PROSPECTS AND CHALLENGES: THE BODOLAND TERRITORIAL COUNCIL (BTC) IN ASSAM

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ABSTRACT

Even though the region has advanced in terms of its political institution and various infrastructures, the Bodoland Territorial Council (BTC) is unable to achieve much on the socioeconomic necessities of the people. Despite, the building of roads and hospitals to deliver essential healthcare systems, it is neglecting the living conditions of the people. Education plays a pivotal part in the development of society, however, the lack of proper educational infrastructure in BTR areas, the cost of education, and its privatization have caused hardship to the poorer section of the community, and being unable to access quality education has obstructed developmental activities. It hinders bringing any positive changes in the region causing distrust, and suspicion in these strife-torn areas creating cruelty and disturbances in the society. Thus, despite the development of some infrastructures, it has never fulfilled the aspirations of the Bodos and redress their enduring resentment. The administration should advocate more for the development of education and healthcare facilities, economic assistance, and guarantor of social security in the region. Besides, the BTR Accord was signed in 2020, all the stakeholders must expedite the implementation process.

Keywords: Ethnicity, identities, rights, self-rule, accommodation, decentralization and Constitution.

INTRODUCTION

After the constituent assembly debates in 1948-49, the provisions of the Sixth Schedule came into existence as part of the constitutional statute. The Bordoloi Committee recommended constitutional provisions to uphold the customary practices of tribal communities and to preserve the tribal administrative system in the Northeast. When the committee proposed and the constituent assembly debated on the tribal administration, the hill districts of Assam were not separated. Assam's bifurcations have allowed the statutory provisions of the Sixth Schedule to administer tribal-dominated areas of Northeastern states such as Meghalaya, Mizoram, Tripura, and Assam. In addition, the development of autonomy resulted in the increasing demands for self-rule to be implemented in plain areas compelling the states to create special arrangements with specific constitutional amendments. For instance, to accommodate the aspirations of the Bodo's demand for autonomy and to placate its separatist movement in the plain areas of the western parts of Assam, the Bodoland Territorial Council (BTC) was created in 2003 with some amendments in the Sixth Schedule of the Constitution.

The BTC was established following the peace agreement between the Government of India and Bodo Liberation Tigers and the first Chief Executive Member (CEM) of the BTC was Hagrama Mohilary. The BTC had legislative, administrative, executive, and financial powers over 40 policy areas in the Bodoland Territorial Areas Districts (BTAD) comprising four Administrative Districts such as Kokrajhar, Baksa, Chirang, and Udalguri, comprising various protected tribal belts and blocks in Assam. The 40 elected representatives to the BTC Legislative Assembly and there are provisions for nominating six members in the BTCLA by the Governor from the unrepresented communities through direct election in the districts of Assam.ⁱ

After all, the implementation of the Sixth Schedule provides autonomy and begin to push for developmental activities, resulting in varied outcomes of advancement in some area and not showing any progress in other areas. At the same time, this chapter will examine both the advantages and disadvantages of the implementation of the Six Schedule in the BTC that could not bring any durable solution to the enduring hardships of the people.

WHO ARE THE BODOS?

The Bodos are a disparaged group of people in Assam and linguistically, they are the Indo-Mongoloid ethnic group of people who speak Tibeto-Burman. They migrated from South West China to North East India through Tibet and Bhutan.ⁱⁱ They are considered the natives of the Brahmaputra plain and were also known as Kacharis as recorded in the pre-colonial literature of Assam. They had a remarkable past of an illustrious dominion, affluent heritage, distinct history, and civilization.ⁱⁱⁱ According to Robert Snafer, the Linguistic Survey of India portrays the Bodos or Bodo Kacharis as a member of the Bodo sub-section under the Assam- Burma group of the Tibeto-Burman branch of the Sino-Tibeto-Chinese speech family.^{iv} The total tribal population of Bodos comprises about 37.5% in the state of Assam. Bodos are one of the largest plain tribal communities in the state and their community has been identified as different from other communities even during the colonial period. Increasingly, Bodos felt a sense of oppression and prejudice from the majority Assamese society, existential threat to their culture and identity, inequitable clauses of the Assam accord, and the fear of the influx of illegal migration.^v Because of the discrimination against them, the educated elites of the Bodos community were disheartened and have been demanding more autonomy from the Assamese community. In the past decades, the Bodo movement transformed into a militancy and their claim for more autonomy has steadily changed towards the demand for a separate state.

THE DISTINCTIVENESS OF 'BODO' IDENTITY

Initially, the Bodos considered themselves aborigines of the conglomerate of the Assamese population. Gradually, they evolved a sense of particularity and uniqueness to the scope of creating a separate territory to be curved out from the state of Assam. The Assam movement in the 1980s imbued and flared up the spirit of the Bodo people due to the endorsement of restrictive historical and cultural aspects of the Assamese people and its policy with afflicted ramifications. The leaders of the All Bodo Students' Union (ABSU) denounced the Assamese leaders for using anti-tribal policies to create enmity and compared the Assam Gana Parishad (AGP) Government to the 'Assamese Government' as it has not represented all the sections of the people in Assam.^{vi} It was the continuing process of learning experience and recognizing hardship and exclusionary to paved the way for the steady development of the feeling of 'self'

and 'other' amidst the Bodo community. Constantly, the lack of contact and communication broadens the rift of mistrust among the communities. In the beginning, there were no such ill feelings. The Bodos have popularly used the Assamese language and pursued the same cultural and customary practices and religious rituals. For centuries, Bodos were interlaced and integrated with the Assamese to such a degree that even today it is difficult among the intellectuals to make a distinction between the Bodos and the Assamese. With the profound attachment and affinity with the Assamese, the inquisition is why the Bodo's demands for separate administration disengaged them from others. The Bodos themselves began to think that the process of assimilation with the Assamese people was not on equal footing and was a source of discontentment. Moreover, accepting full assimilation with the Assamese will only subdue and suppress their distinctive identity, history, language, religion, and culture.

THE DEMAND OF BODOLAND

In the beginning, they demanded an independent and exclusive homeland in the form of 'Udayachal' in 1967 for the plain tribals of Assam under the Constitution of India. The Plain Tribals Council of Assam (PTCA) spearheaded the movement but despite this, the PTCA pulled out of its demand after they supported the formation of the Janata Party government in 1978-79. The Assam movement began from 1979-1985 and subsequently, the AGP under the leadership of the All Assam Students Union (ASSU) formed the Government after the Assam Accord that was signed in 1985 without consulting the Bodo leaders like Upendranath Brahma. Brahma understands the hardship of organizing the tribals of Assam to establish a common tribal homeland known as 'Udayachal'. Brahma relinquished that demand and supported a more specific and clear-cut objective to claim a full-fledged state of 'Bodoland' that was to be accomplished through the division of Assam into 50:50 as they raised the slogan.^{vii} The movement for a demand of Bodoland for the plain tribals of Assam reached a climax during the AGP Government in 1987. It was because the Assam accord created displeasure and anxiety among the leaders of the Bodo students union. They were actively involved in the series of protests and supported the movement, but they were left with anxiousness and deceived by the fallout of the Assam Accord. Thus, the Assam Accord strengthens its movement. The Assam movement led by AASU was outstanding to a great measure. As expressed by Monirul Hussain, the Assam movement performs as a hint to emulate other movements. In regards to

the approach of the movement, the Bodos adopted the patterns of the sociocultural and historical image to get support from its community. The ABSU proposed 92-point agreement consisting of various socio-economic and cultural demands based on an appeal for a separate state.

The Charter of Demands is categorized into three political demands:

- 1. To establish a separate state of Bodoland.
- 2. To establish the District Council on the south bank of the Brahmaputra River.
- 3. To incorporate Bodo Kacharis of Karbis Anglong in the Six Schedule of the Constitution.

Despite this, Sanjib Barua has articulated the difficulties in implementing the charter of demands, especially regarding the demand for a separate state of Bodoland. The demands are as follows:

1. **Population**: The demand for Bodoland has been strengthened by the anecdote of early Bodo kingdoms and of a distant past when Bodo art and culture developed entirely without being tarnished by the Assamese culture. To comprehend and reclaim that pureness, they are ambitious to create their separate homeland. Nonetheless, the population comprised of Bodo speakers is only 1.1 million, or 11.5 percent of the population on the north bank of the Brahmaputra, where the Bodos want to set up their homeland.

2. **Territorial Contiguity**: There are Bodo-dominated villages and regions where they are more robust but they do not constitute a contiguous area that could be turned into a common territory that is Bodoland without many obstacles.

3. **Context**: The Bodo demand has appeared in the backdrop of revived Assamese subnationalism that dislikes the breaking up of Assam in the past with the mandates of New Delhi and defies any further territorial apportions of the state. Although the federal system would have approved the same, no state government would be ill-advised to assume that Assam could be split up with calmness in the 1960s and 1870s without the consent of the State Assembly. The government of India was obliged to sign an accord with the Bodos as a result of the spreading of violence in the 1990s. It created a local body of self-rule known as the Bodoland Autonomous Council (BAC) in February 1993. After all, this accord was not competent to resolve the issues of territorial boundaries.^{viii}

FUNCTIONAL POWERS OF BTAD

The first Bodo Accord that was signed on 20 February 1993 was popularly known as the Bodoland Autonomous Council (BAC) Accord, it was signed prior to the establishment of BTAD with the signing of the BTC Accord. As per the BAC Accord, several provisions were incorporated with 23 subjects, consisting of 2,750 villages including 25 tea plantations. It granted 40 council members and can enact their bylaws for the community. However, Bodos further demanded the inclusion of 515 villages in the BAC.^{ix} Despite this, the state government was unable to concede the demands of the Bodo leaders for the inclusion of more villages under its control because the population of Bodos in those villages was less than 50 percent. Furthermore, the non-Bodo communities in the vicinity were strongly opposed to the formation of such an exclusive autonomous structure of which the accord could not be implemented.^x

While there was defiance from the 515 villages, Bodo insurgent outfits employed violent means, especially in the months of September and October 1993 by massacring many people in the areas of Kokrajhar and Bongaigaon.^{xi} At the same time, extremist groups such as the Bodo Security Force (BSF) revamped themselves as the National Democratic Front of Bodoland (NDFB) to prepare themselves for more destructive attacks insisting on their demand for statehood as the function of BAC was unsuccessful. In addition to the subsequent breakdown of BAC, the diverse organizations including the insurgent groups contested for a separate state which led to bloodshed and restlessness in the society. The establishment of NDFB in 1995 and its competing faction with the support of the masses came up with their claims of a separate state. The outcome was the division of diverse political groups such as the Bodoland People's Party (BPP) and the Bodoland Legislature Party (BLP) in the political affairs of their society.

The BTC accord was signed on 10 February 2003 after the capitulation of the Bodo Liberation Tigers (BLT). The agreement was made in the presence of the central government, state government, and BLT in New Delhi which led to the formation of the Bodoland Territorial Council (BTC). The arrangement aimed to set up an institution of self-rule entrusted to the

BTC under the Sixth Schedule to accomplish the endeavor of improving their fiscal, academic, lingual, land ownership, and infrastructural advancement. The constituent villages are around 3082 spreading across the four districts of BTAD. The allocation of seats reserved for the STs has increased from 30 to 46 members, 5 were openly contested and the other 6 were nominated by the Governor of Assam. The circumstances for the establishment of BTC are based on the provision of Para 1(2) of the Sixth Schedule to secure the interest of non-tribal communities residing in this area. Settlement rights, transfer, inheritance of property, etc. of non-tribal were also involved in Para 3 of the amended Act of the Panchayat-Raj earlier are exercised by the council, and the panchayat system is withdrawn from the area. The arrangement also expedites the advancement of the Bodo language, and the establishment of central universities, and brings other wide-ranging progress in the region.^{xii}

This alternative agreement that was signed in 2003 granted more functional powers to the BTC with more elected members as compared to BAC which emanates the success of the BTC Accord. The performance of BTAD has paved the way for the advancement and progress of the Bodo communities.

PROGRESS AND ADVANCEMENT OF BTAD

The historic Bodo Accord was signed on 10 February 2003 which led to the formation of the Bodoland Territorial Area District (BTAD) essentially comprising four districts of Assam such as Kokrajhar, Baksa, Chirang, and Udalguri. As the powers and responsibilities of the BTAD are increasing, the streaming of capital inflow is growing for the various developmental activities of the region. The capital grant by the central government was used for electrifying rural areas, building of roads, financial aid for the underprivileged, etc. The rural infrastructures are properly utilized for the development of the region, after all these facilities are controlled by the federal government.

Northeast India is a popular tourist centre and visitors mostly from outside the region could converge together in large numbers because of the elegance of its untapped natural beauty and sceneries. Various projects were initiated to sustain the animal species facing the risk of extinction including the Manas National Park in Baksa District for the achievement of such environmental programs to promote ecotourism in the region. Moreover, efficient and standardized expenses were made in various tourism spots approved the earnings notably in Manas National Park from Rs.7,43,890 in the financial year 2007-2008 to Rs.16,96,766 in 2009-2010.^{xiii}

As a result of the financial aid sanctioned by the government, especially in Kokrajhar district, such as the construction and blacktopping of roads and other infrastructural development have increased in 2011-2012 as compared to 2006-2007. The handloom sector in the region has increased from 13.16 Sq. MM in 2008-2009 to 14.518 Sq. MM in 2010-2011 and the fish production also increased from 14,777.07 tons in 2010 to 15,857.94 tons in 2011.^{xiv}

Recently, BTAD has advanced steadily in the category of infrastructure for the delivery of services to society. The construction of schools and hospitals in the four districts of BTAD has demonstrated that there is some progress in the areas of health and education. In the area of agriculture, the government is supplying quality seeds, agricultural equipment and instruments, and financial aid for the poor laborers, the initiatives of such actions were intended to develop agriculture in the region.

IMPLEMENTATION AND CHALLENGES OF BTAD

The experts questioned the insurgency groups hampers the developmental works in the region. As a result of the growing insurgency and its viciously organized, the huge multinational companies could not invest in any industrial development and manufacturing sectors. After the signing of the BTC accord, the people witnessed the display of bloodshed and the act of terrorism still occurred in the region. Two large-scale violent incidents in 2008 and 2012 resulted in the killing of many people and loss of property in BTAD areas. However, the performance of the Sixth Schedule has subdued insurgent groups but it has expanded the operation of other groups especially the activities of the National Democratic Front of Bodoland (NDFB).^{xv}

It has not shown any tangible improvement in the field of education in BTAD on account of the lack of infrastructure, and soaring educational expenses. The parents could not support the children's education because of the low per capita income. Furthermore, the absence of better schools and colleges is one of the enormous tasks for the advancement of higher education in this region.^{xvi} Handlooms and handicraft items are familiar in this area and it has great value

for trading purpose in both the domestic and international market as well. And yet, due to the lack of a constructed market complex, inadequate sources of raw material, lack of expertise, etc., handloom commodities have not even reached the limits to contest in the market.

In case the financial assistance by the government is utilized accordingly and also gives expertise for handloom, and other sectors of industry, it has a huge potential for them to grow.^{xvii} The absence of domestic markets has obstructed the process of development by not facilitating merchants, traders, small-scale manufacturers, and artisans from the region to trade their goods at a reasonable price.

The people contended that there is an inadequacy of land and the lands were taken away from them for agricultural purposes as a result of excessive indebtedness. Besides, the locals alleged that there is an exodus of people in the area taking away the employment opportunities of the incompetent unskilled workers of the region. Remarkably, despite some development in the region, it is not entirely designed to support the socio-economic status of the people residing in this area.^{xviii}

THE MEMORANDUM OF SETTLEMENT (MOS) BTR ACCORD

Recently, the Bodo Territorial Region (BTR) Accord was signed on 27 January 2020 between the Government of India, the Government of Assam, and the leaders of ABSU, four factions of NDFB, and the United Bodo People Organization of Assam (UBPOA) in New Delhi. Under this accord, the existing 'BTAD' has been renamed as BTR covering all four districts. The Memorandum of Settlement was signed to make concerted efforts to fulfill the political, economic, social, cultural, and identity-related aspirations of the Bodo people while protecting the territorial integrity of the State of Assam.

The objective of the Memorandum of Settlement:

- 1. To augment the area and powers of BTC and streamline its functioning;
- 2. To address issues relating to Bodos residing outside BTAD;
- 3. To promote and protect the social, cultural, linguistic, and ethnic identities of Bodos;
- 4. To provide legislative safeguards for the land rights of tribals;
- 5. To ensure accelerated development of tribal areas; and
- 6. To rehabilitate members of the NDFB faction.

The BTR Accord contains 11 provisions and VI annexures with the alteration of areas of BTAD agrees to include more villages having majority tribal population and increase of constituencies up to 60 seats. The review of powers and functions of BTC is to be provided with more financial and administrative powers through the constitutional amendment of Article 280. The provisions for Bodos outside BTAD to set up a Bodo-Kachari Welfare Council focussed on the development of Bodo villages outside BTAD along the lines of other existing Councils for plains tribes. The issues related to identity, language, education, land rights, rehabilitation and settlement of NDFB factions, developmental activities, financial packages, and setting up of the monitoring committee.^{xix} However, at present, the status of the implementation of the accord is a slow process.

METHODOLOGY

The study will adopt the methods essentially based on the analysis, inductive, comparison, quantitative, and qualitative methods. It involves the approaches of philosophical, historical, descriptive, and legal to understand the processes and structures. The study has consulted the reports of different commissions and committees, relevant legislations, Acts, and Lok Sabha debates. It will also include journals, articles from books, and newspaper clippings from local, regional, and national newspapers as secondary sources. Due to inter-ethnic tensions in the region, the researcher may face the situation as people used to cooperate and provide information depending on the identity of the researcher. The survey and field work will require substantive funds. At any moment, when the researcher undertakes the field study, remaining conscious of the research responsibility, the researcher will engage the local people, scholars, lawyers, social activists, officials, and elected representatives in both formal and informal manners as part of the field studies. This research work will essentially be based on data collection through interviews as primary sources.

FINDINGS

*As per the fieldwork visit, and the findings of the researcher, the BTR Accord 2020 has been implemented in a slow process and not in a proper way, and in addition, the Assam Government

has not initiated any measures to provincialize Schools and colleges in the BTR region as agreed upon the accord.

* Relief & Rehabilitation and employment opportunities for the Ex-NDFB cadres are not happening. There is no general amnesty regarding the criminal cases registered against all the surrendered militant outfits as the police and the NIA court are still looking after them for the cases.

* There is no army recruitment for Bodo youths and reservation for the cadres of ex-militant groups especially in the police and Para-military forces as per the provision of the Accord,

* The State Government should be more efficient and transparent related to renting, and land purchasing in Kokrajhar District as people from other far-flung areas and outside BTR could not come to BTC headquarters to access necessary services.

*The civil society organizations alleged that the present administrator of BTC has not called for consultative meetings to discuss policy matters of the council and some of the unrepresented communities were not nominated in the council, moreover, the economic activities have reduced greatly after the takeover of the new BTR administration after 2020 election.

* Some of the respondents observed that it was during the tenure of Hagrama Mohilary, Ex-CEM, that the BTC Accord 2003 was signed under his leadership. As a result, the Accord brought massive development in the region such as the establishment of educational institutions including various schools and colleges, the Central Institute of Technology (CIT), Bodoland University attained a full-fledged central university, road infrastructures, agriculture, etc. The people have not seen any tangible development in the region after the BTR Accord 2020.

CONCLUSION

Although the region has advanced in terms of its political institution and construction of various infrastructures, it is unable to achieve much to meet the socio-economic necessities of the people. The building of roads and hospitals to deliver essential healthcare systems, on the other hand, is neglecting the living conditions of the people. Further, education plays a pivotal part in the development of society, but still educational system and its infrastructure in BTR areas

are far lagging as compared to other regions. Students in schools with no teachers and no basic facilities for higher educational institutions in this region.

The lack of proper educational infrastructure, the cost of education, and its privatization have caused hardship to the poorer section of the community, and being unable to access quality education has obstructed development and brought positive changes in the region. Lack of education and low literacy rate have caused, distrust, and suspicion in the society especially in the strife-torn areas creating cruelty and disturbances in the territory. Thus, despite the development of some infrastructures, it has never evolved to fulfill the aspirations of the people and to redress their enduring resentment. The right approach to satisfy the aspirations of the people is that the administration should advocate the development of educational and healthcare facilities, provide economic assistance, and guarantee the social security of the people in the region. Moreover, it is necessary for all the stakeholders of the new accord to expedite the implementation process as early as possible as it has not seen any tangible economic activities and developments in the region since the BTR Accord was signed in 2020.

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