

NORTH CACHAR HILLS (ASSAM)

ROOT CAUSE



JUSTICE ON TRIAL

**7, Trilok Row House, Sandesh Press Road,
Opp. Chanakya Tower Lane, Nr. Water Tank,
Bodakdev, Ahmedabad - 380054 (Gujarat State, India).**

**Ph. : (079) 65440695, TeleFax : (079) 26840382
E-mail : jotahd2008@gmail.com**

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CHAPTER – 1

PRELIMINARY

The North East region of India which was brain child of Mr. Reed (Governor of Assam in 1940) who saw a dream of British Colony in the name of New England (same abbreviation of NE), remain great concern to Indians as well as government of India. The terrorist activities in this region had a long background and deep roots. Sometime one after another area of this region catches the flame of violence or smokes of gun powder and this time it is North Cachar Hills area.

The recent incidents from March 2009 to July 2009 of assault on tribal communities of the North Cachar Hills region i.e. Zemes and Dimasas, attracted the attention of peace loving people of State and also the NGOs underlying particularly Justice on Trial which takes up such issues to find out the real causes. These incidents occurred between the tribal communities – Zeme Nagas and Dimasas ostensibly revolving round the attempt of the North Cachar Hills Autonomous District Council’s resolution to change the name of the Council as “Dimasa Hasao Raji”. This engulfed different communities and ethnic tribes against each other and a serious situation arose.

Whenever Justice on Trial gets information either directly or indirectly regarding serious violation of human rights, it takes up the matter in order to find out the root cause of the violence, so that the recurrence may be prevented and solution for the problem may be found out for sustainable peace and justice.

1. The aims and objects of Justice on Trial are :

Prelude :

The social ethos today is totality of modalities of assistance or directions, with regard to public grievances. Politicians who scramble to grab such situations are mostly found to make statements which need not necessarily offer any solutions. Their statements are after all political statements. Bureaucrats can not make statements, and the people from judiciary, serving or retired, shun such situations, they are not used to making statements suo motu. They need evidence and would opine only on the basis of the evidence gathered. Such evidence can not be guaranteed to be free from fallacies. Yet if such people from the judiciary, who carry a clean, unbiased, independent, judicious image in the society are prompted to review situations where infringement of human rights have taken place, with the help of their knowledge of the procedures and practices in the judiciary, they could be the best ones in the society who could help, guide or assist in such situations.

The likelihood of acceptance of their views stand much better compared to others in the society.

Constitution :

It is an endeavour to identify people of social standing such as Retd. Judges of the High Court, Reputed Lawyers, IAS/IPS Officers, Retd. Officers from Defence services, etc., involve them to take up the most needed socio-legal activity as offering guidance and help to tackle cases of infringement of human rights through an independent NGO constituted for this purpose. Independent prestigious people, who need not be part of the NGO, can also be involved in specific situations to constitute independent fact finding committees of 5 to 7 members constituted under the chairmanship of preferably a Retd. High Court Judge.

Methodology :

Socio-economical, religious issues concerning population at large and deserving attention could be thoughtfully taken up. A committee would visit the actual place/site of the incidence, gather firsthand data without any prejudices and compile a factual report to be submitted to the respective authorities and the opinion makers, trend setters and the media. Subjective reporting has to be meticulously avoided keeping the objectivity in view.

Objective :

Justice on Trial would act as whistle blower in the following exigencies.

1. As and when the dignity, honour, health and welfare of citizens are either interfered with or curtailed in any manner.
2. As and when citizens are seen to remain mute witness or spectator to any inhuman sufferings that man inflicts on man.
3. Victims of violence, whether through private or the authority, need to be protected on humanitarian grounds.
4. Whenever public needs to be educated regarding the vulnerability in the criminal justice system, that makes their criminal conviction of wholly innocent persons possible.
5. To educate the citizens about their right to get clarification on any nagging doubt from any person irrespective of his status, position or authority.
6. Justice on Trial permits freedom of approach by any citizen of India seeking redressal in the above matters or can act suo motu.

In the light of these objectives, Justice on Trial resolved and setup a committee to prepare a detailed report to find the truth in the incident of North Cachar

Hills and cause and remedy for the same. The committee consists of the followings :

- (1) Justice M. V. Tamaskar, Jabalpur, Former Judge of the Madhya Pradesh High Court
- (2) Shri G. S. Gill, Jaipur, former Additional Advocate General of Rajasthan
- (3) Shri Y. R. Patil, Bangalore, former IPS Officer.
- (4) Mrs. Nafisa Husain, Mumbai, former Member of the National commission for Women.
- (5) Shri Ram Kishore Pasari, Gandhinagar (Gujarat), Social Activist.

It is also resolved by Justice on Trial that the committee will conclude and recommend the solutions for the problem. The committee will visit the affected places, meet the victims of the incidents, dialogue with them, record their statements, collect the relevant material oral and documentary under each head of the terms of reference which are as hereunder :

“Terms of Reference :

1. What are the causes for recent incidents in North Cachar Hills area? Whether it has any connection with ethnic-problem?
2. What are the root causes or background of these incidents? Political secessionist, terrorism, and communalism, economic and/or international conspiracy?
3. Have any citizens there suffered due to these incidents? If yes, whether they are remedied? If not, how it can be remedied?
4. How these incidents affect the development of the state / area? To what extent it has affected the development of the state / area?
5. Is any secessionist activity found in the state / area and/or noticed during the visit by the committee? If yes, what are the forces giving air and fuel to this activity?
6. Conclusion
7. Recommendations

CHAPTER – 2

BACKGROUND

1. Introduction to the North Cachar Hills Area

(A) Constitutional Provision

The constitution of India has made special provisions for the Administration and Control of the tribal areas of the country. The tribes are notified under 6th Schedule of the constitution. (See Schedule 1).

(B). Tribes and Populations

The population figures of the tribes of the North Cachar Hills are quoted from the report of Goodwill Mission which is reproduced below.

“The area visited by the mission (GOODWILL MISSION) is primarily inhabited by people from Karbi and Dimasa Tribes who are not known for being somewhat docile and peace loving. The area was formerly known as the ‘Mikir Hills Tracks’. Article 244A was inserted in the Constitution of India by the 22nd Amendment Act, in 1969 empowering the Parliament to create an Autonomous State within the existing District of North Cachar Hills and Karbi Anglong District.

“The Government of Assam had constituted the united Mikir Hills and North Cachar Hills Districts with an area of 15,236 sq. km. comprising parts from Sivasagar, Nagaon, Khasi and Jaintia Hills vide notification dated 17th November, 1951. The Mikir Hills Autonomous and North Cachar Autonomous Councils were established on the 23rd June, 1952 and 29th April 1952 respectively. The two Councils were segregated on the 2nd February, 1970 for administrative convenience. The Mikir Hills and North Cachar Hills were bifurcated into two separate districts vide State Government Notification No. AAP 134/68/22 dated 11th February 1970 and 30th January 1970. The Mikir Hills after being elevated to the status of a district was renamed as Karbi Anglong with 10,434 sq. km. in area vide Assam Government notification No. TAD/R/115/74. The Mikirs are now known as Karbis i.e. ‘men’

“The Christian population in the Karbi Anglong District has increased from 7.99% in 1971 to 14.48% in 2001 according to the latest census. In North Cachar Hills District the Christian population was 26.68% of its total population in 2001 against 10.31% in 1971 Census, which

proves that there is a massive conversion drive in these tribal belts of Assam which does not augur well for the national integrity, particularly against the backdrop of experiences in Mizoram, Manipur and Nagaland in the North-East where the Missionaries patronized the separatists and secessionists elements to divide the people on the basis of religion and demand separate statehood.”

POPULATION FIGURES AS PER 2001 CENSUS

| District | Total Population | Male | Female | Density per Sq.Km. | Literacy | Area Sq.Km. |
|--------------------|------------------|----------|----------|--------------------|----------|-------------|
| Karbi Anglong | 8,13,311 | 4,22,250 | 3,91,061 | 78 | 58.83% | 10,434 |
| North Cachar Hills | 1,88,079 | 99,822 | 88,257 | 38 | 68.59% | 4,888 |

RELIGIOUS DEMOGRAPHY AS PER 2001 CENSUS

| District | Hindus | Muslims | Christian | Sikh | Buddhist | Jain |
|--------------------|----------|---------|-----------|------|----------|------|
| Karbi Anglong | 6,70,139 | 18,091 | 1,17,738 | 379 | 6,402 | 226 |
| North Cachar Hills | 1,31,492 | 4,662 | 50,183 | 220 | 857 | 15 |

(C) As to Incident

The recent incidents from March 2009 to July 2009, assault on tribal communities of the North Cachar Hills region i.e. Zemes and Dimasas occurred between the tribal communities – Zeme Nagas and Dimasas revolving round the attempt of the North Cachar Hills Autonomous District Council’s resolution to change the name of the Council as “Dimasa Hasao Raji”. This infuriated different communities and ethnic tribes against each other and a serious situation arose. The graphical location of North Cachar Hills is demarcated and marked in the maps. (See Cover Page 4 & 3). These areas consist of large number of indigenous tribal groups.

1. The active groups in the above Districts belong to Zeme Nagas, Dimasas and Nagas of the Nagaland. Their names are as under :
 1. DHD (J) - Dima Haram Daogah (Jewel Gorlosa) – Black Widows
 2. DHD (D) - Dima Haram Daogah (Dilip Nunisa)
 3. NSCN (IM) - National Socialist Council of Nagaland (Isaac-Muivah)

This DHD Juel Garloso Group is a militant organization of Dimasas

2. The undivided DHD leader and its armed cadres were trained and armed by National Social Council of Nagaland – Isak Muiva (NSCN-IM). They have created All Dimasa Student Union (ADSU) which works as an Overground Youth Wing of Dimasa Militant Organization. The International Churches Organization and the Rights Group are believed to be supporting the ADSU so that at least, Dimasa Youth would not oppose Church activities in their areas. ISI is another organization believed to be helping them for Secessionist cause.
3. NSCN-IM was a mastermind in the formation of Dimasa National Security Force (DNSF) and DHD which later bifurcated into DHD(D) and DHD(J). All the top ranking leaders including Dilip Nunisa and Jewel Garlosa and their cadres were trained at Hebron Camp – the Head Quarter of NSCN. The Jewel Group killed 22 Zemes and 13 Dimasa in this year and now-a-days the Dimasas and Zemes are inimical to each other and are afraid of each other. If we go in the background, in the past, Dimasas and Zemes had several common traditions and rituals.
4. It appears that NSCN-IM is behind the curtain for whole of the dirty game. Further, we shall try to understand the goal and aim of this NSCN-IM. The Chairperson of NSCN-IM Mr. Isak Chisti Swu in an interview (Report of Goodwill Mission – September 2006.... Page No. 44) on 27/08/2005 in the U.S.A., stated that the Nagaland has 10,000 missionaries poised to enter in nearby lands. He further stated that they want to penetrate China, Cambodia, Burma, Vietnam, Laos and Nepal and he also revealed that they are holding up the finalization of peace talks between Indian Government and the 4 million people of Nagaland and for that, he appealed to the whole world to support them in their goal and he clarified that they are demanding their independence from India, but for that they want recognition of different nations. This fact also came to our notice that NSCN(IM) has offices in the important cities of the world and they called those offices as their embassies. In a letter (**Please see Annexure – A**) written by Mr. John Bosman, Policy Analyst of KWIA to the Prime Minister of India on 15/11/2004, they have also made the same demands. It is stated in para 2 of that letter that Nagas are not Indians and the large majority of them do not wish to become Indians. The will and desire of Naga tribes is to remain independent and regain their independence. For this demand, they tried to justify that even in the year 1929; the Naga Club at Kohima gave a memorandum to Simon Commission regarding their independence.

5. From this, it may appear that the Nagas were fighting for their independence even before independence of India, but if we look behind the curtain, then it reveals the design and working of the British people at that time. That memorandum was submitted with the signature of 20 persons, most of whom were the employees of Deputy Commissioner's office. Out of 20 signatories, one was Head Interpreter, two Clerks subordinate to him, one Peshkar, three Masters, one Doctor, one Cashier, one Poddar, one Sub-overseer, eight Interpreters and one Chaprasi. (North East India : Crisis of Perception and Credible Action by B. B. Kumar ~ Dialogue (Quarterly) Vol. 1, No 2, October-December 1999..... Page No.). It leaves no doubt about what was behind these demands. If we go further in depth, we find that the Imperial Government i.e. British Government wanted a separate region to check and control India and China both, in future. The Governor of Assam (1937-1943), Professor Sir Reginald Coupland wanted the creation of a Crown Colony consisting of the hills of India and Burma and it was named at that time as "Crown Colony of Eastern Agency". They did a lot of homework in this regard. They prepared a map for this region and future plan for the same. In a meeting on 19/6/1945, the Naga National Council drafted a memorandum about the future of Nagas to Imperial Government. They are distributing in the form of calendar, a map (**Please see Annexure – B**) which clearly shows "Republic of Nagalim" i.e. a separate country. To get their ultimate design into reality, the NSCN-IM has been working in many ways. Ultimate goal is to disturb the peace of the area and to propagate Christianity. (Article of Shri B. B. Kumar as well as memorandum submitted by KWIA is annexed with this report.)
6. Some more important facts to be noted are as under :

The Dimasas have two groups of militants known as DHD (D) Dima Halom Daogah (Dilip Group) and the other is DHD (J) Dima Halom Daogah (Jewel Group). DHD- Dilip Group had joined together and DHD(J) Group had entered into alleged cease fire with the State of Assam. Surprisingly, the head is described as Commander-in-Chief of DHD-Dilip Group.

After some time, the DHD cadres were arrested. G C Langasa was released later on. The clashes were between Dimasas and HMAR Tribal Groups. Dimasas are generally Hindus and follow the Hindu customs. DHD Juel Garlos' cadre is said to be 47 out of 53 of the group and have defected from Juel Garlosas. A parallel Government is run by NSCN(IM) and the ULFA. All these incidents are happening because of the DHD militants of both factions. The Dimasa community in North Cachar Hills is 80,000 approx. and Karbis are just 5000 whereas Zemes' population is (20,000). The

population figures, community wise are as per Census of 2001, and are as under :

| Community | Population (as per 2001 census) |
|------------------|--|
| Biete | 3,810 |
| Kuki | 7,535 |
| Hmar | 14,542 |
| Dimasa | 65,066 |
| Hrankhol | 2,060 |
| Zeme | 1,52,944 |
| Karbi | 8,087 |

7. There are 11 other indigenous tribals and non-tribals living in North Cachar Hills. There were clashes between HMAR and Dimasas in the year 2003. Kukis also inhabit the said area. The Zemes Nagas are next to Dimasas as far as population is concerned.
8. Prior to 2003, Dimasas and Zemes were living peacefully in the area. However, this relationship got spoiled because of the attacks by militants on the tribal community. The Zeme Nagas are said to be closer to Nagas and the Naga militants NSCN(M) help them in their fight against Dimasas and other communities.
9. It may be noted that the DHD Cadres numbering 8000 were armed and another 2000 without arms, were staying in camps and not given any training. Security forces are prevented to go inside their camp. That is treated as protected area and spread over 4 places. The first incident occurred on the 26th September 2005 in Karbi Anglong District and no incident was reported in North Cachar Hills. In the year 2004-2005 about 2000 persons had left out of panic. NSCN(IM) operating in North Cachar Hills had the support from Hmaras and Zeme Naga. Christians are increasing in number out of fear of attacks on the community i.e. Dimasas and Zemes.
10. The present dispute occurred because Dimasa majority passed a resolution to change the name of the Autonomous District Council as Dima Hasao Raji.
11. It may be noted that Dimasas' claim that the change of name of Autonomous District Council was on the basis of their political past. They have also placed before us agreement (**Please see Annexure – C**) between East India Co. with General Tolaram Senapati dated 16th October 1834. They also claimed

the support of other communities and have arrived at a Memorandum of Understanding, which is filed herewith for ready reference (**Please see Annexure – D**)

(D) Beginning of the recent turmoil

1. The violence was ignited by the brutal attack on the innocent villagers of Tungje Jeme village killing two persons on March 19, 2009 and then the killing of another two persons at Boureneu village on 23.03.09 by armed miscreants without any provocation. Again, on 24th April 2009, armed miscreants arrived at the Yah village (belongs to Dimasa) of NC Hills (under Maibong sub-division) at around 6.30pm, opened fire on villagers and killed 4 of them. And thus the attacks on each of the communities of Zeme and Dimasas were continued nonstop. It was presenting a picture as if there was an ethnic clash among these two communities!
2. Condemning the killings and burning, the Dimasa, Jeme and all other communities joined a peace rally in Haflong on May 27,2009 which was organized by senior citizens of Haflong in Cultural Institute's Hall, the general public got a jubilant ray of hope for peace and normalcy to return but unfortunately, the same act of killing of two innocent Jeme villagers of Mabou was repeated on the following day and consequently innocent Dimasa villagers were also killed in retaliation by the people having some vested interest.
3. As per report the relief camps were established by 1st week of June 2009 at (i) Laisong (549 men+ 507 women) (ii) Hajaichak (56+33) (iii) Tungje (52+30) (iv) Guilung (32+20) (v) Mahur / Namjaram (344+346) (vi) Boro Haflong (68+100) (vii) Jorai (32+40) (viii) Basabari (40+77) (ix) Thapa (105+145) (x) Phaiding (105+145) (xi) Dibowla (37+32) (xii) Gungjung (21+49) and (xiii) Duing Bathari (275+705) with a total inmates of 3945 persons (1716 male and 2229 females).
4. To understand the controversy fully, the Committee received report from the representatives of the Dimasa community giving full details of the incidents, number of militant organizations involved, number of persons injured and dead from different communities and displaced due to recent incident from the month of March to 6th July 2009. (**Please see Annexure – E**)
5. This report was shown to the Investigating Team. The report is somewhat biased, and states that the change of name of North Cachar Hills Autonomous District was not approved by the State of Assam as it had the support of only

43% of Dimasa Tribe and was opposed by 57% other tribes, which includes Zeme Nagas. The procedure for alteration of Name of the Council was subject matter of investigation and Report by a Cabinet sub-committee recommended not accepting the Change of Name.

CHAPTER – 3 EVIDENCE

Meeting and Discussion with Victims and Affected Persons of North Cachar Hills District.

The Committee reached Guwahati on 3rd August 2009. The committee reached Haflong on 4th August 2009, attended different delegations till late night. On 5th August the committee visited affected areas and also met inmates of the different camps and proceeded for Nagaon and reached Nagaon in the evening. The committee proceeded for Guwahati on the next day, i.e. 6th August, 2009 where the committee met different delegations and individuals also. On 7th also, the committee had meeting with different delegations. The details of the discussions with delegations and the victims and affected persons are as under.

(A) DISCUSSION WITH THE CENTRAL COMMITTEE OF THE DIMASA APEX BODY - JADIKHE NAISHO HOSHOM (JNH) AT 3.30 PM AT HOTEL ELITE, HAFLONG ON 4TH SEPTEMBER 2009.

The following members of the JNH were present:

- 1) Mr. LK Nunisa, General Secretary
- 2) Mr. B. Yabra, Assistant General Secretary
- 3) Mr. D, Bathari, Publicity Secretary
- 4) Mr. Ron Kemprai, Executive Member
- 5) Mr. Babul Langthasa, Executive Member
- 6) Mr. Manoj Garlosa, Executive Member

The Committee wanted to know whether human rights are violated in conflict-ridden North Cachar Hills and whether relief measures were on the right way or not. The representatives of the Dimasa Apex Body informed that there were complaints about these during pre and post incidents from some specific corner, which they don't want to deny. Now barring few instances, things are going on right way.

The Committee wanted to know the reasons behind the conflict between the two tribes and what would be the short and long term solution for the same. The Dimasa leaders elaborated the whole history of the two major tribes, i.e., Dimasa and Zeme Naga in details with facts and figures which were also put up before the Union Home Secretary during their recent visit to conflict-ridden North Cachar Hills. The

Dimasa leaders also gave a picture about the demographic pattern, culture, tradition, population pattern, employment status, socio-political status of the indigenous people and their rights, presence of militant outfits and their position, etc.

The representatives of the Dimasa Apex Body (JNH) briefed the history of Dimasas and elaborated the causes of Dimasa – Zeme Naga conflict with facts and figures as follows:-

The current mayhem allegedly between Dimasas and Zeme Nagas are believed to be the result of the efforts of the North Cachar Hills Autonomous Council (NCHAC) in changing the name of the district into Dima Hasao Raji (the land of high hills inhabited mostly by the Dimasas). Such act has also been viewed as discrimination of majority Dimasas on the smaller minority groups. However, the ground reality and the statistics speak contrary to such claims. For instance, the NCHAC is the only entity which has provided opportunity of representation to smaller groups by accommodating seats in the NCHAC. The employment pattern of NCHAC is such that the Dimasa stands at fourth position in terms of employment, in spite of being majority tribe (**See Annexure – F**).

The proposal for change of nomenclature was carried out only after receiving inter-ethnic consensus. The change of nomenclature was mooted on the following grounds. The present district of North Cachar Hills comprises the larger part of the erstwhile kingdom of the Dimasas which was annexed to the British India under the infamous Doctrine of Lapse following the death of the last Dimasa King (Tularam Senapati) without any issue. The British named the district North Cachar Hills district ostensibly to describe the geographical location. But the Dimasas have always called the district Hasao Raji and now desires to rename the district after the community is even more apt. Hence, the proposed name Dima Hasao Raji.

The demand for the change of name of the district to Dima Hasao Raji is not merely popular but even in the most democratic form. However, from some angles the reaction has been undemocratic and even barbaric. In the most democratic form the autonomous council unanimously approved the change of the district's name to Dima Hasao Raji and sent it to the State Government for approval. However, the State Government is rather than agreeing to the popular wish of the people of the district delaying the entire process. Succumbing to repeated appeals from the people of the district, the State Government constituted the Cabinet Sub-committee comprising of three ministers headed by Shri Dinesh Prasad Goala. The sub-committee reportedly submitted its report recently and it is learnt that they pointed out that since the Dimasas constitute only 43% of the population the demand for the change of the name should not be entertained.

If this be true, then this is a murder of Democracy. The sub-committee has erred in every step which led us to construe that it was instituted with a pre-planned hidden agenda just before the general elections. Certain questions remain unanswered. What is the percentage of the people who opposed the change of name? Why the sub-committee met the community leaders who represent only 25% of the district's population. Why was only community leaders of the Kuki-Chin Christian community like Hmars, Kukis, Beites, and Zeme Nagas consulted? Why were the other 32% Hindu population not consulted? Can this not be logically construed as a partisan attitude on the part of the committee or the state government?

The Zemes have always opposed the change of name as they see it as an impediment to the Greater Nagalim design of the NSCN. The North Cachar Hills as a geographical location suits them better for any claim to be made. On the other hand the Kuki-Chin Christian communities have always fished in troubled waters. They have time and again proved that they disapprove anything proposed by the Hindu Dimasas. It is religious for them to oppose the Hindu Dimasas. Individually they are very small communities, but they form into a religious conglomeration which is communal and dangerous and succumbing to their demands could be a bad precedent.

In such a scenario only consulting them, raises doubts over the very intentions of the State Government. 25% has been given weightage over 43%, this does not happen in a democracy and should not be allowed to happen. If the State Government can give in to the Bodos who constitute 33% of the population, to the Karbis who are 36% strong, why not the Dimasas who comprise 43%? In a democracy while minority views should be taken into consideration, but majority opinion cannot and should not be ignored or overlooked.

The Apex Body of Dimasas (JNH) informed the Committee that only political safeguard through constitutional means is the solution to the vexed problem of the district. For this purpose, peace talks must be expedited to bring respectable solution so that peace could prevail in the district even with the militant outfits, more particularly DHD (ceasefire group) and DHD (J) group.

While asked about atrocities on women the representatives of the Dimasa Apex Body informed that during pre and post riot violation, few cases of atrocities on women were reported and they were the worst affected section of the society. Still they are facing various problems in enjoying their rights and privileges from the opposite section. Incidents are going on daily and their rights have not been protected by the authorities concerned.

(B) DISCUSSION WITH THE IMMATES ON VISIT OF ZEME CULTURAL HALL-CUM- RELIEF CAMP On 04.08.2009 at 5.00 PM

(1) Village Head (Gaon Burha): Mr. Longkham Zeme aged about 43 years.

The inmates of the relief camp are mostly Zeme Naga community and they are victims of recent riots of the district. The camp itself is in one government LP School, a high school and a community hall. More than 250 Hindu and Christian people of 14 villages are camped there and they are guarded by the security personnel. The Committee met Mr. Anurag Tankha, IPS, a senior Police Officer of the district at the camp and interacted over the present riot scenario. After interaction with Mr. Tankha, the Committee interacted with the inmates of the relief camps and listened to them. The inmates of the camps complained about the non-availability of basic amenities and essential commodities required by them to stay in the camp. Indian Red Cross Society, Haflong Unit and other social organisations also extended their helping hand to the riot victims. The inmates expressed their satisfaction for the services that have been rendered by the social organizations.

During the visit of the camp, the Members of the Fact-Finding Committee noticed the pathetic conditions of the inmates of the camps, particularly the women and children. The persons with whom the Committee interacted were–

1. Mr. Samsadinbe Zeme – President (Zeme Council)
2. Mr. Haire Ombe – Gaon Burha (Village Head)
3. Mr. Longkam Zeme – Govt. Teacher
4. Mrs. Kheirongdila – Housewife
5. Mr. Isingbe – Student
6. Mr. Dijolongbai – Cultivator
7. Mr. Stephen Mabao - Cultivator
8. Mr. Huhujiang - Cultivator
9. Mr. Thakambe Zeme – Teacher
10. Mrs. Laimbe Zeme – Housewife

The inmates of the camps informed that they have been facing shortage of baby foods, medicine, fuel (wood), water, mosquito net, vegetables, etc. But the inmates of the camp informed that the food items – Rice, Dal, Salt, etc. supplied by the district authority were sufficient. The teachers staying in the camp are not getting their salaries for the last 5 months and thus their life has become miserable, as informed. They also tried their level best to restore the classes regularly but due to

insecurity felt by the students, they (students) are not coming to the school and thus classes are not held.

(2) After the interactions with the inmates of the camp, the Committee members were invited by a local Zeme Naga to his residence adjacent to the camp. The Committee members accepted the same and went to his residence wherein wide discussions and deliberations took place lasting about an hour. The invitee itself is a retired Govt. employee and a local leader of Zeme Naga community whose name is not disclosed due to security reasons. Mr. Samsadimbe, President, Zeme Council and two more local leaders were present during the discussions.

While asked about the reasons behind the conflict and its solution, they directly blamed the Dimasa militants as fully responsible for the conflict and the attack on Zeme Naga people. They also gave pre and post riot situation of the conflict-ridden North Cachar Hills district. The Zeme Naga leaders elaborated the historic background of Zeme Naga people of North Cachar Hills and justified their claims over the issues they raised. They also elaborated about the historic background of North Cachar Hills, its demographic pattern, culture, customs, tradition, population pattern, militant outfits' background and the relationships between the ethnic groups living in the district.

During the discussion, the Zeme Naga leaders tried to give a clear picture about the militant outfits (i.e., DHD(J), DHD(D), IPF, NSCN, HPC, etc. and their subversive activities. Surprisingly the Naga leaders informed the Committee that the Dimasas are always against the Assamese people since long and treated them as *Dusman*. The Naga leaders also criticised the role of the Government of India, its sincerity to solve the problem, because the central security forces posted in the district are helping the Dimasa outfits with fatigues and arms as a result DHD (J) threatened the Naga leader to kill them in dire consequences. NSCN provided arms and training to Dimasa groups and right now the DHD group has not more than 250 members, they informed.

While asked about the expectation from Home Ministry, the Naga leaders said that they cannot say anything in this regard because solving a problem is the responsibility of the Government of India. They cited the example of NSCN and the talks held between Government of India and NSCN and the subsequent development.

While asked about merger of North Cachar Hills with Nagaland, the Naga leaders straightly refused it and said that they always want peace in their locality and want to live together peacefully with the other ethnic groups.

While asked about the influence for separation between the two tribes, the Naga leaders told jokingly that only *Shani Maharaj* will be able to tell this, because he entered into this village.

While asked about future strategy and suggestions for solving the disputes, the Naga leaders told that though the cluster has been formed, no security has been provided by the Authority till today and 17 times discussions were held with the other tribes of the district, but nothing has been done to solve the problem and hence they seem only divide North Cachar Hills into 50:50 is the solution of the problem (Hills for the Zeme Nagas and Plains for the Dimasas and other tribes).

While asked about atrocities on women, the Naga leaders informed that there were few cases of atrocities and torture of women and that too from the Dimasa community as well as militants. They (women) are afraid to go out for day-to-day activities even for cultivation.

(C) DISCUSSION WITH IMMATES ON VISIT OF VISIT OF JORAI VILLAGE (DIMASA) RELIEF CAMP On 05.08.2009 at 08.30 AM

Name of the Village Head (Gaon Burha): Mr. Johendra Longmaile, aged about 52 years

Name of the Asstt. Gaon Burha: Mr. Pabitra Langthasa, aged about 47 years

The Committee visited Jorai Village at 08.30 AM and interacted with the victims of the recent violence which took place in North Cachar Hills. The people of the village informed the Committee that they belong to Dimasa community and they have been living there since long in peace and harmony. The people of the village are mostly cultivators and they cultivate Jhum, Makoi, and vegetables, etc. and maintain their livelihood. While asked about the relationship with other community, particularly Zeme Naga people, the Village Headman informed the committee that they have good relationship and tranquility, unity prevailed amongst them before the violence took place, i.e., 30.05.2009 and they have no conflict with Naga people. On 30.05.2009 some militants came to the village at night and attacked them with arms and ammunition and torched 14 houses out of 15. In the incident one person was shot dead (Mr. Bodra Langthasa/60) and one person injured. The name of the injured person is Mr. Marmendra Langthasa aged about 52 years. While asked about the identification of the militants, the Gaon Burha (village head) informed that they suspect the Zeme Naga militants from their face-looking and voices they have uttered during the attack. After the incident no militant come to the village, but the villagers fears to go out for their livelihood even to buy and sell their essential commodities.

While asked about their future strategy, the villagers informed that they want to live in peace, maintain tranquility and brotherhood among the other community and want to discuss the disputes face-to-face with Zeme Naga people to sort out their conflicts as well as differences. The villagers also expressed their dissatisfaction over the government apathy towards them including supply of food, health and other relief materials. During the last three months, the camp is visited only two times and the doctors extended their service two times which was not sufficient. The relief materials supplied by the authority were Rice, Dal and Salt only. They have been facing health problems on baby foods, fuel-wood, cloths, mosquito net, etc. No competent persons of the district authority came to the camp to discuss with villagers. No welfare measures as well as schemes have been implemented by the authority after 30.05.2009. Before the incident, the village has been covered by NAREGA scheme and villagers benefited from it.

The Gaon Burha (village head) also informed the Committee that they have been maintaining their customs by both the community separately and they have no conflict over their customary issues. The Dimasa people are observing Hindu religious programmes like, Durga Puja, Saraswati Puja, etc. There is one LP School in that village which was spared by the militants from torching the same. The Dimasa people are observing Hindu religious programmes like, Durga Puja, Saraswati Puja, etc. There is one Government LP School in that village which is spared untouched by the militants. The villagers do not know how to speak either in English or Assamese. They can speak their own language (Dimasa) and broken Hindi only.

While asked how long they will stay there in camps, the Gaon Burha said that whenever the necessary and adequate security arrangements are made from the Government's side in their native village, they are ready to leave the camp and start their normal life. But, right now they are afraid of going out and start their day-to-day regular activities including cultivation.

While asked about the atrocities on ladies during pre and post incident through mediator, the ladies of the relief camp informed that no such particular atrocities have taken place from any corner.

The Committee left the camp offering sincere thanks to the inmates of the relief camp for their cooperation and information they gave and wishing all the best for the days to come.

**(D) DISCUSSION WITH IMMATES ON VISIT OF SONTILA
(ZEME NAGA) RELIEF CAMP On 05.08.2009 at 10.30 AM**

Village Head (Gaon Burha): Mr. Somabe Jim Kowame, aged about 45 years.

The Fact-Finding Committee of Justice on Trial visited Sontila Relief Camp at 10.30 AM on 05.08.2009 wherein the victims of riot affected people of Village-Mabao, North Cachar Hills, Assam, are camped and interacted with them. The people of the village informed the Committee that they belong to Zeme Naga community and they have been living there since long back in peace and harmony. The people of the village are mostly cultivators and they have been cultivating Jhum, Makoi, and vegetables, etc. for their livelihood.

While asked about the relationship with other community and ethnic groups, particularly Zeme Naga people, the Village Headman informed that they have good relationship with other communities and ethnic groups and tranquility, brotherhood and unity prevailed amongst them before the violence took place, i.e., 28.05.2009 and they have no conflict with Dimasa people. On 28.05.2009 some militants came to the village at day time and attacked the village with arms and ammunition and burnt 21 houses out of 26 including Paiki (Community Hall) and Hindu Mandir. But, the militants spared 5 houses out of which 4 houses belongs to Hindu family. In the incident 2 (two) persons, aged about 13-15 years, were killed and few persons injured. While asked about the identification of the militants, the Gaon Burha (village head) informed that DHD(J) popularly known as Black Widow involved in the incident. After the incident militants come to the village sometimes and as a result villagers fear to go out for their livelihood even to buy and sell their essential commodities.

While asked about their future strategy, the Gaon Burha informed that they want to live in peace, maintain tranquility and brotherhood among the other communities and ethnic group of the district. The Gaon Burha as well as villagers also expressed their dissatisfaction over the Government's apathy towards them regarding the supply hygienic foods, cloths, health and other relief materials including mosquito net. During the last three months only two or three times government representatives visited the camp and extend their services, which is not sufficient. In this regard, they expressed their gratitude to a Homeopathic practitioner and a local lady health worker. The relief materials supplied by the Authorities are Rice, Dal (400-600 gm per person/day) and salt only. They have been facing health problem, baby foods, fuel (wood), cloths etc. Only *tin patta* of IAY beneficiaries they have provided by the DRDA. No other welfare measures have been taken so far by the authorities concerned.

While asked how long they will stay there in camps, the Gaon Burha said that whenever the necessary and adequate security arrangements is made from the Government's side in their native village, they are ready to leave the camp and start their normal life. But, right now they are afraid to go to their village.

While asked about the atrocities on ladies during pre and post incident, the ladies of the relief camp informed that no large-scale atrocities have taken place from the rival groups. Only few cases have taken place, but after the incidents, they are afraid of to go out alone for their day-to-day activities even for market.

The Committee left the camp offering sincere thanks to the inmates of the relief camp for their cooperation and information they gave and wished all the best for the days to come and suggested to live together peacefully and unitedly.

By afternoon, for a short while, the Committee met the representatives of Zeme Nagas who came from Mabao Village (now camped at Sontila) and the Dimasa Mahila Suraksha Manch separately. The Committee listened patiently to the representatives of both the groups, sought some suggestions/measures which can lead to solve the vexed problems of Dimasas and Zeme Nagas. Both the groups gave their opinions favouring their community's demands and requested the Committee to initiate appropriate measures with authorities to solve the problems.

**(E) DISCUSSION WITH THE CENTRAL COMMITTEE OF
THE ZELIANGRONG HERAKA ASSOCIATION AT 2.00 PM
AT HOTEL ELITE, HAFLONG ON 5TH AUGUST 2009.**

The representatives namely M/s. Tanzan Newme, Namreituig Nriame, Montuing Hezatme, Paubolungbe Nriame, Ramgieng Nriame and Ikuatuing Newme of the Zeliangrong Heraka Association met the Committee and briefed about the scenario of riot affected North Cachar Hills. As per the representatives, 7 villages (Guilong, Limbargo, Boroshenam, Nigaindram, Kampair, Mabao) of Zeme Nagas have been burnt down by the militants. Out of these villages, one Hindu village and two Mandirs were also burnt down by the militants. About 39 persons belonging to Zeme Naga have been killed and 6-7 persons seriously injured in the attack. The injured persons have been admitted to Haflong Civil Hospital for treatment. Even after the incidents, the militants came to Guilong village three times and properties have been destroyed by the militants. The victims of the affected villages have been camping at Sontila Relief Camp and the villagers are not willing to go back to their villages fearing security. The representatives of the Zeme Nagas said that

DHD (J) militant group involved in the incident. The representatives also said that the Dimasa militants want the Zeme Naga should support their demands.

The Zeme Nagas' representatives also briefed about demands of Dimasas on

- 1) 80% reservation of Govt. services should go to Dimasa
- 2) Not transferring of land to non-tribals
- 3) Introduction of Inner line permit
- 4) Change of nomenclature of the district, etc.

While asked about how the Zeme Nagas want to live together with Dimasas, they said that militancy should be brought under control and both the groups should reduce their demands then only problems can be sorted out.

Again when asked about why the Zeme Nagas are reluctant to meet the Central Government Team by both together, the representatives of the Zeme Nagas said that as the Dimasa Body are not willing to do so, they are also not ready to do so and there are some restrictions from their own community.

**(F) MEETING AND DISCUSSION WITH THE
REPRESENTATIVES OF MAHILA SURAKSHA MANCH
AT 3.00 PM AT HOTEL ELITE, HAFLONG
ON 5TH AUGUST 2009.**

The following members of the Dimasa Mahila Suraksha Manch were present during discussion:

Smt. Haireile Newme
Smt. Agui Jemele
Ku. Reba Thaosen
Smt. Subasini Hasnu
Smt. Nanda Johori
Smt. Anita Hagjer

The Manch is formed to protect the women community of North Cachar Hills and in particular of Haflong and to provide basic amenities including nutrient, foods to women and children, health security and medical aid to the victims of recent violence.

They have appealed to the authorities and the militants to stop their inhuman activities. They say that the Tribal (of North Cachar Hills) Dimasa people are very peace-loving and they want to live together peacefully. They also want to protect the human lives and wealth of the public. For this purpose, they have appealed to

the authorities and the militants to stop their inhuman activities and also have represented before the Home Ministry. The Manch also held discussions with different people of the district for peace and tranquility amongst the ethnic groups of the district. The contributions of the Dimasa Mahila Suraksha Manch during the riot have also being recognized, applauded and praised by all sections of the society. They have immensely contributed their best services without bringing in their caste and creed.

While asked about the reasons behind the incidents, the members of the Manch raised their voice and said that the divide and rule policy of the government is fully responsible for the deteriorating situation of the North Cachar Hills. In the opinion of the Manch, the divide and rule policy of the government and / or some group and / or Christian missionaries is fully responsible for the trouble and present situation in of the North Cachar Hills.

The Manch also briefed the committee in detail about the loss of lives and property during the violence. They also stated that their rights have been violated by both security agencies and militant groups during the recent violence of the North Cachar Hills.

In their view increasing influence of Christian militants and Christians missionary support to the blue-eyed persons is the reason for violence and /or disturbance. Nagas want to include the district in their proposed Nagalim by any means. They also blamed the authorities for not appreciating the ground realities of ceasefire. The Manch appealed the Committee to raise their voices before the appropriate authority concerned and save the lives and properties in North Cachar Hills.

(G) MR. D. N. BEZBARUWAH :
FORMER EDITOR OF “SENTINEL”, ENGLISH DAILY

He expressed that the policy of the Central Govt., which ever it is was, not helpful for the North East. The policy should have been rigid. The armed forces Act has not served the purpose, but is used by military and forces in discriminately, creating terror in people’s mind. The different ethnic groups should be allowed to maintain their identity. Yet the region requires effective governance, which is very much missing. The politicians and militants are having unholy alliance. The mineral rich, forest products, rich uranium availability is under threat of being misused by vested interest, inside and outside the region. Requires brisk development, economic and tourist based infrastructure and communication, road and transport, to develop and attract tourists. Development and employment, health and educational institutions of high merit need to be established.

DISCUSSION

Before we discuss the facts gathered by the committee from different groups and delegations, certain other historical facts have also been brought to our notice. The same is as under :

CHAPTER – 4

1. Nagaland has no early written history, although medieval chronicles of the neighbouring Ahom Kingdom of Assam tell of the Naga tribes, their economy and their customs. The 1816 Myanmar invasion of Assam led to oppressive Myanmar rule from 1819 until the establishment of British rule over Assam in 1826. The advent of British administration, which by 1892 encompassed the whole of Naga territory (except the rugged Tuensang area in the northeast), ended the practice of headhunting and inter-village raids and brought relative peace to the region.
2. After India became independent in 1947, the Naga territory initially remained a part of Assam. A strong separatist and terrorist movement, however, began seeking a political union of the Naga tribes, and extremists demanded outright secession from the Indian Union. This movement led to a number of violent incidents, and in 1952 the Indian army was called in to restore order. In 1957, after an agreement was reached between Naga leaders and the Indian government, the Naga Hills district of Assam and the Tuensang frontier division to the northeast were brought together under a single unit directly administered by the Indian government. Despite the agreement, unrest continued in the form of non-cooperation with the Indian government, nonpayment of taxes, sabotage, and attacks on the army. A further accord reached at the Naga People's Convention meeting of July 1960 resolved that Nagaland should become a constituent state of the Indian Union. Nagaland achieved statehood in 1963, and a democratically elected government took office in 1964.
3. Rebel activity continued, however, increasingly assuming the form of banditry and often motivated more by tribal rivalry and personal vendetta than by political aspiration. Cessfires and negotiations did little to stop the insurgency, on the state. Although leaders of the underground agreed to November 1972 to lay down their arms and accept the Indian Constitution, a small group of hard-core extremists continued to agitate for Naga independence.
4. Nagaland constitutes a state of India, in the northeastern corner of the country. It is bounded on the east by Myanmar (Burma), on the south by the Indian State of Manipur, and on the west and northwest by the Indian State of Assam. A small section of Nagaland extends to the north towards the Myanmar border into the Indian State of Arunachal Pradesh. The capital is Kohima.

5. Nagaland has no early written history. The first references to the people there are found in 13th-century chronicles of the Ahom Kingdom of neighbouring Assam. The word Naga designates the many tribes and subtribes that occupy the area. The name may have derived from the Sanskrit *naga* (“snake”); from Hindi *nariga* (“naked”); from *naga* (“belonging to the hills”); or from *nok* (“people”, or “folk”). There were occasional clashes between the Ahom and Naga, but the Ahom normally maintained friendly relations with the Naga chieftains.
6. Myanmar ruled the Naga from 1819 to 1826, at which time the British established rule over Assam and gradually annexed the Naga hill areas to the British Empire. The British put an end to headhunting and intervillage raids, and the Naga settled down to a more peaceful life of cultivation and trade. Indian independence in 1947 sparked a movement for an autonomous Nagaland, but after prolonged negotiations the Naga people accepted statehood within India in 1963.
7. Except for a small area of plain, the entire state is covered with ranges of hills that are part of the Himalaya system. The Naga Hills rise from the Brahmaputra Plain in the north initially to about 2,000 feet (600 m) and then increase toward the east to more than 6,000 feet (1,800 m). Isolated peaks reach 10,000 feet (3,000 m) or higher. The hills merge with the Patkai Range, which separates Nagaland from Myanmar and reaches a height of 12,552 feet (3,826 m) at Mount Saramati, on the border. The northwestern portion of Nagaland is drained by tributaries of the Brahmaputra River, the southeast by tributaries of the Chindwin River of Myanmar. The head-streams of the Barak River flow through the southwest.

[ETHNIC NATIONALISM IN NORTH EAST INDIA]

8. The urges of different ethnic groups of Northeast India for maintaining their distinct identities have been a living phenomenon in the politics of region in particular and of the country in general. They have their own language, dialect, culture, customs, traditions, historical background and so on. And they are not prepared to merge their culture completely with the national mainstream and want to maintain their distinct identity. As a mean of maintaining this, they have been demanding separate states on the basis of their respective ethnic identity. More importantly, some sections of these groups have been carrying on an underground movement demanding a sovereign independent state outside the Indian Union. A movement of this kind naturally involves the question of integration of this region with the rest of the country. In some

quarters, it is believed that such separatist tendencies and sub-regional urges are being exploited by the super power rivalry of the contemporary world and that the various movements of ethnic groups of this region are being spearheaded by some foreign agents with an ulterior motive.

9. The Naga Hills Districts Tribal Council was formed in April 1945 with a view to uniting the multilingual Nagas and engaging themselves in social activities. Later on, within 4 year this was recognized with the name and style, the Naga National Council (NNC), a federation of various tribal councils of the Hills under the presidentship of T. Aliba Imli Ao. At the initial stage, it demanded autonomy within Assam and opposed both the “Crown Colony” and the Grouping Plan” under the Cabinet Mission Plan of 16 May, 1946. But suddenly in February 1947, it demanded an interim Government for the Nagas, initially for a period of ten years, after which the Nagas would be free to decide their own political status. This demand was formally placed before the Government in June of the same year. The NNC even gave an ultimatum to the Government of India on 4 November 1947, giving thirty day’s notice for satisfactory settlement of their demands. Further, it warned the Government that if their demands were not conceded, the Naga people would not co-operate with the existing Government. This movement for autonomy was, however, transformed into one for the establishment of a sovereign independent Nagaland after Angami Zapu Phizo became the president of NNC in November 1949. Later on, it virtually transformed itself into a parallel Government for the Nagas.
10. Thus it appears that in the late forties of this century, there had been a strong sub-regional and even a separatist urge among a section of the people of the hills. One of the reasons for this was that these hill tribes had very little scope of mingling with the people of the plains during the British rule. The British administered them separately from the plains and they were not sufficiently integrated with the people of the plains. Whether this was done deliberately in consonance with the policy of “divide and rule”, as many local historians claim “or it was due to a policy of not disturbing susceptibilities of the hill people, is difficult to assess accurately. It may, however, be argued that although the British might not have made direct efforts to divide the people of the hills and the plains, indirectly their policy had this effect. As a result, the hill people were afraid of the plainsmen more than they were of the British. They even laboured under a suspicion that the rule of “while people” in the hitherto “Excluded Areas” would be replaced by their “more advanced” neighbours of the plains in free India. By and large, the hill elite believed that in a free India the plainsmen would be in an

advantageous position to exploit them, on a more permanent basis. This feeling of the hills was mainly shared by the newly emerged western educated hill middle class and the tribal chiefs (Syiems). They thought that if the hill areas were completely integrated with the plains, they would lose their traditional privileges and socio-political dominance in the hills.

11. In any case, the tribes and races of Assam were not sufficiently organized, capable of asserting the demand for a sovereign independent Assam. On the other hand, the Indian National Congress in Assam was strong enough to check the centrifugal urges developed among a section of the tribals and the Ahoms. Moreover, the prevailing political climate was not favourable for accommodating such a demand. Eventually, in the late forties, when the Constitution was being framed, the leaders of the tribes and races pleaded for adequate constitutional safeguards to preserve and protect their distinct ethnic identity. In view of this, they emphatically demanded that :

“These communities must be assured separate political existence in the new Constitution by providing for them, in the case of the hill tribes, local autonomy and in the case of others, separate electorate. They must be allowed to live their own life with their own customs and culture without any encroachment either by the Hindus or by the Muslims.”

12. While demanding these special privileges to them in the new Constitution, they asserted the fact that the setting up of autonomous administrative unit among these tribes was “vital to the peace and tranquility” of this region. As a matter of fact, they warned the Congress leaders that “a denial” of their “just rights” might bring “chaos and insecurity” to this “most vulnerable frontier of India.” Thus it appears that at the advent of independence, the Ahoms and the tribals, both in the hills and the plains, expressed a remarkable separatist sentiment and constituted a strong regional force when the Constitution was on the anvil.
13. This study therefore shows that the present separatist tendencies and sub-regional urges of some sections of the ethnic groups of Northeast India are not entirely the product of post-independence period. These were rather rooted in the past. In fact, there were already strong regional and sub-regional sentiments or even urges for separate independent state in the minds of the then elite of these ethnic communities prior to independence. Even after thirty five years of independence, similar feelings and sentiments have been persisting. The assumption that the phenomenon of ethnic nationalism in Northeast India is the sole creation of conspiracy of the foreign agents is

misleading. To emphasise such an assumption is to deny the genuine causes of backwardness of the ethno-cultural groups of this region. Moreover, such an assumption would obviously lead to the conclusions that : (i) the problems faced by the ethnic communities of this region are not genuine; (ii) leadership of the country is leaving no stone unturned for the solution of ethnic problems, and (iii) whatever movement they (ethnic groups) have been launching for the fulfillment of their respective demands is the handiwork of the foreign agents working in this region. Such conclusions would obviously weaken some of the legitimate demands of these groups and conceal the root causes of their problems. It is necessary to note that during the last three and a half decades, little attention has been paid to these feelings and sentiments of the ethnic groups expressed at the advent of independence. As a result, they could not be brought into the national mainstream and most of them remained more backward than other advanced communities even within an underdeveloped region. In fact, long negligence, slow and unbalanced economic development of the region and exploitation of the backward section by the advanced majority in the fair name of development and industrialization are fanning the flame of ethnic group consciousness. Added to this, the various ethnic groups feel that the larger, powerful and advanced sections, in due course will override the interest of smaller and backward ethnic groups in spite of constitutional safeguards. Therefore as a measure of protecting their interest some of them demand either complete independence or separate state. Thus the demands for independent Nagaland, Mizoram, Manipur by extremist sections of the agitationists and for separate Udayachal, Karbi state, Tai Mongoloid state by a section of population of these groups are nothing but venting of concealed and dormant feelings for distinct ethnic identity which they expressed even at the advent of independence. Hence, the phenomenon of ethnic group nationalism in Northeast India is to be understood in the context of this legacy. Secondly, this problem is to be viewed from the point of view of economic development. It may be added that one of the important reasons for such a sense of regionalism in the form of ethnic nationalism is the uneven economic development at the national level in general and at the regional level in particular. But this state of affairs could be brought to an end only if the capitalist path of economic development which invariably creates uneven development is completely abandoned. This would obviously necessitate drastic socio-economic restructuring of the country as a whole.

14. Recently, the militants of DHD(J) have surrendered but the NSCN(IM) is the real threat to peace and development of North Cachar Hills. Generally its

link of NSCN(IM) with China has to be watched and monitored by special security efforts by the central government.

15. The overall scenario which the Committee gathered was that the local people were not coming out of their houses due to fear of militants. Generally information gathered by us, on, our interaction with the communities, Zemes, Nagas and ladies on each date gave us an impression that there was total chaos i.e. that the people had no faith in Government in as much as they were afraid of their lives in villages and relief camps. The relief camps were for different communities who were put up separately. In one camp, there were only Zemes and in another camp, there were only Dimasas. The conditions of the camps were rather horrible. When asked by the Committee Members whether they want to meet the persons of the other community, they flatly denied. It was difficult for us to reach some camps. There was a bold lady who took us and made us meet those persons in the camp. We have already annexed the reports of each day showing the interaction and communication between them and the Committee Members regarding the situation prevailing in the area. All the sections told us that they cannot move out of their houses for cultivation and neither their children were going to schools nor they were doing any job or any work for earning money. Prior to these incidents, they were getting some job out of NAREGA Scheme of the Central Govt. But now it has totally stopped. All the persons are not getting any work and they are deprived of the means of livelihood. It may also be stated that earlier there was construction of 4 lane East-West corridor (. 9 > 8 !) – a Central Govt. Project, but that has also been forcibly shut by the militants. No person, either contractor or worker, comes to work under the project which deprives the local persons of any earning that would have been provided to them by construction of roads. It may also be stated that the road leading to Haflong which is not a part of 4 lane project, is also in a bad condition and needs repair and it takes nearly 8 hours to reach Haflong, which is a district place, from Nagaon. The militants have also made all the development works stand-still such as conversion of railway gauge. As such, it hits two ways the local people, i.e. they are deprived of facility of good railway service and they are deprived of livelihood they could have earned from the said project.
16. The District Administration or State Government does not appear to be making any efforts for reconciliation or negotiations in order to bring two communities which are at logger head so that a peaceful atmosphere can be created for living. Generally, both the communities, when asked whether they want to interact with other community or live in peace, their answer was “yes” with a rider that if proper security is provided, they can step out of their houses for cultivation, for making efforts to avail employment facilities.

17. Naga militants are said to be providing arms and back-up of militant activities at times to both the communities either Zemes or Dimasas and that is the organization which is primarily responsible for militant activities in North Cachar Hills.
18. The borders of Nagaland and North Cachar Hills adjoin each other and it is very easy for the militants to reach NCH and do their job of creating an atmosphere of fear. The main reason for creating such an atmosphere or havoc is an attempt by the Naga Christians to convert the Hindus of Dimasa community and to keep them in fear so that they convert to Christianity. The method of alluring the Dimasas or any other community to convert to Christianity is financial help. Some other benefits which can be provided by some other institutions like education, which create a void in the community i.e. Zemes and Nagas as family members convert to Christians and the dissensions appear which creates problems between the communities.
19. Yet another reason the militancy occurs regularly. If the geographical condition of Cachar Hills is taken into consideration, the Dimasas live in plain and Zemes on the Hills. But there may be some villages in which Dimasas and Zemes may be living, but ordinarily they live separately. Therefore, there is a demand of division of districts, one for Dimasas and other for Zemes though not practical. Creation of separate districts would create more problems. They have to live together harmoniously and peacefully. For that purpose, the militancy will have to be curbed. The activities of Nagas, more particularly NSCN(M) are all against the State and also the constitutional setup. Broadly speaking, the Dimasas constitute 43% of the total population of NCH and the rest of the population is 53%. They are not in agreement with Dimasas' step for changing the name of the district on the basis of their past saying that NCH belong to all the persons and not only Dimasas. They have also given some reasons that the change of nomenclature will give upper hand to Dimasa community in the autonomous district. They also fear that the transfer of lands and inner permits system may be to their disadvantage. However, Dimasas have explained that the say of Zemes and others that they will not get employment in the District Council is only an apprehension as 80% jobs are to be reserved for people of North Cachar Hills District. **(See Annexure – G)** There will be no ban on transfer of land between the tribes and no inner permits will be required for the people of North Cachar Hills. It will not be applicable to local people. As such, the apprehension is not bonafide. It is unfortunate that the community which was living in peace for long time has suddenly become apprehensive of each other and the reasons can be sad to be

just apprehension because so many militant attacks have taken place which makes the life of the people miserable. Community is always in danger of being assaulted by the other. Such a situation is not in the interest of any of the community. This situation must improve and for this, the State and Central Govt. have to take effective steps to curb militancy.

20. The Hon'ble Home Minister had made a statement on TV that the situation in North Cachar Hills is serious and it requires immediate attention. Therefore, they had deputed the Home Secretary to visit North Cachar Hills area and submit his report. The Home Secretary came to Guwahati but could not reach NCH because of bad weather and he made a statement on TV which was reported in press that he would be again visiting NCH in September 2009. His visit is expected and people have expectation of stringent action against militants.
21. The most difficult question before the Government is how to curb these militant activities, more particularly of NSCN(IM) of Nagaland and DHD-D(J) group of Dimasas which is also known as Black Widows. There was also statement by Hon'ble Home Minister that Black Widow group has also expressed wish to come forward for talks, the only condition the centre has placed is to surrender arms.
22. A very serious development appear to have taken place in Nagaland which is of course not new, i.e. demand for a Great Nagaland in which the North Cachar Hills and Karbi Anglong, proposed to be the part of Nagaland. We have come across a map showing Republic of Nagalim describing the area as Republic of Nagalim which is a very serious matter and it is a clear indication of secessionist tendency and anti-State and anti-constitutional activities.
23. There is a still more fearful statement wherein it has been said that NSCN(IM), group of militants are being considered for granting autonomy to the said region under Sixth Schedule of the Constitution though it appears that the militants' factions have not agreed to such a situation. This is a serious matter and the Central Govt. has to take into consideration the overall activities of the NSCN(IM) wherein the NCH and other areas are under great threat regarding their existence. The Home Ministry will have to take into confidence not only Nagaland Militant Group but also the persons living in the adjoining States in order to see that the Nagas intention of getting a Greater Nagaland is not achieved. Moreover, the Nagaland's attempt for autonomy has a past wherein the Naga militants held a conference at Bangkok and some Central Ministers had attended the said conference. It appears that again the same

demand has erupted which is not good for political atmosphere in that region. (Report of Goodwill Mission, November 2006....Page No.)

If the (**See Annexure – H**) report is correct, then Central Govt. should not succumb to the militant group and the militant group should not be offered autonomy which may cause more aberrations to the constitutional provisions than anything else. Furthermore, the militant group is said to have rejected the offer of Central Govt. for grant of autonomy. It is only media news. That has created a flutter in the area and needs rethinking on the part of the Central Govt. We are not experts on the political situation nor have we got the reasons and grounds on which the Central Govt. offers autonomy to the said group. The said action may also be against the national interest. In Nagaland, Mizoram and Meghalaya, there is a rich uranium availability on which China, Bangladesh and some other countries have an eye. We are surrounded by Bangladesh activities of China regarding Arunachal Pradesh cause security concern, no autonomy should be granted to NCH. Appeasement policy may rebound on the security of the nation and attempt to check militancy.

24. The most important question of development is missing in whole of East. Better communications through well-built road to facilitate establishing industries or agro industries be opened in the area; they may be more useful in creating an atmosphere of togetherness between the people of the said area rather than putting the said area under the great threat of militant groups which are not succumbing to the pressure for surrender. The availability of sophisticated arms with militants and less effective weapons with local police or other regional groups will not resolve the problem, it will not create an atmosphere for good living in the said locality North East and North Cachar Hills have got most beautiful forests and attractive places for tourism. Greater attention should be paid by Govt. to develop the area as a tourism spot. If there are good routes of communications, many people from outside NCH or Assam would like to visit the places in North East.
25. Furthermore, the Central Govt. has recently tried to open certain institutions of higher education in the said area and provide employment through NAREGA for small people which have created a good atmosphere. In order to retain the said atmosphere, the thorn of militancy should be uprooted ruthlessly.
26. A representation was also received from Janjati Dharma Sanskruti Suraksha Manch, which are attached herewith. (**See Annexure – I**)
27. It will be surprising but known that the NSCN gave training and providing arms to all the militant groups of Dimasa and Zemes.

28. Autonomous character of North Cachar Hills is also a reason for siphoning of funds to terrorists and secessionist groups.
29. The development in the area is not analogous to the funds allotted to the autonomous district. A few are enjoying the fruits but a common man in the area is not only poor and illiterate but at the same time then appears no hope since infrastructure is not being developed.

CHAPTER – 5

FINDINGS

The Committee has come to a finding on the terms of reference placed for investigation by the Committee.

1. What are the causes for recent incidents in North Cachar Hills area? Whether it has any connection with ethnic-problem?

The Committee is of the opinion that a peaceful atmosphere that was prevailing in the North Cachar Hills area has suffered serious dent because of the militant activities from 2003 onwards and very recently from March 2009 to July 2009. The complete picture of the militant attacks has been given in the Interim Report (**See Annexure – J**) and the interaction with all the communities affected and the interaction with the victims who have fled from their villages after the incidents and are living in relief camps set up by the Government. We consider the events of the year 2003 and report has been quoted extensively showing how the Dimasa people had killed the Mhar tribe people and Karbi Anglong District. These incidents continued in the year 2004 and 2005 also. But the North Cachar Hills area came under severe ethnic clashes on account of the stand of the members of the North Cachar Hills Autonomous Council to change the name of the Autonomous Council on the basis of their case that their ancestors were the rulers of the said area and there was an agreement between David Scott, Esquire, Agent of the Governor General on the part of the Honourable East India Company and Rajah Govind Chunder Narayana of Herumbo, the copy of which is placed on record and the second agreement between Tularam Senapati and the then British Rulers in the year 1834.

It is also stated by various representatives of Dimasa community which came before the Committee to place their case that various States and the Autonomous bodies were constituted in the name of the community such as District Karbi Anglong Autonomous District of the Karbi tribals, Bodoland in the name of Bodoland tribals, why the North Cachar Hills area should not be named after the past rulers of North Cachar Hills who were ancestors of present Dimasas who are in power in the Autonomous District of North Cachar Hills? It is also the case of the Dimasa community members that they have democratically passed the resolution for change by majority in the Dimasa in the Autonomous District Council meeting and a Memorandum of Understanding has been arrived at between the non-Dimasa tribals and other communities for change of the name which fact has also been mentioned in

the earlier part of the body of this report. The State Government has rejected the said proposal by appointing a Cabinet Committee to give opinion in the matter which has stated that the name should not be changed. This issue of change of name has created a serious tension between the tribals creating ethnic problems and it is also stated by Zeme community representatives that they were living in peace, but the Dimasas have vitiated the atmosphere of peace and the chain reaction started by attacking each other. These attacks are not started only by Zemes and Dimasas but by active participation of NSCN(IM) who have assaulted the villagers of North Cachar Hills. The total villages involved are 27. More than 4000 people have been displaced from the villages and are living in relief camps. Numbers of persons have died. The list of victims and the persons affected is referred herein above. As such it is very clear that even though the communities intend to live together, there is no proper atmosphere for bringing them together nor there are any attempts by the Administration i.e. the officials of the District Administration to make conciliatory efforts to bring them to the negotiating table to create a normal atmosphere of peace. The greatest problem being the communities are afraid of physical assault on each other and as such, there is serious tension between the two tribal communities as also other minor tribals who are less in number.

The finding of the Committee is that there is serious ethnic problem between the communities on account of recent incidents in North Cachar Hills area.

It needs to be stated that unless the militancy is curbed, this problem cannot be solved. The very fact that the Nagaland militants have been trying to create a divide between the communities is not a matter of recent incidents only, but there has been a continuous attempt by Nagaland militants with the support of some Christian missionaries, the atmosphere is totally vitiated. The Central Government or the State Government, if so wishes, to improve the situation and bring peace, the recent statements of the Central Government / Hon'ble Home Minister to grant Autonomy under Sixth Schedule to NSCN(IM) will have most adverse effect. Without being very vocal, the Committee expects Central Government which is in the best position to take steps firstly to curb insurgency and put a break on the activities of the Nagaland Mercenaries who are indulging in conversion of Zeme Hindus to Christianity. The action by the Central Government should not be in a way which would amount to submission before the militants and appeasement of the militants.

2. How and why the said incidents have occurred? Can they be remedied? If yes, how?

The answer to this reference is partly given in the answer to first point of reference, i.e. unless the ethnic problem is solved by creating an atmosphere of peace and putting an end to militancy ruthlessly which alone can improve the situation. The divisive tendencies created by activists of Nagaland and their demand for Greater Nagaland are serious threats to the security and sovereignty of India. Only a very thoughtful and effective action can solve the problem which has to be taken by the Central Government. The Committee expects the action to be taken by Central Government in an effective manner so that the message goes to the indulgent activists of Nagaland and relieve the tribes of North Cachar Hills of any apprehension of threat to their lives or properties by the militants.

Merely taking steps for curbing the militancy would not be sufficient unless simultaneously attempts are made by Central and State Governments to take steps for development of North-East economically by providing employment by opening new avenues by undertaking construction of roads, whether four lane road or the Haflong road, establishing industries, forest based, agriculture based industries as also other manner of opening North-East culturally, educationally by establishing institutions in the said field.

3. Have any citizen there suffered due to these incidents? If yes, whether they are remedied? If not, how it can be remedied?

The answer to this reference lies in an honest, determined and effective method of providing security, employment and financial help to the victims who are staying in relief camps or their villages, the list of which is annexed herewith. Secondly, there should be conciliatory efforts by the Administration to bring an atmosphere of peace and harmony so that the victims can return to their villages as also take up development activities and provide employment and economic stability by employing them under NAREGA Scheme of the Central Government or provide financial help to persons who are desirous of setting up any industry which will provide employment to the local people. The Government alone can work out such a scheme expeditiously and provide security to all such persons who come forward for making any efforts which will result in development of the North-East.

4. How these incidents affect the development of the state / area? To what extent it has affected the development of the state / area?

This reference is answered in the reply given to reference No. 3.

In addition to that, it would be proper to say that it has very adversely affected the development of this area and all attempts need to be taken to reinforce the confidence in the people of the region. As we have observed earlier, the very first impression we got while entering boundaries of Haflong District and our journey up to Haflong is that there is a serious apprehension of threat from unexpected quarters. Unless the so-called apprehension of assault and threat perception is removed, no development can take place and it is for the Central Government alone to create such an atmosphere of peace, taking all steps which are within their sovereign jurisdiction.

5. Is any secessionist activity found in the state / area and/or noticed during the visit by the committee? If yes, who are the forces giving air and fuel to this activity?

The most obvious secessionist activity is that of the Nagaland militants who are openly flouting the constitutional protection of a State by indulging in militant activities, creating an atmosphere of terror in the Hill region, thereby other communities are also thinking of acting beyond the constitutional rights given to them which will not augur well with established constitutional authentic community people and the Government formed under the Constitution.

CHAPTER – 6

CONCLUSION

A. Our conclusions are that the activities of NSCN(IM) of Nagaland and DHD(J) Group of Dimasa community and some unidentified militant groups who are active in the hill region are responsible for the troubles and disturbances. All those tribes which were living in peace and harmony with brotherly attitude have been compulsory dragged in so as to appear that they are pro independence to form the State of Nagalim. These forces are preventing the tribes from coming in the main stream by creating an atmosphere of fear and terror. Such activities should be ruthlessly curbed and made to come in the normal stream, the secessionist tendencies shows not be tolerated. Much has been said in the whole report in this regard. People expect the Central and State Government to create an atmosphere of effective administration and provide security and maintain its political entity under the Constitution, and not allow any person to disintegrate or degenerate any of the institution existing in the North Cachar Hills area.

B. Reflections of the committee on present situation in North-East

The General impression gathered by us, during our interaction with victims & local people is that, neither the State Government, nor, the Central Government has, cultivated the feeling of oneness & security by its speedy developmental works in the area. The lethargic pace of creating confidence building & totally casual approach towards construction, projects, whether roads, upgrading of railways lines or any project creating potential employments in the area is totally missing.

This is all the more necessary to divert the attention of people from militancy & poor law and order situation prevailing in the area.

The insecurity phenomenon in adjoining border states of Arunachal, Manipur, Mizoram & Tripura included the presence of effective Central Government organs of administration to help the State Government, to meet the situations of law & order, which are, NE specific is totally absent.

The spirit of Nationality has to be re-infused. Some states adjoining NE have dubious reputation, right from time of its inception and open demonstration of violation of constitutional provisions, internal or external, reduces the

credibility of institutions as Sovereign power and rights and duties flowing there from.

May the sincere and righteousness to abide by rule of Law-prevail against the parochial & antinational expressions by the persons involved in militancy & creating chaos and distrust. The ideals of brotherhood have earlier also suffered, in, inter-national field, proclaimed as spirit of “Panch Sheel”. Hence keep the eyes open & be in readiness to meet the challenges on much more courageous & bold way and with better preparedness.

The border roads needs to be built & organized and manned by courageous & sacrificing military jawans and other similar organizations swiftly, effectively & send message to the adjoining neighbouring states on the international borders, as, past experience should put us on guard. Friendly relations are welcome, but twisting of arms & deliberately creating law lessness and terror in our states of North East should stop. Mere words would not be enough, some concrete activities can send clear message. Hon. Prime Minister’s US visit & his open reference to neighbouring nations’ involvement are strategic diplomatic disclosures. The states of NE should stand behind the Prime Minister.

The Central & State Governments have better means to trace out seeds of militancy. We have given some suggestions keeping in view the past events.

The States & Central Governments put together can be more effective. Yes, the constitution demarcates subjects of legislations and specific power between States & Centre, but situation in North-East calls for simultaneous efforts by Centre and States both together.

The people of “North-East” are awaiting the sun shine, so are we?

CHAPTER - 7

RECOMMENDATIONS

The Committee visited riot affected places and heard patiently the tales of agonies of Zeme Nagas and Dimasas.

Elders from both the communities met us separately and gave their versions of pre and post incidents of riot. Both the groups had their hardliners and moderates. Women leaders from both the communities met us jointly under the banner of Mahila Suraksha Manch and gave their version of pre and post riots scenario as well as factors relevant to this incident and the solution of the problem. The women leaders are more level headed and want to live in peace and tranquility in their respective areas. They are clear in their assessment of situation and want differences to be solved amiably as early as possible.

After careful inquiry and assessment of situation, the Committee would like to make the following suggestions:

As immediate measures -

- i) The hygienic conditions of relief camps ought to be improved keeping in view the sanitation, medical aid, water supply, supply of baby foods, green vegetables, etc.
- ii) Law and order situation should be improved so that people may go back to their villages. Rehabilitation of the villages is also required. As the villagers could not sow their crops, so the employment should be given under NAREGA scheme.
- iii) The District Magistrate (DM) and Superintendent of Police (SP) may hold conciliation and negotiation talks with both the community leaders separately and jointly to prepare the environment and mentality to resolve the problem amicably.
- iv) The Committee of women leaders from both as well as other tribal and non-tribal communities (Mahila Suraksha Munch) may be assisted to create the harmonial environment as well as to persuade the men's outfits of both the community to sit on negotiation table.

- v) The State Government should consider the demands which both the rebel groups may agree to and find out the solution within the Constitution of India.
- vi) Compassionate and conciliatory talks rather than application of brute force as well as run economic development in the longer perspective are required.
- vii) The separatist movement should be dealt with a heavy hand.
- viii) Infrastructure such as roads, small bridges, enicuts / small dams, etc. may be developed by NAREGA which may provide employment, etc.
- ix) The hill area is too fertile for fruit plants, herbal plants and wood. A scientific plan to be made to develop the region's horticulture.
- x) The country side tourism places like Shillong, etc. may be developed to promote interaction with the people of the other parts of the nation.

Date :



Justice M. V. Tamaskar
Chairman, Fact Finding Committee



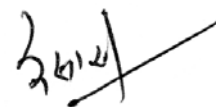
Shri Y. R. Patil



Shri G. S. Gill



Smt. Nafisa Hussain



Shri R. K. Pasari

CHAPTER - 8

GRATTITUDE

The Justice on Trial, had informed concern authorities about the visit of the committee members with a request to provide them necessary security and facility during their visit from 3rd August to 8th August 2009, by written communication. (Copy of the letter and the authorities who were communicated are annexed with the report as **Annexure – K**).

The members of the committee express their deep gratitude to the members of the delegations, individuals, Jadikhe Naisho Hoshom (JNH), Dimasa Apex Body, inmates of different camps of Zeme, Dimasa and Sontila (Zeme Naga), Mahila Suraksha Manch, etc. for their kind co-operation in providing with factual material.

The registry of the High Court of Assam at Guwahati, Director General of Police and its sub-ordinates for providing necessary security, safe passage for journey which made the tour smooth and without any hardship.

The members of the committee are also thankful to the members of the Goodwill Mission as their report produced before us, provided us a great factual assistance.

The members of the committee are thankful to the government of state of Assam and its concern office bearers for providing pilot and security to individual members of the committee through out their program and stay in Assam.

The members of the committee are thankful to the village head-men namely M/s Longkham Zeme, Johendra Longmaile, Somabe Jim Kowame and many whose names are not known for not only providing correct and reliable information but also for their hospitality.

SCHEDULE – 1

“244. Administration of Scheduled Areas and Tribal Areas.-

(1) The provisions of the Fifth Schedule shall apply to the administration and control of the Scheduled Areas and Scheduled Tribes in any State other than [the States of Assam, Meghalaya, Tripura and Mizoram].

(2) The provisions of the Sixth Schedule shall apply to the administration of the tribal areas in [the States of Assam, Meghalaya, Tripura and Mizoram]

ADD : 244-A

The Constitution of India

Article 244A

Formation of an autonomous State comprising certain tribal areas in Assam and creation of local legislature or Council of Ministers or both therefore. –

- (1) Notwithstanding anything in this Constitution, 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 (Subs. By the North Eastern Areas (Reorganisation) Act, 1971 (81 of 1971), sec. 71, for “Part A” (w.e.f. 21-1-1972)) [Part I] 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.
- (2) Any such law as is referred to in clause (1) may, in particular, -
 - a. specify the matters enumerated in the State List or the Concurrent List with respect to which the Legislature of the autonomous State shall have power to make laws for the whole or any part thereof, whether to the exclusion of the Legislature of the State of Assam or otherwise;
 - b. define the matters with respect to which the executive power of the autonomous State shall extend;
 - c. provide that any tax levied by the State of Assam shall be assigned to the autonomous State in so far as the proceeds thereof are attributable to the autonomous State;

- d. provide that any reference to a State in any article of this Constitution shall be construed as including a reference to the autonomous State; and
 - e. make such supplemental, incidental and consequential provisions as may be deemed necessary.
- (3) An amendment of any such law as aforesaid in so far as such amendment relates to any of the matters specified in sub-clause (a) or sub-clause (b) of clause (2) shall have no effect unless the amendment is passed in each House of Parliament by not less than two-thirds of the members present and voting.
- (4) Any such law as is referred to in this article shall not be deemed to be an amendment of this Constitution for the purpose of article 368 notwithstanding that it contains any provision which amends or has the effect of amending this Constitution.

275. Grants from the Union to certain States.-

(1) Such sums as Parliament may by law provide shall be charged on the Consolidated Fund of India in each year as grants-in-aid of the revenues of such States as Parliament may determine to be in need of assistance, and different sums may be fixed for different States:

Provided that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of a State such capital and recurring sums as may be necessary to enable that State to meet the costs of such schemes of development as may be undertaken by the State with the approval of the Government of India for the purpose of promoting the welfare of the Scheduled Tribes in that State or raising the level of administration of the Scheduled Areas therein to that of the administration of the rest of the areas of that State: Provided further that there shall be paid out of the Consolidated Fund of India as grants-in-aid of the revenues of the State of Assam sums, capital and recurring, equivalent to-

(a) the average excess of expenditure over the revenues during the two years immediately preceding the commencement of this Constitution in respect of the administration of the tribal areas specified in 232[Part I] of the Table appended to paragraph 20 of the Sixth Schedule; and

(b) the costs of such schemes of development as may be undertaken by that State with the approval of the Government of India for the purpose of raising the level of administration of the said areas to that of the administration of the rest of the areas of that State.”

SIXTH SCHEDULE

[Articles 244(2) and 275(1)]

Provisions as to the Administration of Tribal Areas in [the States of Assam, Meghalaya, Tripura and Mizoram]

1. Autonomous districts and autonomous regions.

(1) Subject to the provisions of this paragraph, the tribal areas in each item of [Parts I, II and IIA] and in Part III] of the table appended to paragraph 20 of this Schedule shall be an autonomous district.

(2) 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.

(3) The Governor may, by public notification,

(a) include any area in [any of the Parts] of the said table,

(b) exclude any area from [any of the Parts] of the said table,

(c) create a new autonomous district,

(d) increase the area of any autonomous district,

(e) diminish the area of any autonomous district,

(f) unite two or more autonomous districts or parts thereof so as to form one autonomous district,

[(ff) alter the name of any autonomous district,]

(g) define the boundaries of any autonomous district:

Provided that no order shall be made by the Governor under clauses (c), (d), (e) and (f) of this sub-paragraph except after consideration of the report of a Commission appointed under sub-paragraph (1) of paragraph 14 of this Schedule:

[Provided further that any order made by the Governor under this sub-paragraph may contain such incidental and consequential provisions (including any amendment of paragraph 20 and of any item in any of the Parts of the said table) as appear to the Governor to be necessary for giving effect to the provisions of the order.]

2. Constitution of District Councils and Regional Councils.-

(1) 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.

(2) There shall be a separate Regional Council for each area constituted an autonomous region under sub-paragraph (2) of paragraph 1 of this Schedule.

(3) Each District Council and each Regional Council shall be a body corporate by the name respectively of “the District Council of (name of district)” and “the Regional Council of (name of region)”, shall have perpetual succession and a common seal and shall by the said name sue and be sued.

(4) Subject to the provisions of this Schedule, the administration of an autonomous district shall, in so far as it is not vested under this Schedule in any Regional Council within such district, be vested in the District Council for such district and the administration of an autonomous region shall be vested in the Regional Council for such region.

(5) In an autonomous district with Regional Councils, the District Council shall have only such powers with respect to the areas under the authority of the Regional Council as may be delegated to it by the Regional Council in addition to the powers conferred on it by this Schedule with respect to such areas.

(6) The Governor shall make rules for the first constitution of District Councils and Regional Councils in consultation with the existing tribal Councils or other representative tribal organisations within the autonomous districts or regions concerned, and such rules shall provide for-

(a) the composition of the District Councils and Regional Councils and the allocation of seats therein;

(b) the delimitation of territorial constituencies for the purpose of elections to those Councils;

(c) the qualifications for voting at such elections and the preparation of electoral rolls therefor;

(d) the qualifications for being elected at such elections as members of such Councils;

(e) the term of office of members of [Regional Councils];

(f) any other matter relating to or connected with elections or nominations to such Councils;

(g) the procedure and the conduct of business [(including the power to act notwithstanding any vacancy)] in the District and Regional Councils;

(h) the appointment of officers and staff of the District and Regional Councils.

[(6A) The elected members of the District Council shall hold office for a term of five years from the date appointed for the first meeting of the Council after the general elections to the Council, unless the District Council is sooner dissolved under paragraph 16 and a nominated member shall hold office at the pleasure of the Governor:

Provided that the said period of five years may, while a Proclamation of Emergency is in operation or if circumstances exist which, in the opinion of the Governor, render the holding of elections impracticable, be extended by the Governor for a period not exceeding one year at a time and in any case where a Proclamation of Emergency is in operation not extending beyond a period of six months after the Proclamation has ceased to operate:

Provided further that a member elected to fill a casual vacancy shall hold office only for the remainder of the term of office of the member whom he replaces.]

(7) The District or the Regional Council may after its first constitution make rules [with the approval of the Governor] with regard to the matters specified in sub-paragraph (6) of this paragraph and may also make rules [with like approval] regulating-

(a) the formation of subordinate local Councils or Boards and their procedure and the conduct of their business; and

(b) generally all matters relating to the transaction of business pertaining to the administration of the district or region, as the case may be:

Provided that until rules are made by the District or the Regional Council under this sub-paragraph the rules made by the Governor under sub-paragraph (6) of this paragraph shall have effect in respect of elections to, the officers and staff of, and the procedure and the conduct of business in, each such Council.

3. Powers of the District Councils and Regional Councils to make laws.-

(1) The Regional Council for an autonomous region in respect of all areas within such region and the District Council for an autonomous district in respect of all areas within the district except those which are under the authority of Regional Councils, if any, within the district shall have power to make laws with respect to-

(a) the allotment, occupation or use, or the setting apart, of land, other than any land which is a reserved forest for the purposes of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town:

Provided that nothing in such laws shall prevent the compulsory acquisition of any land, whether occupied or unoccupied, for public purposes 481[by the Government of the State concerned] in accordance with the law for the time being in force authorising such acquisition;

(b) the management of any forest not being a reserved forest;

(c) the use of any canal or water-course for the purpose of agriculture;

(d) the regulation of the practice of jhum or other forms of shifting cultivation;

(e) the establishment of village or town committees or councils and their powers;

(f) any other matter relating to village or town administration, including village or town police and public health and sanitation;

(g) the appointment or succession of Chiefs or Headmen;

(h) the inheritance of property;

[(i) marriage and divorce;]

(j) social customs.

(2) In this paragraph, a “reserved forest” means any area which is a reserved forest under the Assam Forest Regulation, 1891, or under any other law for the time being in force in the area in question.

(3) All laws made under this paragraph shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect.

.....

12. [Application of Acts of Parliament and of the Legislature of the State of Assam to autonomous districts and autonomous regions in the State of Assam.]

(1) Notwithstanding anything in this Constitution

(a) no Act of the [Legislature of the State of Assam] in respect of any of the matters specified in paragraph 3 of this Schedule as matters with respect to which a District Council or a Regional Council may make laws, and no Act of the [Legislature of the State of Assam] prohibiting or restricting the consumption of any non-distilled alcoholic liquor shall apply to any autonomous district or autonomous region 497[in that State] unless in either case the District Council for such district or having jurisdiction over such region by public notification so directs, and the District Council in giving such direction with respect to any Act may direct that the Act shall in its application to such district or region or any part thereof have effect subject to such exceptions or modifications as it thinks fit;

(b) the Governor may, by public notification, direct that any Act of Parliament or of the [Legislature of the State of Assam] to which the provisions of clause (a) of this sub-paragraph do not apply shall not apply to an autonomous district or an autonomous region [in that State] or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification.

(2) Any direction given under sub-paragraph (1) of this paragraph may be given so as to have retrospective effect.

.....

14. Appointment of Commission to inquire into and report on the administration of autonomous districts and autonomous regions.-

(1) The Governor may at any time appoint a Commission to examine and report on any matter specified by him relating to the administration of the autonomous districts and autonomous regions in the State, including matters specified in clauses (c), (d), (e) and (f) of sub-paragraph (3) of paragraph 1 of this Schedule, or may appoint a Commission to inquire into and report from time to time on the administration of autonomous districts and autonomous regions in the State generally and in particular on-

(a) the provision of educational and medical facilities and communications in such districts and regions;

(b) the need for any new or special legislation in respect of such districts and regions; and

(c) the administration of the laws, rules and regulations made by the District and Regional Councils;

and define the procedure to be followed by such Commission.

(2) The report of every such Commission with the recommendations of the Governor with respect thereto shall be laid before the Legislature of the State by the Minister concerned together with an explanatory memorandum regarding the action proposed to be taken thereon by [the Government of the State].

(3) In allocating the business of the Government of the State among his Ministers the Governor may place one of his Ministers specially in charge of the welfare of the autonomous districts and autonomous regions in the State.

.....

19. Transitional provisions.

(1) As soon as possible after the commencement of this Constitution the Governor shall take steps for the constitution of a District Council for each autonomous district in the State under this Schedule and, until a District Council is so constituted for an autonomous district, the administration of such district shall be vested in the Governor and the following provisions shall apply to the administration of the areas within such district instead of the foregoing provisions of this Schedule, namely:

(a) no Act of Parliament or of the Legislature of the State shall apply to any such area unless the Governor by public notification so directs; and the Governor in giving such a direction with respect to any Act may direct that the Act shall, in its application to the area or to any specified part thereof, have effect subject to such exceptions or modifications as he thinks fit;

(b) the Governor may make regulations for the peace and good government of any such area and any regulations so made may repeal or amend any Act of Parliament or of the Legislature of the State or any existing law which is for the time being applicable to such area.

(2) Any direction given by the Governor under clause (a) of sub-paragraph (1) of this paragraph may be given so as to have retrospective effect.

(3) All regulations made under clause (b) of sub-paragraph (1) of this paragraph shall be submitted forthwith to the President and, until assented to by him, shall have no effect.

20. Tribal areas

(1) The areas specified in Parts I, II [IIA] and III of the table below shall respectively be the tribal areas within the State of Assam, the State of Meghalaya [the State of Tripura] and the [State] of Mizoram.

(2) [Any reference in Part I, Part II or Part III of the table below] to any district shall be construed as a reference to the territories comprised within the autonomous district

of that name existing immediately before the day appointed under clause (b) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971:

Provided that for the purposes of clauses (e) and (f) of sub-paragraph (1) of paragraph 3, paragraph 4, paragraph 5, paragraph 6, sub-paragraph (2), clauses (a), (b) and (d) of sub-paragraph (3) and sub-paragraph (4) of paragraph 8 and clause (d) of sub-paragraph (2) of paragraph 10 of this Schedule, no part of the area comprised within the municipality of Shillong shall be deemed to be within the [Khasi Hills District].

[(3) The reference in Part IIA in the table below to the “Tripura Tribal Areas District” shall be construed as a reference to the territory comprising the tribal areas specified in the First Schedule to the Tripura Tribal Areas Autonomous District Council Act, 1979.]

TABLE

Part I

1. The North Cachar Hills District.

2. [The Karbi Anglong District.]

21. Amendment of the Schedule.-

(1) Parliament may from time to time by law amend by way of addition, variation or repeal any of the provisions of this Schedule and, when the Schedule is so amended, any reference to this Schedule in this Constitution shall be construed as a reference to such Schedule as so amended.

(2) No such law as is mentioned in sub-paragraph (1) of this paragraph shall be deemed to be an amendment of this Constitution for the purposes of article 368.”

ANNEXURE – A
KWIA LETTER TO HON'BLE PRIME MINISTER

To
Dr. Manmohan Singh
Prime Minister of India
7, Race Course Road
New Delhi 110 001
India
Fax: 91 11 2301 9545
e-mail: manmmohan@sansad.nic.in

Gent, November 15, 2004.

50 YEARS AGO STARTED THE INDIAN ARMED INVASION OF NAGALIM

Your Excellency,

KWIA, the Flemish Support Group for Indigenous Peoples is writing you on the occasion of a sad anniversary In the history of both the Naga nation and the Indian nation: on November 15, 1954 exactly 50 years ago- Indian authorities send the Assam Armed Police and the Assam Rifles into Nagalim. This was the beginning of an onslaught which would cause the death of approximately 200.000 (two hundred thousand) Naga people belonging to all Naga tribes.

Nagas are not Indians and the large majority of them do not wish to become Indians. The will and desire of the Naga tribes to remain independent and regain their independence is manifest throughout the last two centuries.

Ahom historical records mention frequent contacts between the most western Naga tribes and the Ahom. But they also mentioned that sometimes these contacts were fierce battles. The British Captain Pemberton, the first modern historiographer of the South East Himalaya region wrote: 'Various attempts, in the days of their prosperity and power, were made by the Rajahs of Manipore, Kachar, and Tripperah, to reduce these savages [the Naga] to a state of vassalage, but uniformly without success - they steadily refused to acknowledge allegiance to either power, and policy restrained the two first from using' coercive measures, where success was, at least doubtful, and failure would effectually have closed against them the only direct communications between their respective countries, . . .

When the British Captains Jenkins and Pemberton invaded the Angami territory in 1832 with a survey party for establishing a direct route between Assam Valley and Manipur Valley, they met fierce resistance. During the period 1839-184&, six military expeditions were send by the British to suppress Naga resistance from the Angami, Zemei, Liangmei and Rongmei tribes. Several other bloody battles with other Naga tribals followed till the 1880s.

The British never physically occupied all by Naga tribes inhabited territories. The British themselves. made a distinction between the hill tribes and the lowland people: with the 'Government of India Act of 1919" they declared the "Naga Hills District" (which was mainly the territory of the Angami, the Sema and the Ao) a "Backward Tract" where the acts passed by

the Indian Legislature were not to be applied automatically. Under the Government of India Act of March 3, 1935 the “Naga Hills District” was declared an “Excluded Area” to be administered directly by the Governor of Assam and not under the jurisdiction of the Federal Legislature nor the Assam Legislature. Sir Robert Neil Reid writes: ‘Throughout the discussions previous to the forming of the New Act, the Authorities concerned had no difficulty in agreeing that Naga Hills ought to be kept outside the purview of the new constitution. They were accordingly declared to be an .Excluded Area” under the British India (Excluded and Partially Excluded) Order 1936 and have Since the 1st April 1937 been administered by the Governor in his discretion.’ (History of Assam Frontier Areas Bordering on Assam).

In their memorandum to the Simon Commission dated January 10, 1929, the members of the Naga Club at Kohima declared; “Before the British Government conquered our country in 1879-1880, we were living in a state of intermittent warfare with the Assamese of the Assam Valley to the North and the West of our country and Manipuris in the South. They never conquered us, nor were we ever subjugated to their rules. On the other hand, we were always a terror to these people ... Our language is quite different from those of the plains and we have no social affinities with Hindus or Mussalmans. We are looked upon by the one for our beef and the other for our pork and by both for want of education which is not due to any fault of ours... We also much fear the introduction of foreign laws and customs to supersede our own customary laws which we now enjoy.”

They continued: “we pray that the British Government will continue to safeguard our rights against all encroachment from other people who are more advanced than us by withdrawing our country from the Reformed Scheme and placing it directly under its own protection. If the British Government, however, want to throw us away, we pray that we should not be trust to the mercy of the people who could never subjugate us, but leave us alone to determine for ourselves as in ancient times. We claim to represent all those tribes to which we belong: Angami, Kacha Nagas, Kukis, Semas, Lothas, and Rengmas,” (It is remarkable that in that time Kuki people joined the Naga Club and were accepted as such.)

In 1929 and early 1930 there was the uprising of the Zeliangrong Naga against the British rule which was subsequently bloody suppressed. From June 27-29, 1947, a “Nine Point Agreement” was negotiated between the Naga National Council and the Governor of Assam, Sir Akbar Hydari. One of the stipulations was.”The Government of Indian Union will have special responsibility for a period of 10 years to ensure the due observance of this agreement. At the end of this period, the Naga National Council will be asked whether they require the above agreement to be extended for a further period or a new agreement regarding the future of the Naga people be arrived at.”

On August 14, 1947, the Naga National Council did send the following cable message to the Government of India and the United Nations Organisation: “Benign Excellency. Kindly put on record that Nagas will be independent. Discussions with the India are being carried on to that effect. Nagas do not accept Indian constitution. The right of the people must prevail regardless of size. Naga National Council.” In May 1951, a voluntary plebiscite was organized among the Naga tribes by the NNC which showed an overwhelming majority in favour of an independent Naga state.

After the invasion of Indian armed forces on November 15, 1954, the Federal Government of Nagaland (FGN) was installed on March 22, 1956, to administer all territories inhabited by Naga tribes, including

the territories within the former British “Naga Hills District”, the territories never administered by the British (amongst them those on the Burmese side of the official border and those in the North East Frontier Area) and the territories formally under Manipur State. The FGN organized a Naga Home Guard which later became the Naga Army to take up the resistance against the Indian forces of occupation. After the surrender of a part of the FGN with the Shillong Agreement of 1975, the National Socialist Council of Nagalim was created on January 30, 1980. The NSCN organized the Government of the People’s Republic of Nagalim which is still the leading force of the Naga National Movement till today. History shows that the Naga National Movement and its project of Nagalim fit perfectly in the world wide anti-colonial movement.

Your Excellency, you must be aware that “India” in its present form never existed as a sovereign political entity before British colonization nor after decolonization, but that is the result of a policy of expansion and colonization followed by post-colonial Indian politicians following British colonial policies.

There was indeed also never a Naga Kingdom, nor did the Naga tribes have a unified political entity before the colonization of India. But a group which shares a common identity, whether ancient or recent in origin, whether based on common language or based on common social institutions or common cultural heritage, real or even imagined, can take up the project of forming a nation. There is absolutely nothing wrong with that. The Convention on Political and Civil Rights of the United Nations declares; “All peoples have the right to self determination. By virtue of this right they shall freely determine their political status and act freely to obtain their economical, Social and cultural development.”

On July 19, 1947 at Bhangi Basti in New Delhi, after a thorough discussion of all the political and historical facts about the Nagas and India, Mahatma Gandhi assured the Naga delegation that the Nagas had every right to be a sovereign independent nation. Gandhi even promised the Nagas that in case the Indian Government tried to forcefully annex the Naga territories into India, he would be the first person to lay down his life in opposing the annexation.

However, when the NNC leaders later met Jawaharlal Nehru at New Delhi on March 11, 1952, in the short interview given to them, Nehru banged his fist on the table and screamed: “Whether heaven falls or India goes to pieces and blood runs red in the country, I don’t care. Whether I am here or any other body comes in, I don’t care. Nagas will never be allowed to become independent.” It is said that he even said that he could station one Indian soldier for every tree in Nagalim and it would be a matter of a few days for the Indian Armed Forces to crush the Nagas.

On November 15, 1954, Indian authorities send the Assam Armed Police and the Assam Rifles into Nagalim. A year later the Indian Armed Forces moved into Tuensang by October 1955 and the full war against the Naga people started. Ultimately nearly two divisions of the Indian Army and thirty five battalions of the Assam Rifles or Armed Police were in operation in the Naga Hills and Tuensang Frontier Division and in the adjoining areas. These Indian troops (fifty four thousand in total) between 1955 to 1956, burned down to ashes 645 (six hundred forty five) Naga villages. All the village granaries were also burned to ashes and within one year over 100,000 (one hundred thousand) Nagas died from bullets, aerial bombardments, murder, torture, systematic rape, starvation and disease.

Despite what Nehru claimed, the ground reality is that It has taken 50 years for the Indian Armed Forces and yet they could not crush the Nagas. To the contrary, the Indian generals declared that a military solution to the Indo-Naga Conflict is not possible.

In the meantime, the Government of India has recognized “the unique history of the Nagas’ . However, the position of the Government of India on the right of the Nagas to live under “one administrative roof” in a united Nagalim remains unclear. The Government of India also sends out contradicting signals with regard to the right to self-determination of the Naga nation, Including the right to form a sovereign Independent nation state, homeland of all Naga tribes.

Nehru understood very clear the situation of Nagalim when on August 19,1946, in connection with the proposed British Crown Colony plan, he described the Naga territories as: “The tribal areas are defined as being those long frontiers of India which are neither part of India nor Burma, nor of Indian States nor of any foreign power: How these long stretches of frontiers (which were neither Burmese nor Indian territories) could simply disappear into India and Burma after 1947 is the issue that has caused the now fifty year Indo-Naga war.

Therefore, Your Excellency, we appeal to you to rectify -finally after fifty years- what has been wrong towards the Nagas’ y recognizing the Naga right to self-determination in order to come to a just and honourable solution for the Indo-Nagas conflict on their part the Nagas want to live in Peace with India as the most friendly neighbor:

For KWIA.

Johan Bosman_
Policy Analyst

cc. Mr. Kofi Annan,
Secretary General of the United Nations Organization.

ANNEXURE – B
Calender of NAGALIM

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF NAGALIM



CALENDAR - 2007



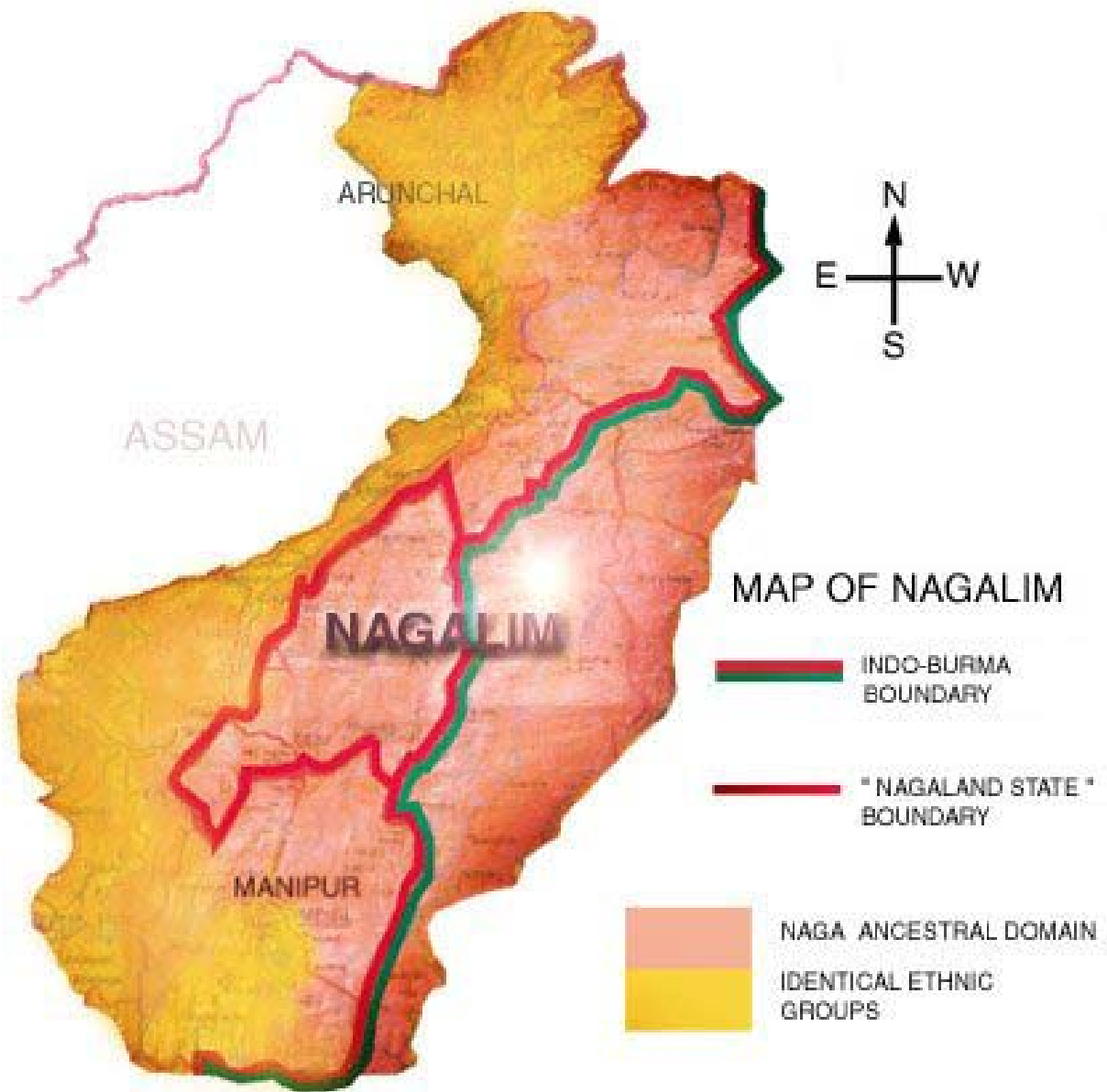
Peace in Nagalim

Pray for an early solution

E-mail : nacnmp@yahoo.com
Website : nacnoline.org

Courtesy : Ministry of Information and Publicity, G.P.R.N. "Support Peace Process"

ANNEXURE – C MAP OF NAGALIM - 1



**ANNEXURE – C
MAP OF NAGALIM - 2**



ANNEXURE – C

Agreement with Tularam Senapati

Terms of Agreement concluded with Tularam Senapati

On the 3rd November under the Orders of Government

Dated 16th October 1834 A.D.

First :- Tularam forgoes all claims to the country between the Marihur and Dyung and the Dyung Keopoli rivers, from which he was dispossessed by Govind Ram and Durga Ram.

Second :- Tularam is to hold the remainder of the country formerly in his possession, or the tract of country bounded on the west by the Dyung River, and a line to be determine here after, drawn from brace ford or the Dyung to a point on the Jamuna river, between the cultivation of Seil Dhurmpur and of Duboka and the Hajace [excluding the two latter]; by the Jamuna and Dyung river north, y the Dunsira river east, and to the south and south-west the Naga Hills and Mowheir river, and he agrees to hold the above tract independence on the British Government, and to pay a yearly tribute, for heir protection, of four pairs of elephants' teeth, each pair to weigh 35 [thirty-five] seers.

Third :- Tularam, during his file, shall receive from the British Government a stipend of 50/ - [fifty] Rupees a month the consideration of the foregoing cessions and the Agreements.

Fourth :- The British Government shall have the right of placing Military posts in any part of Tularam's country, and should there be occasion to march troops thourgh it. Tularam engages to furnish them with all te requisits of carriage and provisions in his power, he being paid for the same.

Fifth :- All petty offences committed, within Tularam's country, he shall take cognizance of and do justice according to the custom of the country, but all heinous crimes shall be transferred to the nearest British court, and Tularam engages to bring such to notice, and endeavour, to apprehend the offenders.

Sixth :- Tularam shall not establish any custom chowkies on the rivers forming the boundaries of his country.

Seventh :- Tularam will not commerce and military operation against neighbouring chiefs without permission of the British Government, and in case of being attack; he shall report the same and be protected by British troops, provided the British Authorities are satisfied that the aggression has been unprovoked on his part.

Eight :- Ryots shall not be prevented from emigrating to and setting on either side of the boundary they may prefer.

Ninth :- In case of failing to abide by these conditions, the British Government shall be at liberty to take possession of my country.

Sd/- TULARAM SENAPATI
F. Jenins

ANNEXURE – D

42 Cachar under British Rule in North-East India Hills, was formally handed over to him.96

Treaty of Badarpur
Treaty concluded between David Scott, Esquire.
Agent of the Governor Genral on the part of the Honorable East India Company
and Rajah Govind Chunder Narayana of Herumba

Article – I

Rajah Govind Chunder, for himself and his successors, acknowledges allegiance to the honorable Company, and places his territry of Cachar, of Heramba, under their protection.

Article – II

The internal government of the country shall be conducted by the Rajah, and the jurisdictions of the British courts of justice shall not extend their but the Rajah agrees to attend at all times to the advice offered for the welfare of this subjects by the Governor General in Council, and agreeably their to rectify any abuses that my arise in the administrations of affairs.

Article – III

The Honorable Company engages to protect the territories of Cachar from external enemies, and to arbitrate any differences that mat arise between the Rajah and other states, The rajah agrees to abide by such arbitration and hold no correspondence or communication with foreign power, except through the channel of British Government.

Article – IV

In consideration of the aid promised by the above article, and other circumstances, the Rajah agrees to pay to the Honorable Company, from the beginning of the year 1232 B.S., an annual tribute tribute of ten thousand sicca rupees, and the Honorable Company engages to provide for the maintenance of the Munnipoortean chiefs lately occupying Cachar.

Article – V

If the Rajah shall fail in the performance of the above article, the Honorable Company will be at liberty to occupy and attach, in perpetuity, to their possessions sufficient tract of the Cachar Country to provide for the future realisation of the tribute.

Article – VI

The Rajah agrees, in concert with the British local authorities, to adopt all measures that may be necessary for the maintenance, in the district of Sylthet, of the arrangements in force in the police, opium, and salt departments.

Executed at Budderpore, this 6th day of March' 1824, corresponding with the 24th of Fagoon 1230 B.S.

D. Scott
Agent to the Governor – General
Rajah Govind Chundra's Seal

ANNEXURE – E

List of Jeme killed during the period from 11.02.2009

| Sl. No. | Name of Victims | Name of Village | Age | Gender | Date of Incident |
|---------|---------------------|-----------------|-----|--------|------------------|
| 1 | Haideurangbe Jeme | Boreneu | 30 | Male | 11/02/2009 |
| 2 | Hampuidungbe Jeme | Tunge Pungo | 35 | Male | 19/03/2009 |
| 3 | Haikiateung Jeme | Tunge Pungo | 42 | Male | 19/03/2009 |
| 4 | Disuingbe Jeme | Boreneu | 50 | Male | 23/03/2009 |
| 5 | Miseuilungbe Jeme | Boreneu | 25 | Male | 23/03/2009 |
| 6 | Ramsuiding Jeme | Guilong | 50 | Male | 11/05/2009 |
| 7 | Numjuchungbe Jeme | Guilong | 60 | Male | 11/05/2009 |
| 8 | Raisongbumbbe Jeme | Guilong | 50 | Male | 11/05/2009 |
| 9 | Ibuchungbe Jeme | Guilong | 25 | Male | 11/05/2009 |
| 10 | Ilungchung Jeme | Takloram | 51 | Male | 11/05/2009 |
| 11 | Nangaule Jeme | Takloram | 40 | Female | 11/05/2009 |
| 12 | Paunamteutung Jeme | Heuwangberem | 30 | Male | 16/05/2009 |
| 13 | Taduing Jeme | Haflong | 45 | Male | 20/05/2009 |
| 14 | Irangbiang Jeme | Old Kubing | 20 | Male | 20/05/2009 |
| 15 | Kiraibe Jeme | Mabauram | 15 | Male | 28/05/2009 |
| 16 | Mahomaibe Jeme | Mabauram | 15 | Male | 28/05/2009 |
| 17 | Tateutung Jeme | Guilong | 60 | Male | 29/05/2009 |
| 18 | Kiriale Jeme | Boro-Henum | 60 | Male | 03/06/2009 |
| 19 | Pauramkuituile Jeme | Boro-Henum | 23 | Female | 03/06/2009 |
| 20 | Hungbambe Jeme | Boro-Henum | 8 | Female | 03/06/2009 |
| 21 | Pahaihungle Jeme | Boro-Henum | 11 | Female | 03/06/2009 |
| 22 | Paudeihungbe Jeme | Boro-Henum | 16 | Male | 03/06/2009 |
| 23 | Takeuyile Jeme | Michidui | 34 | Female | 16/06/2009 |
| 24 | Kibanyile Jeme | Michidui | 6 | Female | 16/06/2009 |
| 25 | Suinygyle Jeme | Michidui | 4 | Female | 16/06/2009 |
| 26 | Hegayile Jeme | Michidui | 32 | Female | 16/06/2009 |
| 27 | Jemile Jeme | Michidui | 67 | Female | 16/06/2009 |
| 28 | Heguangseyile Jeme | Michidui | 5 | Female | 16/06/2009 |
| 29 | Kiranglungbe Jeme | Michidui | 3 | Male | 16/06/2009 |
| 30 | Kiriaying Jeme | Michidui | 20 | Male | 16/06/2009 |
| 31 | Lungching Jeme | Michidui | 56 | Male | 16/06/2009 |
| 32 | Pegettateung Jeme | Michidui | 7 | Male | 16/06/2009 |
| 33 | Iluywangbe Jeme | Michidui | 7 | Male | 16/06/2009 |
| 34 | Namkangyile Jeme | Michidui | 3 | Male | 16/06/2009 |
| 35 | Nampuiteule Jeme | Michidui | 37 | Female | 16/06/2009 |
| 36 | Taksamyile Jeme | Michidui | 40 | Female | 16/06/2009 |
| 37 | Haiwangteule Jeme | Michidui | 36 | Female | 16/06/2009 |
| 38 | Heralungle Jeme | Hegolo | 40 | Female | 30/06/2009 |
| 39 | Heuchungle Jeme | Hegolo | 16 | Female | 30/06/2009 |
| 40 | Sengkeleungle Jeme | Hegolo | 15 | Female | 30/06/2009 |

Following persons received bullet Injures

| Sl. No. | Name of Victims | Name of Village | Age | Gender | Date of Incident |
|----------------|------------------------|------------------------|------------|---------------|-------------------------|
| 1 | Ddeikeulungbe Jeme | Guilong | 50 | Male | 11/05/2009 |
| 2 | Diloying Jeme | Duiring | 48 | Male | 11/05/2009 |
| 3 | Paudeiheuing Jeme | Tungje Pungo | 25 | Male | 19/03/2009 |
| 4 | Pauhungkambe Jeme | Tungje Pungo | 25 | Male | 19/03/2009 |
| 5 | Lunglakambe Jeme | Boreneu | 45 | Male | 23/03/2009 |
| 6 | Kidamlungbe Jeme | Boreneu | 30 | Male | 11/04/2009 |
| 7 | Nungulungbe Jeme | Guilung | 35 | Male | 29/05/2009 |
| 8 | Kilungpibe Jeme | Borohenam | 4 | Male | 03/06/2009 |
| 9 | Ikualungbe Jeme | Borohenam | 8 | Male | 03/06/2009 |

Following Houses were burnt

| Sl. No. | Name of Village | No. of Houses | Date of Incident |
|----------------|--------------------------|----------------------|-------------------------|
| 1 | Guilong | 35 | 11/05/2009 |
| 2 | Guilong (New Village) | 29 | 11/05/2009 |
| 3 | Boraneu | 15 | 19/05/2009 |
| 4 | Nrimbanglo (One Mandir) | 18 | 21/05/2009 |
| 5 | Takloram | 15 | 21/05/2009 |
| 6 | Mabauram (One Mandir) | 29 | 26/05/2009 |
| 7 | Guilong (attached twice) | 12 | 29/05/2009 |
| 8 | Boro-Henam | 54 | 03/06/2009 |
| 9 | Henam Pungo (Kampai) | 16 | 03/06/2009 |
| 10 | Ninggainram | 15 | 03/06/2009 |
| 11 | Haflong Town | 15 | 11/05/2009-23/05/2009 |
| 12 | Longmong | 3 | 04/06/2009 |
| 13 | Micdui | 25 | 16/06/2009 |

List of killed persons from the Dimasa Community of North Cachar Hills, Haflong

| Sl. No. | Name of killed person | Name of Village | Age | Gender | Date of Incident |
|----------------|------------------------------|------------------------|------------|---------------|-------------------------|
| 1 | Lt. Anjali Phonglo | Phaiding | 45 | Female | 12/04/2009 |
| 2 | Lt. Ashmmo Landthasa | Yah | 70 | Male | 24/04/2009 |
| 3 | Lt. Sonaram Langthasa | Yah | 60 | Male | 24/04/2009 |
| 4 | Lt. Jaylo Langthasa | Yah | 45 | Male | 24/04/2009 |
| 5 | Lt. Maitha Thaosen | Yah | 25 | Male | 24/04/2009 |
| 6 | Lt. Nripanjoy Dibragede | Phaiding | 20 | Male | 09/05/2009 |

| Sl. No. | Name of killed person | Name of Village | Age | Gender | Date of Incident |
|----------------|------------------------------|------------------------|------------|---------------|-------------------------|
| 7 | Lt. Thangjan Dibragede | Phaiding | 36 | Male | 09/05/2009 |
| 8 | Lt. Ketolal Dibragede | Phaiding | 45 | Male | 09/05/2009 |
| 9 | Lt. Sasen Daulagajao | Wajao | 36 | Male | 19/05/2009 |
| 10 | Lt. Ranjolah Hasnu | Digerkro | 29 | Male | 19/05/2009 |
| 11 | Lt. Sanded Langthasa | Digerkro | 28 | Male | 19/05/2009 |
| 12 | Lt. Nibaran Sengyung | Nanadisa | 65 | Male | 21/05/2009 |
| 13 | Lt. Badralal Langthasa | Jorai | 69 | Male | 30/05/2009 |
| 14 | Lt. Rouki Langthasa | Semkhor | 19 | Female | 08/06/2009 |
| 15 | Lt. Sunil Thaosen | Diduki | 45 | Male | 08/06/2009 |
| 16 | Lt. Nidesh Haflongber | Digerkro | 14 | Male | 25/06/2009 |
| 17 | Lt. Joyto Thaosen | Thapa | 42 | Male | 27/06/2009 |
| 18 | Lt. Karan Phonglo | Semkhor | 25 | Female | 30/06/2009 |
| 19 | Lt. Depolal Langthasa | Semkhor | 10 | Male | 30/06/2009 |
| 20 | Lt. Lomba Langthasa | Semkhor | 6 | Male | 30/06/2009 |
| 21 | Lt. Wargi Phonglo | Semkhor | 2 | Male | 30/06/2009 |
| 22 | Lt. Semsring Langthasa | Semkhor | 3 | Male | 30/06/2009 |
| 23 | Wati Phonglo | Semkhor | 7 | Male | 03/07/2009 |
| 24 | Donshmo Langthasa | Semkhor | 25 | Female | 05/07/2009 |
| 25 | Anjana Warisa | Disagisim | 60 | Female | 06/07/2009 |
| 26 | Jaytorlal Warisa | Disagisim | 40 | Male | 06/07/2009 |

Village wise Number of Burnt Dimasa Houses

| Sl. No. | Name of Village | No. of Houses | Date of Incident |
|----------------|------------------------|----------------------|-------------------------|
| 1 | Yah | 39 | 28/04/2009 |
| 2 | Jorai | 12 | 08/05/2009 |
| 3 | Faiding | 38 | 09/05/2009 |
| 4 | Diboula | 10 | 21/05/2009 |
| 5 | Semkhor | 72 | 04/06/2009 |
| 6 | Lailang | 3 | 07/06/2009 |
| 7 | Haflong Town | 6 | 07/06/2009 |
| 8 | Mahur | 2 | 07/06/2009 |
| 9 | Diduki | 35 | 08/06/2009 |
| 10 | Lodi Cachari | 41 | 09/06/2009 |
| 11 | Nobdi Gurubari | 13 | 10/06/2009 |
| 12 | Delenwateling | 20 | 20/06/2009 |
| 13 | Digerkro | 56 | 25/06/2009 |
| 14 | Sobojai | 25 | 04/07/2009 |

List of Wounded Dimasa Persons with Bullet Injuries

| Sl. No. | Name of injured person | Name of Village | Age | Gender | Date of Incident |
|---------|------------------------|-----------------|-----|--------|------------------|
| 1 | Pailot Langthasa | Yah | 45 | Male | 24/04/2009 |
| 2 | Desring Langthasa | Yah | 2.5 | Male | 24/04/2009 |
| 3 | Plate Langthasa | Yah | 55 | Male | 24/04/2009 |
| 4 | Aben Kharsa | Yah | 40 | Male | 24/04/2009 |
| 5 | Jogendra Thaosen | Yah | 25 | Male | 24/04/2009 |
| 6 | Amsan Langthasa | Yah | 30 | Male | 24/04/2009 |
| 7 | Thangsaindi Langthasa | Yah | 45 | Female | 24/04/2009 |
| 8 | Ketamoni Langthasa | Yah | 52 | Male | 24/04/2009 |
| 9 | Sorbo Langthasa | Yah | 14 | Male | 24/04/2009 |
| 10 | Nipen Kemprai | Yah | 18 | Male | 24/04/2009 |
| 11 | Mailendra Langthasa | Jorai | 42 | Male | 08/05/2009 |
| 12 | Pradesh Johori | Miyungveng | 35 | Male | 19/05/2009 |
| 13 | Smti. Lomvi Kemprai | Phaiding | 49 | Female | 30/05/2009 |
| 14 | Smti. Neha Dibragede | Phaiding | 45 | Female | 30/05/2009 |
| 15 | Sobol Hajger | Motilampu | 61 | Male | 06/06/2009 |
| 16 | Jothon Bathari | Jorai Bathari | 58 | Male | 06/06/2009 |
| 17 | Jonoram Naiding | Digerkro | 66 | Male | 25/06/2009 |
| 18 | Gyanon Langthasa | Delenwatilin | 48 | Male | 27/06/2009 |
| 19 | Hanson Hajger | Thapa | 42 | Male | 27/06/2009 |
| 20 | Rabi Narayan Langthasa | Yah | 85 | Male | 29/06/2009 |
| 21 | Delen Thaosen | Drunbra | 55 | Male | 29/06/2009 |
| 22 | Kinthalai Phonglo | Semkhor | 27 | Female | 30/06/2009 |

ANNEXURE – F COMMUNITY RANKING

Community ranking as per % of employee as per population wise employees in
Autonomous Council (Normal sector), Haflong

| Community | Population (as per / 2001 census) | Total employee A/C (normal sector) | % A/C employees in normal sector as per population |
|---------------------------|--------------------------------------|---------------------------------------|--|
| 1 st Biete | 3,810 | 321 | 8.43% |
| 2 nd Kuki | 7,535 | 391 | 5.19% |
| 3 rd Hmar | 14,542 | 511 | 3.51% |
| 4 th Dimasa | 65,066 | 2005 | 3.08% |
| 5 th Harankhol | 2,060 | 54 | 2.62% |
| 6 th Zeme | 15,244 | 358 | 2.35% |
| 7 th Karbi | 8,087 | 86 | 1.06% |

ANNEXURE – G


MOU – BETWEEN NORTH CACHAR HILLS AUTONOMOUS COUNCIL AND LEADERS OF APEX BODY

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE NORTH CACHAR HILLS AUTONOMOUS COUNCIL AND LEADERS OF THE APEX BODIES OF DIFFERENT HILLS TRIBES OF NORTH CACHAR HILLS DISTRICT, AS PER DISCUSSION HELD ON 01/05/08 IN THE CONFERENCE HALL OF THE CIRCUIT HOUSE, HAFLONG.

A meeting of the Apex Bodies of several tribal communities and the leaders of the North Cachar Hills Autonomous Council was held at Circuit House, Haflong on the 1st of May, 2008, wherein various issues regarding the changing of the nomenclature of the District were discussed and clarified. After a prolonged discussion, the following understandings were entered upon.

1. The apprehension of most of the tribes were that the change of the nomenclature would effect the existing status and interest of the Non- Dimasa Tribes as seen or not foreseen, and that such time may come when the reported aspirations and intension of the Dimasa People may reduce the status of the other tribes to that of Non-Tribal, leading to the denomination the majority tribe in all areas of existenece. The apprehensions were expressed particularly due to a news item published in a Bengali daily *Janashankha* dated the 29th March, 2008 in which it was reported that the Dimasa people will aim at complete autonomy in the district, and that to fulfill this, introduction of the Dimasa language in all schools of the district, use of inner-line permit for all non- Dimasas, reservation of 80% of jobs for Dimasas, and prohibition of land and property transfer sale by non-Dimasa etc.
2. The leaders of the North Cachar Hills Autonomous Council assured the gathering that in the matter of the change of nomenclature of the present North Cachar Hills District into Dima Hasao Raji as per provision of the constitution of the Council, will not effect any of the existing constitutional provision under the Sixth Schedule to the Constitution of India except the change in the nomenclature itself. The leaders also assured that everything is will remain the same and all the socio-political, economic and cultural interests of the tribes of the district will remain untouched presently enjoyed by the tribal people of all the sections, irrespective of caste, creed or language etc. The tribes will continue to enjoy equal status as tribes and have proportionate and legitimate opportunities in all matters.
3. As further clarification of the news item and as a measure of assurance for the non -Dimasa tribes it was agreed that.
 - a) The Dimasa language will be introduced as a vernacular in primary Schools of Dimasa inhabited villages only.
 - b) Inner-line permit will not be applicable to tribal communities.
 - c) Appointment of govt. job will be proportionate to the population of the different tribes and that consideration employment of qualified next of kin on the demise of Council employees on compassionate ground as per govt. norms.
 - d) Sale or ownership of land and properties will apply to only non-tribal community and members of any tribal community can purchase land from non-tribal or other tribes.
4. The official language of the District will always remain as English and Hindi in the event of achieving full-fledged autonomy for the district or a higher status.


5. That, the major tribes should take into confidence all the minority tribes for any future proposal to change of existing names within the district before such changes are proposed to the go eminent authorities concerned.
6. That, nothing which may touch the sentiments of any tribes, should be planned or done by any other tribes as such actions may cause communal disharmony. All should work together in unity and brotherhood concern, aiming at peaceful co-existence of the different tribal communities of the district.
7. That, thus assured and convinced, the Apex Bodies of the different tribal communities of the district affirmed that their apprehensions thus clarified they fully support the change of nomenclature to Dima Hasao Raji and could ensure that early approval and notification from the Government is sanctioned.

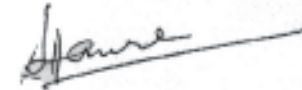

 1. President
 Jajiche Naisho Hosom (JNH)
 (Dimas Apex Body)
 N.C. Hills Haflong

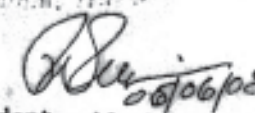
2. President
 Zeme Council of Assam
 Haflong.

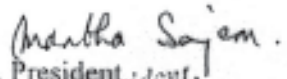
3. Ex-President,
 The Kuki Inpi (Kuki Apex Body)
 And MAC, Diger

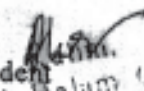
MOUZADAR,
 AUTONOMOUS COUNCIL
 MOUZADAR
 N. C. Hills
 Haflong

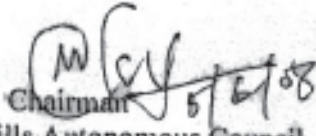

 4. President
 The Hmar Inpi
 (Hmar Apex Body)
 N. C. Hills
 Haflong

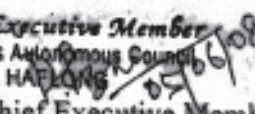

 5. President
 Samindar Karbi Amei
 (Karbi Apex Body)
 Havar Am:
 Umrangso, N.C.


 6. President
 The Baité Devanpuit,
 (Baité Apex Body)
 H. Q. Fianapui: Haflong


 7. President
 The Jaintia Apex Body


 8. President
 The Hrangkhoh Halant
 (Hrangkhoh Apex Body)


 Chairman
 N.C. Hills Autonomous Council
 N. C. Hills Autonomous Council,
 Haflong.


 Chief Executive Member
 N.C. Hills Autonomous Council
 Haflong
 Chief Executive Member
 N.C. Hills Autonomous Council
 Haflong.

ANNEXURE – H

REPORT FROM GOODWILL MISSION

Eastern Mirror, Dimapur 27.12.2005

Dutch negotiator appointed for talks with Naga rebels

DIMAPUR, DEC 26 (AGENCIES): The Indian government has appointed a Dutch negotiator to help save a fragile eight-year-old ceasefire with a powerful tribal separatist group in Nagaland from breaking down, a rebel leader said Saturday.

Minister of Overseas Indian Affairs Oscar Fernandes and leaders of the Isak-Muivah faction of the National Socialist Council of Nagaland (NSCN-IM) formally nominated Michael C Van Walt Van Praag from the Netherlands as a 'third party mediator' in Bangkok last week.

"The talks in Bangkok were almost on the verge of collapse with the Indian government failing to respond positively to our demands," senior NSCN-IM leader Kraibo Chawang said.

"Praag's intervention helped in saving the peace

process from breaking down," Chawang told said.

The NSCN-IM and New Delhi entered into a ceasefire in August 1997 with the ongoing truce expiring on Jan 31 next year.

The last round of two-day peace talks ended in the Thai capital Bangkok Dec 17.

The Dutch rights campaigner attended a lunch hosted by Fernandes in Bangkok on the last day of the talks where senior NSCN-IM leaders were also present.

"Praag would be playing the role of a facilitator or a peace broker and he is expected to submit a list of independent proposals to resolve the problem in fresh talks next month," Chawang said.

"The proposals may not be acceptable to us or to the Indian government, but his impartial role, we believe could bring in positive results and also help

patching up differences between our group and New Delhi."

Praag is currently the executive president of a Hague-based non-governmental organisation called Kreddha, which works for the prevention and resolution of violent conflicts within existing states.

"Praag has been unofficially assisting the two sides (NSCN-IM and New Delhi) in the talks since 2001 and only now his role as a negotiator has been formalized," the rebel leader said.

"He had visited Nagaland twice before and he is a friend of both the Naga people and the Indian government."

An internationally acclaimed rights campaigner, Praag was earlier general secretary of the Unrepresented Nations and Peoples Organization (UNPO).

The UNPO claims the

support of over 100 million people in 52 member countries and works for protecting the human rights of nations, peoples and minorities not represented in international forums such as the United Nations.

The NSCN-IM and New Delhi had held at least 50 rounds of peace talks to end a long-running insurgency that has claimed an estimated 25,000 lives since 1947.

The NSCN-IM, one of the oldest and most powerful of about 30 rebel groups in the northeast, wants to create a 'Greater Nagaland' by slicing off parts of neighbouring states that have Naga tribal populations and adding them to Nagaland.

Assam, Manipur, and Arunachal Pradesh states have rejected the NSCN-IM's demand for unification of Naga-dominated areas.

ANNEXURE – I
Janjati Dharma Sanskriti Suraksha Manch
(Janjati Faith and Culture Protection Forum)

K.B.Road, Paltan Bazar, Guwahati.

Dated Guwahati
2nd May 2009

Press Release

Violence In N.C.Hills of Assam

The Janjati Dharma Sanskriti Suraksha Manch (Janjati Faith and Culture Protection Forum) is peeved to notice the unabated killings of innocent citizens in North Cachar Hills district of Assam from January this year till now wherein over two hundred lives have been lost, 245 houses have been burnt to ashes, properties worth several crores have been destroyed, the construction of Mahasarak (East-West Corridor) with assigned expenditure of Rs.800 crores and the work of B.G.Line worth Rs.1000 cores have totally been halted. The other developmental activities have come to zero, dozens of industries including a cement factory have been closed, most of the prominent traders, high officials and politicians have left *Haflong* - the district headquarter and other prominent towns like Maibong and Mahur for their safe haven in Guwahati. Once a busy and crowded town of Haflong has now a deserted look with very thin populace with saddened face and a very uncertain future. The law and order is totally collapsed and armed militants displaying AK-46 rifles move freely. They are controlling the civil administration. The Government money in terms of crores are allegedly siphoned off to fill the coffer of militant groups. The nexus of politicians and militants is ruling the roast while the extortionists in combat fatigue are on killing spree.

There are reportedly 50,000 security personnel including Army, CRPF, RPF, Assam Rifles, BSF and 700 SPOs. These security personnel are simply silent onlookers because they have not given order to operate. Both the Union Government and State Government appear to be completely complacent while whole of the N.C.Hills district is in the militants' grip. The houses in different villages of Dimasas and Jemes are being torched, innocent villagers including women and children from both the communities are targeted and panicked people are fleeing to relief camps which again are targeted in Phoiding and Guilong villages. The affected villages of Dimasa community are (i) Yah (28.04.09) (ii) Jorai (13.05.09) (iii) Phoiding (9.5.09) (iv) Dibowla (21.05.09) (v) Nanadisa (21.05.09) (vi) Bageter (11.05.09) (vii) Mahadevtilla (17.05.09) (viii) Mahur Bazar area (10.05.09) (ix) Dimalikraji (22.05.09) (x) Lungkhok (11.05.09) and (xi) Mahur area (19.05.09). The total Dimasas killed (male and female) from 19.03.09 till 29.05.09 are 11, total injured 12 the houses burnt are 105. The affected Jeme houses are (i) Tunje (19.03.09) (ii) Choto Ninglo (23.03.09) (iii) Guilong (Hindu) (11.05.09) (iv) Guilong (Christian) (11.05.09) (v) Mahur (16.05.09) (vi) Boildura (12.05.09) (vii) Dubi lane (13.05.09) (viii) Mahadevtilla (15.05.09) (ix) Near Haflong Civil Hospital (17.05.09) (x) Mahdevtilla (20.05.09) (xi) Convent Road (20.05.09) (xii) Topodisa (11.05.09) (xiii) Talowa/Jalwa (11.05.09) (xiv) Choto Ninglow (18.05.09) (xv) Ngrimbunglo (Hindu) (21.05.09) (xvi) Sarkari Bagan (22.05.09) (xvi) Talowa / Jalwa (22.05.09) and Mabow (23.05.09). Thus the total affected Jeme villages are 14, numbers of Jemes killed 14, numbers of injured 12 and houses burnt are 140. There are 3945 victims (men-1716, women-2229) in 13 relief camps. The relief camps are (i) Laisong (549 men,507 women) (ii) Hajaichak (56,33)

(iii) Tungje (52,30) (iv) Guilung (32,20) (v) Mahur / Namjaram (344,346) (vi) Boro Haflong (68,100) (vii) Jorai (32,40) (viii) Basabari (40,77) (ix) Thapa (105,145) (x) Phaiding (105,145) (xi) Dibowla (37,32) (xii) Gungjung (21,49) and (xiii) Duing Bathari (275,705). Total: 1716 men and 2229 women.

Dimasa Hindus and Jeme Hindus have several common traditions and rituals. They have blood relations with each other. Inter-marriages between Dimasas and Jemes are permissible. Their well-knit family relations are preserved in their folk-tales, folk-songs, history and religious practices. Both are closest to each other. Dimasa Hindus and Jeme Hindus are patriotic people opposing Christian conversion tooth and nail. Both the communities are opposed to inclusion of N.C.Hills into Greater Nagaland. They have been living in complete harmony from centuries. As a Hindu, both the communities have been prospering well.

On the other side, the Christian missionaries from Nagaland and militant cadres of secessionist organizations of Nagaland have been gnawing their teeth against these two - the Dimasa and Jeme Hindus for their tough resistance to Christian conversion and extension of militancy in N.C.Hills. This is the reason that on every available opportunity, the Naga secessionist organisations and Naga Christians missionaries from Nagaland try their level best to segregate both the communities from each other and break their emotional, religious and cultural union with a malafide intension of weakening both the communities so that the Christians missionaries can have a rich harvest. The Christian missionaries are trying hard to prepare a fertile ground in Dimasa Hindus and Jeme Heraka Hindus through missionary schools, medical centres and other service projects. The white-gowned Catholic priests masquerading as a liberator of soul have field day in the area and Baptist Christian missionaries are found very active in the area while whole of the N.C.Hills district is in turmoil. In fact, the volcanic and volatile situation in the society offer best opportunity to Christian missionaries for rapid conversion. That is why, they sow the seed of dissension in the peace loving and well-knit society. Peaceful and prosperous condition of any society outrightly rejects Christianity and the doors are always closed for masked missionaries. The Church instigate one community to hate other on one plea of the other to facilitate speedy conversion.

The peaceful Dimasa society and Jeme society are, therefore, advised to maintain their cordial relations at social, cultural and religious level. They should be able to identify the friends and foes. The Dimasas and Jemes must join their hands to defeat their common enemy who may be embedded in their own respective community. Christians are Christian. They are neither a Dimasa nor a Jeme. After conversion, they become hostile to their own community, their parents, brothers and sisters and work for church and church sponsored insurgency. They become loyal to Church and conspire with Church Leaders for more conversions. We wish to caution both the victim societies of N.C.Hills against the Church conspiracy in league with militant organizations. The Union Government and State Govt. of Assam are appealed to act immediately and decisively to contain and uproot armed insurgency in the area and start the healing process so that all the four thousand innocent people from Dimasa and Jeme community living in thirteen relief camps can return to their village and construct their dwellings and work in their *khetis* since monsoon has begun and it is high time for paddy cultivation. The Union Govt and State Government are also appealed to provide enough financial assistance to affected families so that they can be relieved of their mental agony and anxiety.

There appears to be a strong nexus between insurgent leaders and politicians in N.C.Hills. Because of this, several crores of rupees have, reportedly, been given to insurgent organization

for the purchase of arms, ammunitions and explosives. The media and intelligence agencies have reported it very often. The Central Government is appealed to investigate it and book the culprits under appropriate law.

Jaleswar Brahma
Secretary

B.B. Jamatia
President

ANNEXURE - J

INTERIM REPORT OF THE FACT-FINDING COMMITTEE CONSTITUTED BY JUSTICE ON TRIAL

Objectives of the Trust

- To promote/protect/defend human rights and freedom, establish supremacy of law
- To implement vigorously the concept of “Justice to All” etc.

The previous incident of the North Cachar Hills drew the attention of the human rights activist so the JOT, a pioneer in this field can't spare itself from taking cognizance of such incident. The 'Seven Sisters' of as much importance as the 'Nine Goddess' (Nava Durga) for every Indian. If any innocent person of North Cachar Hills is killed/injured and any innocent person is driven away from his house by harshening and firing, it shaken the hearts and sentiments of any Indian as well as human activist in the world. The media highlight the things but confines itself upto present and market value of the news. The reasons/factors/facets related to the incident as well as solution of the problem, is of more importance for the human rights activist. So keeping in view the above, the JOT constituted a fact-finding Committee as below:

- (1) Justice (Retd.) Mr. MV Tamaskar of Madhya Pradesh High Court, Jabalpur – Chairman.
- (2) Mrs. Nafisa Hussain, former Member of the National Human Rights Commission, Mumbai – Member.
- (3) Shri GS Gill, former Additional Advocate General, Rajasthan, Jaipur – Member.
- (4) Shri YR Patil, retired IPS Officer, Bangalore – Member.
- (5) Shri Ram Kishore Pasari, Social Activist, Gandhi Nagar, Ahmedabad – Member Secretary.

The Justice on Trial decided to take up the burning issues of North Cachar Hills and framed the following questions for reference:

- 1) Whether there was any violation of human rights in North Cachar Hills previous incidents? If so,
 - a) The action taken by the local administration as well as State Government is sufficient or not.
 - b) If not, what the immediate steps are required to be taken by the local administration as well as the Government.
- 2) Chronological Study of incidents
- 3) What are the reason behind conflict between Dimasas and Zemes?
 - a) Whether any anti-national forces are playing any role to create a conflict between the two communities?
 - b) Whether any communal forces may be behind it?
 - c) Whether the conflict is political/economic/religious/communal?

- 4) How the harmonious environment may be created so that the both communities may live together brotherly, as were living before 2003.
- 5) To resolve the problem, what are the steps to be taken?
 - a) By both the tribes, i.e., Dimasa and Zeme.
 - b) By the autonomous council/district administration.
 - c) By the State Government.
 - d) By the Central Government.
 - e) By the Society as a whole.

The Committee reached Guwahati on 03.08.2009 and went to Haflong. Visited relief camps and affected villages. Met various organisations and social groups including Apex Body of Dimasas and Zeme Nagas.

The Committee had received literature in regard to serious, insurgency, community tensions and attacks made on tribals in nearly 27 villages of North Cachar Hills district.

These assaults are recent starting from the month of February, 2009 till May-June, 2009.

The communities involved are Zeme, Dimasas and other 11 tribes of North Cachar Hills. There are militant groups known as DHD (J) belonging to Dimasa community. Zemes are primarily Nagas and have their own militant outfits. It will not be out of place to mention that North Cachar Hills Autonomous District Council formed under Sixth Schedule of the Constitution of India is a faction ridden council and Dimasas have upper hand. Dimasas who are 43% of the total population want the Council to be renamed while Zemes and other indigenous tribal groups are 57% oppose it, a root cause of the trouble and insurgency. The Zemes have support of NSCN – a Naga Militant outfit of Nagaland adjoining to the North Cachar Hills. It is also alleged that three associations of other groups, i.e., Zemes, Karbis, Hmars, Kukis, etc. who are opposed to Dimasa tribes, as such, serious tension has erupted and persons belonging to Dimasa community are targeted, brutally assaulted, houses burnt down. The details of incidents are listed chronologically as under:-

The result of these attacks are that nearly 4000 Dimasa people are living in relief camps where the State Government is providing security and looks after camps – tribals are giving Rice, Dal (not cooked) which is in small quantity looking the numbers inmates in camps. Since the houses were burnt and tribals killed and shot, they are forced to live in relief camps. None of them can go back to their villages, as they are afraid of being attacked. The villagers dare not to take up the agricultural activities and hence there is chaos in villages. They are living in most pitiable conditions. Schools for children are practically closed, hence, they are deprived of education and there are no works for other members.

The State Government has done some tip service, but has not done anything to wipe out insurgency, hence, the villagers are afraid to live in villages or in relief camps or go out for any work etc.

Recently it is learnt that the Central Government took cognizance of these incidents and decided to send the Home Secretary to get firsthand information. He could not reach the affected areas weather was inclement and helicopter could reach the places. Now, it is learnt that the Home Secretary will again visit in September, 2009.

It will not be out of place to mention that there greater danger from the secessionists who are determined to force the formation of Greater Nagaland (Nagalim). This is clearly anti-national and extra-constitutions activity, bordering on the side of “Act against the State”.

Since the situation is piquant, uneasy calm prevails but there is lot of discontent in the villages which will erupt in bigger question of peace and safety of communities, who have no arms to protect them and the State action is just a show of protection provided, no attempt has been made to arrest, investigate and prosecute the culprits whereby a serious question of peace and ensuring calm prevails bordering on surrender of law abiding citizens who are not only thriving on administrative inaction and vast corruption involving militants, politicians, beaurucrates.

In this background, the Justice on Trial took an extensive men-to-men interaction with affected tribals both Dimasas and Zeme Nagas and the inmates of relief camps.

Complete neglect of the State Government to take the issues of insurgency and providing succor to victims.

No developmental activities undertaken by the Government so that villagers, tribes and victims can have something for bare living, because without safety no villagers are prepared to step out of villages.

The impressions gathered by the Committee on the spot are that situation is serious and needs immediate intervention of Central Government.

THE FACT FINDING COMMITTEE OF JUSTICE ON TRIAL has visited villages, contacted number of villagers and tribal groups of Dimasas, Zemes, Karbis, Kukis, Hmar and other tribal. Ladies of all tribal and non-tribal indigenous tribal groups and have come to the conclusion – Prima Facie – the situation is explosive and needs immediate intervention to stop anti-nations, extra-constitutional acitivities of Nagaland declaring it as Republic of Nagaland.

RECOMMENDATIONS

The Committee visited riot affected places and heard patiently the tales of agonies of Zeme Nagas and Dimasas.

Elders from both the communities met us separately and gave their versions of pre and post incidents of riot. Both the groups had their hardliners and moderates. Women leaders from both the communities met us jointly under the banner of Mahila Samannaya Samittee and gave their version of pre and post riots scenario as well as factors relevant to this incident and the solution of the problem. The women leaders are more level headed and want to live in peace and tranquility in their respective areas. They are clear in their assessment of situation and want differences to be solved as early as possible.

After careful inquiry and assessment of situation, the Committee would like to make the following suggestions:

As immediate measures -

- xi) The hygienic conditions of relief camps ought to be improved keeping in view the sanitation, medical aid, water supply, supply of baby foods, green vegetables, etc.
- xii) Law and order situation should be improved so the people may go back to their villages. In villages rehabilitation is also required. As the villagers could not sow their crops so the employment should be given under NAREGA scheme.
- xiii) The District Magistrate (DM) and Superintendent of Police (SP) may hold conciliation and negotiation talks with both the community leaders separately and jointly to prepare the environment and mentality to resolve the problem amicably.
- xiv) The Committee of women leaders from both as well as other tribal and non-tribal communities (Mahila Samannaya Samittee) may be assisted to create the harmonial environment as well as to persuade the men's outfits of both the community to set on negotiation table.
- xv) The State Government should consider the demands which both the rebel groups may agree to and find out the solution within the Constitution of India.
- xvi) The separatist movement should be taken hard handed.

A Full Report of the on-the-spot evidence, anti-nations pamphlets and other documents and conditions of relief camps ignoring all human rights of ladies, children and occupants will be submitted in First Week of September, 2009.

MV Tamaskar
Chairman

GS Gill
Member

YR Patil
Member

N Hussain
Member

RK Pasari
Member Secy.

Mr. Y.R. Patil, IPS (R),
1215, 4th Cross,
New Thippasandra,
HAL, 3rd Stage,
Bangalore-75.

RECOMMENDATIONS

The Committee visited riot affected places and heard patiently the tales of agonies of Dimasas and Zeme Nagas.

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After careful inquiry and assessment of situation, the Committee would like to make the following suggestions:

- 1) The District Magistrate (DM) and Superintendent of Police (SP) may hold conciliation and negotiation talks with both the community leaders jointly. The Committee may be named as Conciliation and Negotiation Committee. The prolonged interactions of the two community leaders with the district administration will help to defuse the situation immediately and may finally lead to amicable settlement.
- 2) The Joint Committee of women leaders from both communities may be constituted. After each deliberation with Conciliation and Negotiation Committee, the women committee may be briefed about what development took place in the previous meeting. This step may help women leaders to prevail on their men flock to reach settlement.
- 3) This approach was adopted by the Committee member Mr. YR Patil, IPS ® that he faced similar situation way back in 1985. By this approach he was able to solve amicably inter and intra communal violence between Muslims and Muslims and Hindu and Muslims during 1985. To perpetuate the agreement signed by both the parties they gave a trophy together to him. These mementos are still preserved in the Office of the Superintendent of Police, Sumabi presented way back in 1985 in Shimoga.

Y. R. Patil,
Member,
Justice on Trial Committee

ANNEXURE - K
LETTER TO GOVERNMENT AUTHORITIES - ASSAM STATE

| Authority | Area |
|---|--------------------|
| Hon'ble Chief Justice, High Court - Guwahati | Guwahati |
| Director General of Police - Assam | Guwahati |
| Superintendent of Police - Guwahati | Guwahati |
| Registrar General - High Court - Assam | Guwahati |
| Judicial Officer - Kamrup | Kamrup |
| District Collector - Kamrup | Kamrup |
| Superintendent of Police - Kamrup | Kamrup |
| District Collector - North Cachar Hills | North Cachar Hills |
| Superintendent of Police - North Cachar Hills | North Cachar Hills |
| Superintendent of Police - Nagaon | Nagaon |
| Judicial Officer - Nagaon | Nagaon |
| District Collector - Nagaon | Nagaon |

Justice on Trial

(Trust Reg. No. E/16927/Ahmedabad)
7 Trilok Row House,
Sandesh Press Road,
Opp. Chanakya Tower Lane,
Nr Water Tank, Bodakdev,
Ahmedabad - 380054.
Phone : 91-79-65440695
Fax : 91-79-26840382
E-mail : jotahd2008@gmail.com
Dt : 25th July 2009

To,

.

Sub. : Request for necessary security and facility to committee members, who are to visit area of North Cacher Hills and Guwahati, from 3rd August to 8th August 2009.

Respected Sir,

Justice on Trial, a registered NGO is working on human rights activities. Wherever we find or hear of infringement of human rights, we constitute committee of respectable persons of the society.

We have heard of infringement of human rights in North Cacher Hills area in Assam. We have constituted a committee of the following personalities.

Justice M. V. Tamaskar, **Chairman**
Former Judge of High Court, Madhya Pradesh. At present residing at Jabalpur

Mr. Y. R. Patil **Member**
Retired IPS Officer. At present residing at Bengaluru.

Mrs. Nafisa Hussain **Member**
Former Member of National Commission for Women. At present residing at Mumbai.

Mr. G. S. Gill **Member**
Former Additional Advocate General of Rajasthan. At present residing in Jaipur

Mr. Ram Kishor Pasari **Member**
Member Secretary. At present residing at Gandhinagar, Gujarat

We by this communication bring to your knowledge the above committee is to visit the places in N C Hills area as per the program annexed, they meet the persons affected, solace them and inquire the nature of damage caused and ways and means to mitigate the same. Also inquire what and how much compensation and nature of compensation is provided and is to be provided to meet with the damage.

The committee may also inquire whether human rights of any of the people residing there are affected.

I, therefore request you to provide necessary security and do the needful to facilitate the work of committee, which is to visit N C Hills and Guwahati from 3rd August to 8th August 2009.

Thanking you.

C. S. Oza
Executive Secretary

ANNEXURE

FACT FINDING COMMITTEE PROGRAM

2nd August 2009, Sunday :

1. Ram Kishor Pasari (Member Secretary) will reach at **Guwahati (Hotel Ginger)**.

3rd August 2009, Monday :

1. The committee members from different places will reach to (Hotel Ginger) Guwahati by flights.
2. Committee members will proceed for **Nagaon (Hotel Piyush Regency)** at about 17:00 hrs and may reach there at about 20:00 hrs.
3. Night halt at Nagaon.

4th August 2009, Tuesday :

1. Proceed for Haflong by car at 8:00 hrs.
2. Will reach at **(Elite Hotel) Haflong** at about 14:00 hrs.
3. Attending different delegations 16:00 hrs to 18:00 hrs.
4. Night halt at Haflong.

5th August 2009, Wednesday :

1. Visit to affected areas.
2. Lunch.
3. Proceed to Nagaon at about 14:00 hrs.
4. Reach Nagaon at about 20:00 hrs.
5. Dinner at Nagaon.
6. Night halt at Nagaon.

6th August 2009, Thursday :

1. Breakfast at 7:30 hrs.
2. Proceed to Guwahati (Hotel Ginger) at about 8:30 hrs.
3. Reach at Guwahati at about 11:30 hrs.
4. Attend different delegations / Visit to CM Office / Raj Bhavan.
5. Night halt at Guwahati.

7th August 2009, Friday :

1. Attend different delegations / Visit to CM Office / Raj Bhavan.

8th August 2009, Saturday :

1. Return to the origin.