated between 1989 and 2012. Here one can find clause by clause analysis of implementation or otherwise of the peace agreements signed.

2.5 Research Gap

It was found that most of the research on insurgency in the region has mainly focused on identifying or evaluating the causes of insurgency in its various dimensions. One can find a considerable literature on ethnic issues, citizenship issue, issue of identity, insurgency politics, different roles played by various stakeholders, the government's counter-insurgency strategy and so on. Taken together, these writings support the notion that a sense of perceived alienation and exploitation by the Central Government has been at the root of many insurgencies in the region. Overall, the studies highlight the need for a holistic approach by the government to address the issue of insurgency. However, it was hard to find enough empirical research on peace processes and policies of the government concerning the Northeast.

There are, of course, number of articles in journals, newspapers and other publications on the government's peace processes and policies regarding the militant groups. A generalized international literature on peace overtures on various other theatres of conflict in states/ regions of different countries also exist. In view of all that has been mentioned so far, one may suppose that there is a relationship between the protracted insurgency problem in the region and the policies practiced by the government to address the problem at different levels.

However, there has been little systematic effort to document or analyse the impact or perceived flaws of the government's peace policy while dealing with the major insurgent outfits of the region. The survey of literature in the concerned area has found that no analytical study has been done so far regarding clause-wise implementation of the peace accords signed in Assam. Peace process is a very complicated area which needs a holistic approach. One sided analysis or partial analysis only complicates the matter further. Besides, some peace accords signed in Assam need certain amendments

in the Constitution[8], but the existing literature is found lacking in even discussion of this major aspect. Existing literature on the proposed topic is dominated by generalized literature that goes into the causes of the origin of these extremist movements linking these to the prevailing sense of alienation among the people, due to the alleged neglect by the Union Government of the region.

Moreover, a review of existing literature has revealed that the literature related to the subject lack in an objective analysis of the peace accords signed in Assam, their implementation status, the possible aftermath of the agreements interweaving it to the peace policies or strategies adopted by the government. Many of the other publications have left aside a comparative study of the peace policy of the Government of India in dealing with the insurgent outfits of Assam undertaken by this research. Therefore, it is felt that the area undertaken for the current study has relevance with the present context. It is expected that the research would be worth doing in the light of what had already been done.

2.6 Looking for Solutions

The present study makes an effort to extract the constructive lessons of the international experience in analyzing the peace overtures made in the context of the study. It takes into account conflict in the form of armed insurrections and secessionist movements. While dealing with the problem, it concentrates on the government's policy, especially in the state of Assam. The study tries to identify the possible lacunae in the government's prevailing peace strategy with the militant groups and intends to point out the parameters needed to be fulfilled to achieve sustainable peace in the region.

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[8] Clause 6.1 of both the MoS with UPDS and DHD states: Steps for Constitutional amendments necessary to implement the agreed points of the MoS will be taken by the Government of India.

Chapter 3

Materials and Methods

Qualitative research embraces different disciplines, subject matters and fields. Case study, participatory inquiry, interviewing, participant observation and interpretive analysis are some of the methods and approaches applied under qualitative research. It is a naturalistic approach to the world—a situated activity that locates the observer in the world. Here the world is made visible through a set of interpretive material practices. In qualitative research, the world is converted to a series of representations such as field notes, interviews, conversations, photographs, recordings. It uses a variety of empirical materials: case study, personal experience, introspection, life story, interviews, artefacts, cultural texts and productions along with observational, historical, interactional and visual texts. For a better understanding of the subject matter, qualitative research deploys a wide array of interpretive, interconnected practices, each practice making the world visible in a different way (Norman K Denzin, 2011).

The present research comes under the Constructivist theory, which is one of the Interpretive Paradigms of qualitative research. Constructivism is a search for participatory research that empowers the exploited and supports social transformation. In order to create context dependent knowledge, this study has adopted case study research which is suited for this purpose. The selection of the four case studies was not random as they include the four peace accords that have been signed in Assam to address insurgency. In constructivist theory, the types of narrative include interpretive case studies and ethnographic fiction. Case study is characterised by what Karl Popper called 'falsification', a type of rigorous test to which a scientific proposition can be subjected. A proposition can be considered invalid and therefore must be either revised or rejected even if one observation does not fit with it (Norman K Denzin, 2011). In this study, the research question of whether there is a relationship between the government's peace strategy and prolonged militancy and socio-political unrest in the region finds evidence in the peace accords that have not been able to deliver real peace dividend as insurgency and conflict continued. The case-study approach was adopted

to capture the complexities of the phenomenon. The case studies form a critical component that can assume strategic importance while concerning the general problem of insurgency in the region.

It is difficult to summarise into general propositions or theories through case studies. As this study tries to unearth the particularly problematic issue of the government's policy to address insurgency, the choice is to tell the story in its diversity. The different sides of the complex and at times conflicting expressions made by the actors in the cases are presented leaving scope for readers of diverse milieu to make different interpretations that can lead to varied conclusions. As the facts speak for themselves, it is difficult to summarise the cases in a few main results. In fact, the cases themselves bear results.

3.1 Participants

The participants were experiential experts on the problem taken for this study. The sample was not drawn in a random manner. Instead, selection of participants was based on criteria sampling—who closely match the criterion of the study. The study includes two types of subjects as participants: documents and individuals. For documents, the four peace accords signed in Assam were taken. The individuals who participated were former insurgents, insurgent leaders who are participators in peace processes, student leaders who are involved in identity movements and agitations, police officers who were engaged in bringing militants to peace mode and those who have led counterinsurgency operations, intellectuals and civil society leaders who were involved in peace processes, academics who have engaged themselves in research and analysis of insurgency and peace of the region, journalists and writers who have been reporting and analysing insurgency conflicts, government administrative officers who dealt with the issue in field, people who were directly or indirectly affected by insurgency and violence. All the individual participants were aged above 30, included both the genders and belong to different communities such as, Bodos, Dimasas, Karbis and the Assamese speaking communities. The study involves identifying and locating individual participants who have experienced the phenomenon undertaken for the study. It focuses on the individual and the case studies attempting to understand the

full complexity of the experience without claiming to generalise to a specific population. The findings are relevant from the perspective of the user of the findings. This study engages relatively small number of participants, a reasonable number being 30. Each participant was engaged in the interview for more than two hours, while one third of them were interviewed for several times for more details. The documents for case study too were chosen in a way that enhances the possibility of comparative analysis. Data was gathered until no new relevant data was discovered regarding a theme or until the themes were developed and validated.

3.1.1. sampling procedures.

Information-rich cases were selected for the purposes of the study. The four peace documents were the limited samples to be collected from the state of Assam. Three individual participants were chosen during field interviews with two other participants who suggested their names and expertise. For permission of interviews and other communications to get access to data, a certificate from the Supervisor of this research was obtained which was produced along with the identity card of this researcher before the concerned persons. As the interviews were conducted at different locations in Assam, including both private and official sites, permission for access to the venues was acquired ahead of the interview dates.   After selection of participants, the actors were contacted personally through e-mail or telephonic communication for appointments. Visits to the respective venues were done according to the given time. Punctuality was taken care of as the interviewer was present in the venue at least 15 minutes ahead of appointments.   The venue was used for conducting in depth interviews with the help of open ended questions. Permission from the participants was taken for use of audio recorder for the purpose of transcription of the interviews. Since all the interviews took long hours to be conducted, certain disruptions had to be faced during some interviews. This happened mainly in the official sites where other official activities had to be continued even during the interviews. The visits to the Special Branch of Assam Police at Kahilipara in Guwahati, visits to the office of WPT&BC (Welfare of Plain Tribes and Backward Classes) at Assam Secretariat, visits to the office of Commissioner Hill Area, visits to the office of Director General

of Police Assam were such events that required official permission while the interactions had to bear some kind of interruptions. Travels were also made to Kokrajhar under BTC area, to Haflong town which is located in Dima Hasao district and to Diphu which is in Karbi Anglong district. The interview protocols have been placed in appendices to this dissertation. While the documents regarding the texts of the two Bodo accords were available in public domain, the copies of the UPDS and DHD accords could not be found in public domain. Collection of the two documents required personal communication with the members of the respective groups. One of the Council members of Dima Hasao was approached for Reports of Accord Review Meetings concerning Dima Hasao and Karbi Anglong districts. His help in providing photocopies of the review meeting reports was appreciated.

3.2 Instrumentation / Measures of the Study

Interviews were used to generate discussions surrounding the research questions under study. Though the interviews were not structured and were rather flexible, some common questions were prepared in advance keeping the choice open to alter them if it needs be as the interview session progresses. The open-ended questions gave the participants opportunity to express their opinions and give detailed replies. Few questions were a combination of closed and open questions. In such case, closed-ended question was asked first, which was followed by an open-ended one allowing the participant to express his or her choice. The wordings of the questions sometimes varied for different participants. Questions related to implementation status of various clauses of the peace accords were asked to some of the participants who were aware of the process.

In any empirical research study, utmost care must be taken for reliability and validity of the instruments of the study (The Method Chapter, 2007). The study intends to ascertain the trustworthiness of the findings which are based on critical investigation. The truth value or credibility of findings was determined by exploring the participants' experience in sufficient detail, audio taping the interviews for comparison with recorded data, clarifying tentative findings with the interviewees and revising the research questions in the process. The multiple sources of data, such as

written records, field notes, diaries, website information and articles were checked or cross checked in order to provide reliability to the study.

Interview techniques were accompanied by journals and other written records. This study has mainly used individual interview technique. It required immense patience and sensitivity to listen to the arguments expressed by the participants. The most common opening question in the interviews was: "Do you believe that the Government of India has a specific 'peace policy' in dealing with insurgent groups in Northeast India? If so, what in your view is the core of that policy?" Depending on the subsequent flow of the interview, some other follow up questions were:

- Do you agree that the Government's policy of holding peace talks with each and every militant group is actually encouraging militancy in the region by giving even splinter groups legitimacy?
- Do you think that the Government should put a moratorium on peace talks with newer militant groups while continuing with the dialogue with groups who have already embarked on the peace process, like the ULFA and NDFB?
- Should peace talks have a time frame?
- Do you think signing peace deals on ethnic lines rather than granting autonomy or packages for under-developed regions within states has been encouraging deprived communities to take up arms and launch militant movements?
- Should the civil society be made a party to any ongoing peace process?
- Do you think women organizations should be involved in the peace talks and processes?

3.2.1 A Matrix of the Process of Peace Accords and Review of the Issues Involved

The concept of forming a matrix of peace accords in the context of Assam is expected to provide an in depth understanding of the Peace Accords and their implementation. This will further help for a review of the issues and a detailed analysis of the clauses of the accords under study. The framework of this matrix is based on an internationally accepted matrix known as the Peace Accords Matrix (PAM) which was developed by the Kroc Institute for International Peace Studies,

University of Notre Dame. There are 51 provisions in PAM that form the corpus of issues or topics found within 34 peace agreements worldwide negotiated between 1989 and 2012 (Peace Accords Matrix, 2015). However, considering the fact that the present study is limited to the north-eastern region of India, especially to the state of Assam, 11 provisions present in PAM are not included in this matrix as they are considered redundant or not relevant in the present context. These include— Citizenship Reform, Paramilitary groups, Ceasefire, Independence Referendum, International Arbitration, Media Reform, Donor Support, Refugees, UN Peacekeeping Force, UN Transitional Authority and Regional Peace Keeping Force. The rest of the 38 provisions have been taken for discussion, several of these provisions being clubbed together that has been mentioned in the reference section. On the other hand, new provisions have been added in this matrix in view of their relevance in the context of this research study. For example, the provision of Participation of Civil Society groups as Witness Signatories in the Accord and the provision of Representation and Participation of Women have been added. There are a total of 33 provisions in the Matrix under this research study. The reviews and assessments are based on published and unpublished information sources, field interviews as well as conversation with stakeholders including police officers and former militants.

3.2.2 Case Study 1: Bodo Accord 1993

Sl No.	General Provisions[9]	Bodo Accord 1993 Provision	Implementation Induced[10]			Degree of Implementation	Reversals[11]	Observation
			Application	Related Action not codified under Accord[12]		Not initiated/Insignificant/ Transitional/ Total[13]	No reversal/Minor / Major[14]	
				By government	By Extremists			
1	Amnesty	18(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	After their surrender to bring peace to the territory, the Bodo militants and the leaders were not prosecuted for their act of violence committed during their rebellion. According to ABSU president Pramod Boro, a few number of cases are still lying pending in courts.			Total	No reversal	Subjective interpretation of the phrase 'heinous crime' mentioned in the Accord observes that there is no definition of heinous crime in the Agreement. Though it was stated that cases relating to heinous crimes will be excluded from withdrawal, the research could not find any such cases where persons involved in heinous crime were punished. This reflects

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[9] General Provisions are taken from the Peace Accord Matrix. Joshi, Madhav, Jason Michael Quinn &

Patrick M. Regan. 2015. "Annualized Implementation Data on Intrastate Comprehensive Peace Accords, 1989-2012." Journal of Peace Research 52(4): 551-562. https://peaceaccords.nd.edu/

[10] This does not mean that implementation is achieved. It means that signs of the process, formal or informal, have begun. It can be viewed as creating a policy change or building an institutional framework for implementation.

[11] A Reversal must be one-sided. If both parties agree to rollback from previously implemented programme, it is not considered reversal, but a shift in the ideal point

[12] Not considered while signing accord/Violation of accord/Exigency, not part of formal agreement

[13] Insignificant implementation means that effort has been made by the government or parties toward implementation, but such efforts remain negligible that cannot be perceived as viable progress. Transitional implementation means the progress of implementation is viable and if continued at the current pace, is likely to produce a nearly completed or completed process. Total implementation means complete or nearly complete, given how this provision is specified in the particular accord

[14] Minor reversal means change within an implementation category. Major reversal means jeopardizing the viability of total implementation

								an ad hoc approach of the Accord.
2	Boundary Demarcation	3 (a). 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 Mazbat/river Pasnoi. The land records authority of the State will scrutinise 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 area, even the villages having less 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, Government of India, not otherwise required by the government for manning the international border and tea gardens located completely within the BAC contiguous area.' 12. Changes in Geographical Boundary The geographical area of the	Though the government finalised the boundary to establish the BAC on 17 December 1993, the boundary demarcation could not follow the provision of 'contiguous geographical areas'. The Act was gazetted on 14 May 1993 (Chadha, 2005). The government's failure to include 515 debatable villages in the BAC area suggests a unilateral demarcation of BAC border. When the government tried to draw the boundary of the BAC unilaterally, it became apparent that the Bodoland Executive Council was ineffective in carrying out its executive duties.	The Government tried to hold elections without demarcating the BAC boundary. Elections could not be held in BAC within six months as it was mentioned in the clause (Kumāra, 1998). Regarding inclusion of the 515 villages, the Assam Government argued that the state was responsible for the interest of the large non-tribal population inhabiting in those	The ABSU and BPAC rejected the territorial domain of BAC, resulting in large-scale violence. In 1996, the Bodo Security Force as well as the Bodo Liberation Tigers indulged in violence. In November 1995, the ABSU leaders submitted a memorandum to Union Government. Their demand was immediate and final demarcation of the	Insignificant	Major	The boundary demarcation on the basis of 50 per cent tribal population led to conflict between the Bodos and other communities. This complicated the problem further. As such, this clause has been counterproductive. An interesting part of the clause is that the territorial demarcation can be changed with consent of the BAC members and the Government of Assam. Moreover, whenever the state government's interests clash with the Bodoland Executive Council, the government can dissolve the Council. The immediate repercussion of the Accord was an ethnic cleansing by Bodo militants in and around the 515 contentious villages which the Bodos demanded to be included in BAC. The attack by the Bodos and retaliatory attacks by non-Bodo people in October 1993 rendered homeless about 3,568 families consisting 18,000 people. Again, the ethnic cleansing in May 1996 displaced 42,214 families consisting of about 2,

				villages (Basumatary, 2014).	BAC boundary. The ABSU organized demonstrations and agitation against the non-implementation of the Accord (Peace Accords Matrix).			62,682 persons who were sheltered in 78 relief camps in Kokrajhar and neighbouring districts (Justice, 2013).
		Bodoland Autonomous Council as agreed upon can be changed with the mutual consent of the BAC and the Government of Assam.						
3	Civil Administration Reform	16. Civil and Police Services (iii) The Central Government, while making recruitments from the State of Assam to the Army, para military forces and police units, will hold special recruitment drives within the BAC area. 18. Relief and Rehabilitation (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.	There was no enforcement of the provision of the Accord that required recruitment from the BAC area to the Army, para military forces and police units. The provision for review of action against the Bodo employees of Government of India and subordinate offices as well as in respect of Central Government Undertakings was never implemented.		The Accord faded away with the emergence of another round of armed insurrection by the Bodos in 1994	Not initiated	Major	The non-implementation of the special recruitment drive as well as non-implementation of the provision of review of action against Bodo government employees only shows how promises are made to be broken, said one Bodo respondent on the condition of anonymity.
4	Commission to address damage or	No provision in the Accord		Financial compensations were				"The government's approach was casual. That is why it did not take steps to create any

	loss			offered by the government which were not systematic and formalized. They have been inconsistent. [15]					formal office to address the damage or loss suffered by the common people like us", said Bibha Basumatary, a widow of insurgency violence in Assam.
5	Cultural protection	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.	Though the accord had a provision to protect the religious and social practices of the Bodos in the BAC area, this was not implemented. Legal protection did not materialise because the implementation of this provision was attached with the establishment of the Bodoland Autonomous Council (BAC). [16]			Not initiated	Major	The provision could not be materialised due to problems with the establishment of the BAC.
6	Constitutional Reform	No provision in the Accord						

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[15] Compensations are generally given to family members of the deceased, or to those injured in insurgency related violence. However no compensation is given for the loss or damage of properties, man days, or to people who lose their home and belongings or due to violence caused by militants or security forces during counter insurgency operations. There is no policy on compensation, regarding how much to give to the victims according to the severity of crime or violence meted out to them.

[16] Yamao Zwhwlao Brahma et al., Bodoland Movement 1986-2001: A Dream and Reality (Ann Arbor: University of Michigan, 2001)

| 7 | Decentralisation[17] | Clause 3. (a) (Already stated in this matrix under the provision of Boundary Demarcation.) 3. (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 | A provision for a 40 member BAC General council was made in the Act. Of these, 30 seats were reserved for Scheduled Tribes. The members will have executive power over a total of 38 subjects ranging from cottage industry, education, forest to land, and land revenue. An interim Bodoland Executive Council (BEC) was formed on 20 May 1993. ABSU president Sansuma Khunggur Bwiswmuthiary was made the Chief. However, he resigned after four months stating non-fulfillment of the Bodo Accord's provisions as the reason for his resignation. Then the deputy chief Premsing Brahma was made BAC chief by the Government of Assam. The state authorised the executive council on 10 June 1993 (George, 1994). | | After four months of signing of the accord, the BEC Chief Bwiswmuthiary resigned. As the reason behind his quit, he alleged non-fulfillment of the Bodo Accord's provisions. ABSU and other Bodo groups began to oppose the Accord and started revolt demanding autonomous state. As a result the BEC became ineffective. | Insignificant | Major | The accord was signed in haste. The requirement of 50 per cent tribal population to form the BAC area contains elements of conflict. The Bodos were desperate to finalise the territory according to their demands which led to ethnic cleansing. On the other hand, the non-Bodos, who have been peacefully living in the same territory for generations began to be constantly haunted by the fear of being attacked, deprived, and neglected by the new power in throne. The provision of decentralisation did not consider equal representation of the population. "The clause says about 50 % 'tribal population', but it is understood as Bodo population. Therefore, there is a provision of nomination of five members for other tribal population 'not otherwise represented' ", said a non-Bodo tribal person during an interaction with this researcher. |

[17] Federalism is not included here, as it is not applicable

		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 line with the spirit of the Constitution (seventy second) and (seventy third) amendment.	Due to the limited financial power and overpowering presence of the state government, the BAC interim Executive Council was not able to exercise the executive authority the Bodoland Act had provided it.[18] Moreover, the proposed election for the BAC (supposed to take place on 20 November 1993) never took place.[19]				

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[18] Manoj Kumar Nath, "Bodo Insurgency in Assam: New Accord and New Problems," Strategic Analysis 27, no. 4 (2003): 533-545.

[19] Sudhir Jacob George, "The Bodo Movement in Assam: Unrest to Accord."

1994 Minimum

| | | (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 appointments
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 the BAC area. 8. Special status for 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. 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. Such Interim Council would be formed before a prescribed date mutually agreed between the Central and State Governments. 21. Ad-hoc Central grant for launching the BAC					

		After the signing of this settlement, and ad-hoc Budget on reasonable basis will be prepared by Interim BEC and discussed with the State and Central Governments for necessary financial support.						
8	Detailed Implementation Timeline	No provision in the Accord						Absence of a detailed implementation timeline of the accord means uncertainty regarding implementation.
9	Dispute Resolution Committee	No provision in the Accord						Provided there is a dispute resolution committee, it is observed that resolution of the post-accord disputes would have been possible.
10	Economic and Social Development	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 area. The Government of Assam and the Union 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 reserve jobs for Scheduled Tribes within its jurisdiction. However, exercise of such powers shall be in accordance	The provisions for economic and social development were never implemented. The 1993 Bodo Accord and the Bodoland Act granted authority to the Bodoland Executive Council (BEC) over trade and commerce within its jurisdiction. Authority was given to the BEC to issue permits and licenses for trade and commerce. The BEC was also allowed to collect excise duty on tea. Despite all these provisions, the BEC had limited financial powers			Insignificant	Major	Devoid of effective executive power, it becomes difficult for the Council to execute economic and social development.

		with the existing constitutional and legal provisions. 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.	due to the overwhelming exercise of executive powers by the state government (Nath, 2003).					
11	Education and Healthcare Reform	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. List of subjects and Departments over which BAC will have control within the BAC area 7. Education. (a) Adult Education. (b) Primary Education. (c) Upto Higher Secondary including Vocational training.	The provisions related to education reform were never implemented as the Bodoland Autonomous Council area was never finally demarcated and the Bodo Executive Council was never fully functional.			Not initiated	Major	
12	Electoral/Poli tical Party Reform	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.	Not implemented			Not initiated	Major	The Accord put the onus to the BAC to request the Election Commission of India to consider seat reservation and delimitation of constituencies. Thus it is not a decision, but a request that is subjected to rejection.

13	Executive Branch Reform[20]	16. Civil and Police Services (iii) The Central Government, while making recruitments from the State of Assam to the Army, para military forces and police units, will hold special recruitment drives within the BAC area. 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 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.	This provision was not implemented since the BAC area was not demarcated, Bodo Executive Council was ineffective and the Bodo groups started agitations and armed violence.		Not initiated	Major	The two reasons behind non-implementation of the provision of recruitment drives in the Army within the BAC area are: 1. BAC area was not demarcated as per the demands of the ABSU and BPAC. 2. The ABSU and other Bodo groups began to be engaged in fresh agitations and armed insurrections rendering the BAC dysfunctional.
14	Human Rights[21]	No provision in the Accord		Government initiated steps to help the insurgency violence affected children.			Human right forms a crucial provision in a peace accord. During insurgency and counterinsurgency operations, many innocent civilians' rights to life and dignity are violated. Non-inclusion of the provision in the Accord shows a half-

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[20] Military Reform (Recruitment Reform in military services) and Police Reform (Extension of Police Services) fall under Executive Branch Reform

[21] Children's Rights and Women's Rights are clubbed under Human Rights

				The Assam Police launched Project Ashwas.[22]				hearted approach by the government in addressing the problem of insurgency.
15	Inter-ethnic Relations Council	No provision in the Accord						Most of the respondents felt that in an ethnic mine-field like the western Assam districts, formation and function of an inter-ethnic relations council would certainly help to defuse conflicts between various tribes.
16	Internally Displaced Persons	No provision in the Accord						
17	Judiciary Reform	9. Special Courts Action will be taken in consultation with the Guwahati 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 Tribe or Tribes in accordance with the tribal customary law and procedure, if any. (a) Village Courts (b) Subordinate District	The Accord and the BAC Act (extra ordinary No. 60) had provisions establishing a Special Court in the BAC Area. Since the BAC area was never demarcated as per the accord, and the Bodoland Executive Council (BEC) was not functioning, the provisions regarding the Special Court were never			Not initiated	Major	

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[22] Project Ashwas was began in 2001 by the Assam Police as a welfare organisation to serve the families that were affected by insurgency. Ashwas handles all the legal aspects of the family members of the terror victims. It looks into the children's education. An amount of Rs 600 is being given to all the affected children for their education till they turn 18. The Telegraph, 22 January 2016, http://www.telegraphindia.com/1160122/jsp/northeast/story_65167.jsp#.V6mADfl97IU

		Customary Law Courts within a civil Sub Divisional Territory, and (c) District Customary Law Court.	implemented.					
18	Legislative Branch Reform	No provision in the Accord						
19	Minority/Indigenous Minority Rights[23]	20. Protection of rights 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 are protected. 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 done as per the Commission appointed by the Government of India under the Constitution.	The BAC area was never demarcated according to the Agreement. The Bodo Executive Council too was never fully functional. This is why there was no Bodo governmental authority that must take into account or balance non-tribal and tribal rights. It is a non-issue.[24] Regarding changes to the preferential policies for the scheduled castes and tribes, no development took place.			Not initiated	Major	
20	Natural Resource Management	No provision in the Accord						
21	Official Languages	11. Official Language The General Council can lay	Though the BAC accord might have made the			Not initiated	Major	Even before the Bodo accord was signed, the Bodo language

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[23] Minority Rights also include Indigenous Minority Rights

[24] Sudhir Jacob George (1994), *The Bodo Movement in Assam: Unrest to Accord*, Asian Survey 34, no. 10: 878-892.

	and Symbols	down policy with regard to use of Bodo language 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 from in accordance with the Article 345 of the Constitution and the provision of law in this behalf.	Bodo language an official language, nothing could be delivered as the accord failed to bring peace.				was recognised as an associate state official language of Assam. Way back in 1963, the Bodo Sahitya Sabha (established in 1952) contributed to the acceptance of the Bodo language as a medium of instruction in primary schools. In secondary school, the language was accepted as a medium of instruction in 1968.[25]
22	Power Sharing Transitional Government	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. Such Interim Council would be formed before a prescribed date mutually agreed between the Central and State Governments.	An interim Bodoland Executive Council (BEC) was formed on 20 May 1993 with ABSU president Sansuma Khunggur Bwiswmuthiary as the Chief.[26]	Government of Assam placed Prem Singh Brahma as the chair of BAC, who used to be the deputy chief. On 10 June 1993, the executive council received the authorisation from the state.	Over the alleged non-fulfillment of the provisions of the Accord, Bwiswmuthiary resigned after four months.	Insignificant	Major	Though the provision was there, and an interim BEC was formed in May 1993, the Council could not function due to non-implementation of crucial provisions.
23	Participation	No provision in the Accord					

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[25] S.K. Mukherjee (1996), 'The Reorganization of Assam and the Bodo Movement', in *Reorganization of North-East India Since 1947*, ed. B Datta Ray and S. P. Agrawal (New Delhi: Concept Publishing Company.

[26] Sudhir Jacob George, "The Bodo Movement in Assam: Unrest to Accord," Asian Survey 34, no. 10 (1994): 878-892

	of Civil Society groups as witness signatories in the Accord[27]							
24	Prisoner Release	No provision in the Accord						
25	Ratification Mechanism	No provision in the Accord						
26	Representation and participation of women	No provision in the Accord						As women are the most affected population being the worst victims of violent conflict, their exclusion in conflict resolution becomes a threat to peace. The UN Security council Resolution 1820 (2008) emphasises on sexual violence against women in armed conflict and advocates for their increased participation in the peace process (Council, 2008).
27	Review of Agreement	No provision in the Accord						
28	Rehabilitation[28]	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	Rehabilitation of Bodo militants was a promise made by the Bodo Accord. Reports suggest that the Government of Assam implemented a scheme known as '100%			Insignificant	Major	The relief and rehabilitation effort by the government did not reach many former militants. Four out of five respondents from Kokrajhar area were not happy with the government in this respect.

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[27] This provision is added as is relevant in the context of the study. This is not present in the PAM.

[28] Provisions of Reparation and Reintegration of militants fall under this provision.

		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 of the cadre and to assist in the quick restoration of peace and normalcy, such surrenders made voluntarily will not attract prosecution. (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.	Special Margin Money Scheme' for the rehabilitation of the former militants from 1 June 1992 to 31 March 1997. It was reported that 1,404 Bodo and 3,439 ULFA militants who surrendered received Rs. 99.30 crores for the rehabilitation under the Scheme.[29] The Bodo Accord of 1993 also had provisions for ex-gratia to compensate the next of kin of those killed. Both the state and the central government have been providing ex-gratia to family members of security personnel as well as civilian employees. No such record, however, was traced where civilian victims of the Bodo conflict received any kind of compensation.					
29	Right to Self-Determination	2. Objective The objective of this scheme is to provide maximum autonomy within the framework of the Constitution to the Bodos for	Bodoland Autonomous Council was created, but it became dysfunctional.			Insignificant	Major	This objective could not be achieved as the Accord reached a deadlock.

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[29] Ajai Sahni and Bibhu Prasad Routray, 'SULFA: Terror By Another Name', Frontline (9), www.satp.org.

| 30 | Surrender of Arms[30] | 18. (i) [This clause has already been stated under the provision of 'Rehabilitation'] | The Bodo Accord stated that armed Bodo troops would surrender and return to civil life within a month. Following this provision of the accord, within less than a moth of signing of the accord, a symbolic surrender took place. Led by Prem Singh Brahma, eleven Bodo militants surrendered with arms and ammunitions in Kokrajhar on 7 March 1993. Among those who were present in the ceremony were: Union Minister of State for Home, Rajesh Pilot, Assam Chief Minister Hiteswar Saikia and ABSU president S.K. Bwismutiary. Another batch of 244 Bodo militants surrendered on 25 April at Kokrajhar. On 7 May, 369 and on 9 May, 307 militants surrendered. Another 152 militants | | | Insignificant | Major | When an estimated 1,700 Bodo militants had surrendered in May 1993, it appeared that the provision was implemented. The truth is that the total number of BLT militants was not certain. At the same time, it is not clear whether all the arms and ammunitions were surrendered by the militants. |

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[30] The provision of 'arms embargo' is changed to 'surrender of arms' as is applicable in Assam context. The provisions of Demobilisation and Disarmament are clubbed under the Surrender provision

			surrendered at Gohpur, Sonitpur on 13 May. An estimated 1,700 Bodo militants had surrendered with arms, ammunition, and other explosives by May 1993. The BPAC and the Bodo volunteer Force were dissolved on 30 May (Assam Timeline - Year 1993). It may be said that this provision of the accord was implemented.					
31	Territorial Power Sharing	3. (a) Name: Bodoland Autonomous Council (BAC) (Stated earlier under the provision of Boundary Demarcation) 3 (b) Powers (Already stated under the provision of Decentralisation)	The Accord created the Bodoland Autonomous Council (BAC) with the concept of territorial power sharing. It has a General Council with 35 elected members and five government nominated members from groups not otherwise represented and an Executive Council.			Insignificant	Major	This approach by the government could not bring peace as there was problem in demarcation of the territory.
32	Truth or Reconciliatio n Commission/ Mechanism	No provision in the Accord						
33	Withdrawal of troops	No provision in the Accord						

3.2.3 Case Study 2: Bodoland Territorial Council (BTC) Accord 2003.

Sl No.	General Provisions	BTC Accord 2003 Provision	Implementation Induced			Degree of Implementation	Reversals	Observation
			Application	Related Action not codified under Accord		Not initiated/ Insignificant / transitional/ total	No reversal/ Minor/Major	
				By government	By Extremists			
1	Amnesty	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 organisation and 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 policy 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	The BLT laid down arms and disbanded itself on 3 December 2003. More than 500 varieties of assorted weapons, including rocket propelled grenades, AK-series rifles, light machine guns and SLR rifles were laid down.[31] The en masse surrender of 2,623[32] BLT cadres took place on 6 December 2003. Even though a number of cases have been dismissed, several cases were still pending in various courts. Various Bodo organisations have been demanding withdrawal of all the pending cases against the	On 27 November 2003, the Government of Assam served official notification declaring a general amnesty. All cases registered against persons related to the overground Bodo movement since 1987 were covered	Decision was taken by ABSU and BLT leaders on 5 November 2003 to pressurise the State government to withdraw all cases registered against BLT cadres since 1987 before the formation of the interim BTC[35].	Transitional	No reversal	No definition is provided regarding the phrase 'heinous crime' mentioned in the Accord. During field interview for this research, the ABSU President Pramod Boro said that no insurgent was punished for committing a 'heinous crime'. Pending of cases in judicial courts even after 14 years of Settlement is something to be taken seriously. "Poor people like us are harassed as we have to spend money till the cases are not closed. Every time I go for a court hearing at Guwahati, I need money for travel and stay. I had to sell my cow to manage money", said Manindra Narzary (name changed), a former militant.

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[31] Hussain, Wasbir, Northeast India: A Peace Audit, D. Suba Chandran and PR Chari (ed) *Armed Conflicts in South Asia 2013 Transitions*, Routledge, 2014

[32] Bodo Militants lay down Arms, The Hindu, 7 December 2003 http://www.thehindu.com/2003/12/07/stories/2003120703101000.htm

| 2 | Boundary Demarcation | 3.1. The area of proposed BTC shall comprise all the 3082 villages and areas to be so notified by the State Government. The above mentioned villages and areas shall be divided into 4 contiguous districts after reorganisation of the existing districts of Assam within a period of 6 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 & Assam and BLT will decide 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 not less than 50%, contiguity or any other agreed relevant criteria | Clause 3.1
Of the area covered under the BTC, Kokrajhar was regarded as original district while other three districts were formed, totalling four districts in BTC Area. The three new districts were carved out from eight districts of Assam namely Kokrajhar, Dhubri, Bongaigaon, Barpeta, Nalbari, Kamrup, Darang and Sonitpur. The estimated area of the four districts are[36]:
Kokrajhar- 3169.2 sq km
Chirang- 1069.96 sq. km
Baska - 3056.89 sq km
Udalguri- 1673.93sq km
Clause 3.2
The issue of additional 95 villages could not be solved during the peace | | | Insignificant | Minor | The issue of 95 additional villages into the Bodo Council, which was decided to be resolved within three months, has not yet been settled. Several respondents in the field believed that if it could have been solved during the peace talks, there would not have been continued ethnic clashes over this issue. The criterion that says that the inclusion would be on the basis of tribal population being not less than 50 per cent is conflicting. This is because BTC comprises people, both tribals and non-tribals, and a criterion requiring 50 per cent of the population being tribals for inclusion into the Council increases threat of an ethnic cleansing by the aggressive community. |

(Top continuation row:)

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. | former BLT militants emphasising that this is an important clause of the MoS[33]. | under the amnesty[34].

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[35] http://www.satp.org/satporgtp/countries/india/states/assam/terrorist_outfits/bodoaccord.htm

[33] Plea to withdraw BLT cases, *The Telegraph*, 27 May 2016, https://www.telegraphindia.com/1160527/jsp/northeast/story_87862.jsp#.WJqA1_l97Dc

[34] http://www.satp.org/satporgtp/countries/india/states/assam/terrorist_outfits/bodoaccord.htm

[36]http://bodoland.gov.in/btcataglance.html

		within a period of three months of signing of this MoS.	talks. A report of the Review Meeting held on 16.09.2016 states: "Regarding inclusion of 95 additional villages in BTC as per 3.2 of MoS of 2003 and constitution of committee for the same, 1) This will be taken up by BTC with the Government of Assam and sort out the issue. This matter is dropped for present."				
3	Civil Administratio n Reform	3.1. (This clause is also mentioned under the provision of Boundary Demarcation) 5.3. The BTC shall have the full control over the officers and staff connected with the delegated subjects working in 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 appropriated 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	Clause 3.1 Apart from creation of four districts, 10 Civil Subdivisions and 40 Development Blocks were created as part of administrative reform. The provisional geographical area of BTC is 8795Sq. Km.[37] Clause 5.7 Offices of the Deputy Commissioners and Superintendent of Police were made outside the superintendence and control of the BTC. Clause 6.			Transitional	No Reversal	It was found that the district administrations in the four districts are deficit in staff. Official documents of those areas that became part of new districts were still lying in the head quarters of the old districts the areas earlier belonged to. "Even after 13 years, official documents such as land and revenue related documents are still lying in the old district offices. I live in Baksa district. But now I still have to visit Nalbari district for judicial and land matters. Because my village earlier came under Nalbari district",

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[37]http://bodoland.gov.in/btcataglance.html

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 appointments to be made by it and may also make rules, with the approval of the Governor of Assam to regulate appointments 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 vacant any post. 5.6. Development functions and bodies within 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 Dy. Commissioner and Superintendent of Police will be outside the superintendence and	In order to strengthen the Police Administration, an Inspector General of Police (IGP) was appointed by the government of Assam. The IGP will operate in all the four districts of the BTC. Jurisdiction of the Deputy Inspector General (DIG), Kokrajhar, was also modified to cover these four districts.[38]					said a person whom the researcher met in Nalbari. Again people from Borsala area in Udalguri district have to visit Sonitpur or people from Tamulpur have to visit Rongia office for land or judicial matters. Actually the administrative documents should have been systematised within six months of creation of the new districts (Boro, 2017). Both the Bodos and non-Bodos are not satisfied with the administration reform in BTC. When the Bodos claim that they are not adequately protected from land encroachment, the non-Bodos feel that they have been deprived of democratic electoral representation.

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[38] http://shodhganga.inflibnet.ac.in/bitstream/10603/60431/10/10_chapter%202.pdf

		control 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.					
4	Commission to address damage or loss [39]	No provision in the Accord		Financial compensations have been offered by the government which were not systematic and formalized. They have been inconsistent.			The revised guidelines of 'Central Scheme for Assistance to Civilians Victims / Family of Victims of Terrorist, Communal [39] and Naxal Violence states that an amount of Rs. 3 lakh would be given for each death or permanent incapacitation to the affected family under the scheme. However, ex-gratia paid to the next kin of those killed has never been uniform, nor did it cover all the victims. "Many people, including traders have lost property. But no compensation has been reported in this regard", said one student leader. In 2016, the Government of Assam has given Rs 5 lakh each to next kin of the martyrs of the Assam Movement, but not

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[39] For purposes of this scheme, the term terrorism includes militancy and insurgency related violence and refers to acts as defined in Section 15 of the UAPA, 1967, (as amended in 2004).

								such steps taken in respect of the Bodos, lamented an ABSU leader.
5	Constitutional reform	4.2 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 Scheduled Tribes, 5 for non-tribal communities, 5 open for all communities and 6 to be nominated by Governor of Assam from the unrepresented communities for BTC area of which at least two should be women. Nominated members will have the same rights 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 5 years. 4.4. Provision will be added in Para 6 of Sixth Schedule that in BTC area, language and medium of instruction in educational institutions will not be changed without approval of the State Government. 4.7. Provision of Article 332(6) of the Constitution will	Clause 4.2 Implemented Clause 4.4 Not implemented Clause 4.7 Not implemented Clause 4.8 Implemented Clause 8 In May 2016, the Union cabinet, chaired by the Prime Minister, approved the introduction of two bills in the parliament for certain amendments in the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in Assam, Tripura, Chhattisgarh, Jharkhand and Tamil Nadu.[40] The Bill regarding inclusion of Bodo Kacharis in Karbi Anglong and Dima Hasao districts as			Transitional	No Reversal	Though some of the clauses have been implemented, implementation of the rest is facing constraint. "The Sixth Schedule has weaknesses. Sometimes the State and the Council are ruled by not the same political party. In such situation, the State tends to neglect the council... ", argued a respondent. There is provision of Village Council Development Committee in the Sixth Schedule area of Bodoland Territorial Autonomous Districts (BTAD) exercised by the Bodoand Territorial Council (BTC). However, the Government has not proposed any election in the VCDCs. As of February 2015, centrally sponsored rural development schemes are implemented by the Council in the rural areas as per powers devolved by the State Government.[42] Bodo language and literature has been recognized as one of the Major Indian Languages

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[40] http://timesofindia.indiatimes.com/city/guwahati/Centre-to-introduce-bills-for-ST-status-for-Bodos-and-Karbis/articleshow/52444697.cms
[42] Government of India, Ministry of Home Affairs, Rajya Sabha, Unstarred question No.229 Answered on 25 February, 2015

		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. 4.8. In the event, Panchayati Raj system ceases to be in force in the council area, the powers of the Panchayati Raj Institutions in such matters shall be vested with the Council. 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 so 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. Grant of ST status of Bodo Kacharis of Karbi Anglong and NC Hills districts The Government of India agrees to consider sympathetically the inclusion of the Bodo Kacharis living in Karbi Anglong and NC Hills Autonomous Council area	schedule tribes under the Constitution of India is likely to be introduced in the next session of the Parliament[41]. Clause 9.1 In 2004, Bodo Language in Devnagri Script was included in the Eighth Schedule of the Constitution.				(MIL) in Gauhati, Dibrugarh and North-Eastern Hill Universities.

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[41] Report of Review Meeting held on 16.09.2016

| 6 | Cultural protection | 2. Objectives
The objectives of the agreement are: to create an Autonomous self governing body to be known as Bodoland Territorial Council (BTC) within the State of Assam and to provide constitutional protection under Sixth Schedule to the said Autonomous Body; to fulfil 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.
4.1. Provision of Para1(2) of Sixth Schedule regarding Autonomous Regions will not be applicable to BTC.[43] | Regarding effective implementation of provisions of Chapter X of Assam Land Revenue Regulation 1886 in tribal belts and Blocks of BTAD, the BTC wanted protection of tribal land through some Constitutional mechanism. The BTC has to submit a detailed note on this issue. The BTC passed and sent 22 legislations to Government of Assam for decision. Government of Assam is yet to finalise its response expeditiously[45]. | | | Insignificant | No Reversal | Clause 4.1 of the BTC Agreement says that "provision of para 1(2) of Sixth Schedule regarding Autonomous Regions will not be applicable to BTC". The para 1(2) of the Sixth Schedule of the Constitution states that "If there are different Scheduled Tribes in an autonomous district, the Governor may, by public notification, divide the area or areas inhabited by them into autonomous regions". The possibility of creating new autonomous regions by the Governor for other tribes living in the same territory thus has been curbed in the |

(Above row continues from previous page:)

| | | in the ST (Hill) List of State of Assam.
9. Development of Bodo Language
9.1. The Government of India agrees to consider favourably the inclusion of Bodo Language in Devnagri Script in the Eighth Schedule of the Constitution. | | | | | | |

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[43] Para 1(2) of Sixth Schedule of the Constitution states that: "If there are different Scheduled Tribes in an autonomous district, the Governor may, by public notification, divide the area or areas inhabited by them into autonomous regions."

		4.6. Para 10 of the Sixth Schedule will not be applicable to BTC area.[44]					Accord clause.
7	Decentralisation	4.8. In the event, Panchayati Raj system ceases to be in force in the council area, the powers of the Panchayati Raj Institutions in such matters shall be vested with the Council.	Clause 4.8 The Panchayati Raj system is not in force in the Council area.	Implementation of the Panchayats (Extension to the Scheduled Areas) Act, 1996 can happen after amendment of the Sixth Schedule, which is under process. The BTC accepted the single-tire Panchayat system[46].	Insignificant	No Reversal	Absence of the provision of Panchayati Raj in the Sixth Schedule areas has left no scope for the grass root people to participate in politics. Generally, the traditionally nominated 'Gaonbuhras' are the ones through whom the District Council reaches people. The Government has not proposed any election in the Village Council Development Committees (VCDC). At present, centrally sponsored rural development schemes are implemented by the Council in the rural areas as per powers devolved by the State Government.
8	Detailed Implementation Timeline	No provision for a detailed implementation in the Accord. Partial time limit can be found in Clause 3.1.which states that the 4 contiguous districts will be formed after reorganisation of the existing districts of Assam	Baksa, Chirang and Udalguri districts were newly created. The Interim Council was formed immediately after signing of the Accord.		Insignificant	No reversal	Absence of a detailed implementation timeline is one of the reasons for delay or non-implementation of several clauses. The partial time limits for implementation of clause 3.1

[45] Report of Review Meeting held on 16.09.2016

[44] Para 10 of Sixth Schedule of the Constitution states that: "Power of District Council to make regulations for the control of money-lending and trading by non-tribals.—(1) The District Council of an autonomous district may make regulations for the regulation and control of money-lending or trading within the district by persons other than Scheduled Tribes resident in the district."

[46] Interview with P. Hajoari, Commissioner, WPT&BC, Assam

		within a period of 6 months of the signing of the agreement. Again, Clause 14. states that immediately after signing of the agreement, Interim Executive Council for BTC shall be formed by Governor of Assam.						and clause 14 were fulfilled.
9	Dispute Resolution Committee	No provision in the Accord						
10	Economic and Social Development	5.8. The State Government would provide an amount, to be decided every year on population ratio basis, as grants-in-aid in two equal instalments 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 the salary. This amount may be reduced proportionately if the state plan allocation is reduced or there is plan cut due to resource problem. In addition, the Council will be paid a suitable amount of plan funds and non-plan funds to cover the office expenses and the salaries of the staff working under their control. The BTC shall disburse the salaries of the staff under	Regarding devolution of Annual Plan to BTC based on Population and Area and also implementation of centrally sponsored schemes by BTC, 1. In the scheme of devolution of Annual Plan, share of BTC should be 12.9% of the allocation. However, BTC did not receive more than 4% because there is no clarity in funding pattern being adopted by the State Government. For devolution of fund, criterion being adopted was area and population. On this basis, plan has been prepared and placed before Principal			Transitional	No Reversal	For 31 lakh population of BTC, the normal annual budget comes up to Rs 10,000 to Rs 12,000 crore. However, BTC received Rs 400 crore to Rs 500 crore for annual budget. This means, BTC gets only 4 per cent of the total budget[48]. During a field interview with the researcher, Prafulla Hajoari, Commissioner, WPT&BC, Assam told that there is no definition of divisible and non-divisible fund mentioned in the planning.

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[48] Interview with Pramod Boro

		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 selecting the activities and choosing the amount for the 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 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	Secretary (Finance), by Department of WPT&BC. A report is due to be prepared by the Government of Assam indicating plan, divisible and non-divisible funds and obtain views of BTC. 2. BTC is facing some problems in running centrally sponsored schemes for BTC area by Central Government agencies like Ministry of Health (NRHM), Ministry of HRD, Ministry of Road Transport and Highways(PMGSY). A review meeting decided that representatives of such Central Ministries and NITI Ayog would be invited in the next meeting. As regard allocation of funds under Article 275 (1) According to the Ministry of Tribal Affairs, the guidelines for allocation of funds have already been framed. Inter-district allocation of Art. 275(1) Grants funds shall be as					

		Government of Assam. 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 5 years for projects to develop the socio-economic infrastructure in BTC areas over and above the normal plan assistance to the State of Assam. The size of the Corpus will be reviewed after a period of 5 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: (See the Accord in Annexure) 10.3. Government of India will	follows: a) 2/3 on Population b) 1/3 on Area Only such area needs to be taken into account where ST population is more than 50% of total population of such District/Sub-Division/ Block/ revenue village. 3. According to Ministry of Tribal Affairs, the allocation of funds has been finalised in August 2016, and Government of Assam has been asked to submit proposal. The Government of Assam would expeditiously finalise the proposals and appraisal of this was scheduled to be done by October 2016. Regarding utilisation of funds released by Ministry of DONER under special package of Rs 500 crore for BTC and additional package of Rs 250 crore to the State Government / BTC: 1. Out of special package of Rs 500 crore, only two projects are left for funding. There are some discrepancies in				

		provide necessary one time financial assistance required for development of administrative infrastructure in the newly created district headquarters, sub-divisional headquarters and book headquarters, besides the BTC Secretariat Complex at Kokrajhar	utilisation certificates submitted by BTC to DONER, and therefore funds have not been released. The running of these projects will be reviewed by Secretary, Ministry of DONER. BTC has to submit corrected Utilisation Certificates. An additional package of Rs 250 crore was neither pursued by BTC, nor agreed to by the Government of Assam[47]. Clause 10.2 (list of projects) Regarding construction of highway from Jamduar to Bhairabkunda, BTC will submit a concept paper in September 2016 to Government of Assam.					
11	Education and Healthcare Reform	4.4. Provision will be added in Para 6 of Sixth Schedule[49] that in BTC area, language and medium of instruction in educational institutions will not	Clause 4.4 Not implemented. 11.1 The Central Institute of Technology (CIT) Kokrajhar was			Transitional	No Reversal	Despite the coexistence of multiple linguistic groups in this region, most government primary schools in the area offer a choice of only

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[47] Report of Review Meeting held on 16.09.2016

[49] Para 6 of the Sixth Schedule states that The District Council for an autonomous district may establish, construct, or manage primary schools, dispensaries, markets, _488[cattle pounds], ferries, fisheries, roads, road transport and waterways in the district and may, with the previous approval of the Governor, make regulations for the regulation and control thereof and, in particular, may prescribe the language and the manner in which primary education shall be imparted in the primary schools in the district.

		be changed without approval of the State Government. 11. Centrally funded University 11.1. A centrally funded Central Institute of Technology (CIT) will be set up to impact education in various technological/vocational disciplines such as Information Technology, Bio-Technology, Food Processing, Rural Industries, 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.	established on 19 December 2006. It is a Centrally Funded Institute under the Ministry of Human Resource Development, Government of India. CIT is an autonomous body registered under the Societies Registration Act., 1860 and functions under a Board of Governors.					Assamese and Bodo as medium of instruction.[50] The BTC has office of the Director of Education for all its four districts. The department is controlled by the Executive Member of BTC who is given the charge of Education through the Director of Education (Choudhury, 2016).
12	Electoral/Political Party Reform	Clause 4.2. (Already mentioned under the provision of Constitutional Reform) 14.Interim Council Immediately after signing of the agreement, Interim Executive Council for BTC shall be formed by Governor of Assam from amongst the leaders of the present Bodo movement, including the signatories to this settlement, and shall include	The State Election Commission declared the Council election which was held on 13 May 2004. Winners were all from BLT, including the provisional Council Chief, Hagrama Mahilary. After the elections, the Chief Convenor expelled the top leaders including the		Following the declaration of the election to the BTC, the Bodo leaders, under the All Bodo Students Union and	Total	No Reversal	The Accord is an official recognition of Bodo political aspirations. The electoral reforms implemented were not acceptable for the majority non-Bodo people residing in the territory. Agitations and protests are becoming stronger with every passing year. The government has used autonomy mechanism as a tool for political management to

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[50] Bridging home and school: language support for young children in Assam, Language support program for primary school children in Kokrajhar and Chirang
districts. Report April 2012- March 2013. http://img.asercentre.org/docs/Research%20and%20Assessments/Current/Education/reportkokrakharproject2012-13.pdf

adequate representation to the non-tribal communities in BTC area. The Interim Council shall not 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 leaders of these Councils.	Deputy Chief and Executive Members of the BTC from the party post. Consequently, a new Bodoland Progressive Front (BPF) faction appeared under the leadership of Hagrama Mohilary. It was formed on 4 -5 December 2004 at Deborgaon. Currently, there exists two Bodo political parties—the ruling BPF and the opposition party called BPPF. [51] The 46 member legislative council was formed after the Council Election on 13 May and subsequent bye election in November 2005. Six out of 46 Members were nominated by the Governor of Assam from the unrepresented communities. (Bodoland at a glance). Immediately after formation of BTC, Interim Council was formed on 7 December 2003.		the Ex-BLT Welfare Association, formed a 16 member Convenors' Committee on 12 April, 2004 to form a political party, namely, the Bodoland People's Progressive Front (BPPF). The Bodo leaders had decided that the party would be formed on 20 April, 2004. But at the first sitting of the Convenors' Committee, the leaders			check possible dissent against the state. But in the process an elite class of politicians is created that has caused a gap between the common people and political power (Thakur, 2015).

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[51] http://shodhganga.inflibnet.ac.in/bitstream/10603/60431/10/10_chapter%202.pdf

				decided to have a delegate session-cum-public meeting at Kokrajhar, to declare the formation of the party. However, with the elections close at hand, and with the nominations to be held on 19 April 2004, the BPPF could not be formed on the date as planned. The members of both the associations decided to allow members to contest as independen			

					t candidates in the BTC election.			
13	Executive Branch Reform	5.1 ...The BTC shall have executive, administrative and financial powers in respect of subjects transferred to it. Subjects to be entrusted to BTC by Assam Government: (the list of subjects could be found in the BTC Accord in Annexure) 5.2. There shall be an Executive Council comprising of not more than 12 Executive Members, one of whom shall be the Chief and another 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 the State of Assam for protocol purposes in BTC area. 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	Clause 5.1 Regarding measures to check flash flood and massive erosion in the BTC area, a report has been submitted to the Ministry of Water Resources and BTC has to formulate DPR. However, the BTC expressed inability and suggested to engage some agency for this purpose. Ministry of Water Resources decided to explore the possibility to get it done through their agencies. Regarding status of setting up of airport at Rupshi, the BTC will follow up the issue of de-reservation of reserved forest area through proper channel and take up the issue with the Government of Assam. Regarding expertise for food processing activities and setting up of Food Park, BTC has to submit the DPR.			Transitional	No reversal	The MoU assigned 40 subjects to the BTC for development purposes. However, subjects such as Tribal Research Institute, Lotteries and Theatres etc., Intoxicating liquors etc., Registration of Birth and Death are yet to be taken up by the Council[53].

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[53]http://bodoland.gov.in/btcataglance.html

| | | Commissioner/Secretary to Government of Assam. The sanctioning powers of the Government of Assam shall be vested with the Principal Secretary of BTC and sanctioning powers of head(s) of the Department(s) including for technical sanction 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. | Development of Floriculture in BTC comes under the centrally sponsored scheme for which allocation has been made by Ministry of Agriculture and will be released to the State authority. BTC can route their proposal through State Horticulture Mission and get it placed in Annual Action Plan of the Mission.
For development of tourism in BTC, there is already a Swadesh Darshan Scheme which incorporates wildlife circuit of Manas, Kaziranga and Pabitara in Assam. Rs 95.67 crore has been released by the Ministry of Tourism to the State Government. Government of Assam to allot reasonable amount for Manas project.[52]

On 7 December 2003, the Council was provisionally constituted by 12 members. The | | | | |

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[52] Review Committee meeting (2016) report

			Council Election was conducted on 13 May 2005 and subsequent bye election in November 2005. The elected 40 Members along with the six members nominated by the Governor of Assam from the unrepresented communities formed the Legislative Council.					
14	Human Rights	No provision in the Accord						Considering that the area is home to several ethnic groups and communities, the non-inclusion of specific provisions related to human rights is unacceptable. Moreover, large scale human rights violations took place in the insurgency related violence before signing of the Accord.
15	Inter-ethnic Relations Council	No provision in the Accord						Formation and function of an inter-ethnic relations council is believed to help in defusing conflicts between various tribes.
16	Internally Displaced Persons	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	The Relief and Rehabilitation department has not yet been transferred to BTC from the Government of Assam.			Transitional	No reversal	The Bodo areas in Assam have experienced several rounds of ethnic riots. In October 1993, violence occurred between the Bodos and the Muslims. The violence had displaced about 3,568 families, consisting of 18,000 persons. Another

		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.					incident of violence took place in a relief camp at Bashbari in Barpeta district on 24 July 1994. Over 100 people were killed and 70,000 were rendered homeless. Again, in May 1996, the first spell of Bodo-Santhal clashes took place which devastated the villages of both the communities and displaced over 2,02,684 persons or about 42,214 families; while the second spell of Bodo Santhal clashes in 1998 displaced over 3 lakh people[54].
17	Judiciary Reform	No provision in the Accord					
18	Legislative Branch Reform	5. Power and Functions 5.1. 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 passed and sent 22 legislations to Government of Assam for decision. Government of Assam is yet to finalise its response expeditiously.		Insignificant	Minor	The BTC submitted 22 legislations to the Assam Government in 2005. The government has not yet finalised it. Therefore, in spite of the existence of the legislative council, BTC cannot make laws.[55]
19	Minority Rights	4.3. Safeguards for the settlement rights, transfer and	The BTC wants protection of tribal land		Insignificant	No reversal	During this period, several clashes took place between the

[54] Jaikhlong Basumatary, Quest for Peace in Assam: A Study of the Bodoland Movement, Manekshaw Paper, No 44, 2014, http://www.claws.in/images/publication_pdf/324891001_MP44Inside28-03-14.pdf

[55] Interview with Pramod Boro, General Secretary, All Bodo Students' Union

		inheritance of property etc. of non-tribals 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 a 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. 4.8. In the event, Panchayati Raj system ceases to be in force in the council area, the powers of the Panchayati Raj Institutions in such matters shall be vested with the Council. The Amendments to the Sixth Schedule shall include provisions in such a manner that non-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. 7. Revision of list of ST Consequent to the inclusion of	through some constitutional mechanism. However, no effective implementation has taken place regarding the provisions of chapter x of Assam Land Revenue Regulation 1886 in tribal belts and blocks of BTAD. The review meeting held on 16 September 2016 decided that BTC would submit a detailed note on this issue. BTC passed and sent 22 legislatures to the Government of Assam for decision. Assam Government is yet to respond.					Bodos and the migrant Muslim settlers. Generally it is believed that the clashes would not have occurred if the land rights have been protected.

		BTC area into the Sixth Schedule, the list of ST for the State of Assam shall be so modified so as to ensure that the tribal status of Bodos and other tribals living outside the BTC are does not get affected adversely.					
20	Natural Resource Management	No provision in the Accord					
21	Official Languages and Symbols	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.	Not implemented. Bodo Sahitya Sabha and other Bodo organizations have been demanding Bodo to be the official and first language in schools in the BTC area. But Asom Sahitya Sabha has termed the demand as 'unconstitutional' as it may lead to a divide between the Bodos and the other communities living in the area[56].		Transitional	No reversal	Since 2000, the Bodos have been demanding a separate directorate for Bodo language to develop the language.[57] After prolonged struggle and determination of the Bodo Sahitya Sabha (Bodo Literary Organization), the Bodo language was introduced as a medium of instruction at primary level in 1963 and then at secondary level in 1968. In 1985, Bodo has been recognized as an associated state official language of Assam. On 22 July 2010, the Chief Minister of Assam had declared in the Assembly that a separate Directorate of Education for Bodo and Other

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[56] Demand for Bodo as official language unconstitutional: Asam Sahitya Sabha, DNA, 20 January 2016, http://www.dnaindia.com/india/report-demand-for-bodo-as-official-language-unconstitutional-asam-sahitya-sabha-2171017

[57] Bodo students demand separate directorate, Mar 5, 2015, Times of India

							Tribal Languages would be created. But the proposal is pending with the elementary education department. Lack of a separate directorate has resulted in non-implementation of the Right to Education Act properly in Bodo-medium schools. As per Clause 9.2 of the BTC Accord, Bodo language was recognised by both the state government and the Centre as the official language of the BTAD but it is not yet implemented. In October 2015, the Assam Governor instructed the state government to create a separate directorate for Bodo language education and announce Bodo as the official language in the Bodoland Territorial Area Districts (BTAD)[58].
22	Power Sharing Transitional Government	14. Interim Council Immediately after signing of the agreement, Interim Executive Council for BTC shall be formed by Governor of Assam from amongst the leaders of the present Bodo movement, including the signatories to this settlement, and shall include	Implemented		On 2 December 2003, the BLT submitted a list of 12 names for the executive	Total	No Reversal	

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[58] Govt told to address Bodo woes, The Telegraph, 1 November 2015

No	Provision	Provision in the Accord	Implementation					Remarks
		adequate representation to the non-tribal communities in BTC area. The Interim Council shall not 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.			committee of the interim BTC to the State Government. By 7 December 2003, a 12-member interim executive council of the BTC was administered oath of office in Kokrajhar. (satp.org)			
23	Participation of Civil Society groups as witness signatories in the Accord	No provision in the Accord						A very important and necessary provision, presence of which would have attributed overall public support to the peace agreement.
24	Prisoner Release	No provision in the Accord						
25	Ratification Mechanism	Clause 4.2. (Already mentioned under the provision of Constitutional Reform)	On 27 May 2003, the Assam Government issued a notification dissolving Bodoland Autonomous Council (BAC) and appointed a			Total	No reversals	Clause 4.2 of the Agreement has opposed para 2(1) of the Sixth schedule by increasing the number of members in the Council up to 46, out of which 30 reserved for Scheduled

			nodal administrator in the form of the Commissioner-cum-Secretary of the Welfare of Plain Tribes & Backward Classes to oversee the functioning of the BTC till the formation of an interim council. On 14 July, the Parliamentary Standing Committee of the Union Ministry of Home Affairs cleared the BTC Bill. The BTC Bill was tabled in the Lok Sabha on 1 August. The Lok Sabha passed the Constitution Sixth Schedule (Amendment Bill) on 6 August paving the way for the creation of a Bodoland Territorial Areas District (BTAD)[59]. On 19 August, the Parliament approved the Constitution (99th Amendment) Bill, 2003, providing for protection of the rights of non-tribals by keeping intact the existing representation of the Scheduled Tribes and				Tribes, five open for all communities and six to be nominated by Governor of Assam. Para 2(1) of the Sixth Schedule states: There shall be a District Council for each autonomous district consisting of not more than thirty members, of whom not more than four persons shall be nominated by the Governor and the rest shall be elected on the basis of adult suffrage.

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[59] Lok Sabha Debates

			non-Scheduled tribes in the Assam Legislative Assembly from the Bodoland Territorial Council Areas District.					
26	Representation and participation of women	Clause 4.2. (Already mentioned under the provision of Constitutional Reform)	The two reserved seats for women are only nominated seats by the Governor and meant for unrepresented communities. While women were present in every movement in various roles—agitators, rebels or advocates of peace during a movement and the peace process, they have always been sidelined when there is the time for decision making. Participation of women is not visible during any of the peace negotiations.			Transitional	No reversal	"We are the worst sufferers of violence...Provision for adequate representation of women should be there in the Accord to make our voice heard", said Promila Rajbongshi, a resident of Kokrajhar.
27	Review of Agreement	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.	Being implemented. Review meetings have been taking place periodically.			Transitional	No reversal	Reports of the review meetings suggest how implementation of different clauses of the accord has been delayed or postponed. However, both the signatories—the government as well as the former BLT militants who are in power have to take the blame in different occasions for not speeding up the process.

| 28 | Rehabilitation | 12. Relief & 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 organisation and 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 policy of the State. Financial support in such cases, however shall be limited to be 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 officers as well as in respect of Central Government Undertakings. | The Government of Assam has not yet transferred the Relief and Rehabilitation, Department to BTC as per provision of MoS 2003. | | Agitations demanding rehabilitation of former BLT members and surrendered NDFB cadres have been staged from time to time. The Ex-Bodo Liberation Tigers Welfare Society and the Surrendered NDFB Welfare Association staged protest in New Delhi in August 2010 with this demand and implementation of some other | Insignificant | No reversals | The fact that the Relief and Rehabilitation Department is yet to be transferred to BTC only shows the casual approach of the authorities. |

		Similar action would 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.			clauses of the Accord. According to Chairman of the Ex-BLT Welfare Society, Janamohan Mushahary, many cases pertaining to the Bodoland movement were pending, and people had been harassed for that.[60]			
29	Right to Self-Determination	2. Objectives The objectives of the agreement are: to create an Autonomous self governing body to be known as Bodoland Territorial Council (BTC) within the State of Assam and to provide constitutional protection under Sixth Schedule	An autonomous self-governing body called Bodoland Territorial Council was formed within the state of Assam under the Sixth Schedule.			Transitional	No reversal	It has been 14 years since the BTC Accord was signed. However, land rights have not been implemented yet. In the last 13 years, several clashes took place between Bodos and migrant Muslim settlers, apart from clashes between Bodos

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[60] Former rebels leave for Delhi, The Telegraph, 17 August 2010, https://www.telegraphindia.com/1100817/jsp/northeast/story_12816415.jsp

30	Surrender of Arms	to the said Autonomous Body; to fulfil 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.						and Adivasis. Generally, it is believed that the clashes would not have taken place provided land rights have been implemented.
30	Surrender of Arms	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 organisation and 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 policy of the State. Financial support in such cases, however shall be limited to be provisions of the scheme prepared and funded by the Government of India. Withdrawal of cases against such persons and those related to overground Bodo movement since 1987 shall be considered	On 3 December 2003, the BLT chairman Hagrama Basumatary led 2641 BLT cadres for surrender with 615 numbers of arms in Kokrajhar[61].			Total	No reversal	

[61] http://www.satp.org/satporgtp/countries/india/states/assam/terrorist_outfits/bodoaccord.htm

		according to the existing policy of the State of Assam.					
31	Territorial Power Sharing	3. Area 3.1. (This clause is also mentioned under the provision of Boundary Demarcation) 5. Power and Functions 5.1. (This clause is stated under the provisions of Executive and Legislative Branch Reforms)	A territory has been specified along with creation of four districts. However, the question of including additional 95 villages into BTC for the purpose of contiguity is not yet resolved. The Council has executive powers. However, the law-making power is not yet functional since the State Government is yet to pass the 22 legislatures submitted by the BTC.		Transitional	No reversal	The matter being dropped by the review meetings suggests unwillingness of the government to touch the conflicting issue and tendency to postpone the discussion or for that matter any decision on this to an uncertain time.
32	Truth or Reconciliation Commission/ Mechanism	No commission formed					
33	Withdrawal of Troops	No provision in the Accord					

3.2.4 Case Study 3: Memorandum of Settlement with UPDS.

Sl No.	General Provisions	MoS with UPDS 2011 Provisions	Implementation Induced			Degree of Implementation	Reversals	Observation
			Application	Related Action not codified under Accord		Not initiated/ insignificant/ transitional/ total	No reversal/ Minor/ Major	
				By government	By Extremists			
1	Amnesty	4.3 Criminal cases registered against members of the UPDS for non-heinous crime shall be withdrawn by the State Government as per procedure established by law. Criminal cases registered against members of the UPDS for heinous crimes shall be reviewed case by case according to the existing policy on the subject and wherever feasible, steps for withdrawal of such cases will be initiated by the State Government.	A mechanism consisting of district level committee and state level committee is in place for considering withdrawal of cases. So far, 11 cases against UPDS have been withdrawn. The fourth review meeting decided that Government of Assam in consultation with the Council will take an overall view of pending cases and decide the issue by 31 December 2016. But no decision as of July 2017 has been taken. Regarding NIA cases, the State government decided to finalise the recommendations and submit to the MHA[62].		On 6 February 2014, the Hill State Democratic Party (HSDP) in Karbi Anglong submitted a memorandum before Shambhu Singh (Jt. Secretary, Northeast, Ministry of Home Affairs) demanding quick action in executing	Transitional	No Reversal	An absence of any definition of the phrases 'heinous crime' or 'non-heinous crime' mentioned in this clause suggests vagueness of language used in the Accord. This vagueness would help manipulation of criminal cases. "Almost two years have passed but except the release of a Rs 1.5-crore rehabilitation package we have seen no work done as promised in the MoS," HSDP leader Kanjang Terang said[63].

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[62]Report of Fourth Review Meeting

[63] Karbis seek separate state- Congress, Opposition meet Shambhu Singh with demand, The Telegraph, 7 February 2014. https://www.telegraphindia.com/1140207/jsp/northeast/story_17907338.jsp#.WNi7s_l97Dc

				the MoS, permanent rehabilitation packages for former UPDS cadres and withdrawal of criminal cases against the cadres of the dissolved militant outfit.				
2	Boundary Demarcation	No provision in the Agreement						
3	Civil Administration Reform	3.2 The KAATC authority shall have full control, consistent with the relevant service rules, over the officers and staff, concerned with the transferred subjects working and placed under the jurisdiction of the KAATC. ACRs of these officers shall also be written by the appropriate authority of the KAATC. 3.3 The authority of the KAATC shall be competent to make appointments to all posts under its control in accordance with the rules of appointment followed by the Governor of Assam. However, the posts,	Clause 3.2 and 3.3 There are some gray areas which need to be plugged as far as the control over the officers and staff concerned with the transferred subjects. The fourth Review Meeting decided that the representative of Government of Assam and Council would consult each other and sort out such problematic issues by 31 October 2016. The issues, however, could not be			Insignificant	No reversal	The pace in which the implementation process of the clauses is on, it becomes evident that the urgency of the matter has not received required attention. The 'grey areas' or the gaps need to be specified. One can question why it took five years to discover the problems that have been hindering implementation of the Accord clauses. The discussion is yet to materialise and one cannot say when this discussion will end with a decision that can be implemented. There seems to

		where recruitment is made on the recommendation of APSC shall not be covered under this provision. Vacancies in Cass II and Class I rank officers create impediments in effective delivery of services to the people. The State Government will make all efforts to fill these vacancies by placing the services of officers in the departments under the control of the KAATC. Special attention will be paid by the State Government for filling up vacancies in the Government College. No new posts shall be created by KAATC without concurrence of the Government of Assam. 3.4 The State Government will encadre posts of Grade I and Grade II under the KAATC expeditiously and streamline the process of filling the vacancies under the KAATC. 3.5 This will, however, not include such cases where the vacancies have arisen because of general decision on grounds of austerity etc. in respect of abolition or keeping the posts temporarily vacant. 3.6 The KAATC authority may constitute a Selection Board for appointments to be made by it and may also make rules with	sorted within the time limit set by the government. Clause 3.4 and 3.5 Process of encadrement of Grade I and II posts under KAATC was supposed to be finalised by 31 December 2016. But the time frame was not followed. Clause 3.6 The constitution of a Selection Board for appointments by KAATC has not taken place. Clauses 6.7 Regarding formulation of financial rules and revision of Assam Autonomous District (Constitution of District Councils) Rules 1951, the Council has submitted the scheme to state government. State government may decide and ratify it by 30November 2016. 6.8 The one year time limit of completing the revision of the Assam Autonomous District (constitution of District Council) Rules 1951 is not met.				be delay on the part of the State Government. While the financial rules are not yet formulated, the Assam Autonomous district rules too are yet to be revised even after the Council submitted the scheme to the State Government. To some extent, this delay may also be attributed to bureaucratic red tape. Since the government set a time limit of one year under Clause 6.8 to complete the revision of the Assam Autonomous District (constitution of District Council) Rules 1951, the same should have been followed. But the ad hoc attitude of the government is well reflected in such matters too.

		the approval of the Governor of Assam to regulate appointments and to ensure adequate representation of all communities living within its jurisdiction. 6.7 An independent body like the State Finance Commission will be constituted by the Government of Assam to recommend establishing a proper basis for fund allocation and sharing of tax proceeds between the State Government and the Sixth Schedule institutions like the KAATC. The Government of India and the Government of Assam will initiate steps for necessary modification in the Constitutional and other relevant legislative / procedural regulatory regime. 6.8 In view of the changes relating to the role and scope of functioning of the Councils, there is a need to undertake a thorough revision of the Assam Autonomous District (constitution of District Council) Rules 1951, to incorporate these changes and to reflect the spirit of empowerment and devolution in governance at the ground level. The Government of Assam will initiate necessary					

		steps in this regard expeditiously in consultation with the KAATC and other 6th Scheduled Councils. It is agreed to complete the revision within a year.					
4	Commission to address damage or loss	No provision in the Agreement					
5	Constitutional Reform	6.1 Steps for Constitutional amendments necessary to implement the agreed points of the MoS will be taken by the Government of India. Suitable amendments and delegation of powers under various relevant acts to enable the Council to exercise its responsibilities will also be taken by the State Government and where necessary by the Government of India. 6.2 Appropriate amendments will be proposed on the provisions of the 6th Schedule of the Constitution to facilitate and ensure devolution of administrative powers and stimulate developmental activity at the grass roots level by constituting village level local governance units, e.g., Village Councils/ Gram Sabhas.	Amendment on the provisions of the Sixth Schedule of the Constitution has not taken place as the bill for devolution of administrative powers has not been passed in the Parliament. Therefore, the Clause for devolution of administrative powers remains unimplemented.		Insignificant	No reversal	For implementation of certain agreed points of the MoS, the State Government too can act, besides the Centre. Assam Government could have transferred the additional departments to the Council even without the amendment to the Sixth Schedule but did not take such steps.[64] Development activity at the grassroots level through constitution of Village Councils or Gram Sabhas has not yet taken place. In fact, such important clauses in the Accord do not bear any meaning for the people of Karbi Anglong if implementation of the same has a major roadblock. Observation of Clause 6.2 in the provision of Decentralisation can be stated

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[64] Interview with former General Secretary of UPDS Haren Sing Bey

		6.3 An effective procedure to release funds (coming from both State and Central Governments) to the KAATC will be put in place to ensure their utilisation for the intended purpose without diversion or delay. 6.6 All participants in the tripartite process also accepted the need for strict adherence to established norms of financial management in the KAATC administration and the need for all involved in such management to maintain the highest standards of probity to prevent mis-utilisation/mis-appropriation of developmental funds meant for the people. Without in any manner diluting the authority of CAG with regard to audit as provided in the Constitution, it is agreed to evolve and implement an additional system of effective auditing projects with the participation, where necessary, of authorities like NABARD etc. Such audit reports along with the Action Taken Report (ATR) from the Council shall be placed before the Governor/Committee of the Legislature (proposed) within a reasonable time.						as a solid reason why Clause 6.3 talks about an effective procedure to release funds. The Agreement has addressed a major weakness in the administrative framework within which the Councils have to operate. Even the State government can be made accountable for the delay-dallying procedures for the release of funds to the Council which affect utilisation of the intended purpose. From Clause 6.6, it is apparent that the signatories of the Agreement are aware about "mis-utilisation and mis-appropriation of development funds meant for the people". We can find an effort to correct the system by evolving and implementing an additional system of effective auditing projects with participation of outside authorities like NABARD.
6	Cultural protection	8.1 Steps will be taken for protection of language and culture of Karbi people and also	Clause 8.1 and 8.2 Regarding setting up of a cultural centre at			Insignificant	No reversal	

		for preservation of historical monuments and heritage sites like Ronghang Rongbong. It is agreed in principle to set up a cultural centre at Taralangso and an Academy to promote Karbi language and culture at an appropriate location in Karbi Anglong to promote and preserve the culture and tradition of Karbi people. The KAATC will send a detailed project report for consideration of the Government of India for approval and sanction of project funds. 8.2 The Archaeological Department of the Government of Assam and the Archaeological Survey of India will undertake a survey of other heritage sites relating to Karbis and other indigenous people within the jurisdiction of the Council to formulate projects for their preservation and maintenance.	Tarlangso and an academy to promote Karbi language and culture, preparation of DPR (detailed project report) by the Council was in progress till November 2016. As far as survey of heritage sites is concerned, the Archaeological Survey of India had to stop the survey work due to some local problems. The Council agreed to address this problem.				
7	Decentralisation	2.3 The state government has agreed to reorganise the existing Autonomous district under the Sixth Schedule of the Constitution into four administrative districts for better administrative and developmental administration, as per procedure established by	Two districts in Karbi Anglong have been created—the new district was named West Karbi Anglong and was inaugurated on 11 February 2016. For creation of additional administrative units, the			Insignificant	No reversal	2.3 From the fact that the KAAC has not submitted proposal for creation of another two districts before the Government of Assam implies that the Council is either not interested or neglecting the implementation of the Clause. Further, the

		law. 6.2 Appropriate amendments will be proposed on the provisions of the 6th Schedule of the Constitution to facilitate and ensure devolution of administrative powers and stimulate developmental activity at the grass roots level by constituting village level local governance units, e.g., Village Councils/ Gram Sabhas.	proposal for creation of such units has to be submitted by KAAC before the Government of Assam.[65]					present Council may not be in favour of decentralisation, as it appears from this point. 6.2 Decentralisation of power only to the Council level had been an incomplete process. All round development possible only when decentralisation reaches the grassroots. Here the accountability factor plays a crucial role. The government is taking a long time to pass the Bills for Constitutional Amendment. This has affected devolution of administrative powers to the grassroots. Mismanagement of Council funds and flouting of Government norms are rampant. It is further alleged by some respondents that the existing Council is not interested in further decentralisation to protect their vested interests. Here we can see how an elitist class in the Council are dominating the political and government powers in the area. This is another reason for the poor state of development in the area.
8	Detailed Implementati	No provision for a detailed implementation timeline in the	Till 2016, four Review meetings have been held.			Insignificant	No reversals	The 'time bound steps' has no further detail about

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[65] Fourth Review Meeting Report

	on Timeline	Agreement. Clause 1.2 states that: As part of this process, several rounds of tripartite discussions were held with the representatives of the United People's Democratic Solidarity (UPDS). As a result of this consultative process, it has been agreed to initiate time bound steps to bring about greater devolution of power to the grassroots level in Karbi Anglong while ensuring increased capacity building for developmental activities at all levels.	The reports suggest that though decisions have been taken to act with time bound steps, in reality implementation could not take place accordingly.					implementation time plan of the different causes. The only time period mentioned is about the six-monthly review of the status of implementation of the decisions under the agreement. However, even the six month period too is not followed. The fact that four review meetings have taken place in four years is indicative of this status.
9	Dispute Resolution Committee	No provision in the Agreement						
10	Economic and Social Development	6.4 A Committee comprising representatives of the State Government and the Council may monitor and review the regular release of scheme based funds to KAATC. The MHA monitoring Committee will be kept informed. 6.5 Both the Government of India and the Government of Assam will consider the case for higher fund allocation to the KAATC to undertake viable developmental activity within their jurisdiction. 7.1 The planning and budgetary exercise for all the subjects in	Clause 6.4 The Committee for monitoring the release of fund is already in place. However, the releases of funds were delayed on account of formation of new government. The state government agreed to see that in future, fund is released timely. Further, the amendment of the Sixth Schedule to the Constitution of India will address the issues of devolution of financial funds.			Insignificant	No reversal	Since the devolution of financial funds is dependent on the amendment of the Sixth Schedule, and Constitutional amendment is still awaited, the whole process is affected by this. Tasks like planning and budgetary exercise for the subjects in the Council or capacity building in the Council too are related to amendment of the Constitution. Delay in developmental works brings doubts regarding corruption and mis-management.

| | | the Council after the proposed restructuring will be a major exercise. Preparation for Five Year and Annual Plans by the Council within the broad framework of State/National priorities will need to cover all activities of departments under their charge. To enable the restructured Council to handle this responsibility effectively, the State Government will initiate steps to make available adequate number of experienced officers to the Council for the purpose.

7.2 The Ministry of Home Affairs shall coordinate the task of capacity building in the Council to deal effectively with enlarged responsibilities relating to transferred subjects by imparting suitable training to officers and staff of the Council. A sum of Rs 10 crore will be made available as one time grant for the purpose.

8.4 The Government of India will give a project based grant for setting up a Karbi Bhawan in Delhi. For this purpose, the Council will apply for a plot to the Delhi Development Authority (DDA).

9.1 The Government will initiate steps for undertaking a | Clause 6.5 Regarding release of funds under Article 375(1) of the Constitution of India, the Ministry of Tribal Affairs stated that it has already made provision / allocation of funds and now it is the administrative matter of the State Government of Assam. Funds are allocated on the basis of population (50%), area (25%) and performance (25%). Since Utilisation Certificates are yet to be received, a fund of Rs 35 crore is lying idle. The action is to be taken by Government of Assam.

Clause 7.1 and 7.2
As regard capacity building for preparation of Detailed Project Report, training of staff etc., the Council, the Government of Assam, and Ministry of DONER is to take action.

Clause 8.4
As regard setting up of Karbi Bhawan, DDA has allotted and earmarked the land and KAAC is in touch with DDA. The | | | | | |

| | | feasibility study of a direct road link between Diphu and Umapani (both in Karbi Anglong) as a highway linking NH 36 (Karbi Anglong) and NH 44 (Meghalaya), for the purpose of including it in the list of priority projects to provide reliable road linkage within the Council area and additionally, a direct shorter route to Shillong (Meghalaya) the headquarters of North East Council.

9.2 Construction of roads for improvement of road connectivity in Karbi Anglong District will be considered under existing schemes in phased manner on submission of Detailed Project Report (DPR) submitted by the KAATC. An illustrative list of construction of roads in Karbi Anglong District is at Annexure I of MoS. To augment availability of power, KAATC will submit proposals to the Ministry of New and Renewable Energy (MNRE) which will consider special projects for this purpose in the KAATC area.

9.3 Council will submit projects for water supply to Diphu and other notified towns in Karbi Anglong which will be considered expeditiously for | Council and DDA is to take action.
Clauses 9.2 and 9.3
Regarding schemes listed in Annexure I of MoS, the Council submitted DPRs for 16 out of 17 projects to Government of Assam. State Government has to prioritise the project. Action to be taken by Government of Assam, Ministry of RTH & Ministry of MNRE and DONER.
Clause 9.4 and 9.5
The Council has discussed with Ministry of DONER about the package for creation of employment. Action is to be taken by the Government of Assam, Councils and Ministry of DONER | | | | | |

		implementation. 9.4 A special economic package of Rs 350 crores (Rs 70 crores per annum) over and above the Plan fund over the next five years will be provided to the KAATC to undertake special projects that will be proposed by the Council. A committee will be formed involving the representative of the Government of Assam. KAATC and concerned central ministries, for identification of projects under special economic package. Funds will be provided through the state government for specific monitorable projects through the Non-lapsable Central Pool of Resources (NLCPR) or the Plan exercise in a time-bound manner while ensuring dovetailing of all fund flows to the district from Finance Commission and other sources. 9.5 The responsibility for providing land, if necessary, for any of the projects flowing from this MoS shall be the responsibility of the KAATC.						
11	Education and Healthcare Reform	5.1 Concerned efforts will be made by the Government of India and State Government of Assam in collaboration with the KAATC to improve the level of general and technical education,	Clause 5.1 to 5.4 State Government is yet to take up the issue with the Ministry of HRD regarding construction of medical college in			Insignificant	No reversal	The slow pace of the proceedings for establishment of educational institutions and healthcare reform show the lack of interest or sincerity on the part of the authorities.

| | | including medical education. An engineering college and a Medical college will be established in Karbi Anglong
5.2 Additional steps like immediate up gradation of the District Hospitals and PHCs will be taken up by the newly restructured authority with assistance from the Government of India and Government of Assam., as the case may be. Additional funds if necessary will be provided by the Government of India for this purpose on project basis.
5.3 The Government of India and the Government of Assam will encourage KAATC to take up projects under PPP Model in the area of healthcare and education including professional and higher technical education to achieve the potential of Karbi Anglong emerging as a regional healthcare and educational hub. Steps for necessary empowerment of the KAATC to initiate and formulate project reports will be taken by the Government.
5.4 The existing campus of Assam University (established by an Act of Parliament) at Diphu, needs up-gradation by way of additional infrastructure | KAAC.
As far as upgrading of Primary Health Centres is concerned, the proposal regarding Dehang, Hathikali and Block Bazar PHCs has been received by the Ministry of Health and Family Welfare. It was approved and allocations made.
A proposal for an engineering collage in KAAC was sent to State government. The proposal will be pursued along with the proposal for upgrading general education and health facilities.

As regard upgrading of infrastructure in existing campus of Assam University in Karbi Anglong district, a decision was taken in 2016 that the Council will finalise the proposal in two months and submit it to the State Government and send it to the Ministry of HRD.
Clause 8.5 As regards exemption from taking | | | | | |

		and faculties to meet academic needs. It also noted that the strengthening of the college and secondary/primary education infrastructure is important to reap the full benefit of such up-gradation of education facilities at the Post-graduate level. The Council will prepare detailed project reports both for upgrading the existing institutions and Government assistance could be considered. Assistance in drawing up suitable projects will also be made available by the Government. 8.5 The demand for exempting Schedule Tribes (Hills) candidates from Karbi Anglong and taking one Modern Indian Language (MIL) in the Union Public Service Commission (UPSC) conducted Civil Services examination will be referred to the UPSC for their examination and consideration.	one Modern Indian Language paper in UPSC, DoPT is to consider the proposal, which may require a policy decision to be taken by them.					
12	Electoral/Political Party Reform	2.4. The proposed KAATC will have a 50 member council to give greater representation to people living in remote and isolated clusters of villages. Of these 50 members, 44 to be elected and six to be nominated by the Governor of Assam. (Increase in seats shall be	The issues are covered in the proposed amendment of the Sixth Schedule to the Constitution of India.			Insignificant	No reversal	Terming the agreement as a "failed experiment" , UPDS Chairman Longsodar Senar said that the MoS was in a serious jeopardy as the outfit did not get enough time to reorganise themselves to prepare for the elections. "The elections were actually forced

		applicable from subsequent elections due in the year 2016-17 or mid-term poll, if any, whichever is earlier). 2.5 The responsibility of conducting elections to the KAATC will be entrusted to the State Election Commission. 2.6 Additional subjects, as listed below, will be transferred to the Council under para 3A of the Sixth Schedule of the Constitution conferring legislative powers on the council in respect of these subjects so as to empower the council with legislative and executive powers in respect of these subjects. (for the subjects, see UPDS Accord in Annexure)						on us. We insisted on an interim council which was rejected by the government. We were encouraged to sign the accord because the Home Minister ensured us of a 'neutral administration' and a level playing field during the election. But the Government of Assam announced elections one day after we laid down arms giving us no time to reorient ourselves", said Mr Senar. After signing of the accord, the already existing Council was not willing to leave the space for the UPDS to form a new council. Elections were therefore necessary. The Agreement proposed that the KAATC will have a 50 member Council, of which 44 will be elected. There is no reservation for these 44 seats. While members for six seats will be nominated by the Governor, the Agreement could well have proposed few reservations for women.
13	Executive Branch Reform	2.7 Development function and functionaries in respect of transferred subjects shall also be transferred to the KAATC. 3.1 The Chief and Deputy Chief of the KAATC shall have the	Clause 2.7 As regard transfer of development functions and functionaries in respect of transferred subjects, the fourth			Not initiated	No reversal	

		status equivalent to the Cabinet Minister of State of Assam for protocol purposes within the jurisdiction of the KAATC. Similarly, the Chairman and Deputy Chairman of KAATC shall have the status equivalent to the Speaker and Deputy Speaker of the Assam Legislative Assembly respectively for protocol purposes within the jurisdiction of KAATC.	review meeting agreed that the Government of Assam should issue an office memorandum giving a clarity and finality of the subject. The Government of Assam agreed to look into the matter and take a final view by 30 October 2016.[66] Clause 3.1 The Government of Assam said that it will issue necessary executive instructions by 31 October 2016 for making provision for Chief and Deputy Chief Executive Member of the Council and Speaker/Chairman/ Deputy Chairman of the Council[67].				
14	Human Rights	No provision in the Agreement					
15	Inter-ethnic Relations Council	No provision in the Agreement					
16	Internally Displaced Persons	No provision in the Agreement					In 2003, conflict between the militant groups United People's Democratic Solidarity and Kuki

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[66] Report of Fourth Review Meeting
[67] Report of Fourth Review Meeting

								Revolutionary Army rendered more than 5000 people homeless in Karbi Anglong. Absence of the provision for IDPs reflects lack of concern for the affected people as well as lack of understanding of the significance of the issue.
17	Judiciary Reform	No provision in the Agreement						
18	Legislative Branch Reform	2.6 Additional subjects (the list of subjects will be found in the Accord in Annexure)will be transferred to the Council under Para 3A of the 6th Schedule of the Constitution conferring legislative powers on the Council in respect of these subjects so as to empower the council with legislative and executive powers in respect of these subjects.	Not implemented as Constitutional amendment has not taken place.			Not initiated	No reversal	
19	Minority Rights	No provision in the Agreement						
20	Natural Resource Management	8.3 The State Government and the Ministry of Environment and Forest will make an assessment of potential of forest related activities in the district and also suggest measures for their protection. The State Government/Government of India will consider release of additional funds to the KAATC for forest related activities and protection of forest resources.	For tapping of potential of forest related activities, the Council has to submit a fresh proposal.			Not initiated	No reversal	

21	Official Languages and Symbols	No provision in the Agreement						
22	Power Sharing Transitional Government	No provision in the Agreement						
23	Participation of Civil Society groups as witness signatories in the Accord	No provision in the Agreement						
24	Prisoner Release	No provision in the Agreement						
25	Ratification Mechanism	6.1 Steps for Constitutional amendments necessary to implement the agreed point of the MoS will be taken by the Government of India. Suitable amendments and delegation of powers under various relevant acts to enable the Council to exercise its responsibilities will also be taken by the State Government and where necessary by the Government of India.	No legislation has been passed by the Parliament for Constitutional amendment. The MoS has not yet received legal approval.			Insignificant	No reversal	
26	Representation and participation of women	No provision in the Agreement						
27	Review of Agreement	10.1 A Committee under the Chairmanship of the Joint Secretary (NE) MHA,	By 2016, four review meetings have taken place			Transitional	No reversal	Though the clause mentions that implementation review status will be taken in every

		Government of India, will review every six months the status of implementation of the decisions under this agreement. Senior most Secretary, HAD and the Principal Secretary of Council will represent the Government of Assam and the Council respectively, in the Committee. Initially, a representative nominated by the UPDS will also be a member of this Committee, until further review. 10.2 The Monitoring Committee shall associate representatives from other Ministries/Departments as and when necessary. The term of the monitoring unit will be co-terminus with the implementation period of the Memorandum of Settlement. 10.3 The Committee will send a report to the Union Home Secretary who, on receipt of the report, may communicate the same with appropriate advice to the State Government.						six months, it is seen that only four review meetings have taken place in a period of five years. The government is not following the timeline mentioned in the Accord.
28	Rehabilitation	4.2 The State Government shall provide full support to relief and rehabilitation of the members of the UPDS who have surrendered with arms in accordance with the existing policy of the state in this regard. Financial support in such	Rehabilitation of UPDS cadres is still awaited.			Insignificant	No reversal	"The promises made in the Accord clause were not at all fulfilled. We are utterly disappointed", said a former UPDS militant.

		cases shall be limited to the provisions of the relevant scheme prepared and funded by the Government of India. Vocational classes will be organised in the designated camps for the surrendered cadres of the UPDS. Special psychological counselling and career classes will also be organised in the designated camps by the State Government to facilitate rehabilitation of the cadres. Withdrawal of cases against such persons and those related to over ground UPDS movement since 1999 shall be considered according to the existing policy of the state of Assam.					
29	Right to Self-Determination	2.2. As Part of the restructuring and empowerment process, the existing Karbi Anglong Autonomous Council (KAAC) will be renamed as the Karbi Anglong Autonomous Territorial Council (KAATC). 2.3 The state Government has agreed to re-organize the existing Autonomous district under the 6th Schedule of the Constitution into 4 (four) administrative districts for better administrative and developmental administration, as per procedure established by	The KAATC is not yet formed since amendment to the Sixth Schedule of the Constitution for this purpose is still awaited.		Just a day after the announcement of granting statehood to Telangana on 30 July 2013, Karbi Anglong faced the worst law and order crisis. Most	Insignificant	No reversal	

		law.			of the organisations, representing indigenous people, launched an agitation demanding justice for the people of Karbi Anglong and Dima Hasao who are demanding a separate homeland [68].			
30	Surrender of Arms	1.3 The representatives of the UPDS shall abjure violence, in any manner, in furtherance of their objectives and shall join the peaceful democratic political process as established by the law of the land. 4.1 The UPDS shall dissolve itself as an organisation within a reasonable time (six months) upon the signing of this Memorandum of Settlement	Clause 1.3 UPDS abjured violence but threatened to revert if Accord is not implemented in true spirit. Clause 4.1 Implemented		Total	No reversal	

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[68] Karbis seek separate state- Congress, Opposition meet Shambhu Singh with demand, The Telegraph, 7 February 2014. https://www.telegraphindia.com/1140207/jsp/northeast/story_17907338.jsp#.WNi7s_l97Dc

		(MoS) as a precursor to the Government initiating further process to implement the agreed decisions of this agreement.						
31	Territorial Power Sharing	2.2. As Part of the restructuring and empowerment process, the existing Karbi Anglong Autonomous Council (KAAC) will be renamed as the Karbi Anglong Autonomous Territorial Council (KAATC).	The Karbi Anglong Autonomous Council is not yet renamed as Karbi Anglong Autonomous Territorial Council since the Constitutional amendment has not happened. Moreover, except renaming of the Council, no new territorial demarcation was needed for this purpose.			Insignificant	No reversal	
32	Truth or Reconciliation Commission	No provision in the Agreement						
33	Withdrawal of Troops	No provision in the Agreement						

3.2.5 Case Study 4: Memorandum of Settlement with DHD.

Sl No.	General Provisions	DHD Accord 2012 Provisions	Implementation Induced			Degree of Implementation	Reversals	Observation
			Application	Related Action not codified under Accord		Not initiated/ insignificant/ transitional/ total	No reversal/ Minor/ Major	
				By government	By Extremists			
1	Amnesty	4.3 Criminal cases registered against members of the DHD and DHD-J groups for non-heinous crime shall be withdrawn by the State Government as per procedure established by law. Criminal cases registered against members of the DHD and DHD-J groups for heinous crime shall be reviewed case by case according to the existing policy on the subject, and wherever feasible, steps for withdrawal of such cases will be initiated by the State Government. Withdrawal of cases against such persons and those related to over-ground DHD and DHD-J groups' movement since their inception shall be considered according to the existing policy of the State of Assam.	Clause 4.3 A mechanism consisting of district level committee and state level committee is in place for considering withdrawal of cases. It was agreed that the Government of Assam in consultation with the Council will take an overall view of pending cases and decide the issue by 31 December 2016. Regarding NIA cases, the state government is yet to finalise the recommendations and submit to the MHA. Many criminal cases, other than heinous crime, have not been	Criminal cases, apart from heinous crimes, are continuing in district courts and the High Court.	Many former DHD militants have to appear before the court also for criminal cases other than heinous crime. DHD leader Dilip Nunisa appealed the government to withdraw all such cases, but all such cases are not yet withdrawn[70].	Transitional	No Reversal	The Accord provides no definition of 'heinous crime' and 'non-heinous crime' as mentioned in the clause.

			withdrawal February 2017 [69].					
2	Boundary Demarcation	No provision in the Agreement						
3	Civil Administration Reform	3.2 The DHATC authority shall have full control, consistent with the relevant service rules, over the officers and staff concerned with the transferred subjects working and placed under the jurisdiction of the DHATC. ACRs of these officers shall also be written by the appropriate authority of the DHATC 3.3 The authority of the DHATC shall be competent to make appointments to all posts under its control in accordance with the rules of appointment followed by Government of Assam. However, the posts where recruitment is made on the recommendation of Assam Public Service Commission (APSC), shall not be covered under this provision. Vacancies in class II and Class I rank officers create impediments in effective delivery of services to the people. The State Government will make all efforts to fill these vacancies by placing the services of officers in the departments under the control of the DHATC. This will, however,	Clause 3.2 and 3.3 There are some gray areas which need to be plugged regarding the control over the officers and staff concerned with the transferred subjects. It was agreed that the representative of Government of Assam and Council would consult each other and sort out such problematic issues by 31 October 2016. Clause 3.4 and 3.5 It was agreed that the process of encadrement of Grade I and II posts by Government of Assam under NCHAC would be finalised by 31December 2016. DHATC is yet to be formed since amendment to the Sixth Schedule has not yet taken place.				Insignificant	No reversal	No decision has been taken even after 31 October 2016.

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[70]Interview with DHD leader and a signatory of the Agreement Mr Dilip Nunisa

[69]Interview with DHD leader and a signatory of the Agreement Mr Dilip Nunisa. Date of Interview: 28.11.2016

		not include such cases where the vacancies have arisen because of general decision on grounds of austerity, etc., in respect of abolition of keeping the posts temporarily vacant. Special attention will be paid by the State Government for filling up vacancies in the Government Colleges. No new post shall be created by DHATC without concurrence of the Government of Assam. 3.4 The State Government will encadre posts of Grade I and Grade II under DHATC expeditiously and streamline the process of filling the vacancies under the DHATC. 3.5 The DHATC authority may constitute a Selection Board for appointments to be made by it, may also make rules with the approval of the Governor of Assam to regulate appointments and to ensure adequate representation for all communities living within its jurisdiction. 6.6 The Government of India will sympathetically examine the possibility of introducing a regular Helicopter service linking Haflong-Silchar-Guwahati which can be availed of by people on payment. 6.8 An independent body like the State Finance Commission will be constituted by the Government of Assam to recommend establishing a	Therefore, no appointment can now be made under this Council. This was stated by DHD leader and a signatory of the Agreement Dilip Nunisa in an interview for this research study. He said that no Selection Board has been constituted for appointment. Clauses 6.6 and 6.8 As regard formulation of financial rules and revision of Assam Autonomous District (Constitute of District Councils) Rules 1951, the Council has submitted the scheme to State government. The State government was supposed to decide and ratify it by 30 November 2016.					

		proper basis for fund allocation and sharing of tax proceeds between the State Government and the Sixth Schedule institutions like the DHATC. The Government of India and the Government of Assam will initiate steps for necessary modification in the Constitutional and other relevant legislative/procedural regulatory regime. 6.9 In view of the changes relating to the role and scope of functioning of the Councils, there is a need to undertake a thorough revision of the Assam Autonomous District (constitution of District Council) Rules 1951, to incorporate these changes and to reflect the spirit of empowerment and devolution in governance at the ground level. The Government of Assam will initiate necessary steps in this regard expeditiously in consultation with the DHATC and other 6th Scheduled Councils. It is agreed to complete the revision within a year.						
4	Commission to address damage or loss	No provision in the Agreement						
5	Constitution al Reform	2.1 A Committee as envisaged in the Art.371B of the Constitution, in the Assam Legislative Assembly will be constituted to deal with the matters relating to the 6th Scedule	Clause 2.1and 2.2: The comments of Government of Assam are awaited on the proposed amendment of			Insignifica nt	No reversal	No Constitutional amendment has been done so far. Change of nomenclature from NC Hills Autonomous District to Dima Hasao Autonomous

		Council in Dima Hasao District. The 6th Schedule Councils will submit their Annual report once a year to the Committee of the Assam Legislative Assembly along with a copy to the Governor. The Annual report should also include the Audited annual accounts of the preceding year, together with the observations and action taken by the Council on the comments of the Audit. 2.2 As part of the restructuring and empowerment process the existing North Cachar Hills Autonomous Council (NCHAC) will be renamed as the Dima Hasao Autonomous Territorial Council (DHATC) 6.1 Steps for Constitutional amendments necessary to implement the agreed point of the MoS will be taken by the Government of India. Suitable amendments and delegation of powers under various relevant acts to enable the Council to exercise its responsibilities will also be taken by the State Government and where necessary by the Government of India. 6.2 Appropriate amendments will be proposed in the provisions of the 6th Schedule of the Constitution to	the Sixth Schedule and Article 280 to the Constitution of India. The proposal is under active consideration of Government of Assam and by the end of September 2016 their comments would be finalised. A sense of discrimination exists because of the lesser number of MLA from the Council in the Committee under Assam Legislative Assembly as envisaged in Article 371B of the Constitution of India. The Government of Assam decided to consider such issues and finalise the proposal by 31st October 2016.[71] Clause 6.1 to 6.3 Action to be taken by MHA. Not yet taken Clause 6.7 Action to be taken by MHA by				Territorial Council was not favoured by the minority ethnic groups sharing the same space. The naming of the district after a particular dominant ethnic group was also opposed by the other communities in the area.

[71] Minutes of the Fourth Meeting of the Tripartite Committee held on 23.09.2016 under the chairmanship of Joint Secretary (NE) to Review the Implementation of Memorandum of Settlements (MoS) signed with UPDS and DHD

| | | facilitate and ensure devolution of administrative powers and stimulate developmental activity at the grass roots level by constituting village level local governance units e.g. Village Councils, Gram Sabhas.

 6.3 An effective procedure to release funds (coming from both State and Central Governments) to the DHATC will be put in place to ensure their utilisation for the intended purpose without diversion or delay.

 6.7 All participants in the tripartite process also accepted the need for strict adherence to established norms of financial management in the DHATC administration and the need for all involved in such management to maintain the highest standards of probity to prevent mis-utilisation /mis-appropriation of developmental funds meant for the people. Without in any manner diluting the authority of CAG with regard to audit as provided in the Constitution, it is agreed to evolve and implement an additional system of effective auditing projects with the participation, where necessary, of authorities like NABARD etc. Such audit reports along with the Action Taken Report (ATR) from the Council shall be placed before the Governor / Committee of the Legislature (proposed) within a | Amending the 6th Schedule and Article 280. Action not yet implemented. | | | | | |

		reasonable time.						
6	Cultural protection	2.8 The State Government of Assam has agreed in principle to set up a Development Council with a suitable package for preservation and promotion of culture, language etc. of people belonging to tribes like Hojai and Barman (to be decided by the State Government) living outside the present Dima Hasao District. 8.1 Steps will be taken for protection of language and culture of Dimasa people, their historical monuments and heritage sites. For this purpose, the Archaeological Department of the Government of Assam and the Archaeological Survey of India will undertake a survey within the jurisdiction of the Council to prepare a list of such sites. It is agreed in principle to set up a cultural centre at an appropriate location in Dima Hasao to promote and preserve the culture and tradition of Dimasa people. The DHATC will send a detailed project report for consideration of the Government for approval and sanction of project funds. 8.2 The Archaeological department of the Government of Assam and the Archaeological survey of India will undertake a survey of other heritage sites relating to non-Dimasa indigenous people within	Clause 2.8 A decision was taken by the Assam Government to take a final view for formation of Hojai and Barman Development Council for Dimasas living outside the existing Dima Hasao district by the end of November 2016. However, the time frame has not been maintained. No survey has been conducted in any of the three places of historical importance – Dimapur, Maibong and Khaspur by the Archaeological department to prepare a list of such sites. Clause 8.1 and 8.2 The council is preparing a Detailed Project Report (DPR) for setting up of a commercial cum cultural complex at Haflong. According to the Archaeological Survey of India, the survey work had to be stopped due to some local problems. The present Council has to address this problem.	For the Dimasas living in Cachar that falls in the Barak valley, the government formed 'Hojai Barman Development Council'. Since the Committee was formed just before the Elections, work could not be started. Later it was dissolved.		Insignifica nt	No reversal	The 'Hojai Barman Development Council' did not include members of the civil society.

		the jurisdiction of the Council to formulate projects for their preservation and maintenance.						
7	Decentralisation	2.3 The State Government has agreed to reorganise the existing Autonomous district under the 6th Schedule of the Constitution into 3 (three) administrative units for better administrative and developmental administration, as per procedure established by law 6.2 Appropriate amendments will be proposed in the provisions of the 6th Schedule of the Constitution to facilitate and ensure devolution of administrative powers and stimulate developmental activity at the grass roots level by constituting village level local governance units e.g. Village Councils, Gram Sabhas	2.3 One sub-division in Dima Hasao was created. For creation of additional administrative units, the Government of Assam informed that the proposal for creation of such units has to be submitted by NCHAC.	One Sub-Division namely Diyungba Civil Sub-Division was created in 2015, after signing of the MoS.		Insignificant	No reversal	If the Council agrees, there is strong possibility for the creation of three districts. "The present Council is not interested in devolution of power", expressed former DHD leader Dilip Nunisa.
8	Detailed Implementation Timeline	1.2 As part of this process, several rounds of tripartite discussions were held with the representatives of both the factions of Dima Halam Daogah (DHD), one faction of DHD led by Dilip Nunisa and another faction of DHD led by Joel Garlosa. As a result of this consultative process, it has been agreed to initiate time bound steps to bring about greater devolution of power to the grassroots level in Dima Hasao while ensuring increased capacity building developmental activities at all levels.	Four Review meetings have been held till 2016.			Insignificant	No reversal	Though it is stated in this clause about 'time bound steps', nowhere in the agreement is mentioned about implementation time plan of the different causes. The only time period mentioned is about the six-monthly review of the status of implementation of the decisions under the agreement. However, even the six month period too is not followed. The fact that four review meetings have taken place in four years is indicative of this status.

9	Dispute Resolution Committee	No provision in the Agreement						
10	Economic and Social Development	6.4 A Committee comprising representatives of the State Government and the Council may monitor and review the regular release of scheme based funds to DHATC. The MHA monitoring Committee will be kept informed. 6.5 Bothe the Government of India and the Government of Assam will consider the case for higher fund allocation to the DHATC to undertake viable developmental activity within their jurisdiction. 6.8 An independent body like the State Finance Commission will be constituted by the Government of Assam to recommend establishing a proper basis for fund allocations and sharing of tax proceeds between the State Government and 6the Schedule institutions like the DHATC. The Government of India and the Government of Assam will initiate steps for necessary modification in the Constitutional and other relevant legislative / procedural regulatory regime. 7.1 The planning and budgetary exercise for all the subjects in the Council after the proposed restructuring will be a major exercise. Preparation for Five Year and Annual Plans by the Council	Clause 6.4 The Committee for monitoring the release of fund is already in place. However, the releases of funds were delayed on account of formation of new government. Further, the amendment of the Sixth Schedule to the Constitution of India will address the issues of devolution of financial funds. Clause 6.5 As regards release of funds under Article 375(1) of the Constitution of India, the Ministry of Tribal Affairs has made provision / allocation of funds and now it is the administrative matter of the Government of Assam. Funds are allocated on the basis of population (50%), area (25%) and performance (25%). Since Utilisation certificates are yet to be received, a fund of Rs 35 crore is lying idle.	Out of the 18 projects proposed by the DHD, 16 have been forwarded to the Central government, and five projects were sanctioned. They are: 1) Tourism (Rajkumar Disrudi Community Home Stay and Eco-Tourism Park). 2) Integrated Skill Development Centre, Wasaikhong Diyumbra. 3) SR Thousan Media Centre, Dibarai, Haflong. 4) Community Ethnic Culture Centre (Dilaobra Sangibra Samathuraoni Nodrang). 5) Auditorium Hall (Sonpijan, a Kuki gaon in Haflong). Another three projects on road, hospital and solar	DHD has submitted total 18 project proposals before the Assam Government. Haflong Major water supply project is waiting to be forwarded by the Assam Government. (Rs 776 crore, 60 mgwt), Martyr's Shopping Market (Rs 8 crore) in Maibong is yet to be forwarded by the State government. Dimasa Livelihood Project for DHD and sympathisers (Rs 26 Crore) – also waiting to be forwarded by the state government	Transitional	No reversal	Development activities in Dima Hasao have experienced a very slow pace. Delay in release of funds due to bureaucratic red tape as well as non-submission of Utilization Certificates indicate problems in governance issues.

		within the broad framework of State/National priorities will need to cover all activities of departments under their charge. To enable the restructured Council to handle this responsibility effectively, the State Government will initiate steps to make available adequate number of experienced officers to the Council for the purpose. 7.2 The Ministry of Home Affairs shall coordinate the task of capacity building in the Council to deal effectively with enlarged responsibilities relating to transferred subjects by imparting suitable training to officers and staff of the Council. A sum of Rs 10 crore will be made available as one time grant for the purpose. 7.3 The State Government would provide an amount, to be decided every year, in population ratio basis, as grants-in-aid in two equal instalments to the DHATC for executing developmental works. The proportionate share for the DHATC shall be calculated on the basis of the plan funds available after setting aside the funds required for earmarked sectors and the salary. This amount may be reduced proportionately if the State plan allocation is reduced or if there is plan cut due to resource problem.	Clause 6.8 was not discussed in review meeting. Clause 7.1 and 7.2 The present Council is yet to take action on capacity building for preparation of Detailed Project Reports, training of staff etc. Clause 7.3 was not raised in accord review meeting. Clause 9.1 For development of road from Diyungbra to Manderdisa, including three RCC bridges, Ministry of RT&H conveyed their in-principle agreement. The DPR received from the Government of Assam has been sent to the Ministry of RT&H on 25 January 2016 for examination and consideration. The proposals for installation of two solar photovoltaic plants were submitted to Ministry of	power have been approved by the government. A) Road from Diyumbra to Mandardisha (28.5 kms, Rs 87.37 crore) , B) Upgrading two hospitals in Block Bazar and Hatikhai and c) A 60 mgwt Solar Power project worth Rs 976 crore in three places— Umransho, Diyumbra, Kalasalmaibong.				

		In addition, a suitable amount of plan funds and non plan funds will be made available to cover the office expenses and the salaries of the staff working under the control of DHATC. The DHATC shall disburse the salaries of the staff under their control and would ensure strict economy in the matter. 9.1 Construction of roads for improvement of road connectivity in Dima Hasao District will be considered under existing schemes in phased manner on submission of Detailed Project Report (DPR) submitted by the DHATC. An illustrative list for construction of roads in Dima Hasao District is at Annexure I (page 16-17 of MoS). To augment availability of power, DHATC will submit proposals to the Ministry of New and Renewable Energy (MNRE) which will consider special projects for this purpose in the DHATC area. 9.2 Council will submit projects for water supply to Haflong and other notified towns in Dima Hasao which will be considered expeditiously for implementation. 9.3 A special economic package of Rs 200 crores (Rs 40 crores per annum) over and above the Plan fund over the next five years will be provided to the DHATC to undertake special projects that will	New & Renewable Energy. Clause 9.2 Project concept paper for water supply and storm water, drainage system for Haflong and adjoining areas is under consideration. Clause 9.3 and 9.4 The package for creation of employment has been discussed with the Ministry of DONER. Further development is awaited.					

		be proposed by the Council. A committee will be formed involving the representative of the Government of Assam, DHATC and concerned central ministries, for identification of projects under special economic package. Funds will be provided through the State Government for specific monitorable projects through the Non-lapsable Central Pool of Resources (NLCPR) or the Plan exercise in a time-bound manner while ensuring dovetailing of all fund flows to the district from Finance Commission and other sources. 9.4 The responsibility for providing land, if necessary, for any of the projects flowing from this MoS shall be the responsibility of the DHATC.						
11	Education and Healthcare Reform	5.1 Concerted effort will be made by the Government of India and State Government of Assam in collaboration with the DHATC to improve the level of general and technical education. Initiatives already announced will be pursued with greater vigour in a time-bound manner. 5.2 Additional steps like immediate up gradation of the District Hospitals and PHCs will be taken up by the newly restructured authority with assistance from the	Clause 5.1 to 5.4 The Council has to submit the proposal for engineering college and Assam University campus in Dima Hasao District. The proposal has to be submitted through the State Government. According to Ministry of Health and Family Welfare, upgrading Primary Health Centres			Transitional	No reversal	Non submission of proposals related to educational institutions and health centres show the lack of interest or inability of the present Council ruling in Dima Hasao.

12	Electoral/Pol itical Party Reform	Government of India and Government of Assam., as the case may be. Additional funds if necessary will be provided by the Government of India for this purpose on project basis. 5.3 The Government of India and the Government of Assam will encourage DHATC to take up projects under PPP model in the area of healthcare and education, including professional and higher technical education to achieve the potential of Dima Hasao emerging as a regional healthcare and educational hub. Steps for necessary empowerment of the DHATC to initiate and formulate project reports will be taken by the Government. 5.4 It is noted that strengthening of the college and Secondary/Primary education is important. The Council will prepare detailed project reports both for upgrading the existing institutions, but also for starting new institutions, so that Government assistance could be considered. Assistance in drawing up suitable projects will also be made available by the Government.	proposal in respect of Kalachand PHC and Khepe PHC has not been received. Construction for one Polytechnic College has taken place in Ganjum near Haflong.					
12	Electoral/Pol itical Party Reform	2.4 Increasing the number of members of the restructured council is agreed in principle (increase in seats shall be applicable from subsequent election due in the year	The issues are covered in the proposed amendment of the Sixth Schedule to the Constitution of India.			Insignifica nt	No reversal	The Agreement has noted that number of Council members will be increased, but there is no mention of the increased number of seats. Since it also says about

		2017, or mid-term poll, if any) 2.5 The responsibility of conducting elections to the DHATC will be entrusted to the State Election Commission. 2.6 Additional subjects, as listed below, will be transferred to the Council under para 3A of the Sixth Schedule of the Constitution conferring legislative powers on the council in respect of these subjects so as to empower the council with legislative and executive powers in respect of these subjects (the list of subjects can be found in DHD Accord enclosed in Annexure).						the elections due in 2017, one can rightfully question as why the framers of the Agreement thought about not mentioning the number of proposed seats. As amendment to the Sixth Schedule has not happened yet, the electoral reforms too remained unimplemented.
13	Executive Branch Reform	2.7 Development functions and functionaries in respect of transferred subjects shall also be transferred to the DHATC. 3.1 The Chief and Deputy Chief of the DHATC shall have the status equivalent to the Cabinet Minister of State of Assam for protocol purposes within the jurisdiction of the DHATC. Similarly, the Chairman and Deputy Chairman of DHATC shall have the status equivalent to the Speaker and Deputy Speaker of the Assam Legislative Assembly respectively for protocol purposes within the jurisdiction of DHATC.	Clause 2.7 It was agreed by the government and the council representatives that the Government of Assam should issue an office memorandum giving a clarity and finality of the subject of the transfer of development functions and functionaries in respect of transferred subjects. Clause 3.1			Insignificant	No reversal	
14	Human Rights	No provision in the Agreement						
15	Inter-ethnic	No provision in the Agreement						

	Relations Council						
16	Internally Displaced Persons	No provision in the Agreement					Conflict between Dimasa and Hmar tribes over land holding and governance in 2003 resulted in displacement of 5000 people [72]. Absence of the provision for IDPs in the accord reflects lack of concern for the humanitarian issues.
17	Judiciary Reform	No provision in the Agreement					
18	Legislative Branch Reform	2.6 Additional subjects (list of subjects could be seen in the Accord enclosed in Annexure)will be transferred to the Council under Para 3A of the 6th Schedule of the Constitution conferring legislative powers on the Council in respect of these subjects so as to empower the council with legislative and executive powers in respect of these subjects.	Implementation depends on Constitutional amendment.		Not initiated	No reversal	
19	Minority Rights	No provision in the Agreement					
20	Natural Resource Management	8.3 The State Government and the Ministry of Environment and Forest will make an assessment of potential of forest related activities in the district and also suggest measures for their protection. The State Government/Government of India will consider release of	Clause 8.3 The Council has to submit a fresh proposal for tapping of potential of forest related activities.		Not initiated	No reversal	

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[72] http://www.legalservicesindia.com/article/article/rehabilitation-of-internally-displaced-persons-in-india-1843-1.html

		additional funds to the DHATC for forest related activities and protection of forest resources.					
21	Official Languages and Symbols	8.5 The demand for inclusion of Dimasa language in the VIII th Schedule of the Constitution will be referred to the Committee looking into such issues for its consideration. This will be decided on the basis of parameters recommended by the Committee and approved by the Government.	Clause 8.5 Not discussed in review meeting			Not initiated	No reversal	
22	Power Sharing Transitional Government	No provision in the Agreement					
23	Participation of Civil Society groups as witness signatories in the Accord	No provision in the Agreement					
24	Prisoner Release	No provision in the Agreement					
25	Ratification Mechanism	6.1 Steps for Constitutional amendments necessary to implement the agreed point of the MoS will be taken by the Government of India. Suitable amendments and delegation of powers under various relevant acts to enable the Council to exercise its responsibilities will also be taken by the State Government and where	No legislation has been passed by the Parliament for constitutional amendment. The bill is yet to get the nod of the Parliament.			Insignifica nt	No reversal	

		necessary by the Government of India.						
26	Representation and participation of women	No provision in the Agreement						
27	Review of Agreement	10.1 A committee under the Chairmanship of the Joint Secretary (NE), MHA, Government of India will review every six months the status of implementation of the decisions under this agreement. Senior most Secretary, Home Department, Senior most Secretary, HAD and the Principal Secretary of Council will represent the Government of Assam and the Council respectively in the Committee. Initially, a representative nominated by the DHD will also be a member of this committee, until further review. 10.2 The Monitoring Committee shall associate representatives from other ministries/departments as and when necessary. The term of the monitoring unit will be co-terminus with the implementation period of the Memorandum of Settlement. 10.3 The Committee will send a report to the Union Home Secretary who, on receipt of the report, may communicate the same with appropriate advice to the State Government.	Four Review Meetings were held.			Transitional	No reversal	The six month period of holding review meetings was not followed.

28	Rehabilitation	4.2 The State Government shall provide full support to relief and rehabilitation of the members of the DHD and DHD/J groups who have surrendered with arms in accordance with the existing policy of the state in this regard. Financial support in such cases shall be limited to the provisions of the relevant scheme prepared and funded by the Government of India. Vocational classes will be organised in the designated camps for the surrendered cadres of the DHD and DHD-J groups. Special psychological counselling and career classes will also be organised in the designated camps by the State Government to facilitate rehabilitation of the cadres.	Regarding payment of rehabilitation grant, the proposal in respect of 59 erstwhile DHD cadres has to be considered by a high power committee and this is subject to verification of address of these persons. It was decided that the special branch of Assam Police while considering this issue will show due diligence in respect of those cadres who expired after the MoS had been signed.	On 21 July 2015, a meeting was organised by the State Government where the DCs, SPs as well as 600 DHD cadres were present. The government distributed Rs 1.5 lakh per head, but 59 militants are yet to receive the amount.		Transitional	No reversal	No vocational class, career class or special psychological counselling was conducted in the Designated Camps.
29	Right to Self-Determination	2.2. As Part of the restructuring and empowerment process, the existing North Cachar Hills Autonomous Council (NCHAC) will be renamed as the Dima Hasao Autonomous Territorial Council (DHATC). 2.3 The state Government has agreed to re-organize the existing Autonomous district under the 6th Schedule of the Constitution into 3 (three) administrative units for better administrative and developmental administration, as per procedure established by law.	One sub-division was formed.			Insignificant	No reversal	
30	Surrender of Arms	1.3 The representatives of DHD shall abjure violence, in any	A total of 691 DHD armed cadres and 1318			Total	No reversal	

		manner, in furtherance of their objectives and shall join the peaceful democratic political process as established by the law of the land. 4.1 The DHD and DHD-J shall dissolve themselves as organisations within a reasonable time (six months) upon the signing of this Memorandum of Settlement (MoS) as a precursor to the Government initiating further process to implement the agreed decisions of this agreement.	'civil staff' surrendered in a 'Home Coming' ceremony held by the government. ..					
31	Territorial Power Sharing	2.2. As Part of the restructuring and empowerment process, the existing North Cachar Hills Autonomous Council (NCHAC) will be renamed as the Dima Hasao Autonomous Territorial Council (DHATC).	Council is not yet renamed			Insignifica nt	No reversal	
32	Truth or Reconciliati on Commission /Mechanism	No provision in the Agreement						
33	Withdrawal of Troops	No provision in the Agreement						

3.3 Procedures

The procedures for data collection were based on the research questions. The procedures introduce the research design and the methods of data collection depending on the questions of interest.

3.3.1 Research Design.

The research design adopted for the study was based on Case Study research. Generally, a qualitative case study is defined as "an intensive, holistic description and analysis of a single instance, phenomenon or social unit" (Meriam, 1988). The single most defining characteristic of case study research lies in delimiting the object of study—the case (Merriam, 1998). Miles and Huberman (1994) defined case as "a phenomenon of some sort occurring in a bounded context". Here the case has been compared to a circle with a heart in the centre. The heart is the focus of the study while the circle sets the boundaries—what not to be studied. A case could be a person, a programme, a group or a document. It can be selected because it is an instance of some issue or concern. A descriptive case study is a rich description of the facts involved in the study (Merriam, 1998). In qualitative research, "case studies use prose and literary techniques to describe, elicit images and analyse situations...." (Wilson, 1979).

The present study used more than one case and can be termed 'comparative case studies'. Data is collected and analysed for four cases. The studies and results include vivid material—quotations, interviews, newspaper articles, etc. The strategy of including multiple cases helped to increase the ability to generalise the findings. The strength of case study design is its predictive nature. This design was selected for the study due to the nature of the research questions. Case studies give insights and new meanings expanding the reader's experiences. The new light thrown at the study can help structure future research and would help advancing the knowledge base of a field. In analogous with the descriptive nature of case studies, the present study obtained information from wide variety of sources, covered several years and described how this long period led to a situation.

3.3.2 Data Collection Procedures

The researcher consulted with the Supervisor before selecting the four peace accords signed in Assam as documents for case studies. Some experts in the study area were also consulted regarding selection of individuals to be interviewed. It was decided that audio devices would be used for recording of interviews and conversations with the participants that could be transcribed later into texts. Interviews were conducted one-to-one basis while most of the preceding and follow up communications were made through phone or e-mail. The open-ended questions helped the participants the express their perspectives and create options for responding. The interviewed conducted were unstructured, which were transcribed into some sort of structured text later. Before conducting the field interviews, the unstructured questionnaire was first used for a pilot interview. The interviewer was courteous and professional with the participants.

Data sources also included public and private records. Apart from books, journals and newspapers, the internet served as a potential source of text data. Some good sources of text data include government documents, government websites, research websites, documents collected from the State Archive and different institutional libraries. Before using any 'confidential document', special permission was obtained from the concerned persons. Audio material was determined that can provide evidences to address the research questions. Data was organised after collection.

3.4 Data Analysis

Data analysis for the study was based on the research questions and the design of the research. Observation and assessment of the matrix of the four peace accords under the study established certain flaws as far as drafting of several provisions as well as implementation or non implementation of different clauses of the accords are concerned. While different clauses have been included in each of the accord provisions to address the issues or problems concerned, the analysis of the matrix reflects a lack of seriousness on the part of the successive governments to execute them in letter and spirit. Moreover, in some cases, certain clauses have been found extremely faulty and ill conceived while some are vague. The sincerity of both the government as well as

the militant groups to reach a permanent solution to the root causes of the larger problem was found missing in their approaches towards the problem.

The 1993 BAC Accord is a clear instance of the government's policy lapses and ad hoc approach. It is an instance of an ill conceived, short sighted agreement that was reached in haste without taking into account the wishes of the majority 72 per cent non-Bodo people living in the area who were against the creation of Bodoland. According to Census 2011, the Bodo population in the BTC area is 27.28 per cent, the population of other tribes is 6.22 per cent while the non-tribal population in the area is 66.49 per cent. So, it is clear that the demographic profile of the area was not really taken into consideration while coming up with a so-called settlement of an agitation launched by mainstream groups representing the Bodo community (Rani Pathak Das and Alaka Desai Sarma, 2016).

The Accord appears insensitive towards the majority non-Bodo people living in the area even in the text or language of the document. It is highly non-inclusive in nature and carries a message that the accord is primarily meant for the Bodo people of the area: "The Government of India and the Government of Assam have been making concerted efforts to fulfil the aspirations of the Bodo people relating to their cultural identity, language, education and economic development."[73] The insecurity resulted by the use of such text was reflected in the protests and agitations by the non-Bodo people of the area. The Accord did not even provide equal status to the other non-Bodo tribal communities residing in the notified area. This resulted in criticism and active protest by the Adivasis like Santhals, Mundas, Oraons, Gonds, Bheels, etc. under the Central Committee of the Adivasi Council. The Koch Rajbongshi community was also apprehensive regarding the denial of equal political status to the community and the All Assam Koch Rajbongshi Kshatriya Sanmilani protested on 16 March 1993 stating that "... while signing the Memorandum, none of the signatories paid any heed to the aspirations of the rest of the people and their fate has been placed at the mercy of the Bodo leaders in the name of geographical contiguity of the BAC area..." (Kumar, 1998). The Asom Gana Parishad (AGP) legislator Nagen Sarma

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[73] Source: BTC Accord

stated that villages with less than 50 per cent Bodo population and some villages with no Bodo population were included in the Council area. His allegation that Bodo people were evicting non-tribals from some of the villages within the proposed notified area in spite of the Chief Minister's assurance for safe guarding the rights of the non-tribals living in the Council area holds significance. Again, the inclusion of 25 tea gardens in the BAC area was opposed by the Assam Chah Majdoor Sangha, Indian National Trade Union Congress, Communist Party of India (Marxist) and AGP. The opposing parties stated that the future of about 35,000 garden workers would be in jeopardy under the new administration set up (Kumar, 1998).

Clause 3 (a) of the Bodo Accord holds the roots of the disturbance. The provision of deciding which are villages having more than 50 per cent tribal population in order to include them in BAC, and mentioning that even those having less than 50 per cent tribal population to be included in BAC for the sake of contiguity became a prime factor for the escalating ethnic conflict and bloodshed in the Council areas (Rani Pathak Das and Alaka Desai Sarma, 2016). Certain Bodo groups did not like the idea of including non-Bodo populated villages into the Bodo Council and took the lead to convert such Bodo minority villages into Bodo majority villages by launching a sort of ethnic cleansing campaign (Das, 2014).

The Accord could not make the Bodos happy. Bineshwar Brahma, President of Bodo Sahitya Sabha, said, "...everything had to be sanctioned by the State Government. This was not autonomy." This discloses the status of the Interim Council and its failure to perform. Even the Bodo literary organisation called the Bodo Sahitya Sabha signalled about its possible support for separate state formation out of its discontentment with the Accord. After the Accord was signed, the General Secretary of Bodo Sahitya Sabha Gopinath Borgayeri said, "The BSS (Bodo Sahitya Sabha) would have no alternative but to extend moral support to the formation of a separate state in tune with the wishes of the Bodo people" (Rani Pathak Das and Alaka Desai Sarma, 2016).

The ethnic movements in the Northeast came into existence aiming at autonomy or special privileges for the respective ethnic groups. Gradually, people's aspirations

increased and the demands too were uplifted from autonomy to union territory, then statehood and many even started raising demands for secession. A gesture by the government to provide autonomy in the tune of the ABSU demand, however, failed to calm the situation. "The fault lies with providing territorial autonomy to a particular ethnic community at the expense of democratic rights of those who do not belong to that particular community", viewed one participant from the Koch Rajbonshi community. In fact, the policy of granting autonomy on the basis of ethnicity has now emerged to be a complicated problem. The earlier process of granting statehood to Nagaland or Mizoram did not have to face territorial contiguity issues as these were peripheral areas. However, though the Bodos form a considerable population, they are spread over Assam and not concentrated in a single area. This is why they are not a majority population within a notified area. Moreover, the Accord does not include adequate legal provisions to safe guard the other tribal and non-tribal communities living in the area. The 1993 Bodo Accord was not implemented, the promised institutions were not created, no Constitutional reform was initiated to legalise the accepted demands. Lack of political will to address the grievances of the people fuelled the anger and rebellion.

In the BTC Accord we find that while talking peace with the BLT militants, the government did not consider it necessary to include other important stakeholders like the ABSU and the NDFB in the negotiation table by making them parties to the peace process. Also, the peace process did not include the civil society organizations. It could be argued that provided the civil society organizations representing different strata of the society were also taken into consideration and they were made witness to the Accord, it would have been seen as a holistic comprehensive approach towards framing a peace accord. Besides, in this way, all the stakeholders would have got a chance to review or push the implementation process later.

The BTC Accord provides a special status to the Bodo community which has less than 30 per cent population in the council area. The non-Bodo population, which constitutes nearly 70 per cent of the population, termed the Accord provisions as gross violation of equality and democratic rights. From one side, the BTC Accord justifies

that every community with historical roots to the place they are living have rights to protect themselves from 'outsiders'. At the same time, the Accord draws an example of political management by the state favouring one particular ethnic group in order to protect the state from possible uprising against the state threatening 'national security'. The effort to provide autonomy to a particular ethnic group at the cost of the majority population which includes various other ethnic groups, has created a class of new political elites weakening links between people and political power (Deka, 2014).

Nevertheless, the government's piecemeal approach to address the issue resulted in large scale violence and bloodshed. The non-Bodos, under the umbrella of the Sanmilita Janagosthiya Sangram Samiti (SJSS), opposed the BTC accord and threatened to launch an agitation to demand the scrapping of the accord. The SJSS observed bandhs and stated that the accord was 'drafted without taking into consideration the genuine fears of non-Bodos', whose population is more than that of the Bodos, even within the proposed BTC.' A year after the signing of the BTC Accord, ethnic clashes re-occurred between the Bodos and the Santhals. Again, in 2008, violence engulfed Kokrakhar, Chirang, Udalguri and Darrang districts killing over 120 people.[74] The mayhem continued – 2012, 2014 and 2016 too witnessed ethnic and insurgency violence in large scale in the BTC area. Among all these, the serial bomb blasts on 30 October 2008, masterminded by NDFB leader Ranjan Daimary came as a rude shock because it took insurgency violence to an all-time high. The bomb attacks killed 100 people and wounded more than 545 in four towns – Guwahati, Barpeta, Bongaigaon and Kokrajhar.

A study of the two MoS—one with UPDS and the other with the two factions of DHD—reveals a striking fact that tells loudly how the framers of the Agreements have taken the entire issue with a casual and ad hoc approach. The agreement with DHD was signed nearly one year after the signing of the UPDS Agreement. Barring only few clauses, it is just a carbon copy of the earlier agreement. Though these are two different agreements with different insurgent groups based in two different territories,

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[74] Hussain, Wasbir & Das, Rani Pathak, 'Assam's Killing Fields: The Politics of Violence in Bodo Heartland', http://cdpsindia.org/point-of-view108.asp (online access on 14 August 2016)

we can hardy find any difference in the government's approach to address them as separate identities. The clubbing together of UPDS and DHD is also visible in the Reports of the tripartite meetings for review of implementation of MoS organised by the Government of Assam.

Implementation of both the Agreements is at the initial stage. The signatories of both the United People's Democratic Solidarity (UPDS) and the Dima Halam Daogah (DHD) Accord could not form an interim council as both the districts already had existing autonomous councils, unlike in the Bodo area. While after the BTC Accord, the BLT chief Hagrama Mahilary was immediately installed as the head of the interim council and elections were held after a certain period, the Karbi Anglong Autonomous Council and NC Hills Autonomous Council were already existing. They were not willing to leave the space for UPDS or DHD respectively. However, if we compare this with the case of Mizoram, we will find an opposite picture. After the Mizo Accord was signed in 1986, the then ruling Congress government in Mizoram, led by Lal Thanhawla stepped down, making way for Mizo National Front (MNF) leader Pu Laldenga to become the interim Chief Minister and form the government. The UPDS leaders had to contest elections in 2012, but failed perform well as they won only eight seats and the rest of 22 were won by the Congress. Same was the case with the DHD, thus leaving the leadership of both the groups sort of powerless to initiate implementation of the peace accords they signed.

The political section of the two MoS begins with the accountability quotient of the Autonomous Council (Clause 2.1) and it is followed by change of nomenclature (Clause 2.2). According to Clause 2.2 of the Memorandum of Settlement with UPDS, the existing Karbi Anglong Autonomous Council will be changed to Karbi Anglong Autonomous Territorial Council. But will this 'territorial' tag help to meet the popular aspiration for greater autonomy? There is no question of boundary demarcation in this respect since the boundary of the Council will be same like the one for the existing Karbi Anglong district.   Same is the condition with the MoS with DHD that provides greater autonomy. Again, Clause 2.4 states that number of seats in KAATC will be increased from 30 to 50 and it is applicable from elections due in 2016-17. The Clause

2.4 of the Agreement with DHD also mentions about increasing the number of members as well as its applicability in the election due in 2017. Ironically, it is silent about the number of seats or how many seats will be increased.

The Agreements do not contain anything from the Article 244A in Part X of the Constitution which provides for the "formation of an Autonomous State comprising certain tribal areas in Assam and creation of local legislature and Council of Ministers or both". In the Constitution (Twenty second amendment), 1969, it is stated that the "Parliament may, by law, form within the State of Assam an autonomous State comprising (whether wholly or in part) all or any of the tribal areas specified in Part A of the table appended to paragraph 20 of the Sixth Schedule and create therefore- (a) a body, whether elected or partly nominated and partly elected, to function as a Legislature for the autonomous State, or (b) a Council of Ministers, or both with such constitution, powers and functions, in each case, as may be specified in the law." However, the Agreements specify the formation of a Committee under Article 371B of the Constitution in the Assam Legislative Assembly to whom the Autonomous Councils have to submit their Annual Reports and Audited Annual Accounts of the preceding year together with the observations and action taken by the Councils on the comments of the Audit. Article 371B is meant for accountability of the Autonomous Councils and institutional coordination between the State Assembly and the Autonomous Councils. While both Article 371B and Article 244A are result of the Twenty Second Amendment of the Constitution, it is somewhat contentious that the Agreements are silent about Article 244A.

The former General Secretary of UPDS Haren Sing Bey said that any steps towards the accord implementation can be initiated only after the Parliament passes the Bill to facilitate the extension of the Panchayati Raj system to these 6th Schedule areas[75]. Moreover, the additional subjects in the Accord can come only through the amendment of the 6th Schedule. The Assam Government could have transferred the additional departments to the Council even without the amendment to the Sixth Schedule but did not take such steps. So when the UPDS leadership considered the

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[75] Interview with the scholar on 12 August 2016

'handling of the UPDS case a failure' and alleged the State government for 'wilfully refusing to honour the solemn commitment made by the Union Home Minister regarding 'neutral administration' till the polls and a level-playing field during the elections, the point needs to be taken seriously.[76] This goes to prove the lack of political will and want of clarity in actually resolving the issue.

Following the UPDS Accord, a committee headed by the Joint Secretary (Northeast) in the Ministry of Home Affairs was supposed to have been automatically formed to carry out the implementation of the Agreement. But that did not happen immediately. This Implementation Monitoring Committee, apart from the JS (NE) in the MHA, includes representative from the State government and the Autonomous Council. Except some Review Meetings, no progress has been made so far. Besides, the non-passing of the Bill for Panchayati Raj system in the 6th Schedule area has stood as a stumbling block to any further progress.

The governments' strategy to await agreement with more rebel groups to take up Constitutional amendments is resulting in the delay in the implementation of the different provisions on the peace agreements already signed. "There was no condition in the MoS that our settlement is dependent on how negotiations with other groups progress," said Wojaru Mukrang, former UPDS member and the only elected member of the Karbi Anglong Autonomous Council.[77] However, though the UPDS Accord in 2011 was closely followed by the DHD Accord in 2012, implementation of both the accords is negligible.

After nearly one year of signing the Agreement with UPDS, the Government signed the tripartite agreement with the two factions of the Dima Halom Daogah (DHD) — DHD (Nunisa) and DHD (Jewel) in October 2012 paving the way for the creation of the Dima Hasao Autonomous Territorial Council, a new name for the existing Dima Hasao Autonomous Council. If the Accord unites the two factions of DHD, it has missed a third factor that has a major stake in maintaining peace in the hill district—

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[76] https://karbinetwork.wordpress.com (online access on 14 August 2016)
[77] http://www.telegraphindia.com/1120425/jsp/northeast/story_15412867.jsp#.V67O4fl97IU (online access on 14 August 2016)

the non-Dimasa tribal groups, which mainly include Nagas, Kukis and Hmars.[78] The district experienced several bloody ethnic clashes between the various tribal groups in the past. Again, to say that the accord united the two factions of the DHD too is questionable. We have noticed that the Council elections that followed the signing of the Accord were contested by the two factions separately, without forming any political party by the two. The results of the elections have been discouraging for them for such reasons.

3.5 Conclusion

An analysis of the process of the four peace accords and their implementation so far reveals that a lack of inclusive policy in addressing the aspiration induced rebel outfits and absence of a holistic approach to solve the root causes of insurgency are the primary factors for the failure of the state to bring a peaceful and lasting solution to the insurgency problem in the region. Thus, for example, the government signed the BTC Accord with the militant outfit called Bodo Liberation Tigers in 2003, a time when the NDFB insurgents were very active and were involved in large-scale violence in the Bodo areas to propagate their demands. So, even if it appeared that Bodo insurgency would calm down with signing of a peace accord with the BLT, the reality was different. Since the NDFB was already there wrecking havoc, security forces continued to stay on and the area could not be de-militarised.

Secondly, study of the various clauses of the agreements discloses that in many cases, feasibility of the implementation of the provisions has not been taken into account. While both the Bodo accords faced major problem with the provision of boundary demarcation, the UPDS and the DHD accords are yet to be legalised since the Sixth Schedule amendment bills are yet to be passed by the Parliament.

Moreover, there are issues related to drafting of the accords too. These four accords did not include certain crucial provisions of peace accord, such as detailed implementation timeline, human rights, inter-ethnic relations council, dispute resolution committee, commission to address damage and loss, participation of civil

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[78] http://www.virthli.in/2012/10/dima-halom-daogah-factions-set-to-fight.html (online access on 14 August 2016)

society groups as witness signatories, representation and participation of woman, etc. Provided these provisions were present in the accords and were implemented, the success of the accords would have been remarkable. No visible development has occurred regarding the accords signed for the two hill districts of Assam. Furthermore, harping on the stalemate of the accords, restive radical elements have already threatened to start new uprisings.

It seems that the government has adopted granting of autonomous councils as a solution to end decades old violent conflicts. No doubt, the accords promise development in the two hill districts, but they are not designed to give exclusive concessions to the signatory militant groups, something which was present in the Bodo accords. An important point to be considered by the government is that militant leaders should not be made exclusive negotiators in a peace process. Civil society leaders too should be considered representatives of the people and need to be involved in discussions. The political unrest will continue as long as the government tries to please one group or community at the cost of others. If the mechanism of the territorial councils has empowered the signatory rebel leaders by helping them enter party politics and saved faces of stakeholders in the government, they can also serve as breeding ground for fresh rebellion (Kolas, 2012).

Decentralisation of governance has been used world-wide as a tool to address ethno-political conflict concentrating on a particular territory. Although decentralisation has been applied in many conflict theatres of the world as an instrument of conflict transformation, many of such cases were not successful. However, what needs to be emphasised is, how decentralisation is going to build sustainable peace in the concerned territory. The methods of implementation of the mechanism and the conditions under which the decentralised institutions are allowed to function must take the centre stage of attention, which will make the actual difference. The government should also factorise potential spoilers while designing the agreement and its implementation mechanism.

Chapter 4
Results

This study aims to explore the correlation between the government's peace strategies and prolonged militancy and socio-political unrest in the north-eastern region of India in general and the government's approach in dealing with insurgency and related issues, particularly in the context of Assam. The intention is to bring to light the probability that peace talks with each and every militant group is actually encouraging militancy in the region by making way to formation of splinter groups. This assumption has gained ground on the Government of India's stated policy on peace talks that the "Government is ready to talk with any group/outfit which is willing to abjure violence, lay down arms and agree to abide by the Constitution of India". In its Annual Report 2012-13, the Ministry of Home Affairs, Government of India maintained that, if there is a splinter group in future, then Government will not consider talking to them. However, in the absence of a comprehensive peace policy for the Northeast, this issue has grown in importance. It is also important in the light of the highly complex peace processes that involve multiple actors making varied and overlapping demands—something that has surfaced recent literature on peace processes. In one study, it was asserted that there is an absence of policy decisions and that the political parties are responsible for fuelling ethnic unrest in the region (Officers, 1994).

Although majority of the publications have focused on the history and the root causes of insurgency and impact of the problem on different areas including socio-economic development, previous work has not specifically addressed the issue of the government's peace policy particularly in the context of Assam by means of an empirical study. Concerns have been expressed about the role of civil society in peace processes, governance issues and different strategies and policies adopted by the government to address insurgency. So far, however, there has not been much discussion about the government's policy to achieve sustainable peace in the region. The attention paid to the issue of peace policy in the region has been insufficient. In

addition, no research has taken into account the implementation of the four peace accords as case studies.

The present study is designed to treat that weakness by exploring the status of the four peace accords taken as subjects of case study and finding the results through use of the primary as well as secondary data. The detailed field interviews of different stakeholders conducted with the help of a semi-structured questionnaire have thrown light on the perceived peace policy of the government accompanied by different views bringing in layers of implications. The main focus will be on this under-researched area of the issue of the governments' peace policy in the north-eastern region of India with special reference to Assam.

This chapter will begin by outlining the causes of insurgency movements before delving into the issue of peace policy and exploring whether peace accords are an end or a means to end conflict. The chapter addresses various dimensions of the issue in the light of the field interviews while critiquing the existing policies adopted by the government. After considering theoretical and overall assessment of the government's policies on peace, it finally provides certain measures drawn from the field experience which may possibly end insurgency in the region.

4.1 Causal Factors

The origin and growth of insurgency movements in the north-eastern region is based on certain genuine grievances. One such reason could be traced back to the arbitrary partition of the nation and the nation building process that began after Independence. The introductory chapter has already discussed about how the Indian nation building process has been facing challenges and the first and biggest challenge being the partition of the country. The post-Independence nation-building process in India has gaps and has been unsuccessful in creating a feeling of oneness primarily among the communities living in the periphery. This has contributed to raise a sense of sub-national identity among the fringe communities who began to imagine a homeland of their own (Baruah, 1999). It is notable that while the theories of the Indian Freedom Movement were inspired by the nationalism of the West, the effort to build nation-states did not fit the reality of the western nation-states that were ethnically and

linguistically homogenous entities. Poor governance emerged as another factor that impacted the development of the region.

A majority of the participants in the field interviews agreed with the statement that a section of agitators in the Northeast resorted to armed insurgency because the democratic and non-violent methods of expression were rarely listened to or addressed seriously by the state. There is an impression that the state only listens to the language of bullets and bombs that cause large scale violence and bloodshed. The sense of alienation from the mainland India was corroborated with a feeling that the Indian state has been actually exploiting the resource rich region and is not interested in the development, rights and justice of the people of the region has led many to doubt whether they have been treated as second class citizens of this country. A major problem added to this was an incessant flow of illegal migrants from East Pakistan to Assam that even continued after the creation of Bangladesh. The six-year-long Assam Movement led by the All Assam Students' Union (AASU) for the expulsion of illegal Bangladeshi migrants that became a threat to the society, culture and economy of the region, was an expression that was supported wholeheartedly by the people of Assam.

The deprivation and alienation aspect applies well leading to the birth of the insurgent groups like the United Liberation Front of Asom and the Mizo National Front. The immediate cause of the MNF movement was an indifferent attitude shown by the Centre as well as the State government (then Mizoram was a province of undivided Assam) in granting the financial support asked by the Mizos to face the impending famine—an affair known as 'Mautam' in Mizoram caused by the flowering of bamboos and excessive reproduction of rats causing famine in the area. Mizoram had to face such a phase that saw many deaths due to the famine. When the Government denied financial help, organisations like the Mizo National Famine Front came forward to help the suffering people in whatever way possible. Later the organisation was renamed Mizo National Front that started an insurgency movement demanding self-determination for Mizoram.

Assam, the biggest and most populous (according to 2011 census, Assam's population is 3,11,69,272)[79] state of the region, has been experiencing movements and rebellions of varied nature. It is notable that the Karbi Anglong and NC Hills districts of Assam were granted the status of Autonomous Districts with Autonomous Councils of their own, way back in the 1950s, few years after India achieved Independence. The Government of India considered the fact that these areas previously fell in the Excluded Areas and Partially Excluded Areas category during the British rule. But in spite of having some sort of autonomy, these two hill districts are lagging far behind the development process of the State. One interviewee argued that the autonomy granted was limited and the state seemed to forget about the development of these tribal dominated areas with the satisfaction that these people are left to govern themselves with the virtue of autonomy provided to them. The poor human development index combined with near absence of infrastructure caused anger and frustration among the people. This poverty and deprivation was corroborated with a feeling of identity resulted in organized movements that placed the issue of ethnic aspiration at the top of their agenda.

In the Bodo dominated plains of western Assam too, there were moderate as well as violent movements for self-determination. Insurgency or armed rebellion was yet another expression of such demands. However, there were some negative comments from the respondents about some insurgent groups that have deviated from their self-proclaimed goals. Commenting on such groups, one of the interviewee said, "They seem not to care for the development of the people they claim to represent. Militants like NDFB-Songbijit faction and the DHD-Jewel Garlosa faction transformed their extremist struggle to a terror industry in the name of insurgency". Over a period of time, some other outfits also lost their earlier charisma as the flag bearer of sub-nationalism and as saviours of the identity of the population. The heavy toll in terms of loss of human lives and property during the period spanned over three decades of insurgency and counterinsurgency made the public at large raise many fundamental questions.

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[79] Comparative Status of North East , http://mha.nic.in/northeast_new

Such developments, however, cannot rule out the fact that the original factors that lead to the unrest are still very much alive. Some interviewees argued that taming the militants by means of force, dole, divide or dialogue may be able to bring some respite and safeguard the national security and integrity of the country for a limited time period but this cannot be the sole policy for a sustainable peace in the region. One of the interviewee expressed that the provisions of autonomous state in Article 244A and the accountability of the autonomous state in Article 371B of the Constitution makes solid ground for some ethnic communities to demand autonomous state or a state within a state.

Peace process with multiple insurgent groups is an extremely complex affair as the demands of one group very often overlap with the demands of others. For example, the demand raised by NSCN-IM for greater Nagalim is in conflict with the neighbouring states with sizeable Naga population. In the event of greater Nagalim being granted, these states would lose considerable part of their territories. Similarly, ULFA-Independent's demand for a sovereign or *Swadhin* Asom seems to be rather vague as the tribal dominated areas of the State such as Bodoland, Dima Hasao or Karbi Anglong do not agree with this concept and they are already fighting for their own autonomy / statehood. Most of the tribal organisations are unwilling to be referred to as Assamese for the fear of losing their own ethnic identity. Sub-nationalism is very strong in the north-eastern part of the country and people are very sensitive to these issues.

4.2 Is there a Peace Policy?

Over half of those interviewed expressed doubts regarding the government having any peace policy. Two out of the 30 interviewee commented that the government has actually adopted a dual peace policy. Dr Hiren Gohain, who led the second major peace initiative in Assam by the civil society under the banner of Sanmilita Jatiya Abhibarton said, "Government of India has a dual policy. If the insurgent group challenges the sovereignty of the Indian state, it takes strong military measures against it. If the group agrees to find a solution within the Constitution of India, the Government adopts a conciliatory approach and attempts negotiations". U. G. Brahma,

former Rajya Sabha MP and former president of All Bodo Students' Union (ABSU) also commented on the nature of the government's policy as having a double faced approach, using both the language of bullet and the language of peace. "Specific policy on peace process, while dealing with insurgent groups, may not be always productive because root and origin of different insurgent groups have different grounds and characteristics. It should only be an ever unbroken and pragmatic process with a direction to reach the real peace. But yes, India's peace policy has still not reached a matured stage, and it lacks consistency in process", he said.

While several elements of the policy can be identified, the core of such a policy consists of measures to bring down violence in the region by either launching military or security force operations against the insurgents or engaging the insurgents in peace negotiations; supporting the initiatives of the state governments; and projecting that the peace option is a win all scenario for all parties concerned.

Another interviewee, who is also a participant in the current peace talks, was ULFA General Secretary Anup Chetia. He said that the government's policy is to solve the insurgency problem within the boundary of the Indian Constitution. He pointed out two important tools used by the government—negotiation and development. Responding to the question whether the government of India has a 'specific peace policy' to deal with the insurgent groups in the Northeast, ULFA leader and another peace talk participant Shashadhar Choudhury commented: "Government's policies are organisation specific. Core of the policy is to get rid of armed movements". Sunil Nath, former ULFA leader who surrendered in 1992 and once used to be ULFA's publicity secretary and think tank, was one of the interviewee in the field. He argued that the Government of India does not appear to have any specific peace policy.

Though, in Independent India, the government's attempts to subdue insurgency through so called 'talks' are as old as insurgency itself, there are no visible signs of any concerted thought, planning and line of action to the talks, quite frequently held between various and diverse insurgent/ rebel groups and the State. The 'core' of whatever policy discernible in these talks is bound by compulsions inside and outside the Government of the day and the situation prevailing on the ground, including the

strength and impact of the particular anti-government forces in play, said former ULFA leader Sunil Nath.

This view was echoed by another informant who said that the government has no specific peace policy for the region. "Whatever is there exists mostly at the undocumented level. Basically the purpose is to manage the conflict by means sometimes adopting the Kautilyan statecraft of sam, dam, danda and bhed—sometimes pacifying and sometimes ratifying them", he argued.

The other participants in the field research considered that there is no consciously framed 'peace policy' of the Government of India except what can be called 'ad hoc-ism'. This superficial policy does not take into account the fact that a section of the militants – who are basically outlaw – have been taking the opportunity of partial surrender and unending talks to cultivate a gun-culture and make money by way of extortion, gun-running and drug trafficking. For the Government, it could be a way of wearing them out by a long-drawn process in total disregard of the crime culture it generates. One of the participant viewed that the government do not have any long term plan to bring peace to the region. The political economy of conflict plays a major role here.

Though not specific, the Government of India has its policy to tackle insurgency in the Northeast and it largely employs fire-fighting measures to keep the level of the insurrections within manageable limits. A three-pronged approach is found to be applied by New Delhi to contain insurgency—counterinsurgency measures with the use of security forces, using development as a tool and a slew of other politico administrative initiatives, particularly dialogue. These dialogues have resulted in the Government reaching peace agreements with some rebel groups but the problem of insurgency continues. This is because the government has failed so far in addressing the root causes of unrest. Besides, the government has not succeeded in ensuring distributive justice among the people in the region and improving governance. Rather than creating a situation that generates livelihood options, the government has been adopting a policy of giving out doles.

4.3 Peace Accords Not an End to Conflict

It is seen that signing of a peace accord initially creates much euphoria among the signatories and even the public, which normally fades away with the passing of days. This is because of the common assumption that a peace accord puts an end to the conflict. While the reality is that, the accord is the next stage of a peace process, implementation of which is expected to bring peace. The numbers of final accords/ agreements signed between the insurgent groups and the government are few. In most cases, however, negotiations with the insurgent groups have not led to final accords and have not been pursued with much enthusiasm. The recalcitrant attitude of the outfits is also a factor in the failure of establishing peace in the region. The question here is have these agreements resulted in real peace dividend?

It was due to non-implementation of the Assam Accord of 1985, that the All Assam Students' Union (AASU) in October 1989 decided to resume 'non-cooperation' with the ruling Asom Gana Parishad (AGP) – the signatories of the Accord. The AGP allegedly failed to implement even such simple clauses of the Assam Accord such as rehabilitation of the families of those killed during the Assam Agitation. The AASU leaders demanded a 'clear policy' from the state government on implementation of the Assam Accord as well as a policy towards the ULFA(Kamarupee, 1989).

It would be pertinent here to mention the accord signed with the Mizos in 1986 which is regarded as the only 'successful' peace accord signed in the region so far as the sustenance of peace is concerned. The MNF Accord succeeded in creating a climate of trust between the insurgents and the Government. The contents of the agreement aside, the document itself has been a testimony of the fact that two diametrically opposite entities could sit across the table and bring about an acceptable solution to the problem. There are accords signed in Tripura and Nagaland which were not successful. However, these accords too set the marks of peace for future in the region. We will discuss in the next chapter how the government in Tripura has been able to bring the state towards normalcy.

In Assam, the accord with the erstwhile militant group Bodo Liberation Tigers resulted in dissolving the outfit and in achieving a 'partial success'. While the BAC

Accord of 1993 became the cause of more violence, the UPDS and DHD Accords have not yet been able to deliver peace dividend except bringing down the violence. But the government would always find itself in a bind with regard to the concerns of the general Assamese and the ethnic groups who feel that their problems have not been adequately addressed. One of the interviewees commented:

> The autonomous councils have always had a problematic existence. They have created and serviced the tribal/ ethnic elite rather than the common people. As they are already functioning for decades, it has been the responsibility of the State/Central government to address the ethnic groups with improved governance. Actually it is up to the government to ensure that negotiations with ULFA and any deal offered to the outfit do not infringe into the territories of the autonomous councils" (Routray, 2014).

Again, though the BTC Accord of 2003 was able to satisfy aspirations of the Bodos to some extent, with renewed demands for Bodoland growing, this accord no longer looked attractive, even to its signatories. A clear evidence of this can be found when the leaders of the ruling Bodo Autonomous Council (signatories of the accord) raised voice for statehood demand in tune with the ABSU and other Bodo organisations as reaction to the creation of Telangana state. A memorandum was submitted to the Centre in 2010 by the members of BTC[80]. Another interviewee who was a member of the ULFA chosen People's Consultative Group to initiate peace in 2005 was Dilip Patgiri. He said that the accords are paying dividend only to those leaders who have signed the accords. Generally the accords have not been successful in solving the problems of the common people. The majority of the participants, including ULFA leader Sashadhar Choudhury agreed with the statement that lack of sincerity of the Government of India was the root cause of resentments that helped to transit all peaceful movements to armed ones. The non-implementation of the Assam Accord and the birth of ULFA is classic example in this regard.

4.4 Separate Dialogues with Factions of Same Group

When the government is in a peace mode with the two NDFB factions, a third NDFB faction has been engaged in violence. Likewise, while the NSCN-IM is talking peace with the government, the Khaplang faction of NSCN is busy waging war against

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[80] Interview with Pramod Boro

the government. Same condition applies to ULFA too as the Independent faction of the group under Paresh Baruah is continuing its armed rebellion. Is it correct for the authorities to engage in a dialogue process with more than one faction of the same insurgent group? ULFA leader Anup Chetia responded to this question:

> We may definitely hope for a peaceful solution if all the ULFA leaders are included. Now it may be doubted now that there may not be real peace. But we must agree that in today's political perspectives, continuing with armed struggle is far more difficult than in our time when communication system like telephone and internet was very poor, access and condition of roads was pathetic. Easy access of telephone and other facilities even in the remotest corners of the region today has made it difficult for the insurgents to take shelter. The armed struggle may continue, but it will go on for namesake because success of armed struggle is somewhat impossible in today's world.

Tactically, division in the rebel ranks helps the government only to contain the immediate impact. Sustainable peace needs that all factors are included in any final deal. Commenting on this, one of the interviewee said, "Engaging in talks with more than one faction is more a matter of compulsion than choice. If the government is doing so, it is because of its penchant for measures to achieve instant or temporary peace in a conflict zone". The road to peace is thorny and one of the ways to achieve peace is conversation to have negotiation with the militant groups. The government thus needs to have some sort of a policy regarding the ways in which it wants carry forward the talks.

Another point to be noted is that, split of a group signifies difference in opinion. So if the government talks separately with more than one faction of the same insurgent group, it will mean reaching at different conclusions, where one faction will not accept the outcomes of talks with another faction. Thus, instead of a solution, there will be further differences. Moreover, since the terms of ceasefire and peace negotiations would be different with each of the factions, even the success of the negotiations would not lead to peace. Therefore, effort must be made to bring factions of the same outfit under a common platform and negotiate with all of them.

But when we say that it is incorrect for the government to engage in dialogue with more than one faction of the same insurgent group, it is also true that once the government enters into a truce or ceasefire with any group it becomes a moral

responsibility for the authority to start a process of dialogue to continue the peace process. But when the question of final settlement of any issue comes, that should be inclusive and consultative of all.

4.5 Separate Agreements for Same Ethnic Group?

Can there be two or more peace agreements concerning problems in one single area and to meet aspirations of one single ethnic group? It is observed that two or more insurgent factions cannot expect to represent the interests of the entire ethnic group separately. It has the potential to lead to a turf war with the two factions fighting for political space in the area. Then, what the government can do?

A small number of those interviewed suggested that the government must first distinguish between a genuine group with mass appeal and a group that is merely a criminal formation. While it makes sense to enter into a peace negotiation with the first group with a mass appeal, it is pointless to enter into an agreement with the second. The second group can be offered surrender and rehabilitation benefits if need be, but no further. And the peace accord should be prepared in such a way that a single accord strides the future of several decades.

Some opinions differed in this regard. It was argued that if an organisation or group genuinely represents a section of any ethnic group, then it seems that there may be multiple agreements acceptable to all groups and sections of the people of an area or ethnic group. However, these agreements may have clash of interests and implementation of these would face conflict. This extract is an interesting example in this case: "Peace cannot be restricted within the borders of an agreement. It depends upon the time, situation and location of a particular problem. If anything is suppressed with might, just on the pretext that there is already an agreement, there remains possibility of recurrence of same problems".

Previous agreements become null and void just after the subsequent agreement comes. Therefore, even if there is simultaneous dialogue with two or more factions, one can expect a single accord. But that has its own problems too. The question of as to which of factions would be in charge in matters like overseeing the implementation may create conflict between the factions. We can bring the example of the accord

signed with the DHD and DHD(J) in 2012. In the Council elections that followed the Accord, both the factions fought under different banners instead of fighting united. Continued factional rivalry even after signing an accord together resulted in the poor show by both the factions in the elections.

These findings suggest that it is very important for the government to take the responsibility of guiding and helping the militant groups under peace process / dialogue in formulating a common minimum programme that would prevent such post-accord rivalry activities by militant groups. Here conflict transformation holds more significance rather than conflict management. Conflict transformation is actually a multi-dimensional effort, an effort to address the root causes. In case of the Bodos, the effort should be to bring the conflicting parties to a sustained dialogue. They may have differences, but in spite of that they can live with their differences and they can renegotiate their differences. For example, schools could be a place where Bodos and non Bodos can participate in various cultural and sports activities. This can transform the conflicting psyche. This can take place at the school level, people to people level, or even involving the militant groups at some level. In conflict transformation we need to engage people from the top level to the bottom in a continuous engagement. The purpose is not to reach an accord but to change the psychology enabling to live together.

4.6 Overlapping Interests of Different Groups

Different militant groups operating in the region have different demands, and several times, the demands of one group overlap with the demands of another. For instance, the ULFA claims to be fighting for the interest of the whole of Assam. Can the Government come out with a solution formula to satisfy the ULFA without an overlap with the ethnic autonomous councils already existing?

A view of the Charter of Demands[81] submitted by the ULFA before the Central Government for discussion reveals that most of the demands are for the development of Assam, for rights on the resources of the State and protection of the indigenous population. The solution formula has to satisfy all nationality, groups and subgroups

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[81] ULFA's Charter of Demands is attached in the Annexure

without disturbing the existing political institutions. One of the main demands in the Charter is recognition of Scheduled Tribe status to six communities—Moran, Motok, Tai Ahom, Koch Rajbongshi, Sootia and Tea Tribe,"We think that this will increase the number of tribal population in the State and reservation up to 80-90 seats in the Assembly for Scheduled Tribe people will protect the identity and political rights of the 'indigenous' people", said one ULFA leader in peace mode.

However, there are challenges to this demand. First there has to be a definition of indigenous people of Assam which has to be legally established. Otherwise, if reservation is granted in this way only to the ST population, Assam will become a tribal state. "What about the indigenous people like the Kalitas, Brahmins, Assamese Muslims and the other non-tribal communities who are also indigenous communities of Assam?", reacted another participant to this suggestion.

Claims and ground realities differ very often. In 2014, ULFA leader Sunil Nath told this researcher that ULFA seems not to carry the mandate of all ethnic groups in Assam. "The reality, however, is that, ULFA does reflect the aspirations of the majority of Assamese speaking people. ULFA does enjoy the sympathy, if not any mass support of the Assamese people. A peace agreement with ULFA does not necessarily have to be detrimental to the interest of the ethnic autonomous councils", he reported.

A similar view was expressed before this researcher by U. G. Brahma in 2016, "ULFA is considered to be representative of the particular community only; the mother tongue of which is Assamese. They have lost that credibility to represent other ethnic groups on the whole. Any agreement that may be arrived at between the government and ULFA will never be accepted as agreement of other ethnic groups".

The organisation's demand for economic development will in no way create any such conflict. On social and cultural issues, an overlap of provisions may be acceptable. But on administrative issues the government will have to make sure that there is no overlapping between the rest of Assam and the autonomous councils. This will also depend on the approach of the ULFA towards various ethnicities or ethnic communities in Assam who are dissatisfied with their lot.

4.7 'Open Door' Policy and Legitimacy Factor

The government's policy of holding peace talks with each and every militant group is actually encouraging militancy in the region by giving even splinter groups legitimacy. This approach of the government implies that the government wants to control rebellion by taking up a piecemeal approach.

It seems that insurgents have taken undue advantage of the Government of India's 'open door' policy'. Small bands of armed men who pass off as insurgent groups have actually been indulging in acts of terrorism. Outfits like the Garo National Liberation Army in Meghalaya or the NDFB-S or the erstwhile DHD-J or the Black Widow fall in this category. Whenever the going gets tough, these groups offer to talk peace with the government. And the government too, often seems to be willing to entertain their pleas. This ad hoc approach should be stopped while the government may consider announcing a halt to peace dialogue with newer militant groups or factions of groups engaged in terror activities while taking the ongoing peace talks with the insurgents groups to their logical end.

A factor to be considered by the government while inviting militants for talks is their legitimacy. Legitimacy is the acceptance of unequal political relationships, either stated or not. In this relationship a group of people are given, assume, or inherit authority over others. This is a critical aspect in political order that guarantees stable peace and development. Non-state violent actors like an insurgent group are often considered illegitimate by the state. However, such actors may obtain specific legitimacy as champions of a popular cause, as protectors of the interests and identity of their supporters, or as providers of security and essential services to some local communities (Clements, 2014).

In its early phase, the NDFB was able to acquire some sort of 'legitimacy' through their demands raised for the cause of the Bodo people. The ongoing peace talks between the government and the two factions of the outfit also considered this informal 'legitimacy' of the militants in talk. On the other hand, a lack of ideology has been noticed in some other insurgent outfits or factions of outfits in the region. Groups like the NDFB Songbijit faction suffered huge losses in tactical and public legitimacy

accounts. Since its formation, the outfit was in a killing spree, victimizing innocent civilians.

Holding peace talks with a large number of groups may be encouraging militancy, but certainly the non-conclusion of the peace talks is providing substance for the argument that the Government of India is not serious about bringing stability to the region. This is because the militant formations in the region, either the bigger groups or the splinters, are not serious about negotiations with the government, unless pushed to a point of extreme vulnerability. The attraction of the added benefits pushes the splinter factions to carry on with their armed campaign. One interviewee suggested that the government can come up with a peace policy at three levels—macro, micro and district level. The macro level should involve the Central Government, the micro level should be initiated by the State Government and the district level peace policy should deal with the fragmented militant groups.

4.8 Delayof Settlement

There is a misgiving that the Government encourages ceasefires with insurgent groups to buy time and postpone peace as a matter of strategy. But can this strategy work in the long run? As our interviewee Dr Hiren Gohain put it, "The general suspicion that the Government dangles the carrot of ceasefire before the insurgents with the promise of an eventual settlement is not without foundation. What it seems to be interested in is exhausting the patience of the insurgent group and reducing them to passivity".

To some extent the ceasefire agreements and their indefinite extension without a purposeful peace negotiation have been used by the government to tire out the outfits. However, the result of this strategy has been largely negative. It has produced factions within the outfit under ceasefire and breakaway factions returned to the path of war. It has further provided a license of sorts to the outfit to indulge in activities like extortion, abduction and fratricidal warfare. More importantly, the strategy has also projected the state in a negative light, as being insincere in its approach towards the region. Buying time through talks can be a tactic but it cannot be a healthy strategy.

Time buying tactics are being applied by both the government as well as the insurgent groups. For instance, during the 2005 peace initiative by the ULFA, the outfit was actually buying time to regroup and strengthen itself. Again if the government does not initiate talks for a too long period following a ceasefire pact, the insurgents become restive and the ultimate purpose of peace will not be achieved. This can be more dangerous and disastrous. When the Government is engaged in procrastinating, buying time, engaging the militant groups in a conflict fatigue, the main issues remained unaddressed. Long drawn out talks without evolving any kind of solution seems to be a strategy of the Government of India and sometimes it seems that this is paying dividend. For instance, the NSCN-IM leaders now cannot possibly think about going to the jungles again. But this is not going to end insurgency. At some point of time the Government must address the structural issues.

4.9 Time frame in peace process / time bound implementation of accords

Peace talks need to have a time frame. As one of the respondents expressed:

Common sense would say that there should be an agreed time frame for conclusion of any peace process as well as for the implementation of an accord that is reached after peace talks. If any peace process fails to achieve the result after a decade or two of dialogue process, it becomes more or less irrelevant for the society. Insurgency dynamics change, new groups emerge, government change, momentum of peace process changes, even leadership of insurgent groups change, e.g. Isac Chishi Swu died in the process of the NSCN-IM talks.

However, given the complications of a process of negotiation, concluding it within a fixed time frame would require commitment both from the government as well as from the insurgent outfits. In the context of NSCN-IM, the talks are bound to be non-productive as long as the outfit holds onto its demand of a reintegration of the Naga-inhabited areas.

When talks drag for too long, many times cadres get restless and they move out of the designated camps and form new factions. Also, it is a waste of human resources, with several youths belonging to the insurgent group, sitting in the designated camps with no meaningful engagement. For instance, when we have seen that talks are continuing with the ULFA (United Liberation Front of Assam), the reality is that there has been a gap of one year seven months between the recent meeting held on 8 June

2017 (Ministry of Home Affairs Resume Peace Talk With ULFA and NDFB, 2017) and the previous one held on 24 November 2015 (Status of Peace Process, 2017). Such long gap in negotiation affects the peace process. The same delay was seen in the appointment of a new interlocutor for peace talks, after P.C. Haldar's term as interlocutor ended on 31 December 2015. It was almost after 18 months, that a new interlocutor Dineshwar Sharma, a former Director of Intelligence Bureau, was appointed interlocutor in June 2017.

Implementation of a peace agreement also depends on the efficiency of the signatories of the accord. This includes both the governments at the Centre and the State, as well as the leaders of the insurgent groups. In this context, one of the respondents stated that bureaucrats of the government keep on changing and are not liable to the implementation of an accord. It is basically the responsibility of the signatories to keep note of how far an accord is being implemented. This brings about the issue of poor performance of the existing Councils in the two hill districts of Assam. One respondent commented that lack of efficiency and effort on the part of the authorities in charge is a prime cause for failure of the experiments. Some other factors too seem to be associated with this, such as, corruption and alleged nexus between government officials and insurgent groups. After all, continuation of insurgency conflict means a continuous fund flow from the Centre for this purpose.

4.10 A Moratorium on Peace Talks

In its Annual Report of 2012-13, the Ministry of Home Affairs, Government of India, stated that the government is ready to talk with any outfit which is ready to abjure violence and show interest in solving their problem within the confines of the Indian Constitution, but will not talk to splinter groups of those outfits, if formed in the future. However, the statement lacked clarity and firmness. Going against its own idea, both the Central and the State governments once expressed willingness to hold talks with the NDFB-Songbijit faction even after its gruesome killings. The Government's resolve not to talk to splinter groups is yet to be seen in the form of a policy. Whilst a majority of the respondents of field interviews agreed that the government should put a halt to peace talks with new outfits that are engaged in

criminal activities, some respondents feel that this will depend on the support base and reach of influence of the concerned outfit.

Surprisingly, a minority of the interviewees responded differently. One such interviewee suggested:

> It seems that since the government is asking the groups to give up violence, to say that there won't be peace talks anymore with the groups that are currently engaged in armed violence and willing to give it up sometimes in future would be a contravention of its own declaration. What, however, can be done is to ensure that it distinguishes between groups which represent the communities, have certain ideologies and the groups that are merely criminal and mercenary in nature. The charge of identifying such groups should be a joint responsibility of the state government and the Government of India.

A policy of halting to peace talks with breakaway militant factions or newer groups may work as a deterrent for factionalism and formation of new groups. If the government distinguishes between groups that have some sort of popular backing and an ideology from the criminalised groups and declares a policy of never ever holding peace talks with the latter, the tactic of gaining legitimacy by engaging with the government by the smaller groups will cease to exist. This may not reduce the level of violence in the region, as the breakaway criminalised groups would still go around with their activity. But it would certainly give a right direction to the task of dealing with insurgency movements.

The Israel Government, after declaring the policy of not negotiating with hijackers has steadfastly stuck to it. It has yielded results. If the Government of India can stick to a policy of not negotiating with such insurgents, chances are that frivolous players would disappear. Reflections of genuine and justified grievances, however, tend to snowball into mass upheavals against brute repression. Ultimately, the Government must have some kind of a framework.

4.11 One Accord Irrespective of Factions

Interestingly, almost half of the interviewees agreed that the government should make it mandatory for different factions of one rebel group to first unite, resolve their differences, and then enter into talks with the authorities jointly, with one single charter of demands for a lasting solution. Others said that there would be obstacles in

this case. For example, one faction may be more inclined to a peaceful settlement than the other. Factions emerge on the basis of different world views with very little possibility of reconciliation. The NSCN-IM and the NSCN-K are good examples of this trend. They felt that waiting for the insurgents to unite and then begin peace talks would effectively mean government completely giving up the idea of peace talks with the outfits who may want to talk peace in future. One participant also suggested that it is the government that has to unite the groups, rather than the groups themselves do.

4.12 Participation of Civil Society

Civil society still remains a vague term and it may not be visible on the ground in each situation of insurgency. However, civil society leaders and organisations hold different views of the common people. The participants of the interviews on the whole demonstrated that participation of civil society in any peace process is very important. There is instance of civil societies creating the conditions for a peace process to begin and allow the peace process to continue exclusively between the outfit and the government. For example, the ULFA peace process where the Sanmilita Jatiya Abhibartan took the initiative for a peace process and prepared a charter of demands for the ULFA with which the group is now negotiating with the Centre.

Civil society is expected to raise the voice of the people and their participation attributes transparency to the peace process. Few interviewees felt that since decisions of final settlements are always taken by limited people, opinions of civil society can be an adversary to the opinion of the party to the conflict. But the government has open scope for consultation with civil society and take their opinions into account. In the event of reaching any peace process to the agreement stage, the government and the insurgent groups in talk should invite representatives of the civil society for their support and to become witness signatories to the accord. This will bring more sincerity and concern regarding the implementation of an accord.

4.13 The Gender Perspective

Women are always sucked into the vortex of any conflict and are always among the worst sufferers. Many of them come to lose their bread-winning husbands, sons or brothers to violence apart from others who lose their honour due to rapes and other

crimes during counterinsurgency operations. Usually, one sees that voice of nearly half of the population, i.e., the women, is not heard at all by either the government or the insurgents during a peace process that is supposed to resolve a conflict by stipulating various provisions for welfare of the place and people by way of a peace accord. Women organisations in several states in the Northeast are influential and have a history of significant contribution to peace processes. Some of the interviewees argued that participation of women in peace process is 'not necessary'. It is interesting that all the women respondents supported the idea of women's participation and stated that a peace process cannot be termed 'inclusive' without participation women. A gender sensitive peace agreement cannot be expected without women's participation in the peace process. There is empirical proof that more inclusive peace processes are more likely to last. While without participation of women it will be difficult to address the gendered concerns, and without inclusion of gendered concerns in the peace accords it will be far more difficult to bring the issues and address them in post-conflict situations (Manchanda, 2011). A qualitative study titled 'Women in Conflict Situations: A Study of Nalbari District of Assam' supports the participation of women in the peace processes and argued that the government should work out strategies to involve women in resolution of conflict as well as in post-conflict reconstruction (Choudhury S. , 2008).

In the Northeast, women have been playing an integral role in conflict transformation and fighting for socio-economic or political cause. We can mention about the Meira Paibis (torch bearers) of Manipur and their strong presence in the state's peace building scenario, the Naga Women's Union of Manipur (NWUM) and the Naga Mothers' Association (NMA) in Nagaland. Their role, however, has been limited to creating an enabling environment for talks between the insurgent outfits and the government apart from forwarding suggestions.

4.14 Development Policies to Address Security Issue

A general perception in the region is that the Government gives more importance to the issue of security than development while framing policies for the Northeast. Even many new states in north-eastern region had been created only because of national

security. Development and growth has always assumed a gradual and subsequent process. India is surrounded by neighbours either hostile or friendly. Our interviewee and former IGP S. P. Kar stated that each and every policy in the frontier states start with security issue. Given the geo-strategic position of the Northeast, both security and development should be accorded equal importance.

4.15 Counterinsurgency and India's Neighbourhood Policy

Insurgency in the Northeast has trans-national linkages and therefore, the government cannot formulate its peace policy without taking into account factors like rebels getting sanctuary or support from elements in the neighbouring countries. The success or failure of dealing with a particular insurgent group depends to a great extent on whether that insurgent group enjoys support / shelter across the border. For instance, the government could begin peace talks with the ULFA only after authorities in Bangladesh cooperated and handed over its top leaders to the Indian government. Similarly, the NDFB was weakened and agreed to enter into dialogue after the Royal Government of Bhutan launched Operation All Clear in December 2003 and ousted the rebels from Bhutanese territory. It is therefore clear that diplomacy or good bilateral ties in neighbouring countries are essential to achieve success in counter-terrorism or counterinsurgency, particularly when the insurgency at home has trans-border ramifications.

One cannot deny that external factors do play significant role in the insurgency movements. The ability of the outfits to derive support from external sources considerably influences their posture towards the peace process. So it is important to take note of this force enabler. India's neighbouring countries in its north-eastern border like China, Bangladesh and Myanmar are always blamed for nurturing anti-India forces. But the issue cannot be addressed by an aggressive blame game. It needs cooperation. Here we can mention about the government's shift from the Look East Policy to Act East Policy. The Government of India seems to be realising that the Northeast cannot be kept in the security paradigm only, it needs development. But unless the Indian Government develops good relationship with the neighbouring countries, one cannot have mutual co-operation. The absence of any extradition or

repatriation pact between India and its neighbouring countries is also notable. So a diplomatic initiative to have developed relationship with those countries is expected to change the situation.

4.16 Representative Quotient

In the heterogeneous society of Assam any peace accord meant for a particular community would be heavily tilted and unwelcome to other communities who share the same space and land. If we take the BTC Accord of 2003, we will find that the accord is not categorical regarding the provision for protection of the rights and interests of the other communities like the Rabhas, Tiwas, Koch Rjbongshis, and the Adivasis who have inhabited the area since time immemorial. This is established by protests and reactions by different non-Bodo tribes living there. We find the Koch Rajbongshi community which has a total population of 2,46,137 (7.81 per cent of the total population of 31,51,097 in the Bodo Council area as per the 2011 Census) has more than one organization demanding autonomy or separate state. Almost two third of the participants said that the insurgent groups claim to represent their respective communities but when they enter into a peace process with the government, they never consult the people on a solution formula. This suggests that the government engages in dialogue with groups who actually have no connect with the people.

4.17 Need for Institutionalisation

The Government of India has not yet been able to come up with a set of guidelines for a peace policy. As a result, the dialogue process tends to differ from one insurgent group to another. Most of those interviewed indicated that institutionalisation of the peace process mechanism would help to impart a structure to the peace policy. It may be helpful to have a close look at how Myanmar has been dealing with their conflict that has much similarity with the one faced by India's Northeast.

The Myanmar Model of peace process was initiated in 2011 when President Thein Sein acceded to power. After taking the Presidential office, Mr Sein began the reform process by offering ceasefire talks with insurgent groups. His initiative led to the signing of the Nationwide Ceasefire Agreement (NCA) in October 2015 and this has marked the beginning of the end to a nearly 70 years of civil war in Myanmar since its

independence from the British in 1948. Eight out of 21 recognised Ethnic Armed Organisations signed the NCA and decided to go ahead with the government and the other stakeholders from political parties and civil society groups to find a political settlement for ethnic self-determination. The ratification of the NCA in Parliament gave legal status and backing to the current peace process and has formally institutionalised the multi-stakeholder structure for conflict control and political settlement. The three-phase peace plan of the Myanmar government include: a) State level (Ceasefire, set up liaison offices and travel without holding arms to each other's territory), b)Union level (Confidence building, holding political dialogue, implement regional development tasks in terms of education, health and communication), and c) Sign agreement for eternal peace in the presence of the parliament represented by nationalities, political parties and different walks of life (Government Peace Plan). In the next chapter, we will discuss about the implementation infrastructure of the Myanmar peace process and policies.

4.18 Do the Accords Address the Root Causes?

In response to this question, one participant commented, "The root causes of a lingering insurgency remain unchanged, only the signatories of peace accords change at different point of time". This suggests that insurgency has been sustaining due to the government's tendency to calm a revolution/ movement by discussing and negotiating the demands of a particular organisation instead of delving into the various issues causing the unrest. A larger view of the issues concerned with the people of a region and a genuine approach to solve those is hardly reflected in the process of the peace accords under this study.

Some of the interviewees reported that the peace accords signed in Assam are flawed. The 1993 BAC Accord bears the root of the conflicts in western Assam districts. The Accord sought to end years of arson and violence by creating an administrative unit for the Bodos comprising areas where Bodo population is 50 per cent or more. The Accord resulted in ethnic cleansing in areas where the Bodo population was less than 50 per cent. The second Bodo accord signed by the Government of India with the BLT in 2003 led to further conflict. In Section two of

the Accord, it is mentioned that the main objective of the agreement is "to fulfill economic, education and linguistic aspiration and preservation of land rights, socio-cultural and ethnic identity of the Bodos…." This clearly gives the impression that BTC has been formed for the development of the Bodo people only, the framers of the Accord did not think about the majority non-Bodo people living in the area. This disparity of treatment under the Accord led to a feeling of insecurity and discrimination among the non-Bodos, which include Muslims, Adivasis and other communities. This has led to various forms of agitations by the majority non-Bodo people (Das, 2010).

Assam embraces a multi-cultural and multi-ethnic community. It is difficult in a pluralistic society like the one in Assam to create different territorial units in the name of different communities because the areas are not populated by a particular community alone. If a particular community tries to establish a separate identity by creating a separate homeland, it will go against the aspirations of the other communities living in the same area. Even in the past, people had different identities and different dreams, but for that they did not start ethnic cleansing. The practice of co-existence amidst differences is needed and for this the government can create administrative unites that are not ethnic in nature in such conflict zones (Mahanta, 2012).

4.19 Revival of Statehood Demand

The demands of statehood by the different ethnic communities in Assam under the Sixth Schedule have been echoing since several decades. The movements for statehood were later accompanied by extremist rebellions, demands of some of the extremist groups being temporarily met by offering of autonomy or greater autonomy. But the Sixth Schedule is still there in the Constitution and statehood demands too seems never going to die. This is clearly evident after the Government announced its decision to grant statehood to Telangana on 30 July 2013 (Telangana cleared as India's 29th state, 2013). Telangana was created as the 29th state of India in February 2014 by dividing Andhra Pradesh. This concession to Telangana rekindled the statehood aspirations of many other ethnic groups across India. In the Northeast, as many as six

statehood demands became louder with agitations, protests and violence in different parts of the region. These include: Bodoland state demanded by the Bodos, Karbi Anglong and Dima Hasao state demanded by the Karbis and Dimasas, Kamatapur state demanded by the Koch Rajbongshis, Garo state demanded by the Garos, Khasi-Jaintia state demanded by the Khasi and Jaintia tribes of Meghalaya, and Frontier Nagaland state demanded by the Eastern Nagaland Peoples' Organization representing six Naga tribes.

Solution to the Bodo problem became even more complex as demand of statehood was raised once again by mainstream Bodo groups like the ABSU. The ABSU was joined by the Peoples' Joint Action Committee for Bodoland Movement (PJACBM), a conglomeration of 55 organisations of various ethnic groups in the proposed Bodoland, which announced the revival of the Bodo statehood agitation in July 2013. Even the party ruling the Bodo council—the Bodo People's Front too joined the statehood agitation. They obviously did not want to be left behind and take the risk of being politically irrelevant. This step taken by BPF is significant because the party was already ruling in the autonomous Bodo Council—an arrangement they agreed to in order to bring about an end to the Bodo homeland agitation (Das, Peace Talks in India's Northeast: New Delhi's Bodo Knot, 2014).

4.20 Demographic Issues

The BTC area actually includes 70 per cent non-Bodo people, who are against the creation of Bodoland (Das, Peace Talks in India's Northeast: New Delhi's Bodo Knot, 2014). The demography of the BTC area is such that to maintain its hegemony, Bodo forces, at least some of them, may continue to resort to tactics aimed at dominating everybody else. We can look at the following statistics[82]:

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[82] See BTAD Population break up in Appendix

Table: 3

Population in the four districts under BTC (2011 census)

Communities	Population
Bodo population	8,59,731 (27.28 per cent)
Muslims	6,13,593 (19.47 per cent)
Bengali Hindus	4,09,109 (12.38 per cent)
Tea Tribals	3,70,428 (11.75 per cent)
Koch Rajbongshi	2,46,137 (7.81 per cent)
Other tribal	1,96,000 (6.22 per cent)
Scheduled Caste	1,71,632 (5.44 per cent)
Assamese Hindus	1,60,864 (4.02 per cent)
Nepali	1,15,870 (3.37 per cent)
Hindi speaking people	37,785 (1.19 per cent)
The total population in the four districts under BTC (2011 census)	31,81,149

(source: Centre for Minority Studies, Research and Development, Assam)

4.21 'Tribal Homeland' and Reservations

The Sixth Schedule was included in the Constitution for governance of previously Excluded and Partially Excluded areas where different tribes have been living together since time immemorial. When the Sixth Schedule was on the making, there was no idea of giving territories to individual tribes. But when extremist elements among the population began to wage small wars since the mid-eighties making law and order and governance of the region a challenge for the government, both the state and the Central government began to explore ways to douse the fire. The government resorted to counterinsurgency measures. But this was not successful due to the popular support to the objectives of statehood coupled with the challenge of difficult hilly terrain being the happy den of various militant groups. Nor this could be a solution to bring peace to the area. There was no way out but the option for negotiations. Participants in the field interviews on the whole observed that most of the ethnic rebel groups speak for a particular community they claim to represent. It is a different matter that the territories they claim either for autonomy or statehood are also dwelled by various other tribes and non-tribes.

When dialoguing with the insurgent groups, this factor seems to have faded away in an urgency to reach an immediate solution to somehow calm the situation. This happened also because the government did not seem to think it necessary to include

representatives of the civil society organisations in the peace process and has negotiated only with those who have taken arms in their hands and caused much violence and bloodshed. "This cannot be a far sighted step forward as such steps create divide between various tribal communities", expressed one respondent.

As the negotiations reached the agreement stage and agreements were prepared for final settlement of the problem, the framers of the Agreements, especially the government, must have considered the fact that there should be adequate representation of all the people living in the said territory. While this aspect appears to be taken care of in the agreements with the UPDS and the DHD, the agreements with the Bodos seem to have missed it. While there is no reservation of seats in the UPDS and the DHD accords, both in the BAC and in the BTC agreements provide much reservation for Scheduled Tribes. While in BAC, 30 seats were reserved out of 40, in BTC there is a reservation of 30 seats for Scheduled Tribe population out of total 46 seats and only 5 seats are open for all communities, apart from other reservations. The objective is clear—BTC is to be ruled only by the Bodos. On the other hand, by keeping no provision for reservation of seats, both the UPDS and DHD agreements are discouraging the concept of a tribal homeland.

4.22 Special Status and Autonomous Councils

In Assam, the Government of India recognised the exclusive identity of some of the tribal groups. Within just five years of Independence, and, without any agitation whatsoever by the concerned tribal groups, the Government created two autonomous hill districts in 1952— North Cachar Hills Autonomous Council and Karbi Anglong Autonomous District. Before Independence, the British administered these areas by classifying them as Backward Tract under the Government of India Act 1919 and as Excluded and Partially Excluded Areas under the Government of India Act 1935. After India attained freedom, the Constitution maintained the special status by setting up the autonomous councils under the provisions of the Constitution's Sixth Schedule. As argued by most of the interviewees, indifference of the State and failure in effective governance by most of the successive council leadership are main reasons that resulted in continued backwardness of these areas. The consciousness of being deprived of

benefits from the existing system made the people restive leading to organised autonomy agitations for more powers and fulfilment of local aspirations (Karbi Anglong Autonomous Council).

4.23 Agitations and Rebellions Demanding More Power

The Bodos, a major plains tribe in Assam, had to launch agitations beginning 1987 for political power and they were granted Bodoland Autonomous Council in 1993. Ironically, this led to more bloodshed, violent agitations and insurgency movement as the Accord signed had major flaws in treating the problem. Many other autonomous councils have been formed thereafter mainly under the initiative of the State Government. But creation of such autonomous councils is serving little to the development and political representation of those communities. Some interviewees felt that this trend of creating autonomous councils is only widening the gap between different communities by creating a sense of competition and thereby eroding the sense of one national identity.   The belief of people that the government in New Delhi listens only to voice of guns is expressed clearly by Bodo leader Upendranath Brahma:

> Central Government agrees to negotiate only with those groups that show their force... the signing of Accords with the Mizo National Front, the Tripura National Volunteers and the Gorkha National Liberation Front shows that New Delhi has approved the methods employed for their objectives (Wilkinson, 2004).

Even in the two hill districts, where there were autonomous district councils, ethnic insurgency raised heads. Stakeholders in the Karbi Anglong district have questioned the power of the autonomy given. Dr Jayanta Rongpi, Veteran CPI (ML) leader, who had been Chief Executive Member of the Karbi Anglong Autonomous District Council for nine years, seeks to prove this with a simple example. He said:

> Before holding any session of the Council, the Deputy Commissioner of the district has to approve the agenda. The DC is free to strike off any of the agenda proposed for discussion by the elected members at the Council session. This is the real degree of autonomy we have (Hussain, 2013).

4.24 Conclusion: An overall Assessment

The different arguments and views presented by the participants in the interviews suggest that the peace process is not inclusive in character and the framers of the accords display an ad hoc approach that can only be a piecemeal solution to the

problem. The post-accord stage of a peace process is a crucial one and is accountable for ushering sustainable peace in the area concerned. But, if the accord cannot even calm the party with which the government signed it due to its non-implementation or poor implementation or if the Accord creates more conflict in the concerned area, then there must be certain flaws with the accord—its lack of inclusiveness, practicality of the clauses for implementation, vagueness or lack of clarity, lack of time frame which may delay implementation to an uncertain time. Flaws could also be present in different phases of the peace process. The implementation of any peace accord matters a lot for its success. This brings in the significance of the contents of an agreement that should actually contain implementable clauses. Vagueness of language in certain clauses was found to be a common characteristic in several clauses of the accords.

The official policy of the government appears to be mired in confusion and mostly emanates a gross lack of commitment. The sheer lack of success in concluding the ongoing agreements, due to a variety of reasons, explains it all. However, at the same time, it needs to be understood that the attitude of the outfits remain problematic. Solution to the Naga problem could have had a cascading effect on the rest of the groups who have chosen peace negotiations as a mode of conflict resolution. Unfortunately, the intractability of the Naga issue has made other peace processes look equally difficult.

The Government of India's peace policy reflects the character of the Indian State. It has not been an acclaimed success because, in its overall character, it has remained humane. Thousands of misled boys and girls have been allowed to return to normal lives. They have been virtually pardoned. This happens only in democracies like India. Naturally, the flip side is that some rogue elements are taking chance of this situation and rejoining new rebel outfits for a renewed career in insurgency. While there is always scope for betterment, India's policy in the matter of containing insurgency and rebellion is at least more humane than many other countries of the world.

In terms of physical manifestation, the Government has succeeded to a great extent. In Nagaland, violence has come down, in Assam insurgency related deaths have come

down. But it has led to another kind of violence, i.e., ethnic violence. There should be a specific policy for the factions of insurgents.

4.25 Few Suggestions

In the process of the research, the study explored some methods that may help to deal more effectively with the insurgency problem in the region.

1. Formation of an institutionalised set of peace policies by the government of India in dealing with the Northeast, or for that matter, insurgency in Assam would be a step forward in the peace process.

2. Two immediate aspects can be pointed out to end insurgency in the region: first, bringing the ongoing conflicts to a close and secondly, preventing new conflicts from either originating or assuming significance. Towards the first goal, a mix of peace talks and security force operations are the key. However, in each of these measures, a deep sense of commitment is required from both the State and the Central government. Launching security force operations would be meaningless without concerted efforts at police and bureaucratic reforms. And, towards the second goal, governance is the key. It is the cry for governance which mostly results in insurgency movements. The criminalized outfits, on the other hand, can be taken care by an enabled security establishment.

3. Time-bound peace talks and not talking separately with different factions of the same group.

4. Development is required, where at every stage the local population can participate.

5. In order to ensure proper implementation of development schemes, the government needs to ensure that the key official posts in district administrations are not left vacant.

6. Industrialization of the region and developing economic hubs can cause rapid changes of people's mindset.

7. Improving literacy level, especially in the rural areas, from where majority of the insurgent cadres hail from.

8. Creation of more employment avenues and creation of facilities for skill development.

9. The state must uphold the rule of law and should even go to the extent of using force to discipline recalcitrant groups and outlaws.

10. Effort by the government to focus on the north-eastern culture and tradition as part of the mainstream Indian culture and tradition to create proper atmosphere for wider understanding among the people.

11. There is a mindset of not being part with the Indian state. It is most seen in the case of Nagaland. Even today Naga people are not comfortable of being a part of India. The government has to address the identity issue here.

12. In the case of Assam, it is more of structural issues—illegal migration, control over resources, the insecurity of certain ethnic groups of being swamped away—that are to be addressed seriously.

13. People are very sensitive about the idea of self respect and respect to the place they live. For instance, the lack of mention about Assam history in most of the Indian history books hurts the sentiment of the people. The Government must have a Northeast focused policy which give the people the right to control over the resources of their state.

Chapter 5

Discussions

5.1 Purpose of the Study

Most people would agree that insurgency has been a problem that has determined the politics, economy and human development scenario of the north-eastern region of India for the last few decades. One logical solution to this problem would be to bring the insurgent groups to a peace mode by way of ceasefire and peace talks that would finally pave the path towards signing of peace accords which is expected to establish peace in the concerned territories. However, this may lead to encourage militancy in the region by making way to formation of splinter groups by sections who do not agree with the terms and conditions of the peace processes. Moreover, non-implementation or failure of the peace accords could further create unrest and conflict. Therefore, there is a need for a review of the government's peace policy in the light of the already signed peace accords.

5.2 Methods and Procedures

This qualitative research espoused the case study approach under the constructivist theory. The case study is suitable because the research intends to develop context dependent knowledge. The four documents of the peace accords signed in Assam were selected as case studies. The findings of the research have been interpreted with the help of the already existing knowledge and the newly found knowledge on the topic. People who have some kind of expertise or have been practically associated with the problem were chosen as participants of the interviews. The interviews were unstructured and were conducted with the help of a semi-structured open ended questionnaire to elicit detailed understanding of the respondents. One of the limitations of the study has been a small sample size of 30 individual interviews. Since there was not enough time for a sole researcher, some constraints in the procedures had to be faced by the study. The cases were presented in the form of matrixes, the concept being adopted from the Peace Accords Matrix (PAM) developed by the Kroc Institute for International Peace Studies. However, the format of the matrixes has been moulded according to the requirements of the case studies.

5.3 Major Findings

5.3.1 feeling of alienation.

One of the results explored from the field was that for decades, the region has been experiencing a feeling of alienation from the central India due to geographical and political reasons. This emotional alienation continued even after six decades of Independence. While Assam was a far more economically developed state before Independence, a downward development graph began to evolve due to loss of connectivity in terms of land and waterways after Partition of the country. Partition separated the landlocked region from the rest of the country, and the only link was a 22 km long land corridor in Siliguri popularly known as the 'chicken's neck'. This has affected trade and commerce, apart from others. A feeling of alienation developed among the people which was accompanied by the alleged 'exploitation' of natural resources of the state by the Centre, the problem of illegal migration from Bangladesh, poverty, unemployment and the threat to identity of the people. When years of democratic movements could not draw attention of the Central Government, insurgency and violence seemed to be an option for many youths of the region to cry out their demands and aspirations. It was agreed by many that such issues have not received required attention from the government while addressing insurgency rebellions.

5.3.2 counterinsurgency: the immediate strategy.

Counterinsurgency is defined as the set of political, economic, social, military, law-enforcement, civil and psychological activities with the aim to defeat insurgency and address any core grievances (NATO, 2011). Both insurgents and counter-insurgents adopt methods that can be broadly categorised as political and military—and political considerations play a much more important role than the military. For instance, in Assam, ULFA's social activities (actions like the targeting of anti-social elements, alcoholics, wine-shop owners, corrupt government officials, eve-teasers, making temporary bridges in rural areas, initiating cooperative cultivation, etc.) and its ideological information (publicising and promoting its ideology among the masses) during the early years of the organization went a long way to establish a Robin Hood-

image of the organization and its acceptability among a large section of the public thereby creating its support base. The Indian Army too adopted several welfare programmes to "win the hearts and minds" of the people. Some of them include, the development programmes for Nagaland and Manipur operationalised in 1995 and Operation Samaritan launched by the Army in Assam on 1 April 2000 where the Army was engaged in tasks like construction and repair of bridges, building of waiting sheds at bus stops, building of computer centres at educational institutions, etc. But apart from the shift in some of its ideological matters, ULFA's gradual engagement in military activities causing bloodshed of innocent civilians, led to loss of its popularity. Instead, people openly came out to protest against its violence and even came forward to inform the security forces regarding the whereabouts of ULFA members, something which did not happen during the initial counterinsurgency operations.

In India's Northeast, the history of counterinsurgency is as old as the history of insurgency. The Naga National Council[83], under the leadership of Angami Zapu Phizo, demanded Naga independence. Situation in Nagaland turned volatile by the beginning of 1953 as the insurgents initiated a violent secessionist movement. On 22 March 1956, an underground government called the Naga Federal Government (NFG) and a Naga Federal Army (NFA) was created. In the very next month, in April 1956, the Central government launched a massive crackdown on NNC and troops in large numbers were moved into the Naga Hills. In order to deal with the situation, the Armed Forces Special Powers Act 1958 was enacted. Nagaland was declared a Disturbed Area. The government took military and political initiatives concurrently and finally a political settlement was arrived at by carving out the state of Nagaland from the Naga Hills district on 1 December 1963. The Union Government had hoped that granting statehood to the agitating Nagas will soften their attitude and subdue the insurgency movement. However, insurgency continued in Nagaland. The NNC was banned in 1972 and a second massive counterinsurgency operation was launched by the Government. The insurgents had to negotiate for peace resulting in the signing of the Shillong Accord in 1975.

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[83] NNC was formed in February 1946

It is true that all insurgencies are unique in their social, political, and historical contexts. The strategic goal of counterinsurgency is to promote legitimate governance by controlling violence and establishing the rule of law. A majority of the interview participants of this study agreed that counterinsurgency may be successful only when the government prioritise the political dimension of insurgency where the military force plays a vital but essentially supporting role.

Counterinsurgency operations in Assam began on 27 November 1990, the day the United Liberation Front of Asom was declared a banned outfit by the Government of India. Codenamed Operation Bajrang, the first counterinsurgency operation continued till 20 April 1991 when fresh elections were announced to the Assam Assembly. Counterinsurgency against ULFA resumed on 15 September 1991 with the launching of Operation Rhino. Again, following the prospects of talks between ULFA and the Union Government, Operation Rhino was temporarily suspended on 13 January 1992. Army operations resumed from April 1992.

Counterinsurgency operations in Assam were intensified with a three-tier structure in 1997 with setting up of a Unified Headquarters under chairmanship of GOC IV Corps with operational control over all forces, including the central paramilitary and state police employed in counterinsurgency duties, for coordinating the entire operations (Hussain W. , 2001). According to Hare Krishna Deka, the then Assam Director General of Police, the Unified Command, in which the State police worked in close coordination with the Army and paramilitary forces, achieved immediate success in its operations against the ULFA. Between 1 January 1998, and 31 December 2000, a total of 375 ULFA militants were killed during counterinsurgency operations, 2,948 were arrested while 2,385 of them surrendered to the authorities. Besides, 468 arms, 5,810 rounds of ammunition and Rs. 17,29,315 in cash were recovered from ULFA militants. During the same period, 184 NDFB militants were killed in encounters, 615 arrested and 214 surrendered (Deka H. K., 2001).

The 'coordinated' approach of the Unified Command to tackle insurgency has been under question in terms of how far the coordination took place in its true sense. In many cases, it was found that a sense of competitiveness between the Army and the

State Police affected this coordination. The Army was contended with its advantage of heading operations since it could maintain a safe distance from vested political or other local pressures in the execution of counterinsurgency operations.[84] One interview participant argued that there are instances of unhealthy competitions in inter-force relations in Assam where the credit for success of a particular counterinsurgency operation was claimed by the army on one hand and the police on the other. What lacked in a coordinated approach to counterinsurgency by multiple actors was the sense of unity in purpose and effort—a spirit that needs to be nurtured and safeguarded.

5.3.2.1 counterinsurgency in Bodo areas.

In the Bodo people dominated areas of western Assam, large-scale insurgency violence began since 1989. The State police and the Army embarked on counterinsurgency drive as and when Bodo militants caused violent incidents and killings. Bodo insurgents taking shelter in Bhutan received a big blow in 2003 by Operation Rhino which was aimed at rooting out the camps of ULFA, NDFB and KLO from Bhutan. It was regarded as a successful counterinsurgency operation, which led to the declaration of unilateral ceasefire on the part of NDFB-Ranjan Daimary faction. However, the most sustained and tough counterinsurgency operations in the recent years has been the 'Operation All Out' against the NDFB-Songbijit faction which was launched in December 2014 after the massacres in May and December 2014 killing 120 people, out of which 46 were minors (Deka K. , 2015).

The Government's approach was quite firm, and the Indian Home Ministry promised a time-bound action against the outfit. In September 2015, the operation was renewed with full force along the Indo-Bhutan border and the forest areas of Kokrajhar. Till March 2017, the sustained counterinsurgency operations against NDFB (S) militants resulted in the arrest of 906 cadres/linkmen of NDFB (S) and killing of 52 militants along with recovery of huge quantity of arms and ammunition (Achievements of NE Division, 2017). Contrary to this, the Assam Police in BTAD has offered a surrender opportunity to some NDFB-S leaders (Assam Police offers

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[84]*The Sentinel*, Guwahati, 6 June 2001

opportunity to surrender top NDFB(S) leaders , 2016). Backed by promise of peace talks, if such surrender takes place, it would not be surprising that any militant outfit, even after being engaged in series of terrorist-like violence, can hope for more incentive by surrendering to the government at the end of the show. Offering of peace talks to each and every militant group is only encouraging insurgency.

5.3.2.2 counterinsurgency in Karbi Anglong and NC Hills.

A rough terrain with thick jungles and poor connectivity has been attributed by the security forces as a major hurdle in countering insurgency in the hill districts. The challenges of nature in countering insurgency were multiplied by the near absence of policing facilities in the area. According to the Bureau of Police Research & Development (BPR&D), the police population ratio of Assam in 2015 is 163 police per lakh of population, while the sanctioned police force is 203 per lakh of population. Again, the police strength per 100 sq kilometrres is 66 but the sanctioned strength is 82 (Data on Police Organisations, 2015).The Karbi Anglong district, covering over 10,000 square kilometre area, facilitates almost a free run for ultras with the negligible presence of only 20 police stations (District Profile). Series of attacks and killings of non-Karbi population by gun-toting UPDS militants (United People's Democratic Solidarity was formed in 1999) instigated constant fear among the communities.

A review of incidents during 1999 to 2002, and even after that, reveals that the militants had their day since there was no force in Karbi Anglng that could counter their mayhem. Though the incidents of extreme violence caused by UPDS caught the attention of the government, there was hardly any notable counterinsurgency effort to be seen on the part of the Central government. The government, however, attempted to calm the militants with a ceasefire agreement in 2002. The ceasefire resulted in signing of a Memorandum of Settlement with the UPDS in 2011. But even after that, insurgency continued in Karbi Anglong with splitting up of outfits. Indian Army's Operation Wipe Out, launched in February 2015 in Amring forest of Karbi Anglong, claims to have achieved success with the arrest of several top leaders of KPLT (Unnithan, 2015).

Counterinsurgency operations against the insurgent outfit Dima Halam Daogah in the NC Hills (now Dima Hasao) district of Assam gathered pace after mayhem by DHD(J) militants. Sustained counterinsurgency operations forced the outfit to declare a unilateral ceasefire for a period of three months on 24 March 2008. In December 2008, both the Centre and the Assam Government gave the go ahead to the army to neutralise the DHD(J). The Army took the help of Central Reserve Police Force (CRPF) and the Border Security Force (BSF). At the height of this counterinsurgency operation against DHD(J), 67 companies of security forces were operating in NC Hills (Incidents and Statements involving Black Widow: 2013, 2013). On 4 June 2009, Jewel Garlosa was arrested by the Assam Police in Bengaluru as part of a trans-national offensive codenamed 'Operation Treasure Hunt'. Insurgency by DHD in the NC Hills was in a way calmed down by counterinsurgency operations by bringing the insurgents to peace mode and the signing of a Memorandum of Settlement.

5.3.2.3 success of counterinsurgency strategy in Tripura.

The police played a crucial role in bringing peace and order to Tripura, another north-eastern state. However, Tripura's case is different from the police-led counterinsurgency success in Punjab and Andhra Pradesh. Counterinsurgency operations in Tripura did not carry massive human rights violations, unlike in Punjab and Andhra Pradesh. While intelligence plays a vital role in Counterinsurgency operations by preventing accesses against innocent civilians, how an efficient and well-trained police force can gather intelligence inputs at the community level is well exhibited by Tripura. On the contrary, in Assam, the ability of the State police forces to match the insurgents with access to sophisticated weapons has been found wanting. As a result, it has been a trend to depend on the deployment of the army and para-military forces.[85]

In Tripura, the police stations and the Security Forces were assigned a pivotal role in generating operational intelligence through their own sources. They were held

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[85] Three states, Assam, Manipur and Arunachal Pradesh, set up the unified command structure (UCS) mechanism, to coordinate the activities of the police, para-military and army personnel. While Assam set up the UCS in 1997, Manipur replicated the mechanism in 2004 and Arunachal Pradesh in 2008. http://cdpsindia.org/ne_insurgency.asp

squarely responsible for any lapses in this regard—something which is not to be seen in Counterinsurgency operations led by the militia in other states. Vital information such as, i) identification of vulnerable villages, security camps and road stretches, ii) communally sensitive villages, iii) hardcore extremists, iv) over ground collaborators and v) preparation of suitable contingency plans and SOPs to respond to insurgency related incidents were collected by the police and security forces by raising new sources from interior and remote areas through civic action programmes or Village Resistance groups, used force-multipliers like surrendered or arrested extremists or collaborators, and developed contacts in mixed populated areas (Kumar, 2016). This new strategy effectively reversed the downward flow of information from the State or District level to the Police Stations and ensured that all actionable leads are followed up at the local level without any loss of time.

5.3.2.4 analysis.

In India, neither the police nor the Army is trained coherently for counterinsurgency. While the police are normally trained to maintain law and order and investigate criminal offences, the Army is mainly trained for conventional warfare against foreign enemy. It is under emergency circumstances that most of the police and Security Forces are deployed for countering insurgency. While the army is engaged in developing counterinsurgency capabilities, the same can be emphasised among the police forces in all the insurgency affected states. The role of political executives too cannot be ignored in handling the rebels.

The advantage of the counter-insurgent force is that it has enough man power and resources to neutralise the insurgents. While most of the counterinsurgency operations use massive force for a small group of insurgents, this may cause human rights violations by the forces thereby making the public apprehensive. This public apprehension boosts the militants' morale and helps to gain sympathy from the people. It is generally felt that since the police force consists of mostly local people, they can understand the situation and the surroundings better than the Armed forces who are quite alien to the areas in the region. In this situation, empowering the local police to tackle the operations is imperative.

Counterinsurgency has been a continued strategy of the government in the insurgency infested areas of the region. Even after several militant groups and factions coming under the process of ceasefire and peace negotiations, use of force remained the first option for the Indian state to tackle insurgency.

5.3.3 the perceived peace policy.

When many think that the Government of India does not have a considerable peace policy for the region, others believe that the government has adopted a duel peace policy—military measures as well as offer of peace talks. The government's apparent peace policy adopted in the Northeast has found expression in the MHA Annual Report (2012-13). The reports stated that "the Government is ready to talk with any group/outfit which is willing to abjure violence, lay down arms and agree to abide by the Constitution of India". The main objective of the policy is to bring down violence either through military or security force operations or by offering and engaging the outfits in peace talks and projecting dialogue option as a win-all situation.

5.3.3.1 ceasefire.

A ceasefire calls for halt to or suspension of hostilities. It is an agreement between two or more warring parties to stop fighting for a period of time so that a permanent agreement can be made to end the conflict (ceasefire). However, most of the ceasefire agreements in the region have not been able to achieve the desired process of dialogue and peace agreement. While few ceasefire agreements even discontinued, such as the one with the NSCN-K, several agreements have not been able to begin any dialogue process between the government and the insurgents under ceasefire who are generally kept in designated camps.

One cannot ignore the fact that at present there are 13 insurgent groups under ceasefire in Assam. In any insurgency conflict, there are generally two players—the government and the insurgents. In Assam, the existence of number of militant groups is further complicating the problem. The government normally has two options—use of counterinsurgency operations and dialoguing with the insurgents. If the government choose to attack, the insurgents may or may not collapse (Das R. P., Politics of Ceasefire and Peace Talks, 2016).

The prospect of survival of insurgents increases over time as the possibility of defeating or dousing them declines. When the government embarks on a war against the insurgents, it takes chance and risk. The alternative strategy for the government remains negotiations for peace. In this situation, when the government makes a peace overture, the insurgents are bound to come up with a response as the ball is thrown in the court of the insurgents.

At present, three tripartite ceasefire agreements are in queue in Assam waiting for the moment of formation of a peace agreement and signing of it. These are: i) the ceasefire agreement with the United Liberation Front of Asom-Pro Talk faction (ULFA-Pro talk) signed on 3 September 2011, ii) the one with National Democratic Front of Bodoland-Progressive (NDFB-P) signed on 24 May 2005 and iii) another with the NDFB-R (Ranjan Daimary) signed on 29 November 2013. In February 2010, the Karbi Longri NC Hills Liberation Front (KLNLF) signed a Suspension of Operations (SoO) agreement with the Government of Assam. On the other side, the ULFA (Independent) led by Paresh Baruah, rejected government's peace offer and is continuing with the armed insurrection.

Besides the groups mentioned above, there are several other insurgent groups under ceasefire mode but the government has not signed any SoO agreements with such groups. As a result, no peace talks have been initiated regarding these groups. It could be understood that the government has not gone for reaching SoO agreements and start peace talks with these groups because it does not consider them as groups having a base or a distinct ideology to begin an insurrection in the first place. But one can never rule out the fact that with the passing of time, the rebels may become restless and frustrated only to take up arms again in their hands to fight the State (Das R. P., Politics of Ceasefire and Peace Talks, 2016).

According to statistics from the Ministry of Home, Government of India, during 2007-2016 (April), a total of 7657 militants belonging to different insurgent groups of the Northeast surrendered.

Insurgency in Northeast, State-wise Security Situation from 2007 to 2016 (up to 30.4. 2016)[86]

Table 4: Security Situation in Arunachal Pradesh

Arunachal Pradesh							
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	35	17	25	11	05	12	05
2008	28	12	06	08	-	03	75
2009	53	32	19	57	-	03	30
2010	32	53	11	52	-	02	15
2011	53	51	21	23	-	06	28
2012	54	66	14	17	-	05	17
2013	21	49	07	02	01	02	09
2014	33	86	09	07	-	02	49
2015	36	55	05	03	03	01	33
2016 (30.04.2016)	13	15	01	-	-	-	03

(source: Ministry of Home Affairs, Government of India)

Table 5: Security Situation in Assam

Assam							
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	474	408	122	229	27	287	89
2008	387	403	110	724	18	245	102
2009	424	359	194	616	22	152	91
2010	251	370	109	547	12	53	72
2011	145	378	46	789	14	18	72
2012	169	412	59	757	05	27	79
2013	211	348	52	92	05	35	125
2014	246	319	102	102	04	168	94
2015	81	645	49	30	-	09	27
2016 (30.04.2016)	29	140	22	13	01	07	10

(source: Ministry of Home Affairs, Government of India)

Table 6: Security Situation in Manipur

Manipur							
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	584	1217	219	07	39	130	39
2008	740	1711	364	37	16	137	80
2009	659	1532	336	28	19	81	52
2010	367	1458	108	60	06	33	43
2011	298	1365	28	284	10	26	34
2012	518	1286	65	350	08	21	57
2013	225	918	25	513	05	28	22
2014	278	1052	23	80	08	16	29
2015	229	805	41	04	24	15	26
2016 (30.04.2016)	81	150	05	-	02	04	09

(source: Ministry of Home Affairs, Government of India)

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[86] http://mha.nic.in/sites/upload_files/mha/files/InsurgencyNE_052016.pdf, accessed on 24 July2017

Table 7: Security Situation in Meghalaya

Meghalaya						
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	28	31	14	40	01	09	09
2008	16	67	07	14	02	01	05
2009	12	41	06	20	-	03	04
2010	29	78	14	27	-	04	11
2011	56	57	11	39	08	12	23
2012	127	92	16	20	01	36	64
2013	123	75	21	10	07	30	33
2014	179	173	35	733	06	24	110
2015	123	121	25	78	07	12	87
2016 (30.04.2016)	41	33	09	53	-	03	17

(source: Ministry of Home Affairs, Government of India)

Table 8: Security Situation in Mizoram

Mizoram						
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	02	02	06	13	-	02	-
2008	01	13	-	-	04	-	-
2009	01	-	-	-	-	01	-
2010	-	-	-	-	-	-	-
2011	01	04	-	02	-	-	02
2012	-	02	-	-	-	-	06
2013	01	03	-	-	-	-	06
2014	03	-	-	03	-	-	14
2015	02	04	-	-	03	-	13
2016 (30.04.2016)	-	02	-	-	-	-	01

(source: Ministry of Home Affairs, Government of India)

Table 9: Security Situation in Nagaland

Nagaland						
Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
2007	272	98	109	04	01	44	85
2008	321	316	140	04	03	70	110
2009	129	185	15	06	-	16	35
2010	64	247	05	12	-	-	42
2011	61	267	08	-	-	07	59
2012	151	275	66	04	-	08	93
2013	145	309	33	01	-	11	100
2014	77	296	12	-	-	01	65
2015	102	268	29	13	09	09	78
2016 (30.04.2016)	20	75	03	03	-	-	13

(source: Ministry of Home Affairs, Government of India)

Table 10: Security Situation in Tripura

Years	Incidents	Extremists arrested	Extremists killed	Extremists surrendered	SFs killed	Civilians killed	Persons kidnapped
				Tripura			
2007	94	64	19	220	06	14	65
2008	68	44	13	325	03	10	44
2009	19	14	01	293	01	08	18
2010	30	07	-	148	02	02	31
2011	13	19	-	25	-	01	32
2012	06	12	02	13	-	-	13
2013	06	10	-	22	-	01	12
2014	08	08	-	40	02	01	08
2015	01	02	-	15	-	-	03
2016 (30.04.2016)	-	-	-	15	-	-	-

(source: Ministry of Home Affairs, Government of India)

There is a feeling that the government encourages ceasefires with insurgent groups to buy time and postpone peace as a matter of strategy and according to one interviewee, this misgiving is not without a foundation. However, this strategy will not work in the long run because long drawn peace processes without holding any meaningful talks would land the insurgents on uncertainty and hopelessness and will push them on a rebellious mode. Such thoughts have been made public by many insurgents through the media, threatening the government that they will go back to the jungle if talks are not materialised. As observed by Dr Hiren Gohain, eminent author who led Sanmilita Jatiya Abhibarton—a major peace initiative by the civil society in 2010, what the government seems to be interested in is exhausting the patience of the insurgent groups and reducing them to passivity.

If the purpose of a ceasefire agreement to set the stage for peace dialogues and continue the peace process is not met, it is not surprising that the effort may boomerang. A fine instance is the case of NSCN-K in Nagaland. While the Government of India had held dialogue with the NSCN-IM for 18 years till the time it signed a 'Framework Agreement' with the group in August 2015 (which is supposed to lead to a final accord), the government has adopted an extremely tough posture against its rival faction, that is, the Khaplang faction of the National Socialist Council of Nagaland (NSCN-K). Due to the "ritualistic" renewal of the ceasefire every year with the NSCN-K since the truce in 2001 without holding any formal talks, the outfit became restive and abrogated the ceasefire agreement on 28 March 2015. The

Government too didn't put any effort to continue the ceasefire with NSCN-K or to address the issues that led the group to take such a decision. The immediate reaction to the government's stand was the ambush in Manipur on 4 June 2015 that killed 18 security force personnel. On 16 September 2015, the government announced a ban on NSCN-K for five years under the Unlawful Activities (Prevention) Act.

5.3.3.2 coercive diplomacy

In *Forceful Persuasion: Coercive Diplomacy as an Alternative to War*, Alexander George defines that coercive diplomacy intends "to back one's demand on an adversary with a threat of punishment for noncompliance that he will consider credible and potent enough to persuade him to comply with the demand" (George, 1991). John Lock, the seventeenth century philosopher whose treatises on government provided inspiration for the U.S. Constitution, defined coercive power as the only appropriate response to the illegitimate use of power. "In all states and conditions, the true remedy of force without authority is to oppose force to it" (Locke, 1952).

Peacemaking includes measures to address conflicts in progress and usually involves diplomatic action to bring hostile parties to a negotiated agreement (Peace and Security). The application of a range of coercive measures including the use of military force can be termed as 'peace enforcement', as stated by the United Nations. In the case of ULFA, the Government responded by way of using military force. The episodes of coercive diplomacy by the state against the ULFA have not been used in isolation. Coercive diplomacy is one of the tools that the state has been employing, while dealing with insurgency.

Diplomatic efforts to govern the conflict took centre stage in 1994 when the neighbouring kingdom of Bhutan admitted the presence of foreign militants, took up the matter with the Indian Government, and began to tackle the threat in close coordination with New Delhi (Hussain, Bhutan's Response to the Challenge of Terrorism, 2006). Diplomacy played a major role in Operation All Clear launched in December 2003 to flush out the militants camping in Bhutan. When just about 6,000 Royal Bhutan Army (RBA) (Hussain W. , 2006) and a small contingent of Royal Body Guards (RBG) took on the 3,000 heavily armed insurgents (ULFA, NDFB and KLO)

to flush them out of the Himalayan kingdom, the Indian Army was providing 'logistic support', including making available ammunition and medical supplies and services, as well as airlifting RBA casualties during the Operation All Clear (Hussain W. , 2003).

Another military offensive known as 'Operation Golden Bird' was a joint operation by the Indian and Myanmarese army in 1995 to intercept several north-eastern rebels including Naga, Manipuri and Assamese, who made their way through the jungles of Mizoram after picking up a consignment of weapons that had landed at Wyakaung beach on the Myanmar-Bangladesh coast. But the operation had to be stopped midway as Rangoon ordered its army to pull out of the operation.

Diplomatic relations between India and Bangladesh regarding the insurgency problem began after the detention of ULFA's General Secretary Golap Baruah alias Anup Chetia along with two other ULFA leaders in Bangladeh on 21 December 1997. Bangladesh initiated a decisive campaign against radical forces on the domestic front in January 2009, and also acted relentlessly against various militant formations operating in the region, which had long been sheltered on Bangladeshi soil (Eurasia Review, 2013). This move by the Bangladesh government resulted in the arrest of several top ULFA leaders taking shelter in the country.

In Myanmar, several north-eastern militant groups are taking shelter across the 1640 km long border that India shares with the country. While the leader of ULFA (Independent), Paresh Baruah and some of his cadres are camping in the Myanmar-China border, the dreaded NSCN-K has its base in Myanmar. Significantly, the NSCN-K even signed a ceasefire agreement with the Government of Myanmar on 9 April 2012. The outfit's decision of not to join the Nationwide Ceasefire Agreement signed by the Government of Myanmar with eight ethnic militant groups on 15 October 2015 cleared an opportunity for the Government of India to get support from Myanmar in tackling the NSCN-K. Diplomatic relations between the countries have improved and on 29 August 2016, both the countries signed two connectivity pacts to speed up construction of the Asian Trilateral Highway and agreed to cooperate in

efforts to fight insurgency (India, Myanmar sign four pacts, agree to cooperate on insurgency, 2016).

5.3.3.3 policy of surrender and rehabilitation.

Rehabilitation of surrendered militants forms an integral component of the government's policy on peace. Such peace initiatives actually go beyond the limits of disarmament, demobilisation and reintegration programme (DDR) adopted during a ceasefire period and extends to convince the rebels even during ongoing insurgency movement to abjure violence and commit to a rehabilitation programme. Disarmament means collection, documentation, control and disposal of small arms, ammunition, explosives as well as light and heavy weapons from rebels and civilian population. Demobilisation is a phase when active insurgents are discharged from their groups under a formal and controlled way and are provided short-term assistance known as 'reinsertion'. The process by which former militants get civilian status as well as gain sustainable employment and income is called Reintegration. The process is political, social and economic in nature having an open time-frame. It primarily takes place in communities at the local level. DDR supports ex-militants to become active participants in the peace process (Disarmament, Demobilization and Reintegration).

Since 1 January 1998, the MHA has been implementing a Surrender-cum-Rehabilitation Scheme which was revised with effect from 1 April 2005. Main objective of the scheme is that the militants that surrender do not find it attractive to join militancy once again. The scheme offers:

(i) An immediate grant of Rs. 1.5 lakhs to each surrenderee, which is to be kept in the name of the surrenderee as Fixed Deposit in a bank for a period of 3 years. This money can be utilized as collateral security/Margin Money against loan to be availed by the surrenderee from the bank for self-employment;

(ii) Payment of stipend of Rs. 3,500/- per month to each surrenderee for a period of one year. State Governments may consult Ministry of Home Affairs, in case support to beneficiaries is required beyond one year;

(iii) Vocational training to the surrenderees for self-employment. (Scheme for Surrender-cum-Rehabilitation of Militants in North East)

A considerable number of militants have surrendered with arms responding to this policy. Figure 1 shows a declining trend regarding the number of militants surrendered between 2012 and March 2017 in the Northeast.

Figure 1: Number of militants surrendered between 2012 and March 2017 in the Northeast
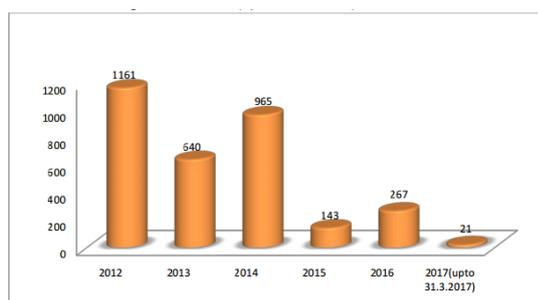
(Source: MHA website)[87]

Another scheme being implemented by the Central government is called Reimbursement of Security Related Expenditure (SRE) for those states that are seriously affected by insurgency. Under this scheme, expenditures such as raising of IR battalions, logistics for the Army and CRPF, ex-gratia grant and gratuitous relief to the victims of extremist violence, honorarium paid to village guards/village defence committees/home guards deployed for security purposes, maintenance of designated camps of the militants who are under suspension of operation agreement with the government, are being reimbursed (2009-10 Annual Report of MHA). Relief Measures for Victims of Militancy under the package announced by the Prime Minister in April 2008 included provisions such as, one-time cash compensation of Rs. 5 lakh to the next-of-kin of civilians killed in militancy related incidents.

5.3.3.4 analysis.

Government of India's policy for surrender and rehabilitation of the insurgents seems to suffer from a faulty process. Lack of a mechanism for proper verification of surrendered militants has given rise to a large number of persons coming forward to

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[87]Accessed on 24 July 2017

surrender, many of them never being a member of the militant organization (Das D. P., 2013).This happened mainly after Chief Minister Hiteswar Saikia's announcement of reward and rehabilitation for the surrendered ULFA militants. The policy titled '100 per cent Special Money Margin Scheme' was implemented between 1 June 1992 and 31 March 1997. Each surrendered militant was offered a Maruti van or Rupees 2 lakh cash to start a business/livelihood. Many were also allowed to keep small arms in the name of self defence. Although this policy inspired militants to come over-ground and surrender, it had several negative outcomes. Ceasefire and suspension of operation with insurgent groups had opened another door for easy money as these surrendered rebels had access to small arms and threatened common people to acquire forcefully whatever they want.

There are very many instances of surrender ceremonies where the number of surrendered militants becomes much bigger than the number of members of that particular militant group, as announced by the government. Why this happens? It is natural that friends, relatives or associates of the actual militants would like to be a part of the surrender process since the government provides incentives to surrendered militants. Another side of the reality could be that the police or the military can boast of the number of militants surrendered. But, in the process, militancy gets encouraged. The government must have rules such as every militant must deposit arms at the time of surrender, investigating doubtful surrenders, by making the security forces accountable in verification of the militants.

There are numerous reports and allegations regarding the surrender of youths who actually did not belong to any insurgent groups but had got their names enlisted with a particular group to avail of the surrender and rehabilitation benefits. It is notable that a substantial amount of funds have been spent for the upkeep of the surrendered militants.

It was argued by some interviewees that the policy encouraged new sets of youths to take up arms to avail financial and political power. An amnesty for the crimes they committed too could be an incentive for surrender. Suggestion in this context could be the constitution of a high power committee by the government of Assam (this include,

ADGP, SP and the Paramilitaries) to ascertain whether the government can accept the offer of any militant who is willing to surrender. Once accepted, the militant could be offered the package under the surrender scheme.

5.3.4 peace process.

Peace processes between the protagonists of the conflict and the government are accompanied by peace negotiations resulting in formal peace agreements. This became a predominant way of ending conflict since around 1990s. Most of these conflicts are intra-state in nature, i.e., conflict between the state and their armed non-state rebels within the borders of states (Bell, Policy Brief , 2013).

In Northeast India peace processes have been initiated by the government and civil society groups. Sometimes even insurgent groups take initiative, mainly when the heat of counterinsurgency makes them weak. In 1964, the Government of India initiated Peace Mission in Nagaland under the leadership of former Assam Chief Minister Bimala Prasad Chaliha, veteran freedom fighter and social reformer Jai Prakash Narayan and prominent English clergyman Rev. Michael Scott. This pioneering peace effort led to the signing of a ceasefire agreement on 6 September 1964 between the government of India and Naga insurgent leaders. However, six rounds of talks between   the Central government and the insurgents failed and the Peace Mission broke in 1967.

In Nagaland, the Church has been playing an important role in peace building. This is possible since most of the insurgents are Christians from the beginning of the conflict. After 22 years of violence since the signing of the failed Shillong Accord, a ceasefire agreement was signed between the Government of India and the NSCN-IM leadership on 1 August 1997. This was made possible by Baptist Church in Nagaland by organising the Atlanta Peace meet where the NSCN-IM leadership accepted the initiative to start an unconditional dialogue process. In April 2001, another ceasefire agreement was signed with the NSCN-K faction. Peace initiatives by civil society has been playing pivotal role in Nagaland. Efforts by the Naga Hoho, the apex tribal council of the Nagas and the Naga Mothers Association towards reconciliation of the warring factions are quite significant.

In Assam, effort to establish peace process was initiated by the government even before the ULFA was declared 'unlawful'. In 1989, the Central intelligence agencies tried to establish contact with the ULFA leadership. Again in 1991, Reboti Phukan, veteran footballer and a distant relative of Paresh Baruah, tried to bring the outfit to talking terms with the government, reportedly at the behest of the MHA. Subsequently, a five-member team of ULFA leaders were flown to New Delhi where talks were held with Home Minister SB Chavan and Prime Minister PV Narasimha Rao. The ULFA was offered a ceasefire and peace dialogue in return of their promise to shun violence. On their way home, ULFA's General Secretary Anup Chetia went underground, later to be arrested in Bangladesh.

It was in November 2001 that ULFA showed interest in a peace dialogue but they forwarded three preconditions for the proposed talks: a) talks outside India, b) talks under the supervision of the UN and c) talks to be centred round the sovereignty issue. But the Union Government did not agree in the pretext that at a time when Bhutan, Bangladesh and Myanmar were carrying out operations against the militants, such a move will affect the process in the neighbouring countries. A major initiative for talks was taken by ULFA in September 2005 with the constitution of the 11-member People's Consultative Group comprising authors, journalists, right activists, lawyers and academics. The PCG served as a fine opportunity for ULFA to buy time to reorganise and strengthen itself since the group was hit hard due to Operation All Clear in Bhutan. The PCG held three rounds of talks with the government and was able to convince the Centre to declare a ceasefire arguing that counterinsurgency and peace process cannot go together. The ceasefire was declared on 13 August 2006 for ten days, which was extended by 15 days.

ULFA was weakened significantly in June 2008 when its primary strike force, the Myanmar-based '28th Battalion' declared ceasefire seeking a negotiated solution to the grievances. The last major peace initiative by the civil society to address the ULFA insurgency was taken by Assam Jatiya Mahasabha by holding a National Convention (*Sanmilita Jatiya Abhibartan*) on 24 April 2010. The convention called upon both the Central government and ULFA to hold negotiation without any pre-condition. The

initiative was participated by 109 civil society organizations of Assam under the leadership of noted intellectual Prof Hiren Gohain (Mahanta, 2013). Paresh Barua led ULFA-Independent criticised the Convention for its initiative and asserted that there could be no talks without taking sovereignty as the core issue. This uncompromising attitude of ULFA-I compelled the Assam government to decide (26 May 2010) that talks will be held with ULFA without Paresh Baruah. The government kept the doors open for Baruah to join the peace process. Along with the peace process, counterinsurgency operations continued in the State against those insurgents involved in violence.

P C Haldar, former Director of Intelligence Bureau, India was appointed as interlocutor in July 2010 for the peace process with ULFA. The pro-talk faction of ULFA declared unilateral ceasefire in July 2011 and a 'Framework of Charter for Negotiations to Resolve the Issues between Assam and India' was handed over to Home Minister P Chidambaram by a seven-member delegation of the rebel group led by its Chairman Arabinda Rajkhowa.

The government's peace process with the Bodo militants did not have to go through such a disarrayed development like the one with ULFA. The peace process with the Bodos can be viewed in early 1990s which resulted in signing of a peace accord with the ABSU and BPAC in February 1993, paving way for creation of the Bodoland Autonomous Council. Insurgency continued in Bodoland and since 1999, informal talks with the BLT were carried out by the government that led to a formal ceasefire with the militant group in March 2000. The ceasefire accommodated peace talks with BLT that culminated with the signing of the Bodoland Territorial Council Accord in 2003. The NDFB, which was very much active during that period, was not included in the peace process. Thus the government tried to reach a settlement of the Bodo issue with one section of the Bodo rebels. This lack of inclusiveness while addressing the Bodo cause lies at the root of continued insurgency violence in the Bodo territory even after signing of two peace accords.

Peace process with NDFB began with the signing of a unilateral ceasefire with the government in 2004. A ceasefire seemed to be a better option for NDFB as the group

was weakened by Operation All Clear. The first round of peace talks between NDFB and the government took place in New Delhi on 27 May 2006. Ceasefire was extended to one more year, but the group reportedly carried on its extortion and violent activities. NDFB leader Ranjan Daimari did not oblige the agreement and continued with their violence operating from Bangladesh until he was arrested by security forces along the Indo-Bangladesh border in May 2010. The Ranjan Daimary faction of NDFB declared ceasefire in 2011 after a delegation of Bodo National Conference, an umbrella organisation of the Bodos met Daimary at Nagaon Central Jail. In order to expedite the peace process, the government released Daimary from jail in June 2013 and the peace process 'formally' began on 18 July 2013 when talks were held between Centre's interlocutor P C Haldar and NDFB. The government is engaged in parallel talks with the NDFB-Progressive and the RD faction of NDFB.

Government of India's peace process with the United People's Democratic Solidarity (UPDS) started with the signing of a ceasefire agreement on 23 May 2002. This ceasefire led to the split of the UPDS. While the pro-talk faction was engaged in a peace process, the anti-talk faction continued violence and later rechristened itself as Karbi Longri North Cachar Hills Liberation Front (KLNLF). After six rounds of talks, a tripartite Memorandum of Settlement was signed between the UPDS, Government of India and Government of Assam on 25 November 2011. But even after signing of the peace accord, peace has eluded the area and implementation of the clauses of the agreement is facing a bottleneck.

The government's peace process with KLNLF started after the outfit declared unilateral ceasefire in January 2009. On 11 February 2010, the group laid down arms to pave way for peace talks. The KLNLF is demanding for a separate state for the Karbis. While peace negotiations with KLNLF are still continuing, the Karbi People's Liberation Tigers (KPLT) was formed in January 2011 by the anti-talk faction of KLNLF. This group now remains a major violent force in Assam's Karbi Anglong district.

In the North Cachar Hills (now Dima Hasao) district of Assam, a peace process was introduced in November 1994 with the en masse surrender of the Dimasa National

Security Force (DNSF). The very next year, on 1 January 1995, anther insurgent group called Dima Halam Daogah (DHD) was formed. When DHD signed a ceasefire agreement with the government on 1 January 2003, another breakaway faction was formed under the leadership of Jewel Garlosa. This group caused much violence than before. Following the arrest of Jewel Garlosa on 4 June 2009, the outfit had no other option but to announce a unilateral ceasefire. On 2 October 2009, a total of 382 DHD-J cadres laid down their arms at an official ceremony in Haflong, the Head Quarter of NC Hills district.

The government was willing to hold peace talks with DHD-J and for that purpose, on 16 August 2011, the NIA (National Investigation Agency) chargesheeted leaders of DHD-J were freed from jail by an interim order. Finally, on 8 October 2012, a Memorandum of Settlement was signed in New Delhi by the DHD and DHD-J with the Central Government and the State Government for creation of Dima Hasao Autonomous Territorial Council. The DHD Accord too has seen little implementation as formation of the Territorial Council requires Constitutional amendment which is yet to happen.

The Adivasi groups, namely Adivasi Cobra Military of Assam (ACMA), Adivasi People's Army (APA), Santhali Tiger Force (STF), Birsa Commando Force (BCF) and All Adivasi National Liberation army (AANLA) and other four outfits of Kuki and Hmar in Assam surrendered their arms on 24 January 2012 and joined the peace process (Ministry of Home Affairs, 2013-14). According to an Assam Government report, 13 militant outfits are now talking with the government. Peace talks, however, have not yet gained momentum with any of these rebel groups in Assam.

5.3.4.1 gender perspective in peace process and peace agreements.

Peace processes and peace agreements generally seem to have indicated a gender bias. The UN Security Council Resolution 1325 of 2000 advocates women's participation in peace negotiations and states that a gender perspective must be incorporated in the peace agreements. Peace process and peace agreements hold much significant for women as these are not simply aimed at ending a conflict through a ceasefire but have impact on the political and legal institutions of a country or parts of

it. While the issue of women's inclusion in a peace process comes in, a host of challenges come together. But in order to overcome the challenges, two things should be prioritised: a) Women should be included at all levels of negotiations to formulate and implement peace agreements, b) provisions of peace agreements must be designed in a way that consider the status and situation of women wherever needed and also include special provisions for women(Bell, Policy Brief , 2013).

The relative absence of women from peace processes result in peace agreement provisions that basically leave out women without addressing their concerns. According to a study done in 2012, out of the 31 samples of major peace process that took place between 1992 and 2011, only 4 per cent of signatories, 3.7 per cent of witnesses, 2.4 per cent of chief mediators and 9 per cent of negotiators were women (Pablo Castillo Diaz and Simon Tordjman, 2012).

Peace processes generally aim to end the political violence of a conflict. In its focus on political violence, a peace process generally fails to take into account the gendered forms of violence which women suffer during pre-conflict, conflict and post-conflict period. It is true that the absence of women in peace negotiation table cause lack of attention to the concerns of women in peace agreement (Bell, Policy Brief , 2013). On the other hand, presence of women in peace process makes visible difference in this regard. We can cite the example of Burundi.

The peace process in Burundi saw a range of initiatives aimed at the inclusion of women, including UNIFEM convening the All Party Women's Peace Conference with two representatives from each of the warring factions and the seven women observers to the process, and an "equality-friendly" mediator in the form of Nelson Mandela. The resultant Arusha Peace and Reconciliation Agreement for Burundi of August 29th 2008 was signed "in the presence of the representatives of Burundian civil society and women's organizations and Burundian religious leaders" (Arusha Agreement, 2008). More than half the recommendations formulated by the All Party Women's Peace Conference were adopted, including measures on sexual violence and provisions for participation. In the 2005 constitution (art. 34) a quota of 30% women as laid down for the (power-sharing) National Assembly (Bell, Policy Brief , 2013).

When the subject of participation of women in the peace process arises, this should not be merely seen in the context of women as victims of war and conflict. Women are to be looked as pro-active role players in the peace process, negotiations and formation of the peace agreements that again lead to peace building and post-conflict activities. The role of women organisations like the Naga Mothers' Association (NMA) in Nagaland, Naga Women's Union and Meira Paibies in Manipur can never be ignored as far as peace building is concerned.

In Assam, nobody can deny the effort of women like Mamoni Raisom Goswami who led the first major civil society initiative for peace process between the ULFA and the government. Various women's organisations like Matri Manch, Sajagota Samities, Mahila Santi Sena (MSS) and Bodo Women Justice Forum, Assam Pradeshik Mahila Samiti, Kasturba Trust have been working for peace building in their own way. At the same time, one cannot forget that the insurgent groups as political organizations have women wings. What is surprising is that the women cadres of the rebel groups too have to face rigid gender bias and division of labour. ULFA's former cultural secretary Pranati Deka and P. Shimray of NSCN (IM) are examples of exclusion of women in public sphere (Phukan, 2008).

Earlier in the 1990s, peace agreements were viewed as 'comprehensive contracts', now viewed as 'roadmaps'. This shift has emphasized the importance of reference to women in the peace agreement. Specific reference to women in a peace agreement is a key indicator of the use of a broader gender perspective. It also reflects how the agreement is constructed in terms of gender equality (Christine Bell and Catherine O'Rourke , 2010). We may sort out certain measures to

a) ensure protection and respect for human rights concerning women. This mainly concentrates on women's rights in formal political and legal institutions—the constitution, electoral system, police and the judiciary.

b) support local women's peace initiative and indigenous processes for conflict resolution. Women should be involved in all the implementation mechanism of the peace agreement.

c) secure representation of women in political institutions.

It is true that issues that are not specifically mentioned in a peace agreement would be difficult to prioritise during the implementation of the accord. Gender references in peace agreement may not do much to promote gender equality, but no mention of it would make things much difficult. A review of peace agreements and their references to women found that out of a total number of 585 peace agreements signed between 1 January 1990 and 1 may 2010 worldwide, only 92 agreements (16 per cent) mentioned women (Christine Bell and Catherine O'Rourke , 2010).

5.3.4.2 dialogue and negotiations.

The ceasefire agreements cannot end insurgency. This is only a stage of the conflict where the violence is stopped. After this phase, the politics of peace negotiations begins. Peace talks with one faction of an insurgent group have always been facing constrains if the other faction continues with the rebellion. In the case of ULFA, the Independent faction may survive indefinitely with its current base in the Myanmar-China border. Since there is no imminent risk factor for them, the group finds no reason to negotiate. The 'Independent' faction of the ULFA survived in several critical and weakest periods in the past, including the one when all the top ULFA leaders had come forward for peace dialogues. Such success has inspired the group to conclude that its surviving power is much greater than it originally believed (Das R. P., Politics of Ceasefire and Peace Talks, 2016).

If we look at the other side of the picture, i.e., the capacity of the state machinery, it is evident that the Government of India has a potent military capability. This is why the State could be unlikely to give up taking recourse to measures to smash the insurgency. Sometimes, unable to bear the heat of counterinsurgency operations, when insurgents approach for negotiations, the government may refuse to offer peace. So, it is seen that in the beginning, insurgents are often denounced as criminals and the government uses all of its resources to repress such insurgency. In the context of Assam, the government's approach has been somewhat different in the sense that peace process here was initiated by the government.

The fact that current peace negotiations with the ULFA-Pro Talk has not been able to include Paresh Baruah's ULFA Independent faction still worries many because a

settlement with ULFA would never be an inclusive one without involvement of the outfit as a whole. The group's president Arabinda Rajkhowa had once said, "There will be no political discussion without the ULFA General Secretary Anup Chetia's participation in the talks." He said that the peace process "otherwise would remain inconclusive." Although now Anup Chetia is involved in the peace process, it is difficult to achieve a conclusive peace deal while one faction of the ULFA is preparing to wage fresh war against the state. Again there are other factors such as how to deal with the different ethnic identities in Assam who believe that the Assamese speaking community has been politically and culturally exploiting them and so are fighting for separate identities.

Peace negotiations between the ULFA and the Government of India based on the twelve-point charter of demands prepared by the umbrella group of civil society organisations called Sanmilita Jatiya Abhibartan (SJA) seems to be lacking in enthusiasm. The first round of talks held in New Delhi in 2011 looked for speedier socio-economic development for the people of Assam (Ulfa, government discuss charter of demands , 2011). Though some ULFA leaders expressed certain level of satisfaction regarding the talks so far, the fact is that talks are not progressing in a satisfactory pace. In the field interviews, participants who were ULFA leaders revealed that their final draft of demands is not fully ready yet. The talks that began in 2011, reached a stage of halt in late 2016 on the pretext that a judgement by the Supreme Court is awaited. The judgement will be on a bunch of petitions filed by different individuals and civil society organisations that sought 1951 to be the cut off year for determining citizenship of people living in Assam instead of 1971 as determined by the Assam Accord (Sangeeta Barooah Pisharoty and Rajeev Bhattacharyya, 2016).

In the absence of proper rehabilitation measures, the ULFA members staying in designated camps since 2011 are increasingly leaving the camps out of frustration. A delay has already been seen regarding reaching a solution or a peace accord with the ULFA, which is now added with an element of uncertainty over several issues, including the definition of indigenous Assamese and the citizenship issue. ULFA's

demand of granting ST status to six communities and reservation of majority of Assembly seats for STs with the logic that this will prevent 'outsiders' from being ruler of the state is something unacceptable for many. If it happens, Assam will become a tribal state and the rights of the indigenous population other than the tribals could be at stake. Again, it is also questionable, how representative and responsible ULFA is of the people of entire Assam. Even the leaders of the organization agree that ULFA no more enjoys the popular support it used to do in the beginning.

It appears that if both the factions do not become parties to the peace process, the end result will not provide a solution to the ULFA problem. At the same time, it seems almost impossible to bring Paresh Baruah to the negotiating table without inclusion of the sovereignty issue in agenda. This, however, is something not possible for the government since that will instigate similar demands of the other insurgent groups making it difficult for the government to contain the situation. Another side of the coin is that Paresh Baruah himself has gone "too far" to return to Assam. As he is regarded a trusted man by many agencies in the countries he is taking shelter, giving away with this role and responsibility would be really tough for him. In such a case, he would continue an insurgency in Assam from his exile only to meet the same fate as Naga leader Angami Zapu Phizo (Banerjee, Assam: Peace is Elusive, 2016).

If the government is using the Charter of Demands and discussion over it as delaying tactic thinking the ULFA will meet a natural death with time, then it would be wrong to expect that. In the case of the NDFB factions that are in talks, the Government seems to delay the talks in order to reach a possible solution (Narzary, 2015). A sincere approach and an inclusive strategy are required to bring about a comprehensive solution to the problems.

The challenge for the government is to carry on multiple peace processes to the next level – an indeed complex process, since in many cases, demands of one insurgent group contradict with the others'. The protests and violent agitations by non-Bodo people in BTC, the protests and fights by the non-Dimasa people in the Dima Hasao, the opposition of several Scheduled Tribe communities in Assam against granting ST status to six more communities, are only few examples in this scenario. A

tendency to reach an immediate settlement instead of long term and sustainable peace effort is reflected in the four peace accords studied under this research. This ad-hoc approach on the part of the government lacks strong political will and hinders the negotiations making it unable to find a solution generally acceptable to all the stakeholders. In peace negotiations, the negotiating parties must possess patience and flexibility to achieve the objectives. Prolonged peace negotiations with negligible engagement of the civil society or the people the insurgents claim to represent, absence of women in the peace negotiations in spite of the fact that women constitute half of the population, are some of the crucial indicators of the peace negotiations in the region.

The idea of a moratorium on peace talks with new militant groups may also be considered. Of course, this will depend on the support base and reach of influence of the group concerned. The ceasefire rules too do not include different stages of peace negotiations nor do they include any time frame. The government definitely appears to be lacking in a clear policy on these issues.

Another aspect to be considered by the government while negotiating with an insurgent group or faction of an insurgent group is that negotiations should be started only when the government is clear about the basic concessions it can offer. The process of negotiation has to be transparent. In the absence of this, violent situations are likely to occur, as happened after the extension of Naga ceasefire to Manipur. When the central government in June 2001 agreed in a statement that the ceasefire would have "no territorial limits in terms of its implementation", the decision was protested in all the north-eastern states bordering Nagaland. Large-scale violence was triggered by this act of the Centre (Choudhuri, 2001).

A peace negotiation without any time frame may lead to mere uncertainty. This can create negative impact on the insurgency and peace process. The initial delay of the government in arriving at an acceptable solution can prevent any peaceful resolution of the problem. It is therefore pertinent that the government should try to talk peace with the insurgent outfits right in the beginning instead of spending time trying to

assess the potential of an insurgent group to create trouble. This will help to nip the rebellion in the bud (Das R. P., 2016).

When the government invites a rebel group for peace talks in order to douse the prevailing violence, an important aspect to be considered is that whether peace talk with any particular rebel group is indirectly providing a status of legitimacy to that group. For example, we can take the case of NSCN-IM. We have noticed that the government has been engaged in a peace dialogue with the group since the past 20 years. The talks have only succeeded to control the 'violence' to an extent. However, the group was openly engaged in extortions, smuggling of narcotics and arms to smaller outfits to expand their area of control.[88] The insurgent groups or factions of groups achieve legitimacy through certain gestures by the government as well as publicity by the media. Once a group attains legitimacy, the government invariably starts peace talks with such groups.

Thus, legitimacy of the demands of a group is being recognised by the government. At the same time, the government also seems to remain clueless as what could be offered to separate groups in their respective peace deals. In fact, a particular insurgent group cannot be said to represent an entire ethnic group. In this case, it seems that for the sake of establishing peace, the government might have to sign more than one peace agreement. A territorial council has already been formed for the Bodos after talks with the insurgent group known as BLT. But now the question stands as what the government can offer to the other groups like the two factions of the NDFB who have been still fighting for their demands in Bodoland (Das R. P., 2012).

It seems that even after the ban on the NSCN-K, announced on 17 September 2015, the Government was uncertain about its own peace policy. So when a four-member delegation of the Naga mothers Association (NMA) wanted to visit the NSCN-K leaders in Myanmar to talk to them, the Government allowed them to go. On 16 September, the NMA delegation met Home Minister Rajnath Singh in New Delhi to submit a memorandum and informed him that the NSCN-K was willing to reconsider

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[88] Bhattacharjee, Kishalay, 'Peace Talks' in Assam's Post Election Scenario', http://www.idsa.in/idsacomments/PeaceTalksinAssamsPostElectionScenario_kbhattacharjee_160511

its decision. However, on the very next day, the Government announced a ban on the NSCN-K! On the whole, it appears that the Government of India has no clear strategy and policy to deal with Naga rebel groups other than the NSCN-IM, something that may prevent the dawn of peace in Nagaland.

A lack of transparency in the peace processes between the Government of India and the NSCN-IM or between the government and the United Liberation Front of Asom (ULFA) has been quite visible. People have no clue regarding the content of the 'Framework Agreement' signed with the NSCN-IM. This gives birth to doubts and confusion among the stakeholders. In contrast to this, in the peace process in Myanmar, we find an institutionalised peace office with participation of the government as the key player.

5.3.5 Need for Institutionalisation of the Peace Policy

A laid down procedure, a well laid out structure, a set of non-negotiable values and a basic framework have always been found missing in the peace processes that took place. "Negotiations must be there. But we need to have some kind of formal policy, some kind of framework for the purpose", said one of the participants in the interviews. It was agreed that there is need for a sustained dialogue for co-existence of conflicting parties.

Some government officials during the field interviews for this study argued that laid down rules cannot be followed because each group is different in character, size or influence, and has different sets of demands. But, there may be no justification in the Union Government agreeing to hold talks with the National Socialist Council of Nagaland (NSCN) and the United Liberation Front of Asom (ULFA) while refusing to initiate the talks with the National Democratic Front of Bodoland (NDFB), instead putting the onus of initiative to the state government. The Union Government, of course, relented after the NDFB protested and gave an ultimatum that the talks will materialise only if their leaders are invited by the Central Government representatives. The government obliged because the insurgent leaders cited the precedence of such talks with the NSCN. While most of the interview participants were suggesting

institutionalisation of the government's peace policy, reference could be made to the structure of Myanmar peace process which has been ratified in the parliament.

The Myanmar government opened the Myanmar Peace Centre on 3 November 2012, headed and run by the President's Office Minister. It was established to assist the two government peacemaking committees for the peace process—the Union Peace-making Central Committee and the Union Peace-making Work Committee. It served as a platform for government officials, members of ethnic militia groups, civil society organizations, international donors and international NGOs to meet and negotiate. A three-phased peace plan could be found:

State level: Ceasefire, set up liaison offices and travel without holding arms to each other's territory

Union level: Confidence building, holding political dialogue, implement regional development tasks in terms of education, health and communication

Sign agreement for eternal peace in the presence of the parliament represented by nationalities, political parties and different walks of life (Government Peace Plan, 2012).

We find a structured peace office in Myanmar. People (who are the stakeholders) know in which stage a particular militant group is in the peace process. For instance, in Myanmar, the NSCN-K is in peace process stage 1, which means it is in the state level peace negotiation.

Reformations were also made in the Myanmar government's peace process, such as, need for ceasefire and surrender of weapons no longer needed prior to peace talks, talks are not insisted to be held within Myanmar. After signing of the Nationwide Ceasefire Agreement (NCA) in October 2015 between the Government of Myanmar and eight ethnic insurgent groups, the NCA was ratified into law which has formally institutionalised the multi-stakeholder structure for conflict control and political settlement mentioned in the document (BNA, 2017).

5.3.5.1 structure of Myanmar Peace Centre

Figure 2: Structure of Myanmar Peace Centre
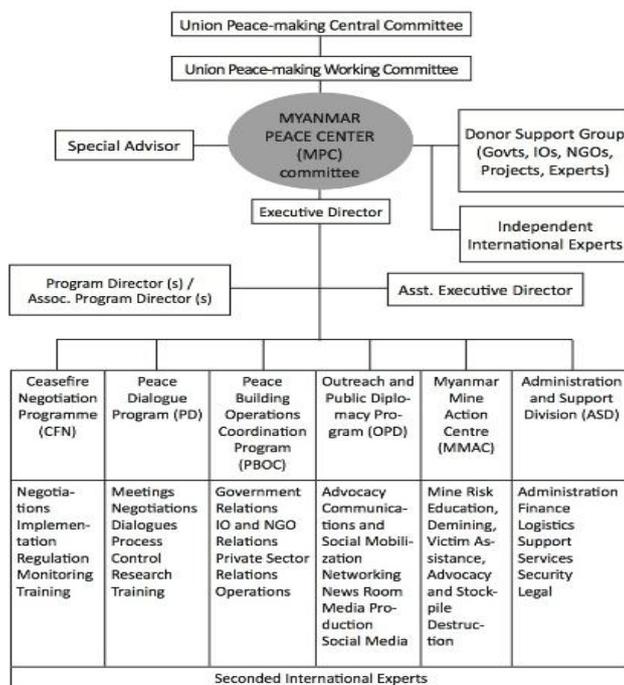
(source: Myanmar Peace Monitor[89])

In July 2016, the Myanmar Government formed the 'National Reconciliation and Peace Centre' to further the peace process and the Myanmar Peace Centre was replaced with this new formation. The functions of the Centre are to set policies and guidelines for national reconciliation process and for internal peace process, apart from others (National Reconciliation and Peace Centre, 2016).

5.3.6 peace agreements as strategy.

Peace agreements play a crucial role in an approach to resolve conflict and create peace. Agreements can help to establish peace through implementation of the mechanisms and provisions that increase the costs of defection, develop monitoring capabilities and provide incentives for cooperative behaviour. Kantian philosophy that offers variables such as democracy, economic independence and membership in intergovernmental organisations (IGOs) has the capacity to produce peace. It can be

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[89] http://www.mmpeacemonitor.org/stakeholders/myanmar-peace-center

said that peace leads to democracy or democracy is easier to implement in a peaceful environment (John R. Oneal and Bruce Russett, 1999).

A major problem with the peace accords signed in Assam is associated with drafting of the accords. Most of the accords are drafted in a rather hasty manner without taking sincere opinion from the people, either by the government or by the signatory militants who claim to represent the people. Participation of the stakeholders, including civil society leaders, women's organizations, opinion makers, community leaders, etc. are actually very much crucial in any peace process. In the Northeast, civil society, whether at individual or organizational level, has been playing a major role in initiating peace between the insurgents and the State. However, when the peace process reaches the stage of dialoguing, all the stakeholders other than the insurgents are generally sidelined—the negotiating parties have rarely showed interest in knowing the people's feedback or opinion during the process of drafting an accord. In any democratic participation, people's opinion holds great significance for sustainable peace. A peace accord is only the medium, the successful implementation of which has the potential to bring peace to a region.

Accords often produce negative results if the framing and signing of peace accords is done only to address the immediate issue without visualising and taking care of the far reaching effect in the future. Thus, the 1993 BAC accord brought division among the Bodo insurgent groups in Assam. The Bodo Liberation Tigers (BLT) was formed only to carry on insurgency along with its counterpart the National Liberation Front of Bodoland. The second Bodo Accord was signed with BLT in 2003. Government did not hold any dialogue with the already existing insurgent groups like NDFB in the Bodo area. This reflects a gap in the Government's policy that lacks inclusivity.

It was because the Government did not discuss the issue or tried to address it taking all the stakeholders on board. This has resulted in splintering of militant groups. Several splinter groups emerged after 2003, and the major one being the NDFB-Songbijit faction, against which counterinsurgency operations are still on.

5.3.6.1 Elections

Elections are a general outcome of most of the peace agreements signed in the recent past. Thus peace-building is integrated with democratisation. But elections may prove to be dangerous in a democratic society where those who oppose the electoral results may cause violence for their easy access to weapons and troops. This normally does not happen in societies that have no recent experience of war or little war. The concept of power sharing has been increasingly adopted in different conflict resolution models to establish post-war governance. Elections are a free and open process where the results can be totally uncertain. On the other hand, power sharing helps to reduce this uncertainty to a large extent by reserving political power for particular groups or communities. However, power sharing often means a blockade, monopoly of an elite class of the concerned community and inefficient governance in a post-conflict society that crawls towards peace. While in some peace processes power sharing provides for a transitional government which is ended by elections that pave way to majoritarian democracy, in others the provision of power sharing continues. Many peace agreements could not end conflict even after including the power sharing provision (Jarstad, 2009).

5.3.7 development as a strategy.

Development is a strategy in which the local population can participate at every stage. After counterinsurgency and peace process, development came up as an important tool for the government to address insurgency in the region. The government's attempt to focus on the Northeast through development measures was visible with the establishment of the North Eastern Council (NEC) in 1971 for a balanced socio-economic development of the region. The Department of North Eastern Region (DONER) was set up in September 2001. The department was later upgraded to a Ministry in May 2004. The DONER Ministry was set up to coordinate and give impetus to the Centre's development efforts pertaining to socio-economic development of the region. The Non-lapsable Central Pool of Resources (NLCPR), which was initially handled by the Planning Commission, was transferred to DONER.

DONER is responsible for coordination, planning, execution and monitoring of the development schemes and projects in the region.

The Government of India appeared to develop the economically backward, landlocked Northeast by introducing the Look East Policy which was renamed as Act East Policy in November 2014. However, this too has been aimed from the point of view of the Government of India's overall economic and geo-political ambitions. The Look East Policy had been a part of India's foreign policy since 1990. But its Northeast perspective came as late as in October 2007. The Policy upholds the region's potential to emerge as a strategic base for foreign and domestic investors to tap into the South Asian region (MDONER, 2011).

The north-eastern region, mainly Arunachal Pradesh and the border areas confront unique problems which cannot be handled by normal schemes or usual course of action. With this view, finance minister P Chidambaram announced during his budget speech of 2008-2009, a Rs 500 crore package from Social and Infrastructure Development Fund (SIDF) (FM's Rs.500 Crore Package For NER, 2008). Another scheme, named North East Road Sector Development Scheme (NERSDS) prioritises roads required from security and strategic viewpoint, apart from other needs (MDONER, Guidelines for Administration of North East Road Sector).

The Look East Policy promoted immediate priorities like building required infrastructure connecting the border areas. The focus was on establishing connectivity and communication links to the cross-border points and beyond so that trade and economy exchanges can take place with the neighbouring countries. This is based on the fact that 96 per cent of the north-eastern region constitutes international boundaries and the region is geo-politically isolated. The Policy emphasised on three requirements for economic well being of the region: 1. law and order / internal security, 2. Good governance including local-self government at the grassroots, and 3. Diplomatic initiatives with neighbouring countries (NER vision 2010, The vision Statement, 2008).

Development is adopted as a strategy by the government, because one of the root causes of insurgency is economic backwardness and lack of development. The special

economic problems of the north-eastern region were well stated in the *Approach to the 11th Five Year Plan* by the Planning Commission of India:

The per capita income of the North-Eastern (NE) States, which was slightly above the National average in 1947, has fallen to almost 40 per cent below (the) National average today. These states have some unique economic problems arising out of remoteness, poor connectivity, hilly and often inhospitable terrain, a weak resource base, poor infrastructure, sparse population, density, inadequate administrative capacity, low skill development and finally a law and order situation often threatened by insurgency. These factors have resulted in low economic and consequent financial vulnerability (Bezbaruah, 2008).

When talking about the 'Northeast', any generalisation of the region within this bracket does not do justice. The physical homogeneity of the region cannot be a factor to overlook the vast areas of differences in culture and tradition, language and ethnicity. Any development agenda without taking into account the distinctness of the states could be flawed from the beginning. If we look at the performance of Assam, which is the biggest economy of the region, we will find that the State's performance graph, since Independence, is quite alarming. The position of Assam was much better at the time of Independence. During the beginning of Planned Development in the country, the per capita income of Assam was 4 per cent higher than the national income at constant prices. This came down to 45 per cent below the national average at constant prices by 1980-81 and 41 per cent below by 1998-99 prices (Planning Commission, 2002). The "more alarming" factor as stated by the Assam Development Report (ADR) is that the gap has been growing. The per capita income in Assam at 1980-81 prices grew by 20 per cent between 1980 and 1990. This is quite low against the 40 per cent growth for all India. The per capita income in Assam grew by 10 per cent between 1980 and1998 against the 39 per cent growth for all India. The deceleration of the economy is reflected in the human development indicators. Except Mizoram, all the north-eastern states have substantially higher percentage of population below the poverty line than the national average. The ADR also states that

Assam is the only major state of India which showed increasing rural poverty over a long period from 1957 to 1994.

Assam's unemployment figures too, have been quite alarming. The unemployed youth in the 15-29 age-groups in Assam increased from 3.01 in 1983-84 to 19.25 in 1993-94 against the all India figure of 6.46 per cent that year. During the 1990s, growth of agriculture in Assam slowed down from an already low figure of 2.1 per cent of the earlier decade to 1.6 per cent (Planning Commission, 2002). Lack of industrial growth, low productivity of industry and agriculture sector and a disproportionate growth of the service sector due to find employment in the public sector created a vicious cycle. Low productivity of investment and low income generation resulted in low capital expenditure on development (Bezbaruah, 2008).

Table 11: Percentages of Unemployed Youth in NE States

NE States	1983–84	1993–94
Assam	3.01	19.25
Manipur	0.32	8.01
Tripura	4.4	13.03
Nagaland	0.56	6.46
Mizoram	0.36	2.42
National Average		6.46

(source: Planning Commission Report, 2002)

The government's development strategy adopted in the region can be viewed in two parameters: a) Connectivity in a broader sense including transport (Road, Rail, Air and Water), communication, information and broadcasting and b) Administrative and political focus on the area. The present development schemes of the government are made in conformity with the United Nation's Millennium Development Goals. The government has advocated development of the region as its prime agenda to address unemployment and insurgency in the region.

However, most of the policies the Government initiated with the Northeast are associated with the aspect of security angle. The developmental policies of the Government are merged with how to contain insurgency, rather than trying to

empower the people to sustain for themselves (Maier, 2009). Insurgency in the region has been mostly treated as a security problem by the Central Government taking less interest in the socio-economic and political factors behind the secessionist movements. Often the government has been engaged in 'carrot and stick approach' – by using military intervention and trying to buy peace through incentives. This approach of the government matches the earlier conception of peace policy as being a relatively insignificant part of security policy and emphasises that peace policy encompasses security policy. However, the recent definition of peace policy is different. The Kroc Institute for International Studies has defined Peace Policy as a set of decisions that shape society and that can either increase the likelihood of armed conflict or contribute to peace and justice (Peace Policy, 2015). In fact, the concept of Peace Policy is quite modern that came to prominence in Switzerland with the Federal Council's report on Swiss Foreign Policy in 1993. Released by the Federal Council in November 2000, the Swiss Foreign Policy defines Peace Policy as:

> ... a comprehensive concept which not only refers to direct peace promoting measures as such but also entails contributions to peace and security rendered by development assistance, security policy, or promotion of sustainable development (Krummenacher, 2011).

5.3.8 structural changes in administration.

An important strategy being experimented by the Government of India while dealing with Northeast insurgency has been the grant of political autonomy and statehood by making structural changes in the administration. The Sixteen Point Agreement signed with the Nagas and the North Eastern Reorganisation Act, 1971, pushed a gradual administrative reorganization of the region. In 1963, the state of Nagaland was created by the government as a response to the Naga insurgency. The Mizo armed conflict was resolved by granting statehood to Mizoram through the signing of the Mizo Peace Accord in 1986. Meghalaya was first conferred the status of Union Territory in 1972 and then statehood in 1987. Manipur and Tripura were upgraded from Union Territory to the status of statehood in 1972. In the beginning, Arunachal Pradesh was known as the North East Frontier Agency (NEFA). It was upgraded to Union Territory in 1972 and was renamed as Arunachal Pradesh. It was reorganised as a full-fledged state in 1987. These new states covered all the areas

mentioned in the Sixth Schedule with the exception of North Cachar Hills (now Dima Hasao district in Assam) and Mikir Hills (now Karbi Anglong district in Assam). Even after reorganisation, border disputes among these states remained.

The clue to the formation of autonomous councils has a historical relevance. Towards the end of the British era, the Interim Government of India constituted a sub-committee to the Constituent Assembly known as North East Frontier (Assam) Tribal and Excluded Areas Committee which recommended setting up of autonomous district councils for representation of the tribal people at the local level. This recommendation was later integrated to the Sixth Schedule of the Constitution. Thus the Sixth Schedule made special provision for the administration of the tribal areas. The provision is intended to grant autonomous administration in these areas to help the tribal population follow their traditional way of life (Bhattacharya, 2011).

In order to calm the Bodo insurgency, Bodoland Autonomous Council was granted under the Sixth Schedule in 1993. The Bodo peace agreement adopted the power sharing model. However, its failure led to further militancy violence and in 2003, Bodoland Territorial Council was formed after signing of another peace accord. But the Bodo heartland is still under the grip of insurgency. One reason for this could be that the BTC Accord was not an inclusive accord and is not based on the theory of Lijphart's segmental autonomy. The theory suggests that decisions on matters of common interest should be made by all the segments of the society that have roughly proportional degree of influence. The Bodo accord is a clear instance proving the idea that the modes of conflict management adopted by the government gave rise to further conflict. This is because, while the territories that are granted autonomy are inhabited by different ethnic groups, the peace agreements covering a territory were signed with insurgent groups that represent a particular ethnic tribe.

5.3.9 ethnic autonomy

Three decades ago, Myron Weiner argued that preferential policies encourage conflict rather than moderating it (Weiner, 2015). In the case of the ever increasing ethnic insurgency and violence during the past three decades in Assam, consociational policies can be held responsible. Such policies have encouraged violent backlash by

those groups which are excluded from ethnic quotas. Again, those groups who have to part with some of their share with others come up with violent resistance. On the other hand, the supporters of the demand for rights of the backward fragment who agree that they constitute a separate ethnic group and deserve their rights and benefits   create violence to achieve their goal.

The policy of trying to fulfil the aspirations of tribal communities on ethnic lines has certain problems. The battle for space or turf war between different ethnic communities can be a never-ending process. However, this fight for preservation of identity or attain political power is further encouraged by the grant of autonomy by the Government to various tribal groups on ethnic lines. Formation of ethnic autonomous councils often inspires smaller groups to fight for their rights and bigger groups to resist them in form of ethnic cleansing.

The spurt of insurgency and ethnic violence in Assam during the last three decades can well be examined on the basis of Weiner's theory. The Central Government's ongoing negotiation regarding the recognition of Scheduled Tribe (ST) status to six communities of Assam, which also forms one of the demands raised by the pro-talks ULFA group in its Charter of Demands, has been opposed by other minority ethnic communities in Assam (ST-plains tag for 6 groups opposed, 2015).

Signing peace deals on ethnic lines rather than granting autonomy or packages for under-developed regions within states has been encouraging deprived communities to take up arms and launch militant movements. Criticising the government's strategy of granting ethnic autonomy, another interviewee argued, "Granting autonomy or setting up autonomous councils has not addressed the governance deficit issues. It has merely created a legal mechanism for rampant corruption."

The idea of signing a peace accord on ethnic line was rejected by more than half of the respondents. The accord signed in 2003 with the BLT is popularly known as the Bodo Accord. This has made many belonging to other communities unhappy. The Koch Rajbongshis who have a sizeable presence in the Bodo heartland have also been agitating for autonomy. Forming an autonomous council in the name of a community (e.g., Bodoland Territorial Council, Dima Hasao Autonomous Territorial Council) has

the potential to give rise to newer conflicts. A regional autonomy, therefore, could be a solution which is aimed at uplifting the socio-economic condition of all those people who live in the particular area.

5.3.10 concept of non-territorial autonomy

Karl Renner (1870–1950, Austrian socialist politician) is of the opinion that territorial autonomy can be problematic since it involves creation of homogenous units—something which cannot be achieved in true sense since this always leaves out some minorities in the concerned territory (McGarry, John and Margerat Moore, 2005). This is because ethnicity is multidimensional and oppositional. It is multidimensional in the sense that it includes race, origin or ancestry, identity, language and religion. Thus an individual can be a member of several different ethnic groups at a time. It is oppositional because some groups may reject the domination of another ethnic group (Barth, 1968). It generally happens that within each group several sub-groups may be doing less well which make them gradually feel more conscious of their ethnic separateness.

In this context, the concept of non-territorial autonomy could be a preferable idea as it applies only to people who have accepted that they are members of the group in question. Non-territorial autonomy arrangements involve control over matters like culture (education), family law (marriage and divorce) etc. It is a state created institution. Consociational systems like Belgium and Netherlands are implementing non-traditional autonomy in different degrees.

Territorial autonomy is actually destabilizing. This is why even after the creation of the Bodoland Territorial Council peace has not prevailed in the region. Other ethnic groups living in the same space are feeling insecure and have started demanding their own rights. Ethnic clashes have become a recurring incident in this area. In 1996, the Russian Parliament adopted the National Cultural Autonomy Act. The Act allows individuals to form national cultural associations with rights over culture, language, education and media as well as the right to represent the interests of minorities to state institutions (Federal or local). Non-territorial autonomy could be way to manage the concerns of different ethnic groups co-existing in Assam.

5.4 Suggestions

Peace talks could be held between groups that are not dependent on each other, holding talks may not necessarily mean surrender. There must be a thorough background checking of all the insurgent groups before the government decides to enter any ceasefire or suspension of operations agreement with any insurgent group. This would discourage those militants who lack people's support.

The peace accords should be inclusive in nature.

Measures must be taken for empowerment of the autonomous councils in a democratic way by devolution of power to the grassroots. Accountability of all the government workers should be a priority for development.

Act East Policy to develop the land-locked north-eastern region has been guided mainly from the point of view of the Government of India's overall economic and geo-political ambitions. Foreign investment is attracted to the region with the concept of liberating the region economically under the premise that the region is lagging behind—one of the root causes of insurgency. For a better strategic planning and cooperation for developmental projects in the region, the North East Council (NEC) and the DONER Ministry could be merged together.

A framework of peace policy should be developed and ratified. It is important to institutionalise the government's peace policy. Procedures such as the government's offer of peace talks or a mechanism of how to proceed in the peace process require a formal policy.

5.5 Conclusion

The present study raises the possibility that a sincere approach on the part of the government would go a long way to solve the problem of insurgency in the region. One of the issues that emerged from the findings is that splintering of insurgent groups has added more complexity to the problem and measures must be taken to tackle this phenomenon. The findings raise intriguing questions regarding the nature and extent of the strategies adopted by the government to address the insurgency and related issues. Arrangement of the findings provides support for the conceptual argument that

there is a relationship between the government's peace strategy and prolonged militancy and socio-political unrest in the region.

Chapter 6

Summary and Conclusion

In Northeast India, the fear of losing identity combined with an uneven distribution of economic, political and social resources resulted in movements for self assertion which at times took shape of violent insurgencies. While on one hand there is the campaign for one nation and one national identity, the centralised power in the country at many times failed to embrace the peripheral communities as integral part of the mainstream India. Economic backwardness, land alienation, unemployment, political representation and ethnic diversity are some of the major issues that have not been addressed properly by the Union Government. Questions of mindset and cultural factors do form important aspects of identity struggles in the Northeast. However, the link between economic underdevelopment and insurgent politics has not received due attention. All these accounted for rise of sub-national aspirations in the region. Strategies adopted by the government to douse insurgency conflict have not achieved desired result and peace has remained somewhat elusive in the region.

The aim of the present study was to examine the strategies and policies practised by the government while dealing with insurgency conflict in the region, particularly in Assam. The main goal of the current study was to determine the lacunae, if any, in the government's prevailing peace strategy with the militant groups. Another objective of the study was to explore the validity of the popular perception that the intense feeling of alienation has fuelled insurgency in the region. The present study was designed to determine the effect of the peace processes and accords signed in Assam and to identify the pre-requisites and parameters needed to be fulfilled for a lasting peace.

6.1 Summary of Findings in the light of Research Questions

The current study was carried out in two major stages: Document Review stage and Interview stage. In the first stage, a detailed assessment of the four peace accords signed in Assam was made by adopting the concept of the Peace Accords Matrix. A total of 33 relevant provisions were taken for each of the peace accords and the implementation or otherwise of the accord clauses related to those provisions was critically examined through a systematic review of the issues. The different clauses of

the accords are categorised under a set of provisions common to all the four matrixes. The matrix of the accords helped to point out several gaps related to the drafting of the agreement provisions and the process of implementation. In this stage, both primary as well as secondary data sources were used. While primary data included relevant interviews and unpublished government documents and reports, secondary information was obtained from various government publications, published news reports and other published writings related to the subject. This stage of the study also reflects the strength and weaknesses of the four accords.

The second stage was in depth Interviews, in which the empirical study intended to generate information on the perceived peace policy of the government, the nature of the government's approach in addressing insurgency, the outcome of the government's 'open door policy' and the importance of the government's policies in the context of the prolonged militancy and turmoil in the north-eastern region and particularly Assam. Analysis of the findings was supported by both primary and secondary data.

In the Document Review stage, the study scrutinized the primary as well as secondary data in order to evaluate the implementation status of the Memorandum of Settlement (Bodo Accord) signed in 1993, Bodoland Territorial Council (BTC) Accord 2003, Memorandum of Settlement (MoS) signed with UPDS in 2011 and Memorandum of Settlement (MoS) signed with DHD in 2012. One of the more significant findings to emerge at this stage is that there is a lack of sincerity on the part of the successive governments while framing certain clauses of the accords. There are clauses that have been found extremely faulty and ill conceived while some are vague. For example, Clause 3(a) of the 1993 Bodo Accord regarding the provision of boundary demarcation seems to be the root of all the continued conflict and bloodshed. Again, Clause 3.1 of the BTC Accord too could not solve the lingering problem. The study found that the government was not willing to touch the conflicting issues such as the clauses related to the provision of Territorial Power Sharing and that there is a tendency to postpone discussion on such issues thereby pushing decisions to an uncertain time. On the other hand, both the UPDS Accord and the DHD Accord have not yet been ratified by the Constitution. Another interesting finding regarding these

two accords is that the authorities did not even feel it necessary to change the text of the DHD Accord as it seems to be a copy of the earlier UPDS accord, barring few clauses. The research has also found that all the four peace accords did not include several important provisions like detailed implementation timeline, human rights, inter-ethnic relations council, dispute resolution committee, commission to address damage and loss, participation of civil society groups as witness signatories, representation and participation of woman, etc.

The Interview stage of the research establishes the fact that many insurgents have taken undue advantage of the government's 'open door' policy. Small bands of armed men who pass off as insurgent groups have actually been indulging in acts of terrorism. Outfits like the GNLA or the NDFB-S or the erstwhile DHD-J or the Black Widow fall in this category. Whenever the going gets tough, these groups offer to talk peace with the government. And the government too, often seems to be willing to entertain their pleas.

A section of stakeholders during the field interviews agreed that the government should declare a moratorium on peace talks, that negotiations are actually encouraging insurgency and its spread by formation of splinter or new groups. This view echoes what was stated in the Annual Report of the Ministry of Home Affairs: "The Government is ready to talk with any group/outfit, which is willing to abjure violence, lay down arms and agree to abide by the Constitution of India. However, if there is a splinter group in future, then Government will not consider talking to them" (Annual Report 2012-13). Still, few participants were of the opinion that there cannot be a moratorium on peace talks, though the government may decide certain yardsticks within which talks can take place.

However, the results of the investigation answered the second research question by conforming that the policy of peace talks with each and every militant group has been encouraging militancy by formation of splinter groups. Answers to the first and the third research questions regarding a lack of a holistic approach by the government in dealing with insurgency and whether there is a relationship between the long drawn

insurgency and the government's peace strategy have also been revealed affirmatively through the primary and the secondary data of the study.

6.2 Implications of the Findings

In general, therefore, it seems that the Government of India has a rather lackadaisical peace policy that revolves around attempts at trying to resolve violent insurgencies through the medium of peace negotiations with the concerned rebel groups. One can safely say that although the Government of India's 'open door' policy of engaging in political dialogues with insurgent groups is a loose one, this policy is the result of the government's firm conviction that insurgencies in the country, particularly those in the Northeast are home grown insurgency that requires a political rather than a military solution.

The statement on peace talks by the MHA, however, lacks the force of a legal policy. A fundamental problem faced by the government in dealing with insurgency has been the lack of a strong policy and institutionalised framework to address the problem. This has further resulted in an ad hoc nature of response or reactions. An implication of this is the possibility that a strategy of announcing a moratorium on peace talks with newer militant groups or splinter groups, even while taking the ongoing peace talks with the insurgents groups to their logical end, could be an option.

The findings of the study suggest that the two main causes for the rise of ethnic conflict in Assam are the failure of the state to ensure distributive justice and the rule of law. The policy of bringing 'peace' by providing exclusive territorial and political rights to particular ethnic groups merely because they are majority among certain smaller ethnic groups cannot be the solution. A theoretical implication of this study is that the government's strategy of granting autonomous councils to manage ethnic conflicts in the region has been falsified by the four case studies carried out by the research. The case studies that undertook the four peace accords signed in Assam as subjects proved that creation of autonomous councils alone cannot bring peace as none of the accords have been able to bring lasting peace.

A participatory development model for empowerment at grassroots and regular election under the proportional representation system are important elements in a

democracy. But, when plurality makes a strong nation, this cannot happen in the true spirit if the communities within a nation are not politically represented. There is a need to preserve and protect the culture and heritage of different ethnic communities in Assam. The provision of Upper House in the Legislative Assembly may help in solving the issue of representation.

This study has raised important questions about the ad hoc nature of the peace processes initiated by the government. The analytical review of the four peace accords has thrown light on the status of implementation as well as strengths and weaknesses related to the accords and the peace processes. Though both the Bodo Accords have clauses pertaining to minority rights, they do not contain sufficient legal provisions to safeguard the rights of non-tribal communities. When the BTC Accord provides reservation of 30 council seats for the ST population out of 46, the Bodos actually form less than 30 per cent of the total population. This implies that the accord has not treated all citizens as having equal rights. On the other hand, neither the UPDS nor DHD Accord includes the provision of minority rights. But the two accords do not provide any reservation for any particular community.

The fact that both the UPDS and DHD Accords have not attained Constitutional amendment implies that the development activities undergoing in the concerned districts do not really suggest implementation of the accords. The ad hoc approach of the government is reflected in clubbing together of the review meetings as well as reports of the meetings with these two groups. As these are separate groups claiming to represent different sets of communities belonging to different territories, it appears that they need to be addressed separately.

Relief and rehabilitation forms an important provision of any peace accord. However, no visible rehabilitation could be observed regarding UPDS and DHD cadres while rehabilitation of certain BLT cadres is still awaited. One main reason found to be attributed for this has been non-transference of the department of relief and rehabilitation to BTC from the Government of Assam.

Results of this study indicate that the pull factors for sustenance of insurgency can be economic, political and social in nature. The insurgent groups of Assam have been

capitalising on the general perception that the Central Government has been exploiting the resources of the State since Independence. ULFA has always been holding the opinion that the Centre has demonstrated a step-motherly treatment towards Assam and that the Central Government can allow Assam to fix the oil royalty, if it intends to. This realisation of deprivation and alienation acted as a constant push to ignite the fire of rebellion among the youths.

The politics of aspiration played a critical role in encouraging and sustaining insurgency. The insurgent group called Bodo Liberation Tigers was able to enjoy political power after signing a peace accord with the government. This has served as precedence to other insurgent groups.

Poor governance is a major cause for sustenance of insurgency in Assam. ULFA could create a Robin Hood image during the early years of its formation by punishing criminals, helping the needy and the poor, capturing and punishing rhino poachers, making temporary embankment to prevent flood, constructing temporary bridges, initiating cooperative farming etc. mainly in the rural areas of the State. Poverty, competition for scarce resources and identity-based rivalries, lack of accountability of the government officials, corruption, siphoning of development funds to the insurgents are also responsible for continuation of the conflict. A vicious cycle is formed. Sustenance of insurgency resulted in increased dependency on security forces.

Political instability, absence of political will of the elected representatives to solve the problems faced by the people of the State are some other factors for the sustenance of insurgency movements in the region. In the absence of a holistic approach to the problems, agitations consolidated and transformed into violent armed insurrections.

6.3 Significance of the Findings

The findings of the present study complement those of earlier studies. Thus insurgency was found to be the consequence of decades of exploitation, neglect and alienation on the part of the Union government, fuelled by a notion of identity and aspirations among the people. Even after Independence, successive governments have turned blind eye to the genuine demands of the people, expressed through democratic movements. When democratic protests led by liberal and mild people

failed to produce results, people's discontent has a tendency to find expression through violent protests.

The empirical findings in this study provide a new understanding about the lacunae in the government's peace strategies:

i. There is no clear policy to determine the representativeness and level of significance of a particular militant group. For example, it was the Central government that directly initiated peace talks with the ULFA or the NSCN-IM. But when the time came for talks with the NDFB, the Centre asked the Assam Government to take the initiative and carry the dialogue forward. The NDFB rejected the proposal forcing the Centre to initiate dialogue on its own with the Assam government being a party to it.

ii. Lack of inclusivity. For example, peace accords have been signed with particular insurgent groups, while other groups operating in the same territory have been excluded in the peace process. Again, while negotiating with an insurgent group, no attempt has been made to first unite the different factions of a particular militant group so that a comprehensive peace agreement could be reached. The result is that insurgency continues with the factions outside the purview of the peace process, often intensifying their violence.

iii. Insufficient understanding of the causes behind occurrence of conflict. This resulted taking hasty decisions while responding to insurgency violence. Such decisions often created multiplication of conflict. For example, when the central government extended ceasefire agreement with NSCN-IM to all the Naga inhabited areas in the neighbouring states in 2001, it created another round of conflict in Manipur because half of the state territory is mostly inhabited by Naga tribes. So the Meiteis in Manipur perceived it as a threat to territorial integrity of Manipur and resorted to mass protest. Such piecemeal solutions have produced negative results.

iv. Inadequate networking for peace. Peace networking in the region would go a long way to promote a culture of peace and dialogue, especially with the youth taking the lead role. It is expected to increase mutual understanding in the region by supporting different social and cultural dialogue and self expression through the modes of modern information and communication.

v. There is a need for capacity building for resolution and transformation of conflict in the region. The government by partnering with the civil society may take up projects that focus on areas such as conflict analysis and early response strategy, skill development for conflict transformation and a conflict sensitivity approach towards development.

vi. The study found that gender issues did not get adequate importance in the peace processes and policies. Women form half of the population and their role is important in ensuring lasting peace. Inclusion of women in peace processes and negotiations is significant.

vii. Low initiative in addressing post-conflict situations. The field data of the study revealed that when there has been visible emphasis on bringing an insurgency movement to a peace process, one may notice minimal emphasis towards addressing post-conflict situations such as different rehabilitation measures including trauma counselling, health and education, human rights violations etc.

viii. Insurgency and violent conflict has become a commonplace affair in the region experienced by several generations. Ethnic violence may attribute negativity and a dangerous future for the youth and children. The near absence of peace education campaigns is a cause of concern. In this context, peace education for the children and youth will be able to contribute towards peace-building.

ix. The findings also suggest that there is a lack of coordination between different state and non-state peace-building initiatives. This has also attributed to trust deficit among the peace actors.

The result of the findings suggests that an ad hoc approach falls short of addressing a serious issue like combating insurgency. A holistic approach involving all agencies operating on the ground with total support from intelligence gathering system and well trained and well equipped army will manifest a strong resolve of the government. This will instil confidence in civilians as well as security forces by causing panic in the rank and file of insurgent outfits.

Notwithstanding the relatively limited sample, this work offers valuable insights into possible flaws in the government's peace strategies and existing policies. The

methods used for this study may also be applied to future studies in a different place in the world.

6.4 Limitations

The scope of this study was limited in terms of peace accords, insurgent groups, geographies and time horizon. The delimitation has helped to focus the study for relevant research findings. The study has not provided any detailed discussion on the insurgencies and peace processes in the other north-eastern states such as Manipur, Meghalaya, Tripura, Mizoram and Nagaland because it was not possible for a lone researcher to cover such a broad area within a limited time period. Therefore, the present study concentrated mainly on the government's approach to peace by exploring the implementation process of the four peace accords signed in Assam as well as on the different dimensions of the insurgency conflict and its treatment by the state.

Given the sensitive nature of the issue, primary data collection for the study has been a difficult task. The small sample size of the Interviews did not allow to cover all the possible perspectives of diverse stakeholders in the region. Moreover, the study continued over an extended period of time during which the political situation as well as the ongoing peace processes experienced several twists and turns.

6.5 Recommendations for Future Research

The present research has thrown up many questions that require future investigation. Further research should be undertaken to explore into the issues that remained unanswered at present. Issues or problems that may be taken up for future research include:

1) ULFA's claims concerning the whole of Assam and the increasing aspirations and claims of different ethnic groups within the territory of the state have potential for further conflict in the state.

2) It would be interesting to compare insurgency related experiences of individuals within a particular community at various levels of the society.

3) Another possible area of future research would be to explore further how the concept of non-territorial autonomy could be a possible solution to ethnic insurgency in the region.

6.6 Policy Recommendations

For the realisation of India's peace-building potential, the country needs to have a comprehensive and viable peace strategy. It is only through a policy framework that this strategy and a vision for peace can be achieved. The policy framework must take cognizance of the provisions of the Indian Constitution. It should include both human security and national security as inseparable issues that require linkage between state security establishments and peace-making institutions. There has to be a continuous engagement between policy makers and peace building actors.

6.6.1 policy guidelines.

Initiatives for peace must be guided by certain norms, values and principles. A framework for peace policy has to guide stakeholders in working towards sustainable peace. A regional perspective in the framework is expected to address varied nature of the conflict. The peace policy should aim at preparedness, prevention, alleviation and resolution of conflicts at local, district, state, regional and national level. The policy must contain a vision and mission with focus on peace and security of the country and strive for sustainable peace through collaborative institutional network between the government and the non-state actors. Implementation, monitoring and evaluation of conflict sensitive planning should form the guidelines of the policy. Some other policy guidelines include:

➢ Respond to early warning and emphasis on prevention of conflict, rather than waiting to respond a conflict after it escalates. Networking between the state, private organizations, general public and civil society is crucial.

➢ Every citizen is entitled to live in a peaceful and secure environment. During policy interventions, it must be seen that human rights are respected and protected in accordance with international human rights laws.

➢ Peace initiatives and actions must take into account the political, economic and social dimensions of the conflict. Interventions therefore must be sensitive

towards the cultural values and practices of the concerned communities. In the process of helping different communities, there can be cross cultural activities which can further promote unity and brotherhood among the communities.

➤ The peace policy should be participatory in nature where the civil society and all the stakeholders can be involved.

➤ Gender sensitiveness, transparency and accountability are other important aspects to be covered by the policy.

➤ The policy must be unambiguous, deriving its legitimacy from the consent of the Parliament and should leave some degree of flexibility to the government to modify its strategy from case to case basis while upholding the basic tenets of the national peace policy intact.

6.6.2 structural components of peace-building.

i) National Peace Council

There has to be a joint effort by the government and the civil society organisations for the formation of a National Peace Council. This is a multi-agency organization that may coordinate and deal with all the peace related activities in India. It will build inter-group trust and confidence; create space for dialogues, negotiations and reconciliation at state and community level. Its aim is to manage and resolve the conflict in non-violent ways. The institution must include the Prime Minister's Office, all government ministries and departments and umbrella civil society organisations.

ii) State level Peace Secretariat

iii) Peace Forums at District, State and National level

iv) Village and Block level Peace Committees and Units to support mediation

Each of these components should be designed as independent and complimentary in nature. As far as policy review and policy updates are concerned, it depends on the dynamics of the conflict. If this structure becomes a part of a formally approved peace policy, stakeholders across the region will be encouraged to work more intensively on peace building initiatives and adopt a collaborative approach towards conflict prevention, management and transformation. Such coordinated peace-building intervention plays significant role in resolving conflict successfully.

Recurrence of violence in different parts of the region is a result of uncoordinated efforts to manage the conflict. It is believed that formation of a peace policy would go a long way to improve coordination in the prevention, mitigation and management of conflicts. At the same time, this will ensure that peace processes are participatory, culturally sensitive, transparent and accountable. Further, the peace policy will provide a legal framework for allocation of resources to peace interventions by the government. This will help the government as well as the civil societies to address the conflict issues in a timely manner.