

Memorandum of Settlement

1. The Government of India and Government of Assam have been making concerted efforts to fulfill the political, economic, social, cultural and identity related aspirations of Bodo people. Tripartite agreements in 1993 and 2003 were signed leading to creation of Bodoland Autonomous and Bodoland Territorial Councils under the Sixth Schedule to the Constitution for Bodo inhabited areas in Assam. ABSU and its associated organizations as well as various factions of NDFB continued with the demand for separate Statehood. Negotiations were held with Bodo organizations for a comprehensive and final solution to their demands while keeping intact the territorial integrity of the State of Assam.

2. **Objectives of the MoS**

- i. to augment area and powers of BTC and streamline its functioning;
- ii. to address issues relating to Bodos residing outside BTAD;
- iii. to promote and protect social, cultural, linguistic and ethnic identities of Bodos;
- iv. to provide legislative safeguards for land rights of tribals;
- v. to ensure accelerated development of tribal areas; and
- vi. to rehabilitate members of NDFB factions.

3. **Alteration of Area of BTAD**

3.1 A commission will be appointed under Paragraph 14 of the Sixth Schedule to the Constitution soon after signing of the MoS to examine and recommend on the following:-

- i. Inclusion of villages contiguous to BTAD and having majority tribal population, as demanded by Bodo organisations.
- ii. Exclusion of villages currently under BTAD which are contiguous to non-Sixth Schedule areas and have majority non tribal population.
- iii. Increase in constituencies of BTC upto the maximum of 60 seats after alteration in the area, without adversely affecting the existing percentage of reservation for tribals.

3.2 The Commission will include representatives of the State Government as well as other stakeholders including ABSU and BTC as its members. It will submit its recommendation within six months from the date of notification.

3.3 The existing Bodoland Territorial Areas District (BTAD) shall be renamed as Bodoland Territorial Region comprising area covered under BTAD.

3.4 Government of Assam may consider reorganizing the districts consequent to alteration of area of BTAD on administrative considerations.

4. Review of Powers and Functions of BTC

4.1 The process of BTC to have more legislative, executive, administrative and financial powers in respect of additional subjects as enumerated at Annexure-I will be initiated within 90 days.

4.2 Principal Secretary, BTC will have monitoring powers of Registration Department within BTAD area.

4.3 Amendments to Article 280 and the Sixth Schedule to the Constitution as per the Constitution (One Hundred and Twenty-Fifth Amendment) Bill, 2019 to improve the financial resources and administrative powers of BTC has been initiated. The Constitution Amendment Bill was introduced in the Parliament in January, 2019.

4.4 Executive functions of BTC shall be exercised through its Chief Executive Officer not below the rank of Principal Secretary to Government of Assam. Senior most officers of various Departments of BTC shall not be below the rank of Addl. Secretary to Government of Assam.

4.5 Deputy Commissioners and Superintendents of Police of the districts within BTAD will be posted normally in consultation with Chief Executive Member of BTC.

4.6 Deputy Commissioners in BTAD will report to Chief Executive Member of BTC through Chief Executive Officer in respect of all developmental activities in their districts with regard to the responsibilities assigned to them by BTC.

4.7 A tripartite mechanism, headed by the Cabinet Minister of Government of Assam looking after BTC affairs, and with Chief Executive Member of BTC and a representative of MHA as members, shall be set up to periodically review (not less than once in six months) the status of all laws/regulations passed by BTC and sent to the State Government for assent of Governor of Assam.

4.8 A tripartite mechanism headed by the Chief Secretary of Government of Assam and having Chief Executive Officer of BTC and a representative of MHA as members, shall be set up to periodically review (not less than once in six months) status of all proposals of BTC pending with the State Government relating to creation of new posts and posting of officers to the vacant posts.

5. Provisions for Bodos outside BTAD

- 5.1 Government of Assam shall set up a Bodo-Kachari Welfare Council for focussed development of Bodo villages outside BTAD in the lines of other existing Councils for Plains Tribes. State Government will consult Bodo organisations and existing Councils before notifying areas to be included in the proposed Bodo-Kachari Council.
- 5.2 An Advisory Committee comprising representatives of Government of Assam, BTC and Bodo-Kachari Welfare Council shall be set up to identify specific developmental needs of Bodo villages outside BTAD and advise the State Government.
- 5.3 Government of Assam shall take effective measures to confer rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 on tribals living in the forest areas outside BTAD in accordance with prescribed procedure under the Act.

6. Issues relating to identity, language, education, etc.

- 6.1 Government of India will implement the commitment made in the earlier agreement in 2003 to include Bodo-Kacharis living in Karbi Anglong and Dima Hasao Districts in the ST (Hill) list of Assam in a time-bound manner.
- 6.2 Government of Assam will notify Bodo language in Devanagiri script as an associate official language in the State.
- 6.3 Government of Assam will initiate measures to provincialise (i) schools and colleges established in BTAD, and (ii) Bodo medium schools outside BTAD, as per special need and requirement. The State Govt. will also take measures to appoint lecturers in Bodo Departments in colleges outside BTAD as a special consideration.
- 6.4 Government of Assam will establish a separate Directorate for Bodo medium schools in the State.
- 6.5 A Cultural Complex-cum-Centre of Excellence in the name of Bodofa Upendranath Brahma will be established at Thulunghapuri (Kokrajhar District). The Centre will study and recommend measures for protection and promotion of language, culture, identity, etc. of Bodos residing in Assam as well as other States of India. The Centre will be managed by BTC with financial assistance from both Central and the State Governments.

7. Issues related to Land Rights

- 7.1 Government of Assam may consider enacting a special legislation to provide adequate safeguards to land rights of STs living outside tribal Belts and Blocks in areas outside BTAD.
- 7.2 Government of Assam will take effective measures to protect khas land, grazing land and water bodies from illegal encroachment.

8. Special steps to be taken by Government of Assam

- 8.1 Government of Assam will create a separate Department to deal with matters relating to Councils under the Sixth Schedule of the Constitution including BTC.
- 8.2 Government of Assam will create one post of DIG in BTAD in addition to the existing post of IG.
- 8.3 An Administrative Staff College will be established under BTC administration.
- 8.4 Government of Assam will provide financial compensation of Rs. 5 lakhs to each of next of kin of persons who lost their lives in agitations for separate State.

9. Settlement with NDFB factions

- 9.1 All NDFB factions under SoO shall abjure path of violence, surrender their weapons and disband their armed organisations within one month of signing of this MoS.
- 9.2 Government of India and Government of Assam will take necessary measures to rehabilitate the cadres in consultation with NDFB factions. Such measures may inter alia include (i) lump sum payment of ex-gratia, (ii) funding economic activities through existing Government schemes relating to fisheries, piggery, organic farming, poultry farming, etc., (iii) trade/vocational training based on locally available resources, and (iv) recruitment in appropriate Govt. jobs as per eligibility.
- 9.3 A committee headed by IGP, Special Branch, Assam with representatives of other Departments as members will make an assessment of rehabilitation needs of the cadres based on age profile, educational qualification, general area of residence, etc. The Committee may also involve successful entrepreneurs/NGOs in this effort.
- 9.4 Criminal cases registered against members of NDFB factions for non-heinous crimes shall be withdrawn by Government of Assam as per procedure established by law. Criminal cases registered in connection with heinous

crimes shall be reviewed case by case according to the existing policy on the subject.

10. Special Developmental Package

10.1 Government of Assam may earmark a sum of Rs. 250 crores per annum for a period of three years for development of area under BTC. GoI may contribute an additional amount of Rs. 250 Crores per annum for the same period. Illustrative lists of specific projects to be taken up on priority under the Special Development Package are appended at Annexure- II, III & IV.

10.2 Bodo youth will be considered for recruitment in Army, Paramilitary forces and Police to increase their representation in the forces. Pre-recruitment training rallies will be organized by the agencies to facilitate the process.

11. Joint Monitoring Committee


A Joint Monitoring Committee shall be constituted with representatives from MHA, Government of Assam, BTC and Bodo organisations to monitor implementation of this MoS.

The above Agreement is signed on January 27, 2020 at New Delhi in the presence of **Hon'ble Union Home Minister of India, Shri Amit Shah.**


Lawrence Islary
(General Secretary, ABSU)



Pramod Boro
(President, ABSU)

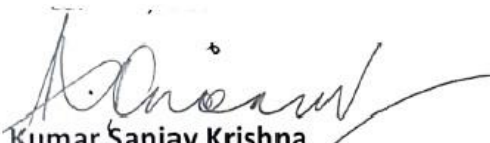

Ranjan Daimary
(NDFB)


Gobinda Basumatary
(NDFB)


B. Saoraiwra
(NDFB)



Dhirendra Boro
(NDFB)


Mihineswar Basumatary
(President, UBPO)


Kumar Sanjay Krishna
Chief Secretary, Govt. of Assam


Satyendra Garg
Joint Secretary(NE), MHA
25.01.20

Signing of the agreement is witnessed by:-


Hagrama Mohilary
(CEM, BTC)


Himanta Biswa Sarma
(Cabinet Minister, Assam)


Sarbananda Sonowal
(CM, Assam)

List of additional Subjects

1. Implementation of schemes under rural electrification, non-conventional energy sources, solar energy, renewable energy and mini-hydel projects.
2. Welfare and Development of Minority communities/Indigenous faith.
3. Trade and Commerce within BTC subject to the provisions of entry 33 of List III of Schedule VII of Constitution.
4. 'Medium industry' to be added to 'Small, Cottage and Rural Industry subject to the provisions of entries 7 and 52 of List I of the Seventh schedule.'
5. 'Education' to be added to 'Animal husbandry and veterinary that is to say preservation, protection and improvement of stock and prevention of animal diseases, veterinary training and practice, cattle pounds.'
6. 'Technical nature' to be added to 'Flood Control for protection of village, paddy fields, markets and towns.'
7. 'Vocational education' to be added to 'Education that is to say primary education, higher secondary including vocational training, adult education, college education (general)'.
8. 'Protection of wildlife' to be added to 'Forests (other than reserved forests)'.

Educational and Other important Institutions

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1. Upendra Nath Brahma Central University at Barama (Baksa District).
2. National Sports University.
3. Sports Authority of India centres at Udalguri, Baksa and Chirang.
4. Institute of Livelihood Management at Tangla (District Udalguri).
5. North-East Regional Institute of Medical Science at Rwomari (Chirang District).
6. Hotel & Tourism Management Institute.
7. Regional campus of Indira Gandhi National Tribal University at Bhairabkunda (Udalguri District).
8. Bodoland Movement Memorial Museum at Salibari (Baksa District).
9. National Institute of Technology (NIT) at Udalguri.
10. Additional Navodaya Vidyalaya in each district of BTAD.

Government of Assam

11. Bodoland Institute of Rural Development at Gossaigaon (Kokrajhar District).
12. Polytechnic and Vocational Training Institute at Singlimari, Horsinga, Basbari and Gabardhana.
13. Organic University at Rowta.
14. Veterinary College/Hospital at Kumarikata.
15. Institute of Paramedical and Nursing Sciences.
16. Provincialisation of College of Music and Fine Arts at Kokrajhar.
17. Birsa Munda Cultural Complex.
18. Swami Vivekananda Youth Centre.
19. Dr. Bhupen Hazarika Memorial multi-purpose Cultural Auditorium.
20. Gorkha Bhawan at Chirang.
21. Kheraishali Centre for Bodo Art and Culture with Tribal Art Gallery cum Museum at Bhergaon.
22. Bathou Harimaphuri at Kumarikata.

Industries and Employment generation projects

GoI

1. Development of Industrial Estates at Ramphalbill (Kokrajhar District) and Kokilaribari (Baksa District) for setting up small/medium industries.
2. Food processing plants with cold storage facilities at identified centers.
3. Training, production and marketing centres for Handloom and Textile products at identified locations.
4. Bamboo Nursery cum production and Processing Centre
5. Promotion of Eco Tourism in (a) Manas National Park (b) Bornadi Wild Life Sanctuary (c) Chakrasila Wild Life Sanctuary (d) Bhairabkunda (e) Kalamati (f) Bagamati (g) Ullapani (h) Kachugaon (h) Jam Duar (i) Diplai Lake (j) Dheer Lake (k) Saraichar lake, and (l) Daranga Mela
6. Mother Dairy plants at identified locations.
7. Railway Coach Factory in BTAD

Government of Assam

8. Formulation of suitable Industrial Policy for BTAD
9. Farm machinery bank at identified centers with infrastructure to support livelihood and agricultural development.
10. Organic Horticultural Park.
11. Animal Feed plants at identified centers
12. Centres for fish breeding, training and farming at identified centers in BTAD
13. Organic manure production centre at Jharaguri
14. Indigenous Food Park at identified locations
15. Emporium for tribal women to showcase handicrafts
16. Vir Chilarai Rural Resource Centre

New Infrastructure in Bodoland

GoI

1. Construction of a Highway in the name of Banasur from Majbat to Holongi (Sonitpur Distict).
2. Construction of bridges on river Sankosh (Kokrajhar District) and Dhansiri at Bhairabkunda (Udalguri District).
3. National Stadium for both indoor and outdoor events at Udalguri.
4. Comprehensive drinking water scheme for villages near Indo-Bhutan border.
5. Cancer Hospital and Medical College at Tamulpur.
6. Flyovers at railway crossings at Goreswar, Tangla and Udalguri.
7. Overbridge on NH-31 at Chapaguri (Chirang District)

Government of Assam

8. Construction of embankments to protect erosion and inundation by floods under river management project.
9. Upgradation of District Hospitals/sub-Health Centers/Veterinary Hospitals
10. Bodoland Guest House in Mumbai

