

B.T.C

MEMORANDUM OF SETTLEMENT

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The Government of India and the Government of Assam have been making concerted efforts to fulfil the aspirations of the Bodo people relating to their cultural identity, language, education and economic development. Towards this end, a series of talks were held between Government of India, Government of Assam and Bodo Liberation Tigers (BLT) since March, 2000. As a result, it is agreed to create a self-governing body for the Bodo areas in the State of Assam as follows:

2. Objectives

The objectives of the agreement are: to create an Autonomous self governing body to be known as Bodoland Territorial Council (BTC) within the State of Assam and to provide Constitutional protection under Sixth Schedule to the said Autonomous Body; to fulfil economic, educational and linguistic aspirations and the preservation of land-rights, socio-cultural and ethnic identity of the Bodos; and to speed up the infrastructure development in BTC area.

3. Area

3.1 The area of the proposed BTC shall comprise all the villages and areas as per Annexure I to be so notified by the State Government. The above mentioned villages and areas shall be divided into 4 contiguous districts after reorganisation of the existing districts of Assam within a period of 6 months of the signing of the agreement on the lines of the proposal given by BLT subject to clearance of the Delimitation Commission.

3.2 A Committee comprising one representative each from Governments of India & Assam and BLT will decide by consensus on the inclusion of additional villages and areas in the BTC from out of villages and areas given in Annexure II on the basis of the criteria of tribal population being not less

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an 50%, contiguity or any other agreed relevant criteria within a period of three months of signing of this MoS.

4. Status of Bodoland Territorial Council

The provision of the Sixth Schedule and other relevant Articles of the Constitution of India will apply to BTC, mutatis mutandis in terms of this agreement. The safeguards/modifications for the non-tribals in BTC area, inter-alia, will include the following:

- 4.1. Provisions of para 1(2) of Sixth Schedule regarding Autonomous Regions will not be applicable to BTC.
- 4.2. A provision will be made in para 2(1) of the Sixth Schedule for increasing the number of members for BTC up to 46 out of which 30 will be reserved for Scheduled Tribes, 5 for non-tribal communities, 5 open for all communities and 6 to be nominated by Governor of Assam from the unrepresented communities from BTC area of which atleast two should be women. Nominated members will have the same rights and privileges as other members, including voting rights. Election from the 40 constituencies of BTC shall be on the basis of adult franchise. The term of the elected members of BTC shall be for $\frac{1}{2}$ years.
- 4.3. Safeguards for the settlement rights, transfer and inheritance of property etc. of non-tribals will be suitably incorporated in para 3 of the Sixth Schedule. Any such law as may be made by the BTC in this regard will not, in particular:
 - a) extinguish the rights and privileges enjoyed by any citizen of India in respect of his land at the commencement of BTC, and
 - b) bar any citizen from acquiring land either by way of inheritance, allotment, settlement or by way of transfer if such citizens were eligible for such bonafide acquisition of land within the BTC area.

