12.1 Introduction

12.1.1 At the commencement of the Constitution, the present States of Nagaland, Meghalaya and Mizoram constituted a district each of Assam, whereas Arunachal Pradesh, (then NEFA), consisted of several 'frontier tracts' administered by the Governor of Assam and was, therefore, deemed to be a part of that State. The States of Manipur and Tripura were princely States which, after merger with India in 1948, became part C States, the earlier name for Union Territories. The Constitution-makers, recognising the significant difference in the way of life and administrative set up of the North Eastern region from the rest of the country, provided for special institutional arrangements for the tribal areas in the region, giving them a high degree of self governance through autonomous District Councils under the Sixth Schedule of the Constitution. Even critics agree that the Sixth Schedule has to some extent satisfied tribal aspirations and has thus prevented many conflicts. Similarly, the gradual administrative reorganisation of the region with the formation of the States of Nagaland (1963), Meghalaya (1972), conferring first, status of Union territory (1972) and subsequently Statehood (1987) to Arunachal Pradesh and Mizoram and elevation of Manipur and Tripura from Union Territories to States in 1972 attest to the considerable attention given to reduce conflicts in the region through increased empowerment. Following the large scale reorganisation of the region in 1972, a regional body, the North Eastern Council (NEC) was set up to provide a forum for inter-State coordination, regional planning and integrated development of the region to avoid intra-regional disparities. The “look-east” policy announced by the Government of India envisages the North Eastern region as the centre of a thriving and integrated economic space linked to the neighbouring countries such as Myanmar and Thailand by a network of rail, road and communication links criss-crossing the rivers. The policy tries to leverage the strategic geographical location of the region, with past historical links with South East Asia and its rich natural resources (hydel, gas, power etc.) to transform this region vast potential into reality. However, this requires not only massive efforts towards infrastructure links but also a major improvement in the security situation.
12.1.2 Nonetheless, for more than half-a-century, the North East has seen an unending cycle of violent conflicts dominated by insurgencies with demands ranging from outright sovereignty to greater political autonomy. Indirectly, insurgent movements have spawned a variety of related conflicts which are referred to later in this Chapter. Insurgency has taken a toll of thousands of lives, both of security forces and citizens, as is clear from the statistics below:

<table>
<thead>
<tr>
<th>Year</th>
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<tr>
<td>2001</td>
<td>1,335</td>
<td>572</td>
<td>175</td>
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<td>454</td>
</tr>
<tr>
<td>2003</td>
<td>1,332</td>
<td>523</td>
<td>90</td>
<td>494</td>
</tr>
<tr>
<td>2004</td>
<td>1,234</td>
<td>404</td>
<td>110</td>
<td>494</td>
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<td>2006</td>
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</tr>
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Source: Annual Report of Ministry of Home Affairs, 2006-07

12.1.3 Roots of Insurgency: The roots of insurgency in the North Eastern region are embedded in its geography, history and a host of socio-economic factors. Ninety-eight per cent of the borders of the region are international borders, pointing to the region’s tenuous geographical connectivity with the rest of India. While the population share of the region at around 3.90 crores is a mere 3 per cent of the national population, its rate of growth has exceeded two hundred per cent between 1951-2001, generating great stress on livelihoods and adding to land fragmentation. While, nominally tribals constitute 27 per cent of the population of the entire region minus Assam, it increases to 58 per cent for the remaining States. Percentages, however, do not adequately reflect the extensive diversity in the tribal population of the region which has more than 125 distinct tribal groups – a diversity not to be seen in States like Jharkhand and Chhattisgarh where tribal populations predominate.

12.2 Typology of Conflicts

12.2.1 Conflicts in the region range from insurgency for secession to insurgency for autonomy; from ‘sponsored terrorism’ to ethnic clashes, to conflicts generated as a result of continuous inflow of migrants from across the borders as well as from other States.43 Conflicts in the region can be broadly grouped under the following categories:

a. ‘National’ conflicts: Involving concept of a distinct ‘homeland’ as a separate nation and pursuit of the realisation of that goal by its votaries.

b. Ethnic conflicts: Involving assertion of numerically smaller and less dominant tribal groups against the political and cultural hold of the dominant tribal group. In Assam this also takes the form of tension between local and migrant communities.

c. Sub-regional conflicts: Involving movements which ask for recognition of sub-regional aspirations and often come in direct conflict with the State Governments or even the autonomous Councils.

12.2.2 Besides, criminal enterprise aimed at expanding and consolidating control over critical economic resources has, of late, acquired the characteristics of a distinct species of conflict.44 It has been aptly observed that:

*The conflicts in the North East have some peculiar characteristics: they are asymmetrical; they are ambiguous, making it difficult to differentiate a friend from an enemy; they are fought in unconventional modes, deploying political and psychological means and methods; and the conflicts eventually tend to escalate into prolonged wars of attrition.*45 Violence in the region is also caused by the failure of the State administration to provide security. This has led to the creation of alternative forces of ethnic militia for provision of security. From the perspective of its ethnic constituency, a private ethnic militia is considered a more reliable provider of security when it is threatened by another ethnic group that is armed with its own militia. This is usually the context in an ethnically polarized situation in which the State administration fails to provide security and the actions of the Army are seen as partisan.46

12.3 State Specific Conflict Profiles

12.3.1 While the region as a whole displays a variety of conflicts, it needs to be noted that in its acute form the problem is endemic in certain well defined areas. The ‘variety’ of conflicts besetting the region will be evident from the short ‘conflict profiles of the region’.

12.3.2 Arunachal Pradesh: The State has remained peaceful after the cease-fire with NSCN which was active in Tirap District. The policies initiated under the guidance of Verrier Elwin (a noted anthropologist) in the 1950s have resulted in considerable cohesion in the area with Hindi emerging as its lingua franca. There was some disquiet with the settlement of relatively more enterprising Chakma refugees from Bangladesh in the State in large numbers which appears to have subsided. Growing income disparities and constriction of employment opportunities could be a potential source of conflicts.

12.3.3 Assam: A wide variety of ethnic conflicts prevail in the State e.g. agitations against ‘influx of foreigners’, perceived inability of the Government to deport them; occasional

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44 Archana Upadhyay, ibid

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### Table 12.1: Incidence of Violence in the North East

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Source: Annual Report of Ministry of Home Affairs, 2006-07
tensions between religious/linguistic groups and escalating conflicts involving tribal communities who seek local autonomy etc.

12.3.3.1 National/Extremist Conflicts: Undivided Assam had the longest history of insurgency. Naga and Mizo insurgenies were the earliest to flare up. The affected areas formed two districts of the State. Even in the present truncated Assam, there are a number of extremist outfits led by the United Liberation Front of Assam (ULFA). It has also been argued that there have been several contributing factors for the youth to join the cadre of ULFA such as unemployment, corruption in Government machinery, influx of illegal migrants, dominance of non-Assamese in the business sector, perception of exploitation of Assam's natural resources by the Centre and alleged human right violation by the Security Forces. It became active from the 1980s and till the late 1990s, enjoyed considerable public support due to a perception that 'insurgency is causing secessions' from Assam and that if only the Assamese had launched a violent counter-agitation, the situation would have been different. The average Assamese also regarded the six years of largely non-violent agitation for 'expulsion of foreigners' as having achieved very little 'success'. With large scale criminalisation of ULFA cadres in the 1990s there was a rapid loss of public support particularly among the urban middle classes. Another factor for its decline was ULFA's known links with the 'agencies' of certain foreign countries with interest in subverting the distinct culture of the State and in causing unrest in the country. It also appears that repeated volte-face by ULFA during several abortive negotiations with the Government, affected its credibility. After the crackdown by the Bhutanese Army, ULFA has not recovered its past strength though the organisation tries to make its presence felt through kidnappings, bomb blasts and selective murder of migrant workers. In addition, almost all tribal communities have some armed outfits purportedly safeguarding their interests.

12.3.3.2 Ethnic Conflict: The major ethnic conflict in the State is the grievance against the perceived influx of 'foreigners' i.e. people with a language and culture substantially different from the Assamese from across the border (i.e. Bangladesh). The 'foreigners' agitation' of 1979-85 brought Assam to the centre stage of attention. The problem can be traced to the early years of the last century when the landless from the neighbouring overpopulated districts of East Bengal started arriving in the fertile and then substantially fallow Brahmaputra valley. Following communal rioting in East Pakistan in the 1950s and 1960s there were further waves of migration from the minority community of that country. Still later, growing unemployment, fragmentation of land and the war for the liberation of Bangladesh encouraged a renewed influx even from the majority community. With the fear of being culturally and politically 'swamped', resentment built up among the Assamese and escalated into one of independent India's most prolonged and vigorous agitations. While both the Union and State Governments have accorded priority to the process of detection and deportation of illegal migrants (foreigners), the issue continues to simmer with the 'original' inhabitants claiming that for reasons of 'vote bank politics' effective steps are not being taken to deport the 'trespassers' while people sharing the religious-linguistic profile of the 'foreigners' claim that they are harassed and unreasonably forced to 'prove' their Indian citizenship.

12.3.4 Manipur: Currently, it is the 'most insurgency ridden' State with about fifteen violent outfits representing different tribes/communities active in the State and has become a self-financing extortion activity particularly in the Valley. The Commission, during its visit to the State, was told of several instances where development funds were siphoned off to finance various unlawful and disruptive activities.

12.3.4.1 One fourth of Manipur (which is the valley), is home to more than seventy per cent of its population which predominantly consists of the culturally distinct Meitei community. The State was ruled as a monarchy (later princely state) by Meitei rulers. The Meitei influence declined in the socio-economic spheres after Independence with the tribals coming into the forefront largely because of reservations. There was also resentment in a section of the Meitei society about the merger of the State with the Indian Union – a resentment which led to the Meitei insurgency from the 1960s. Tribals account for around thirty per cent of the State's population and broadly belong to Naga, Kuki-Chin and Mizo groups. Insurgency in Nagaland and Mizoram also spilled over to the State. The 'cultural distance' of tribals from the Meiteis widened with almost all the tribes coming under the Christian fold by the 1930s. There is considerable tension among the tribes over land and boundaries and violence between Naga and Kukis took a toll of more than 2000 lives during the 1990s.

12.3.4.2 The cease-fire between the Union Government and the National Socialist council of Nagaland (NSCN) has reduced violence in Naga areas but has given rise to fresh tensions as the NSCN insists on a greater 'Nagalim' which would include four Districts of Manipur. This is stoutly resisted by the Meiteis and had caused a very violent agitation in 2001. The assurance to safeguard the 'territorial integrity of Manipur' has resulted in comparative peace on this score. In the southern parts of the state Hmars, Paite and other tribes have been waging violent struggles partly for local hegemony and partly for their own enclave in the form of a Union Territory called 'Zomi'. District Councils in the Hill areas are non-functional since 1985 as most of the tribal communities want these Councils to be brought under the Sixth Schedule. This demand is vociferously opposed by those in the Valley. In short, Manipur continues to be an active arena for a multiplicity of violent conflicts.

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12.3.4.4 Since there has not been any significant industrial development in the State, there are no major industries or manufacturing units which could provide employment for the educated youth. The biggest employer continues to be the State not only in Manipur but the entire region. The educated youth has, therefore, to look for employment in far off places like Delhi, Mumbai, Pune and Bengaluru, etc.

12.3.5 Meghalaya: The State is fortunately free from violence of the intensity that prevails in many other parts of the region. Except violence against ‘outsiders’ particularly the Bengali speaking linguistic minority, there have been no major problems in the State. The following are some future areas of concern:

a. Increasing clash of interest between the State Government and the Sixth Schedule District Councils – the entire State is under that Schedule.
b. Increasing inter-tribal rivalry.
c. Emerging tensions about infiltration from Bangladesh particularly in the Garo Hills.

12.3.6 Mizoram: The State with its history of violent insurgency and its subsequent return to peace is an example to all other violence affected States. Following an ‘accord’ between the Union Government and the Mizo National Front in 1986 and confirmation of statehood the next year, complete peace and harmony prevails in Mizoram. The State is recognised as having done a commendable job in the implementation of development programmes and making agriculture remunerative. The only potential areas of conflict are the growing income and assets disparities in a largely egalitarian society and the dissatisfaction of the three small non-Mizo District Councils with the State Government, on account of issues pertaining to identity and reservation as STs.

12.3.7 Nagaland: Following the cease-fire with the dominant Muivah-Swu of the NSCN, the State is virtually free from overt violent unrest although as already noted, it is the original ‘hot spot’ of insurgency. The minority Khasi-Meitei faction which does not approve of the cease-fire has also, on the whole, remained peaceful. Certain areas of concern with regard to the future are:

12.4 Modes of Conflict Resolution

12.4.1 The modes of conflict resolution in the North East have been through: (i) security forces’ ‘police action’; (ii) more local autonomy through mechanisms such as conferment of Statehood, the Sixth Schedule, Article 371 C of the Constitution in case of Manipur and through ‘tribe specific accords’ in Assam etc; (iii) negotiations with insurgent outfits; and (iv) development activities including special economic packages. Many of these methods...
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12.3.8 Sikkim: The State has not only done well in the sphere of development through decentralised planning but the constitutional mandate of striking a balance between the various ethnic groups (mainly the Lepchas, Bhutiyas and Nepalis) has also prevented emergence of major conflicts.

12.3.9 Tripura: The State’s demographic profile was altered since 1947 when mass migrations from the newly emerged East Pakistan converted it from a largely tribal area to one with a majority of Bengali speaking plainsmen. Tribals were deprived of their agricultural lands at throw-away prices and driven to the forests. The resultant tensions caused major violence and widespread terror with the tribal dominated Tripura National Volunteers (TNV) emerging as one of the most violent extremist outfits in the North East. Proximity to Mizoram exposed the State to the ‘side effects’ of that insurgency. However, effective decentralisation in the ‘non-scheduled areas’, bringing tribal areas within the purview of an autonomous ‘Sixth Schedule’ Council, successful land reforms and systematic promotion of agriculture have contributed to considerable conflict reduction. The changing religious composition of tribal groups (particularly, the Jamatias) is giving rise to newer tensions with apprehension of increased inter-tribal conflicts. While the tribal non-tribal clashes are on the decline, there is growing resentment among the tribals due to the restrictions on their ‘freedom to use’ the forests and their nominal participation in district development.

12.3.9.1 Despite impressive strides made by the State in the last decade, the fact remains that the virtual embargo on trans-border movement of goods, and services to Bangladesh from Tripura have impeded the tempo of economic growth of the State. The Ministry of External Affairs should take up this Tripura specific issue during bilateral negotiations for increased economic cooperation with Bangladesh.

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of local absorptive capacity and inappropriate development strategies to corruption and diversion of funds, often to the coffers of insurgents. Of particular concern is the well documented siphoning of food-grains meant for the public distribution system a large proportion of which falls in the hands of the militants.51 Similarly, the virtual extortion racket run by various militant groups at a number of points, marking several transitions from one militant group's area of influence to the next, collection of protection money from business and salaried classes etc have been extensively documented.52 Consequently, many observers feel that some parts of the North East now represent a state of ‘stable anarchy’ where the rule of law and other institutions of governance are subverted directly or through collusive arrangements, to serve personal or partisan ends of the militants.52

12.4.5 Reform and capacity building of various institutions of governance are, therefore, essential if development efforts are to play their intended role in reducing disparities and alienation.

12.5 Conflict Resolution – the Political Paradigm

12.5.1 The realisation that the people of the North East needed special support to have their voice heard in a large polity with which they had little contact was evident since Independence itself. This realisation led to the Sixth Schedule, a model of decentralised governance that was clearly revolutionary from the perspective of the 1940s. Subsequent developments like bringing many Naga areas within an autonomous framework (1957), formation of the State of Nagaland (1963), creation of an autonomous tribal State within Assam (1971) and the large-scale reorganisation of the region (1972) indicate the keenness of the national political leadership to deal with discontent and alienation in the North East not as a simple ‘restoration of order’ issue, but through provision of greater opportunities of devolution and participation in the political processes. The political history of independent India does not offer a more radical example of meeting local aspirations. While there is always room for creative ‘political solutions’ of the perennial problems of the region through building of consensus and continually enlarging the scope of ‘democratisation’, it is doubtful if the political paradigm admits further radical innovations. There is a case for now working towards making the existing political instrumentalities realise their potential for the growth and well being of this important part of our country.

12.5.2 At the political level, therefore, what is now required is the strengthening of the rule of law and constitutional politics, the authority and legitimacy of the democratically elected State and local governments. This would satisfy the need for introducing accountability and democratic practice into the conflict resolution machinery in the North East. It would also involve an enhanced role for the legislatures, State administration and elected local

12.4.4 The other mode of conflict resolution is the developmental approach. This approach embodies the thinking that if institutions of development are created in the region and plan outlays substantially increased, the problems of politics, society, ethnic strife, militant assertion and of integration will get minimised. From the 1980s, there has been substantial increase in public expenditure in the region and there is a stipulation that 10% of the spending of every Ministry/department in the Union Government should be earmarked for the North East. That the fruits of development have not adequately percolated to the beneficiaries is widely recognized. While a detailed analysis of the problem is beyond the remit of this Report, it must be conceded that the reasons for such failure vary from lack

12.4.3 The Commission would, however, like to reiterate that even in dealing with the purely ‘law and order aspects’ of insurgency and violence in the region, much greater reliance needs to be placed on the local police than has been the case so far. While deployment of the Armed Forces of the Union may be required, there is a strong case for minimising their use for operational purposes in a region which still continues to harbour a sense of alienation. Similarly, utilising the ‘non-police components’ of administration and civil society organisations for handling conflicts needs much greater attention than has so far been given. The needed measures to achieve these and similar objectives have been dealt with elsewhere in this Report.

12.4.2 In the context of the present Report, it may not be necessary to go into the details of the several initiatives taken under the various ‘model’. In fact, the Commission has already considered, or is in the process of considering, some of these aspects in other Reports. Mention may, in particular, be made of the role of security forces in counter-insurgency operations dealt with by the Commission in its Fifth Report, on “Public Order”. That Report inter alia recommends that the Armed Forces (Special Powers) Act 1958 may be repealed in the North East with some of its provisions incorporated in the Unlawful Activities (Prevention) Act, 1967 to enable the Security Forces to have operational freedom consistent with human rights concerns. There are many other recommendations pertaining to Police reforms and toning up the local intelligence set up etc that would also apply to the situation in the North East. There are certain other aspects of dealing with the menace of insurgent outfits that will be dealt with in the report of the Commission on ‘Terrorism’.

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12.4 Conflict prevention and resolution in the North East would require a judicious mix of various approaches strengthened by the experience of successes and failures of the past.

have proved successful in the short-term. However, some of these interventions have had unintended, deleterious consequences as well. The manner of ‘resolution’ of conflicts in certain areas has led to fresh ones in others and to a continuous demand cycle. There is, however, no doubt that conflict prevention and resolution in the North East would require a judicious mix of various approaches strengthened by the experience of successes and failures of the past.

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S K Pillai, “Insurgencies in North East India”

Sujit Choudhry, “Terrorism in the North East”

Sujit Choudhry and J Leong, “Security and Development in India’s North East: An Alternative Perspective.”

S.K. Pillai, “Insurgencies in North East India”

Similarly, the virtual extortion racket run by various militant groups at a number of points, marking several transitions from one militant group’s area of influence to the next, collection of protection money from business and salaried classes etc have been extensively documented. Consequently, many observers feel that some parts of the North East now represent a state of ‘stable anarchy’ where the rule of law and other institutions of governance are subverted directly or through collusive arrangements, to serve personal or partisan ends of the militants.52
have proved successful in the short-term. However, some of these interventions have had unintended, deleterious consequences as well. The manner of ‘resolution’ of conflicts in certain areas has led to fresh ones in others and to a continuous demand cycle. There is, however, no doubt that conflict prevention and resolution in the North East would require a judicious mix of various approaches strengthened by the experience of successes and failures of the past.

12.4.2 In the context of the present Report, it may not be necessary to go into the details of the several initiatives taken under the various ‘modes’. In fact, the Commission has already considered, or is in the process of considering, some of these aspects in other Reports. Mention may, in particular, be made of the role of security forces in counter-insurgency operations dealt with by the Commission in its Fifth Report, on “Public Order”. That Report inter alia recommends that the Armed Forces (Special Powers) Act 1958 may be repealed in the North East with some of its provisions incorporated in the Unlawful Activities (Prevention) Act, 1967 to enable the Security Forces to have operational freedom consistent with human rights concerns. There are many other recommendations pertaining to Police reforms and toning up the local intelligence set up etc that would also apply to the situation in the North East. There are certain other aspects of dealing with the menace of insurgent outfits that will be dealt with in the report of the Commission on “Terrorism”.

12.4.3 The Commission would, however, like to reiterate that even in dealing with the purely ‘law and order aspects’ of insurgency and violence in the region, much greater reliance needs to be placed on the local police than has been the case so far. While deployment of the Armed Forces of the Union may be required, there is a strong case for minimising their use for operational purposes in a region which still continues to harbour a sense of alienation. Similarly, utilising the ‘non-policemen components’ of administration and civil society organisations for handling conflicts needs much greater attention than has so far been given. The needed measures to achieve these and similar objectives have been dealt with elsewhere in this Report.

12.4.4 The other mode of conflict resolution is the developmental approach. This approach embodies the thinking that if institutions of development are created in the region and plan outlays substantially increased, the problems of politics, society, ethnic strife, militant assertion and of integration will get minimised. From the 1980s, there has been substantial increase in public expenditure in the region and there is a stipulation that 10% of the spending of every Ministry/department in the Union Government should be earmarked for the North East. That the fruits of development have not adequately percolated to the beneficiaries is widely recognized. While a detailed analysis of the problem is beyond the remit of this Report, it must be conceded that the reasons for such failure vary from lack
Capacity Building for Conflict Resolution

The complexities in the region and the successes and failures of past efforts at conflict resolution call for urgent and innovative efforts to build capacity in different wings and levels of governance. Against the background given in the preceding paragraphs, the specific areas needing capacity building in the region for conflict resolution are examined as under:

(i) Capacity Building in Administration
(ii) Capacity Building in Police
(iii) Capacity Building in Local Governance Institutions
(iv) Capacity Building in Regional Institutions
(v) Capacity Building in other Institutions

12.6.1.1 Capacity Building in Administration

12.6.1.2 As stated earlier, issues relating to service conditions of officers working in the North-East will be discussed in the Commission’s Report on Refurbishing of Personnel Administration. However, since, there is a close link between a committed and stable administration and prevention and resolution of conflicts, it is necessary to briefly examine some of these issues. Until the 1970s, officers from outside Assam and the then Union Territories in the region were willing to serve in the North-East particularly on deputation for example from Punjab, Madhya Pradesh etc. Today, it is regarded as a punishment posting; one of the reasons being that almost all the States are affected, in one form or another, by insurgency or due to limited “professional” experience. Regional institutions involved with the development of the area such as the NEC which were once vibrant, are much less effective now, as discussed later in this Report. There is an urgent need to reverse this trend. Government of India, in recognition of the difficult conditions in the North East, has already given several special incentives and facilities to officers working in this region. Perhaps, these need to be enlarged with more choices like permitting officers to have government accommodation at a place of their choice rather than at the last place of posting. Similarly, opportunities to work in larger States for increased professional experience is also advisable. Simultaneously, there should be more opportunities for local officers including those from the Technical Services on secondment to serve outside their States. Setting up regional training institutions for administrative and technical officials, liberal funding for obtaining higher qualifications in the country and abroad are some other incentives which should be provided.
governments in the region. Recent developments such as the establishment of elected village councils in the Sixth Schedule areas in Tripura, the successful initiative of elected VEC and AEC in Meghalaya to implement the NREGA, the effective involvement of the largely elected Village Area Development Committees in Nagaland and the initiation of communisation are all testimony of how democratic processes in village governance and development can yield positive results. This would call for bringing elements of democratic processes in local governance and development in the North East. In particular, there is need for introducing village self-governance in the Sixth Schedule areas (as appropriate to the specific conditions in each State), strengthening and providing resources to the autonomous councils to carry out their assigned executive responsibilities and for making suitable changes in respect of the tribal areas outside the Sixth Schedule and the tribe-specific Councils of Assam. It would also require revamping of the existing system of delivery of public services by entrusting this responsibility to the local bodies. These aspects are dealt with later in this Chapter.

12.6 Capacity Building for Conflict Resolution

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12.6.1 Capacity Building in Administration

12.6.1.1 While the issues related to personnel management of the All India Services including those serving in the North Eastern States will be dealt with by the Commission, in a subsequent report, the subject cannot be ignored in the context of conflict management in the region. Familiarity with the place and its issues, professional competence and a sense of empathy with the people are all essential pre-requisites for civil servants belonging to both the All India Services as also to the services under the State Governments. At present, a majority of the direct recruits to the All India Services are from outside the region. Till 1968, senior administrative positions in Manipur, Tripura, Nagaland and NEFA (as Arunachal Pradesh was then known) were held by a region-specific Indian Frontier Administrative Service (IFAS) consisting of officers drawn from the Armed Forces, academics and other services who volunteered to serve in the area. This Service was merged with the IAS for a variety of reasons including the desire of its members to have better career opportunities. Even thereafter, the problem of officers willing to serve in the region persists. This is due both to disinclination of outsiders to serve in the region and to the limited number of posts available at senior levels within the region. Local officials, both direct recruits and ‘promoters’, on the other hand, also complain about limited opportunities for professional development as they do not get adequate opportunities to serve outside the region. Members of the State services, particularly, have limited exposure to diverse work situations. The extreme shortage of officers in the North Eastern States is attributed by many to the system of cadre allotment in the All India Services as per which insiders have very little chance of being allotted their home state. Government of Nagaland, for example, has contended that the present roster system enabled just one Naga candidate to be allotted to the home cadre in over a decade.

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12.6.1.3 Institutional capacity building within the administrative apparatus is as important as capacity upgradation of administrative personnel. The political executive, within the North Eastern States, too, needs to be sensitised to the imperatives of systemic reforms for peace, order and development. Initiatives for good governance in the region would include laying down a concrete charter for administrative reforms and good governance in the region in close association with the States and its systematic monitoring by the NEC. There is also a case for taking into account the performance of States in fulfilling their commitments under the charter of the NEC for determining their eligibility for special economic packages or other specified items of funding.

12.6.1.4 Recommendations

a. Greater opportunities may be provided to officers serving in the region to serve outside the North East to gain greater exposure to diverse work situations. Local and technical officers from the State should also be given opportunities to serve in larger States and to improve their professional qualifications through training in the country and abroad.

b. Incentives available for officers working in the North East should be increased.

c. Regional training institutions for various branches of administration, including the technical services may be operated by the North Eastern Council.

d. NEC may initiate discussions with the States to examine the legal implications and feasibility of regional cadres for senior positions in technical and specialised departments under the States.

e. NEC and the Ministry of Home Affairs may, in collaboration with the States, draw up an agenda for administrative reforms for the region with its implementation being monitored systematically. Satisfactory performance in implementation of this charter may qualify the States to additional funding including special economic packages.

12.6.2 Capacity Building in Police

12.6.2.1 The only regional level institution for training police officials is the North Eastern Police Academy (NEPA) near Shillong which caters to the induction level training of Gazetted police officers of all States in the region other than Assam. Due to limited intake capacity and non-availability of appropriately trained instructors, to which attention was drawn by the Committee on Police Reforms (Padmanabhih Committee), the institution has had limited impact. NEPA has the potential to be the nodal training institution for civil police officers in handling insurgency. The institution needs to be strengthened through augmentation of infrastructure and induction of instructors from various sources including the Central Police Organisations on attractive conditions. Considerable financial and other incentives are necessary to induce police officers with proven track record in operational matters to work in the academy.

12.6.2.2 On the subject of sufficiency of the police force in the North East, the same Committee noted:

“The availability of policemen per hundred square kilometers of area is higher in the Northeastern States, compared to all-India average, taking into account the thin population and terrain conditions. Compared to all-India average of 42 policemen for hundred square kilometers of area, Tripura has 117 policemen, Nagaland 91 and Manipur 63. In terms of population, the availability is certainly very high. Compared to the all-India average of 136 policemen per lakh of population, Nagaland has 950, Mizoram 752 Manipur 593 and Tripura 341. We beg to differ on this point. The situation in major parts of India is highly different from the situation that prevails in the states comprising the Northeastern part of our country. It does not admit of any comparison. The work load on different aspects of police work in each North Eastern state has to be assessed taking to account the various duties performed by the police in each such state in the last three years and the requirement of staff needs to be worked out.”

12.6.2.3 The Commission agrees with the findings of the Committee. It is imperative that norms of deployment are worked out for each State having regard to the local situation so that the benefits of (at least) relatively comfortable police strength are available to the largely insecure population. Inter-State movement of police personnel at all levels is as important as similar ventures in civil administration. If opportunity could be provided to police officials, particularly at the level of Inspectors (and equivalent in the armed police) to serve in the Central Police Organisations, the results should be particularly rewarding for developing professionalism. Bringing officers from outside the region will also have similar benefits.

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b. Concrete steps are needed to introduce a scheme of deploying police personnel from the region to Central Police Organisations and to encourage deputation of police officers from outside the region to the North Eastern States.

12.6.3 Capacity Building in Local Governance Institutions

The North East, for reasons of history and ethnic diversity, has a wider variety of local self-governance institutions than elsewhere in the country. Some of the more important institutions are discussed under the following heads:

- Sixth Schedule Councils;
- Village self-governance in the Tribal North East;
- Tribe Specific Councils in Assam; and
- Other issues of Local Governance.

12.6.3.1 Sixth Schedule Councils

12.6.3.1.1 It may not be necessary to deal with the details of this Schedule adopted under Article 244 of the Constitution beyond very briefly noting its essential outlines. It was adopted primarily to address the political aspirations of the Nagas (who, however, refused it on the ground that it offered ‘too little’). In essence, it lays down a framework of autonomous decentralised governance in certain predominantly tribal areas of undivided Assam with legislative and executive powers over subjects like water, soil, land, local customs and culture. Many aspects of local governance are entrusted to the largely elected autonomous District Councils mentioned in the table annexed to the Schedule while the manner in which the Councils are to function has been laid down in the substantive paragraphs of the Schedule. The subjects assigned to the Councils outside Meghalaya have been vastly expanded over the years – for the Bodoland Territorial Council established in 2003 the jurisdiction embraces almost all the items in Lists II and III. Except Tripura and Bodoland Councils, these bodies have also been given judicial powers to settle certain types of civil and criminal cases. Legislations passed by the Autonomous Councils come into effect only after the assent of the Governor. While the power to amend the Schedule vests in Parliament through an ordinary legislation, the Governor has the power to create a new autonomous district or merge such districts on the recommendation of a Commission to be appointed by the Governor and to vary the area of such districts or to include or exclude such areas within such districts without the recommendations of the Commission. This Commission is also expected to examine and submit the state of administration in the autonomous districts.

12.6.3.1.2 The original areas under the Schedule were the present States of Meghalaya, Nagaland and Mizoram and North Cachar and Karbi Anglong (originally known as Mikir Hills) districts of Assam. While, as already noted, the Naga areas refused to elect a Council, the Mizo Council (initially, called the Lushai Hills Council) was dissolved following the formation of the Union Territory of Mizoram in 1972. Subsequently, five more Councils were created viz; three smaller councils in Mizoram representing non-Mizo minority tribes –Mara, Chakma and Lai; one Autonomous Council straddling tribal areas spread all over Tripura and a Territorial Council for three districts in Assam with a majority of Bodo tribes. Later, the powers of the ‘Assam Councils’ were enlarged to include subjects like primary education, health and welfare. The Bodoland Council in fact, now enjoys almost all the powers in Lists II and III of the Seventh Schedule.

12.6.3.1.3 The Sixth Schedule Councils have thus been given more powers than the local bodies (before or even after the Seventy-third Amendment), in the rest of the country. While many areas under the Schedule have seen turmoil and violence, it is generally agreed that the autonomy paradigm prescribed under it has brought a degree of equilibrium within tribal societies particularly through formal dispute resolution under customary laws and through control of money-lending etc. In Assam, Tripura and Mizoram, the autonomous Councils have power to decide if a State legislation, on a subject under the competence of the Council, may not apply or only apply with such exceptions as may be decided by these bodies within their territories. Union legislations on similar subjects can be excluded from applying to these areas by the State Government in Assam and the Union Government in the other two States. Such areas are visualised as administratively ‘self-sufficient’. In fact, the Schedule has meant State level executive agencies withdrawing from such areas as became evident in the context of disturbances in Karbi Anglong. Meghalaya displays a peculiar situation as, despite the formation of the State, (and unlike Mizoram), the whole of the State continues to be under the Sixth Schedule causing frequent conflicts with the State Government which, however, enjoys certain overriding powers over these bodies including the supremacy of State legislation vis a vis ‘Council legislation’. While the continuance of autonomous Councils in Meghalaya is said to have contributed to maintenance of inter-tribe equations, the arrangement has frequently resulted in conflicts with the State Government as was explained to the Commission during its visit to Meghalaya in January 2007. It was argued by the State officials that the arrangement of the geographical area of the State and
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the Councils being identical, was unprecedented in the region. It was also contended that in the circumstances of a predominantly tribal State like Meghalaya, district level legislative bodies were no longer necessary.

12.6.3.1.4 During the Commission’s visit to Assam and Meghalaya, representatives of the Councils expressed dissatisfaction about their inter-face with the State Governments concerned – there was a feeling that these autonomous bodies are treated as extensions of the Government. While the various provisions of the Schedule create an impression that the Governor under that Schedule is to act at his discretion, the present position is that in almost all matters the Governor acts on the aid and advice of the Council of Ministers. This is an important issue. There are provisions in the Schedule which envisage a role for the State Government. Paragraph 14(3), for instance, requires that one of the Ministers of the Government be put in charge with the subject of autonomous districts. Sub-paragraph (2) of the same provision requires that the report of Commission for inquiring into the affairs of autonomous Districts and creation of new Districts etc will be laid before the State legislature. Similarly, paragraph 15 dealing with annulment of resolutions and suspension of Councils, and paragraph 16 which enables their dissolution are subject respectively to the powers of revocation and approval of the State legislature. For matters requiring approval or ratification of the Assembly, it is obvious that the Governor would be acting on the ‘aid and advice’ within the meaning of Article 163 (1) of the Constitution and not on his discretion. There are other provisions, however, where there is scope for the Governor to act in his judgment after obtaining inputs from suitable sources including the State Government. Some of these provisions would appear to be conferring of powers on the Councils under the Code of Civil Procedure (CPC) and the CrPC (para 5); powers to approve Council legislations and regulations (paragraphs 3 and 8); resolving disputes about mining licences and leases (para 9) etc. The Commission is of the view that having regard to the spirit of the wide autonomy that underlines the Sixth Schedule, this aspect needs to be examined by the Ministry of Home Affairs.

12.6.3.1.5 At the commencement of the Constitution and for more than two decades thereafter, all the Autonomous Districts were located within the State of Assam. It was therefore quite in order in that State for the Governor to appoint a Commission to inquire into the state of administration in such districts and to examine other matters mentioned in paragraph 14. With four States now having such districts, this arrangement deserves reconsideration. Besides, in the last two decades this provision has not been invoked at all resulting in lower standards of governance in these sensitive areas. In the opinion of the Commission, there is a case for a common Commission for all Autonomous Districts under the Schedule by the Union Government and for providing appointment of such a Commission at fixed intervals. The Commission also notes that a similar recommendation has been made by the Expert Committee of the Ministry of Panchayati Raj headed by one of its members (Shri V. Ramachandran).

12.6.3.1.6 Another emerging area of conflict is the rising disparity between the autonomous Councils and the local bodies established in pursuance of the Seventy-third Amendment at the latter are being more liberally funded through the State Finance Commissions. This disparity is likely to become particularly important in Assam and Tripura where both categories of local bodies co-exist. Similarly, there is a feeling of discontent in the two older Councils of Assam over what is perceived as preferential treatment to the new autonomous Council viz the Bodoland Territorial Council, in the matter of procedures relating to release of funds as well as the basis of budget allocations etc. While Article 243 M (1) expressly exempts areas under the Sixth Schedule from operation of the Seventy-third Amendment, there is no bar on some of the arrangements introduced by it to be engrafted in that Schedule.

12.6.3.1.7 Recommendations

a. To avoid complaints of less favourable treatment to ‘Scheduled Areas’ in certain respects, suitable amendment may be made in the Sixth Schedule of the Constitution to enable the Autonomous Councils to benefit from the recommendations of State Finance Commissions and the State Election Commissions provided respectively under Articles 243I and 243K of the Constitution of India.

b. The Union Government, Government of Meghalaya and the Autonomous Councils in that State may review the existing pattern of relationship between the Councils and the State Government to evolve a satisfactory mechanism to resolve conflicts between the Councils and the State Government.

c. Ministry of Home Affairs may, in consultation with the concerned State Governments and the Autonomous Councils, identify powers under the Sixth Schedule that Governors may exercise at their discretion without having to act on the ‘aid and advice’ of the Council of Ministers as envisaged in Article 163 (1) of the Constitution.

d. Paragraph 14 of the Sixth Schedule may be suitably amended to enable the Union Government to appoint a common Commission for all autonomous districts for assessing their state of administration and making other recommendations envisaged in that paragraph. A periodicity may also be provided for the Commission.
the Councils being identical, was unprecedented in the region. It was also contended that in the circumstances of a predominantly tribal State like Meghalaya, district level legislative bodies were no longer necessary.

12.6.3.1.4 During the Commission’s visit to Assam and Meghalaya, representatives of the Councils expressed dissatisfaction about their interface with the State Governments concerned – there was a feeling that these autonomous bodies are treated as extensions of the Government. While the various provisions of the Schedule create an impression that the Governor under that Schedule is to act at his discretion, the present position is that in almost all matters the Governor acts on the aid and advice of the Council of Ministers. This is an important issue. There are provisions in the Schedule which envisage a role for the State Government. Paragraph 14(3), for instance, requires that one of the Ministers of the Government be put in charge with the subject of autonomous districts. Sub-paragraph (2) of the same provision requires that the report of Commission for inquiring into the affairs of autonomous Districts and creation of new Districts etc will be laid before the State legislature. Similarly, paragraph 15 dealing with annulment of resolutions and suspension of Councils, and paragraph 16 which enables their dissolution are subject respectively to the powers of revocation and approval of the State legislature. For matters requiring approval or ratification of the Assembly, it is obvious that the Governor would be acting on the ‘aid and advice’ within the meaning of Article 163(1) of the Constitution and not on his discretion. There are other provisions however, where there is scope for the Governor to act in his judgment after obtaining inputs from suitable sources including the State Government. Some of these provisions would appear to be conferment of powers on the Councils under the Code of Civil Procedure (CPC) and the CrPC (para 5); powers to approve Council legislations and regulations (paragraphs 3 and 8); resolving disputes about mining licences and leases (para 9) etc. The Commission is of the view that having regard to the spirit of the wide autonomy that underlines the Sixth Schedule, this aspect needs to be examined by the Ministry of Home Affairs.

12.6.3.1.5 At the commencement of the Constitution and for more than two decades thereafter, all the Autonomous Districts were located within the State of Assam. It was therefore quite in order that the State for the Governor to appoint a Commission to inquire into the state of administration in such districts and to examine other matters mentioned in paragraph 14. With four States now having such districts, this arrangement deserves reconsideration. Besides, in the last two decades this provision has not been invoked at all resulting in lower standards of governance in these sensitive areas. In the opinion of the Commission, there is a case for a common Commission for all Autonomous Districts under the Schedule by the Union Government and for providing appointment of such a Commission at fixed intervals. The Commission also notes that a similar recommendation has been made by the Expert Committee of the Ministry of Panchayati Raj headed by one of its members (Shri V. Ramachandran).

12.6.3.1.6 Another emerging area of conflict is the rising disparity between the autonomous Councils and the local bodies established in pursuance of the Seventy-third Amendment as the latter are being more liberally funded through the State Finance Commissions. This disparity is likely to become particularly important in Assam and Tripura where both categories of local bodies co-exist. Similarly, there is a feeling of discontent in the two older Councils of Assam over what is perceived as preferential treatment to the new autonomous Council viz the Bodoland Territorial Council, in the matter of procedures relating to release of funds as well as the basis of budget allocations etc. While Article 243 M (1) expressly exempts areas under the Sixth Schedule from operation of the Seventy-third Amendment, there is no bar on some of the arrangements introduced by it to be engrafted in that Schedule.

12.6.3.1.7 Recommendations

a. To avoid complaints of less favourable treatment to ‘Scheduled Areas’ in certain respects, suitable amendment may be made in the Sixth Schedule of the Constitution to enable the Autonomous Councils to benefit from the recommendations of State Finance Commissions and the State Election Commissions provided respectively under Articles 243I and 243K of the Constitution of India.

b. The Union Government, Government of Meghalaya and the Autonomous Councils in that State may review the existing pattern of relationship between the Councils and the State Government to evolve a satisfactory mechanism to resolve conflicts between the Councils and the State Government.

c. Ministry of Home Affairs may, in consultation with the concerned State Governments and the Autonomous Councils, identify powers under the Sixth Schedule that Governors may exercise at their discretion without having to act on the ‘aid and advice’ of the Council of Ministers as envisaged in Article 163(1) of the Constitution.

d. Paragraph 14 of the Sixth Schedule may be suitably amended to enable the Union Government to appoint a common Commission for all autonomous districts for assessing their state of administration and making other recommendations envisaged in that paragraph. A periodicity may also be provided for the Commission.
12.6.3.2 Village Level Self-governance in the Tribal North East

12.6.3.2.1 Another area of potential resentment and dissatisfaction is the virtual absence of elected representative bodies at the village level in most of the Scheduled areas. With Panchayat Raj bodies stabilising over much of the North East including Arunachal Pradesh (an area that was kept out of the Sixth Schedule, on the grounds that it was too ‘primitive’) there is bound to be a feeling of deprivation in areas left out. At the commencement of the Constitution, there was no village level elective element even in the non-Scheduled areas. Therefore, there was nothing unusual in the Sixth Schedule neglecting village self governance. The situation has, over the years, changed significantly. Within the Sixth Schedule areas some innovation like elected village councils in Tripura and the partially elected Village Executive Committees being tried in parts of Meghalaya for overseeing implementation of the National Rural Employment Guarantee Act attest to the realisation of the importance of village level representative institutions. In the non-Scheduled areas, Nagaland has formalised Village Area Development Boards as a ‘mix’ of traditional village leaders and elected representatives with a role in village governance. Mizoram and the hill areas of Manipur have no formal village level representative bodies. In some tribal districts of Assam, in fact, elected village Panchayats were in existence prior to these areas being brought under the Sixth Schedule; they have ceased to exist since then.

12.6.3.2.2 An examination of the Sixth Schedule reveals that it gives ample scope for providing village self-governance. Clauses (e) and (f) of paragraph 3 (1) provide for establishment of, inter alia, Village Committees / Councils and investing them with powers and other functions relating to village administration including village policing, public health and sanitation etc. There is nothing in these clauses to suggest that these bodies cannot be elected. Given the scheme of the Schedule, establishment of elected village Councils will require suitable legislations by the Autonomous Councils concerned. To induce the Councils to adopt this ‘reform agenda’, it may be necessary to link discharge of this responsibility with release of part of the grants to the Councils. Whether elected village Councils should necessarily replace traditional village headmen is a ticklish question and has to be approached with tact, caution and patience.

12.6.3.2.3 Wherever justice is administered by village level institutions, particularly in the Sixth Schedule areas, the laws applicable particularly in respect of land and boundary disputes are local customary laws. In the absence of codification of such laws, there is often ambiguity about their integration resulting in parties being dis-satisfied and this age old system of conflict resolution becoming less effective. This underscores the need for codification of customary laws including those based on local usage. The codification of the customary laws by the Chakma Autonomous Council in Mizoram is generally recognised as a conspicuous success. It is imperative that in all States where by virtue of the Sixth Schedule or other laws, village bodies administer justice, the applicable laws are duly codified by the tribes with the help of the government.

12.6.3.2.4 Recommendations

a. Measures should be taken to ensure that all the Autonomous Councils pass suitable legislation for establishing of village level bodies with well defined powers and a transparent system of allocation of resources.

b. Stipulation may be made in the rules relating to release of grants to the Autonomous Councils to the effect that passage of appropriate legislation for elected village level bodies and its implementation, will entitle the Councils to additional funding.

c. To enable the Autonomous Councils to discharge their responsibilities satisfactorily, it is imperative that the requirement of funds by these bodies is worked out normatively with reference to the minimum standards of service to be provided and capacity to raise local resources. Such exercise could be undertaken by the State Finance Commission.

b. Nagaland has made commendable efforts to usher in a paradigm of decentralised village self-governance which combines the elective element with traditional power centers. The Ministry of Rural Development should formally recognise this arrangement for implementation of various development and poverty alleviation initiatives.

e. Government of Meghalaya may take steps for extension of the experiment of elected village committees in the Garo Hills for implementation of the National Employment Guarantee Act throughout the State for implementation of all rural development programmes.

f. It is imperative that in all States where village bodies administer justice under customary laws by virtue of the Sixth Schedule or other laws, such laws are duly codified.
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12.6.3.3 Tribe Specific Councils in Assam

12.6.3.3.1 Six tribe-specific Councils straddling twelve districts of Assam exist in areas where three-tier Panchayati Raj Institutions have already been established along with corresponding village councils. An unusual feature of the Councils is that in order to cover as many habitations of the ‘tribe concerned’ as possible their jurisdiction not only transcends district boundaries but also ‘skips’ areas lacking the relevant population to cover pockets of that population in the so called ‘satellite areas’. In other words, the jurisdiction of such Council is often spread over geographically ‘non-contiguous’ areas. These bodies are a culmination of conflict resolution exercises undertaken by the Government of Assam to deal with assertion of identity by the tribes concerned. In fact, each of the Councils is the result of ‘accords’ entered between the government and the tribe concerned during the 1990s.

Table 12.2: Summary Information of “Tribe Specific” Autonomous Council in Assam

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<tr>
<th>Council</th>
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<th>Districts</th>
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<th>Satellite areas</th>
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<tbody>
<tr>
<td>Rabha Haung AC</td>
<td>5.53 (1.84)</td>
<td>South Kamrup &amp; Goalpara</td>
<td>779</td>
<td>–</td>
</tr>
<tr>
<td>Sonowal Kachari AC</td>
<td>58.47 (1.94)</td>
<td>Dibrugarh, Tinsukhia, Dhemaji, Lakhimpur, Silchar &amp; Jorhat</td>
<td>451 (c)</td>
<td>(c)</td>
</tr>
<tr>
<td>Mising AC</td>
<td>74.23 (5.30)</td>
<td>Dhemaji, Sonitpur, Lakhimpur, Dibrugarh, Tinjukhia, Silchar, Jorhat &amp; Golaghat</td>
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<td>Lalong (Tinsu) AC</td>
<td>56.13 (3.50)</td>
<td>Morigaon, Nagaon &amp; Kamrup</td>
<td>262</td>
<td>153</td>
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<td>Deori AC</td>
<td>48.47 (3.44)</td>
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Note: (a) Figures in brackets indicate the population of the ‘relevant tribe’ within the overall ST population as per 1991 census (Tribe specific figures are not yet available for 2001 census); (c) Per Sonowal Kachari and Deori Autonomous Councils villages have not so far been segregated in “Core” and “satellite” areas; (d) Per Sonowal Kachari tribe was not separately enumerated in 1991 census; (e) Villages are yet to be notified for the Thengal Kachari Autonomous Council.

12.6.3.3.2 These Councils run parallel to the Zila Parishad while the village Panchayats and village councils under the Councils vie for virtually the same space. Even if the tribe specific arrangements and the Panchayati Raj structures are not mutually antagonistic, they certainly lack complementarities. This issue was examined by the One Member Committee on Tribal Affairs in Assam which gave a Report in 1996. The Committee observed as follows:

“The Bodoland Autonomous Council came into existence in 1993 as a result of Bodoland Autonomous Council Act, 1993. The other three Councils have been constituted in 1995 consequent on the passage of Rabha Haung Autonomous Council Act, 1995, the Lalong (Tinsu) Autonomous Council Act 1995 and the Mishing Autonomous Council Act, 1995. All the four Councils have interim nominated Council members. Elections to these bodies have yet to take place. In the meantime, as a result of the passage of the Seventy-third Constitutional Amendment Act, 1992, (copy at Annexure VIII) elected Panchayats have come into being in tribal areas in Assam and their jurisdiction has been notified. The Gaon Panchayats have been functioning and collecting taxes, etc. The State’s four legislations, mentioned above confer on the Councils powers similar to those exercisable by the Panchayats under the Assam Panchayat Act, 1992. Thus, an anomalous and piquant situation has emerged on account of self-management duality on the ground.”

12.6.3.3.3 The Committee was of the view that bringing these Councils under the Fifth Schedule would resolve this duality. However, as far as the Bodoland areas are concerned, these have already been given a special status under the Sixth Schedule by a constitutional Amendment in 2003.

12.6.3.3.4 In view of the lack of spatial cohesion of these bodies, their programmes in areas like rural roads, minor irrigation, control of soil erosion and village and cottage industries are impossible to implement. In fact, funding of these bodies is exclusively dependent on allocations from the tribal sub-plan and the outlays available from this source by no means match the requirements projected by the Councils. The Commission appreciates the fact that compelling socio-political and administrative reasons had weighed with the State Government in establishing these bodies. Aspirations of tribes not dominating a geographically discrete area could perhaps be met only through imperfect solutions like these. The arrangement, however, gives cause for concern as to its long-term viability and apprehension that this conflict resolution measure could spawn more conflicts. Clearly, efforts must be made to ensure that, as far as possible, the role to be performed by tribe specific bodies does not overlap those of the Panchayati Raj Institutions and that mechanisms exist to prevent and iron out differences between the two streams. It should be kept in mind that in areas of mixed ethnic composition, existence of bodies with overlapping jurisdiction could exacerbate conflicts. The basic objectives could best be achieved if the functional responsibilities of the two streams are kept distinct.
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Source: Reports/documents of the State Government.

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12.6.4.1 The North Eastern Council

12.6.4.1.1 The most significant ‘supra State’ institution of the region is the North Eastern Council (NEC) set up in 1972, following the enactment of the North Eastern Council Act, 1971. Its creation was necessitated by the reorganisation of the region into five States and two Union Territories and in response to the twin needs of effecting better inter-State/UT coordination, for maintenance of internal security and for facilitating planned, integrated development of the North East. While the aspect of security coordination received adequate consideration by the NEC in its initial phases – the Inspector General of the Assam Rifles acted as ex-officio Security Adviser – this responsibility was subsequently assumed by the Ministry of Home Affairs and the NEC is now primarily an agency to prepare and finance development schemes of inter-State importance. It also runs a number of educational and training institutions catering to the requirements of the region.

12.6.4.1.2 NEC initially consisted of the ‘common Governor’ of the North Eastern States as its Chairman with the Lieutenant Governors of the UTs and all the Chief Ministers as members. After the appointment of separate Governors (1981), the practice of either the Governor of Assam or the senior-most Governor acting as its head was followed. Following
12.6.3.4 Other Issues of Local Governance

12.6.3.4.1 Arunachal Pradesh is the only State outside the Sixth Schedule area to which provisions of the Seventy-third Amendment apply. Nagaland, Manipur and most of Mizoram while being outside the Schedule are also exempted from the purview of the said Amendment. Out of these three States, Nagaland has made significant progress to provide at least partly elected village level institutions and to bring community participation in the delivery of services through a highly successful ‘Comunitisation Act’. Mizoram has abolished the hereditary village ‘chieftains’ and replaced them with elected Village Councils all over the State including the urban areas – the State capital Aizawl has a multiplicity of councils. Growing urbanisation requires provision of ‘integrated’ civic amenities for which the urban municipal model has proved very useful. It is understood that the State Government is contemplating a legislation to introduce a municipal body for Aizawl. This needs to be expedited.

12.6.3.4.2 In Manipur, the situation in the hill areas is a cause for concern. While the valley districts are covered under the Seventy-third Amendment, hill areas are in the exempted category. Six statutory autonomous Hill District Councils consisting of elected members with a right of participation by the legislators from the district functioned till 1990 when the next elections were due. Elections since then have not been possible as there has been a demand from a significant section of tribal population for bringing these areas under the Sixth Schedule. The demand is strongly opposed by the valley areas on the ground that it would lead to dismemberment of the State. In the absence of these Councils, grassroots level services like primary education, veterinary care and local arts and crafts have been adversely affected and a forum for ventilating local problems has also been dispensed with. It appears that after hardening of attitudes on both sides, not much efforts have been made to break the stalemate. Manipur continues to be the only State where elected village councils have not so far been set up while the village authorities involved with regulation of village affairs are largely a body of traditional village principals. In the absence of representative grassroots level bodies, selection of beneficiaries and monitoring of poverty alleviation schemes and similar interventions has suffered considerably. While much greater efforts are required to build consensus on the issue of District Councils in the State, urgent action is needed to bring in suitable legislation to introduce elected village self-governance in the hill areas of the State.

12.6.3.4.3 Recommendations

a. Government of Assam may apportion functions between the tribe specific Councils/village Councils and the Panchayati Raj Institutions in a manner that schemes involving individual tribal beneficiaries may be assigned to the ‘Tribe Specific Councils’ while area development schemes are left to the latter.

b. State Governments may initiate a system of meeting at least the establishment costs of the Councils from sources outside the tribal sub plan and build in these requirements in their projections to the next Finance Commission.

c. State Governments may take steps to identify innovative initiatives which could be entrusted to the Tribe Specific Councils without affecting area development concerns.

d. Suitable guidelines may be prepared for preparation of District and sub-District plans in the relevant areas through joint efforts of the Tribe Specific Councils and the Panchayati Raj Institutions.

e. While continuous and vigorous measures are needed to bring about a consensus between various sections of society in Manipur about revival of the Hill Districts Councils, steps may be urgently taken to bring in suitable legislation to introduce elected village level bodies in the hill areas of that State.

12.6.4 Capacity Building in Regional Institutions

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12.6.4.1.3 In the absence of a systematic overall organisational appraisal of the NEC so far, it is difficult to be categorical about its successes and failures. It is, however, a fact that like many other high level bodies, transaction of purposive business by the NEC has been hampered, as its proceedings tend to be dominated by rhetoric with limited time devoted to deliberations. Similarly, increasing State plan outlays, coupled with ever increasing central subventions through statutory transfers, centrally sponsored schemes and ad hoc allocations have resulted in a ‘shift of attention’ of the member-States from this regional institution. It must however be acknowledged that NEC sponsored schemes have contributed significantly to improve inter-State road and air connectivity, substantially augment power distribution and harmonious regional cooperation. It is agreed by all that the inter-State institutions of medical, dental, technical and paramedical education established and maintained by it in different parts of the region have not only added to the development of human resources but have also enhanced better understanding between different areas within the region.

12.6.4.1.4 To review the role of the NEC in conflict reduction, reference may first be made to the mandate given to it originally under Section 4 of its Act, and the present position. Initially, the Council had a three-fold mandate of (a) considering issues in which two or more States of the region had an interest and to advise the Central Government in the matter; (b) preparation of regional plans and (c) security coordination in the region. Following the amendments, its present charter is:

(a) To function as a regional planning body;
(b) To finance and implement projects of benefit to two or more States (except Sikkim);
(c) To review the pace of development in the region particularly in the context of the regional development plans; and
(d) To review measures taken by the States to maintain security and public order in the region.

12.6.4.1.5 For the purposes of this Report, the role of the NEC in conflict resolution may be studied in three contexts – NEC as an inter-State coordinating body; NEC as a Regional Planning body and its role in ensuring maintenance of Public Order. These aspects are briefly considered in the succeeding paragraphs.

12.6.4.1.6 One of the primary functions of the Council is to act as a forum to review the pace of development in the region. The amendment in the mandate of the Council which withdrew the power to discuss ‘issues of common interest to two or more States and to advise the Union Government thereon’ has already been referred to. The ‘withdrawn responsibility’ was identical to the mandate given to the Zonal Councils under the States Reorganisation Act, 1956. While the Commission is not recommending the rejuvenation of the Zonal Councils in other regions for the reasons mentioned in Chapter 14, it is clear that in matters like movement of supplies, including food-grains and passengers, local taxation policies and border disputes etc, a coordinating and problem solving forum is still highly relevant for the North Eastern Region. It is, therefore, imperative that the original provisions for inter-State coordination with its direct nexus with conflict resolution is restored.

12.6.4.1.7 The amendments to the NEC Act of 2002, as noted earlier, while somewhat narrowing the scope of the advisory jurisdiction of the Council more explicitly states its responsibility to review maintenance of security and public order. Earlier, this responsibility devolved only indirectly as part of the coordinating and advisory role of the NEC, it nevertheless found adequate reflection in the agenda of the Council. Explicit introduction of this responsibility through the 2002 amendment, creates problems for the DONER, as the ‘administrative Ministry’ for the NEC. DONER has been assigned no role in the sphere of security in the region. NEC, therefore, has to directly deal with the Ministry of Home Affairs in discharging this responsibility. The larger issue is how to work out the modalities of discharging this responsibility. It is clear that if the ambit of ‘internal security reviews’ has to extend even a little beyond holding meetings, the NEC secretariat will need to be more actively involved in security coordination issues. To facilitate meaningful reviews, the Council secretariat must involve itself with the emerging developments in the field. Ministry of Home Affairs (MHA) also needs to take a view whether ‘security and public order reviews’ under the aegis of the NEC offer benefits which cannot be had by the MHA’s own reviews. MHA must further consider whether special empowerment of the NEC entailed by this responsibility will result in increased administrative burden on the agencies normally involved in monitoring the law and order scenario in the region. To effectively coordinate or even assist in deliberations on internal security related issues, the Council secretariat would need suitable augmentation. In short, adequate preparatory arrangements are necessary if the renewed mandate of the NEC for internal security reviews is to be meaningfully discharged.

12.6.4.1.8 With intra-regional disparities and uneven distribution of the fruits of development becoming increasingly evident within the North East, the role of regional
an amendment in the NEC Act in 2002, Sikkim has been added as a member and, due to its non-contiguity with other member-States, ‘stand alone’ schemes can be sanctioned for this State. Through this amendment provision was also made for nomination of the Chairperson of the NEC by the President and for positioning some full-time members. In pursuance of that provision and on the recommendations of an expert Committee (2003), it was decided that normally, the Union Minister for Development of the North Eastern Region shall preside over the NEC. Two full-time members have also been inducted to the Council.

12.6.4.1.3 In the absence of a systematic overall organisational appraisal of the NEC so far, it is difficult to be categorical about its successes and failures. It is, however, a fact that like many other high level bodies, transaction of purposive business by the NEC has been hampered, as its proceedings tend to be dominated by rhetoric with limited time devoted to deliberations. Similarly, increasing State plan outlays, coupled with ever increasing central subventions through statutory transfers, centrally sponsored schemes and ad hoc allocations have resulted in a ‘shift of attention’ of the member-States from this regional institution. It must however be acknowledged that NEC sponsored schemes have contributed significantly to improve inter-State road and air connectivity, substantially augment power distribution and harmonious regional cooperation. It is agreed by all that the inter-State institutions of medical, dental, technical and paramedical education established and maintained by it in different parts of the region have not only added to the development of human resources but have also enhanced better understanding between different areas within the region.

12.6.4.1.4 To review the role of the NEC in conflict reduction, reference may first be made to the mandate given to it originally under Section 4 of its Act, and the present position. Initially, the Council had a three-fold mandate of (a) considering issues in which two or more States of the region had an interest and to advise the Central Government in the matter; (b) preparation of regional plans and (c) security coordination in the region. Following the amendments, its present charter is:

(a) To function as a regional planning body;
(b) To finance and implement projects of benefit to two or more States (except Sikkim);
(c) To review the pace of development in the region particularly in the context of the regional development plans; and
(d) To review measures taken by the States to maintain security and public order in the region.

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12.6.4.1.8 With intra-regional disparities and uneven distribution of the fruits of development becoming increasingly evident within the North East, the role of regional
planning in anticipating and moderating grievances and ensuring sustainable growth has become more relevant. Factors like a common resource base, comparable agro-climatic systems and similar environment, all make the North East a logical unit of regional planning. It is beyond the scope of this Report to dilate on the conflict prevention benefits of planned development except for noting that this nexus is often neglected to the detriment of deriving optimal benefits from this process. Inter-State projects, particularly in communication and the many regional institutions imparting a variety of professional education, and services like tertiary health care have definitely promoted regional amity and cohesion. It is open to serious doubt, however, whether despite positive contributions of the organisation to the development of a very disadvantaged region of the country, it has been able to live up to its statutory mandate of being a ‘regional planning body’. With very similar resource bases and opportunities, the States of the region are increasingly in competition among themselves – a competition with a potential to escalate local conflicts, but which could be canalised on productive lines. Lastly, it needs to be noted that Section 4 of the NEC Act treats the responsibility of regional planning as distinct from holding reviews of development and financing schemes.

12.6.4.1.9 The moot point is whether an adequate policy framework and resources have been provided to the NEC to enable it to prepare regional plans and to guide the member-States towards integrated regional development. A related issue is that of evolving suitable methodologies by the Council to carry out regional planning. Likewise, it needs to be addressed whether the different Ministries of the Union Government with a role in the development of the region have effectively involved NEC in their development initiatives. Devising and improving planning methodologies do not form part of terms of reference of this Commission. As governance and development are so intertwined in the North East, a possible outline of a scheme to initiate the practice of regional planning may be indicated:

(a) Regional Plans cannot supplant State plans – such an exercise will be counter-productive. Regional plans must, therefore, be primarily directed (at least to begin with) at reducing disparities and avoiding infructuous inter-State competition. Mechanisms of implementing such plans and the inter se responsibilities of the States, the NEC and the Union Government (including the Planning Commission) will need to be worked out in detail.

(b) NEC can fulfils its role as a regional planner, in the sense outlined above, if the procedures and methods of formulation of plans are so amended by the Planning Commission that NEC becomes an active participant in all aspects of planning in the region and in the member-States.

(c) Similarly, some of the ‘heads of development’ could be transferred out of the State plans and dealt with as part of the regional plan.

(d) The Union Government will need to work out ways and means of involving NEC with the schemes and programmes of various nodal ministries so that the content and delivery of such programmes adequately reflect the region specific concerns.

(e) Institutionalising regional planning will entail considerable upgradation and diversification of expertise within the NEC secretariat including appointment of a Security Adviser.

(f) Regional planning is particularly relevant to ensure that the ‘strengths’ of the region are properly utilised. These strengths include the relatively comfortable land availability and the vast hydroelectric potential (particularly of Assam and Arunachal Pradesh) with its potential of more than 40000 Mega Watts promising to make the region the ‘power supplier to the nation’. Regional planning is equally relevant for removing some major inhibiting factors in the development of the region like prevention of floods, control of soil erosion and large-scale watershed developments etc. In short, certain ‘subjects’ of planning can be more gainfully taken up at the supra-State or regional level. It is desirable that a 10-year perspective plan is prepared for the entire region encompassing areas like development of human resources and infrastructure. A governance reform agenda should also form part of this plan. This comprehensive plan may be reviewed by the Prime Minister regularly with the Chief Ministers.

12.6.4.2 DONER

12.6.4.2.1 An important organisational issue in the context of the North East is the formation, initially, of a Department for Development of the North Eastern Region (DONER) within the Ministry of Home Affairs in 2001 and its subsequent upgradation to a full fledged Ministry in 2004. Despite the formation of this Ministry, the Government of India (Allocation of Business) Rules do not give overall ‘nodal responsibility’ for the region to DONER – this continues with the Ministry of Home Affairs. The Rules only declare DONER to be the nodal Ministry for the NEC; its other duties are, (i) administration of the ‘Non Lapsable Cental Pool of Resources’ (NLCP), (ii) development of irrigation, power, and road works financed from central funds, (iii) development of roadways and waterways in the region and (iv) implementation of special economic packages sanctioned for individual States. The concurrent existence of DONER and NEC has posed issues of coordination and duplication of efforts. It also deprivs the North Eastern States of the expert guidance of nodal Ministries like Power and Water Resources as these Ministries have often taken the view that insofar as the North East is concerned, their responsibilities are now substantially taken over by DONER. It is also clear that the division of development and other responsibilities between the MHA and DONER is not conducive to long term
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12.6.4.2.2 During the visits of the Commission to the North East in January and July, 2007, it was strongly contended by a cross-section of public opinion and most of the State Governments that the existence of DONER, apart from compromising the efficacy of the NEC, has also no added advantage for the development of the region. There was consensus that meaningful monitoring of its development is more effectively achieved from Shillong (the NEC headquarters) than by DONER operating from Delhi. At the same time, it was also argued that the limited technical expertise available locally makes it particularly important that the nodal Ministries in Government of India renew their interest in development of its water and power resources and augmentation of infrastructure – these Ministries appear to have ‘distanced’ themselves from interaction with the North East States after formation of DONER. The responsibilities cast on DONER with regard to various sectors are difficult to discharge unless the Ministry acquires in-house expertise to enable it to systematically monitor the relevant projects and schemes. Similarly, while the NLCPR offers an innovative mechanism to enable development in a situation of limited absorptive capacity, there is no reason to believe that its operation is best carried out by an exclusive agency; on the contrary, it would be both advisable and expedient if the implementation of initiatives financed from this ‘pool’ are steered by the subject matter Ministries.

12.6.4.2.3 After carefully taking into account all relevant factors, the Commission is of the view that continuance of a ‘stand alone’ Ministry with partial responsibility for the region is not in its long term interests. The Commission, therefore, recomends abolition of DONER. The Commission is further of the view that with the measures being recommended in this Report for making the NEC a more effective agency for the over-all growth of the North East through integrated regional planning and better inter-State coordination, some of the responsibilities of DONER like sanctions from the NLCPR and monitoring of special econmic packages could be carried out by the NEC (along with the Ministries concerned with the initiatives being financed from the pool).

12.6.4.2.4 The composition of the North Eastern Council as per the North Eastern Concil (NEC) Act includes the Governors and Chief Minister of States. After the establishment of DONER, the President under section 3(3) of the NEC Act has nominated the Union Minister in charge of DONER to be the Chairman of the North Eastern Council. In case DONER is abolished, a decision will have to be taken regarding nomination of a Chairman to this high-powered Board. Keeping in view the composition of the NEC, it is suggested that a senior Union Minister or an eminent person familiar with the region may be nominated as a Member of Council, with the rank of a Union Cabinet Minister and consequently as Chairman of the NEC.

12.6.4.3 Recommendations

a. The NEC Act, 1971 may be suitably amended to restore the original 'conflict resolution provision' requiring the Council to 'discuss issues of mutual interest to two or more states in the region and to advise the Central Government thereon'.

b. To enable the Council to assist effectively in the discharge of its responsibilities for reviewing the measures taken by the member-States for maintenance of security in the region, Ministry of Home Affairs should keep the Council Secretariat regularly within its 'security coordination loop'. The Council Secretariat would also need to be suitably strengthened to effectively assist in security coordination.

c. The Planning Commission needs to lay down a framework for preparation of integrated regional plans, with priorities and not as an assortment of schemes by the NEC. The regional plan should focus on areas with a bearing on intra-regional, inter-State priorities which have the potential of avoiding conflicts and promoting regional integration.

d. Planning Commission should ensure the association of the NEC in the State plan formulation exercise by suitably amending their guidelines.

e. The responsibility of sanctioning funds from the 'Non Lapsable Central Pool of Resources' (NLCPR) should be entrusted to the North Eastern Council (NEC). NEC should work out mechanisms for scrutinising proposals for funding from the 'pool' and their funding in coordination with the Ministries concerned.

f. It is desirable that a 10-year perspective plan is prepared for the entire region encompassing areas like development of human resources and infrastructure. A governance reform agenda should also form part of this plan. This comprehensive plan needs to be reviewed by the Prime Minister regularly with the Chief Ministers for speedy follow-up.

g. The Ministry for Development of North Eastern Region (DONER) may be abolished and the responsibility for the development of the region, including the infrastructure sectors, and utilisation of the non-lapsable fund should be restored to the subject matter Ministries, with the MHA acting as the nodal Ministry.
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12.6.5 Other Regional Institutions

12.6.5.1 There are more than ten institutions of inter-State/regional technical, medical and vocational education run by the NEC and a North Eastern Central Agriculture University with campuses in all States (including Sikkim) except Assam which have, over the years, contributed significantly in upgrading human resources of the region and enhanced inter-State understanding and cooperation. Such institutions have served an important purpose, though they have little direct role in conflict resolution. There are, also, regional level public sector units with marketing/promotional roles which were set up to facilitate peace and orderliness through economic development. Some of the important organisations are dealt with below:

NERAMAC or the North Eastern Regional Agricultural Marketing Corporation is a public sector company to promote marketing of agricultural and horticulture produce of the region including the processing of such produce. The Corporation has mainly tried to fulfil its mandate through running processing plants with very limited success. It is imperative that it concentrates on developing markets for the produce of the North East outside the region and facilitate entrepreneurs in setting up processing plants. The Corporation must also work towards reducing inter-State competition within the region by working out a mechanism of developing ‘niche products’ for every State in the region.

NEHHDC or the North Eastern Handloom and Handicrafts Development Corporation is meant to promote the age-old handloom and handicrafts sector of the region which are part of its culture and ethos. The decline of this sector has arguably contributed to a feeling of disaffection in the region but the activities of NEHHDC have so far not had the desired outcome of turning around this declining sector. The Ministry of Textiles may take a view about the viability of this organisation and recommend suitable measures for its revival or winding up.

NEDFI or the North Eastern Development and Finance Corporation is a company jointly promoted by a number of financial institutions to provide finance to industrial houses and entrepreneurs to establish concerns for development of various sectors of the economy of the region on commercial lines. The organisation has considerable unrealised potential.

NEC may, in association with the promoters, draw up a concrete action plan for the activities of this organisation.

Lastly, the Commission would like to draw attention to some of the regional level institutions which need much greater attention so that their benefits may accrue to the entire region. The North Eastern Hill University (NEHU) was set up in 1975 for nurturing the intellectual development of the entire region. While NEHU has developed some innovative academic programmes, establishment of Universities in each of the Hill States, and two additional Universities in Assam has resulted in diluting the ‘academic leadership’ role for NEHU. There is a case for developing this institution as a centre for excellence for regional issues in economics, politics, culture, society and environment which transcend inter-State borders. It could also play a major role as a resource centre for good governance and administration for the region. Similarly, the North Eastern Indira Gandhi Regional Institute of Health & Medical Sciences (NEIGRIHMS) Shillong, apart from being commissioned after considerable delay has not yet been able to emerge as the regional ‘hub’ for tertiary health care – the primary objective which led to its inception – consequently large sections of society in this region are virtually denied access to ‘super specialist’ treatment.

12.6.5.2 Recommendation

a. NEC may prepare a comprehensive scheme for making NEHU a centre for advanced study in Sciences, Social Sciences and Humanities to address diverse issues common to the region as a whole. NEC may also actively coordinate arrangements with the State Governments to make NEIGRIHMS a centre for tertiary health care particularly for the low income groups in the region.
Capacity Building for Conflict Resolution

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NEEPCO or the North Eastern Regional Electrical Projects Corporation is charged with the responsibility of developing the electricity generation potential of the region not only to meet the requirements of the North East but also to sell electricity outside the region – a feasible goal given its very significant hydro-power potential. While the organisation has created an installed capacity of around 150 MW, it has not been able to play the role that the region needs to ensure rapid development of the power sector. Limited generation of power has not only hampered economic growth but also deprived the States of a potentially remunerative revenue source. The Ministry of Power needs to explore the feasibility of establishing a competent Energy Authority for the region to more effectively, speedily and optimally develop its potential and for preparation of a road map for the region. Under the Authority, linked to NEEPCO itself would have to be strengthened for improving its operational capacity. This proposed Authority should be entrusted with the task of planning and implementing a regional grid linked to the national grid.

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NEDFI or the North Eastern Development and Finance Corporation is a company jointly promoted by a number of financial institutions to provide finance to industrial houses and entrepreneurs to establish concerns for development of various sectors of the economy of the region on commercial lines. The organisation has considerable unrealised potential. NEC may, in association with the promoters, draw up a concrete action plan for the activities of this organisation.

Lastly, the Commission would like to draw attention to some of the regional level institutions which need much greater attention so that their benefits may accrue to the entire region. The North Eastern Hill University (NEHU) was set up in 1975 for nurturing the intellectual development of the entire region. While NEHU has developed some innovative academic programmes, establishment of Universities in each of the Hill States, and two additional Universities in Assam has resulted in diluting the ‘academic leadership’ role for NEHU. There is a case for developing this institution as a centre for excellence for regional issues in economics, politics, culture, society and environment which transcend inter-State borders. It could also play a major role as a resource centre for good governance and administration for the region. Similarly, the North Eastern Indira Gandhi Regional Institute of Health & Medical Sciences (NEIGRIHMS) Shillong, apart from being commissioned after considerable delay has not yet been able to emerge as the regional ‘hub’ for tertiary health care – the primary objective which led to its inception – consequently large sections of society in this region are virtually denied access to ‘super specialist’ treatment.

12.6.5.2 Recommendation

a. NEC may prepare a comprehensive scheme for making NEHU a centre for advanced study in Sciences, Social Sciences and Humanities to address diverse issues common to the region as a whole. NEC may also actively coordinate arrangements with the State Governments to make NEIGRIHMS a centre for tertiary health care particularly for the low income groups in the region.
12.6.6 National Register of Indian Citizens

12.6.6.1 The Group of Ministers on Reforming the National Security System recommended that as illegal migration had assumed serious proportions, registration of citizens and non-citizens should be made mandatory. This should be introduced initially in the border districts or may be in a 20 km border belt and extended to the hinterland progressively. This recommendation was accepted by the Government and immediate steps were taken to launch a pilot project. The pilot project would help to understand and develop the processes for collection and management database of citizens is being implemented in several States. The Pilot Project on MNIC has followed the census approach for collection of particulars of each individual in the pilot areas. Along with the particulars of individuals, photographs and finger biometrics are also being collected of all those who are 18 years of age and above. This would ultimately lead to a credible individual identification system and speed up transactions between the individual and the service provider with greater efficiency. The Multi Purpose National Indentity Card (MNIC) will also function as a necessary instrument for e-governance. It will provide a user-friendly interface between the citizen and the government and will function as a deterrent for future illegal immigration. The Citizenship Act, 1955, has been amended and now a specific section on registration of citizens & issuing cards has been included:

Section 14A

(1) The Central Government may compulsorily register every citizen of India and issue national identity card to him.

(2) The Central Government may maintain a National Register of Indian Citizens and for that purpose establish a National Registration Authority.

(3) On and from the date of commencement of the Citizenship (Amendment) Act, 2003, the Registrar General, India, appointed under sub-section (1) of section 3 of the Registration of Births and Deaths Act, 1969 shall act as the National Registration Authority and shall function as the Registrar General of Citizen Registration.

In addition the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 has been notified in the Government of India Gazette Vide GSR No. 937(E) dated:- 10th December, 2003.

12.6.6.2 Implementing the MNIC project is a challenging task. Government will first have to carry out a census-type survey to create a National Population Register, based on which the cards will be issued. With large illiteracy rates and people in several areas having little documentary proof, the implementing agencies would have to address

12.6.6.3 Recommendation

a. The MNIC project needs to be taken up on a priority basis. Since there are several Union Government and State Government agencies which issue similar identity cards, it would be necessary to achieve convergence amongst all such systems so that the MNIC becomes the basic document for identification of a person and lends itself to be used as a multi-purpose individual card.

12.6.7 Capacity Building – Miscellaneous Issues

12.6.7.1 There are a number of matters concerning development administration and related aspects which could if properly addressed and resolved minimise future conflicts. Attention may be briefly invited to the following:

(a) With the primary sector accounting for 55-60 per cent of the income and the secondary sector for 55-60 per cent of the income, it is the country’s most backward region industrially largely due to woefully weak infrastructure. In pursuance of the Prime Minister’s announcement of ‘New Initiatives for the North Eastern Region’ at Guwahati in 1996, a High Level Commission was appointed under the Chairmanship of Shri S.P. Shukla, then Member, Planning Commission to identify gaps in infrastructure in the North Eastern region and recommend measures for filling them. The Planning Commission recommended an amount of Rs. 1,03,014 crore for bridging the identified gaps – a recommendation that remains unimplemented. This recommendation along with the report of the Task Force of the NEC on Development Initiatives may be taken into account and should form the basis for assessing the requirement of funds for bridging the infrastructural gaps in the North East.

(b) To promote industrialisation, a comprehensive policy framework needs to be evolved and put in place to promote the region as a preferred investment destination. A major awareness campaign for marketing the strengths of the
12.6.6 National Register of Indian Citizens

12.6.6.1 The Group of Ministers on Reforming the National Security System recommended that as illegal migration had assumed serious proportions, registration of citizens and non-citizens should be made mandatory. This should be introduced initially in the border districts or may be in a 20 km border belt and extended to the hinterland progressively. This recommendation was accepted by the Government and immediate steps were taken to launch a pilot project. The pilot project would help to understand and develop the processes for collection and management database of citizens is being implemented in several States. The Pilot Project on MNIC has followed the census approach for collection of particulars of each individual in the pilot areas. Along with the particulars of individuals, photographs and finger biometrics are also being collected of all those who are 18 years of age and above. This would ultimately lead to a credible individual identification system and speed up transactions between the individual and the service provider with greater efficiency. The Multi Purpose National Indentity Card (MNIC) will also function as a necessary instrument for e-governance. It will provide a user-friendly interface between the citizen and the government and will function as a deterrent for future illegal immigration. The Citizenship Act, 1955, has been amended and now a specific section on registration of citizens & issuing cards has been included:

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In addition the Citizenship (Registration of Citizens and Issue of National Identity Cards) Rules, 2003 has been notified in the Government of India Gazette Vide GSR No. 957(E) dated: - 10th December, 2003.

12.6.6.2 Implementing the MNIC project is a challenging task. Government will first have to carry out a census-type survey to create a National Population Register, based on which the cards will be issued. With large illiteracy rates and people in several areas having little documentary proof, the implementing agencies would have to address this issue with utmost care. The Commission is of the view that the MNIC project should be taken up on a priority basis. The Commission also notes that there are several Union and State Government agencies which issue similar identity cards. It would be necessary to achieve convergence amongst all such systems so that the MNIC becomes the basic document for identification of a person and can lend itself to be used as a multi-purpose individual card.

12.6.6.3 Recommendation

a. The MNIC project needs to be taken up on a priority basis. Since there are several Union Government and State Government agencies which issue similar identity cards, it would be necessary to achieve convergence amongst all such systems so that the MNIC becomes the basic document for identification of a person and lends itself to be used as a multi-purpose individual card. Priority should be given to areas having international borders, for implementation of this Project.

12.6.7 Capacity Building – Miscellaneous Issues

12.6.7.1 There are a number of matters concerning development administration and related aspects which could if properly addressed and resolved minimise future conflicts. Attention may be briefly invited to the following:

(a) With the primary sector accounting for 55-60 per cent of the income and the secondary sector for 55-60 per cent of the income, it is the country’s most backward region industrially largely due to woefully weak infrastructure. In pursuance of the Prime Minister’s announcement of ‘New Initiatives for the North Eastern Region’ at Guwahati in 1996, a High Level Commission was appointed under the Chairmanship of Shri S.P. Shukla, then Member, Planning Commission to identify gaps in infrastructure in the North Eastern region and recommend measures for filling them. The Planning Commission recommended an amount of Rs.1,03,014 crore for bridging the identified gaps – a recommendation that remains unimplemented. This recommendation along with the report of the Task Force of the NEC on Development Initiatives may be taken into account and should form the basis for assessing the requirement of funds for bridging the infrastructural gaps in the North East.

(b) To promote industrialisation, a comprehensive policy framework needs to be evolved and put in place to promote the region as a preferred investment destination. A major awareness campaign for marketing the strengths of the
region to potential investors as an attractive destination should be launched. For improving the limited entrepreneurial base, a major capacity building exercise for local entrepreneurs should be taken up. As a necessary first step, governments in the region should allow free movement and employment of professional/skilled workers from within the region and outside to provide managerial and technological leadership. The North East Industrial Policy, 1997 should be extended for 10 years after suitable modification. Tourism should be identified as a thrust area for industrial development of the region. Skills upgradation and skill creation will have to be given top priority through promotion of vocational education, setting up of ITIs and polytechnics, and hotel management institutes. Export of services such as medical and health care workers, and education (English teachers in particular) could play an important role.

(c) There is need to have a systematic approach to road construction in the region. A region specific Transport Development Fund should be set up to which funds from all windows should flow and the fund could be utilised to finance construction of all-important corridors. The study commissioned by the North Eastern Council for preparing a Perspective Transport Plan for Development of North Eastern Region has recommended certain road corridors for providing connectivity to neighbouring countries. The recommended corridors need to be examined critically, priorities taken into account and preparation of feasibility reports undertaken. Road construction and management practices in the region are different from those followed in other parts of the country due to its unique climate, topography, geology and administration. A separate unit for road research, under the Central Road Research Institute, should be established in the region in order to provide technological support to road and bridge construction activities.

(d) The rate of unemployment in the region is almost double the all-India figure. In the urban sector, male youth unemployment is phenomenally high at over 77 per cent compared to the national average of nearly 40 per cent. This calls for the preparation of an action plan for the region for generating employment opportunities which should cover industries and allied sectors. Special emphasis needs to be given to mass capacity building in order to enable the educated unemployed youth to find jobs in the private sector particularly in the service industry sector. For the purpose, special programmes need to be evolved by associating various reputed capacity building institutions throughout the country in the training of the youth of the region to enable them to find jobs in the private sector. Special opportunities may have to be provided to trained nurses to meet the huge international demand for nurses. ITIs need to be modernised, and upgraded, and new courses adopted in keeping with the requirement of the times.

(e) The need to adequately exploit the hydroelectric potential, undertaking large scale flood control and soil conservation measures and development of natural resources has been briefly discussed in the context of strengthening NEC as a regional planning body. These measures will ensure much needed resources to enable sustainable development of the region while increasing the absorptive capacity of the local economies. Royalties received by exploiting the hydroelectric potential and the additional incomes will be possible once such initiatives succeed. These considerations need to be kept in view not only for regional planning purposes but also while formulating major investment projects (central sector or internationally funded) for development of infrastructure and appropriate economic activities in the region.

(f) While geo-political factors and the imperatives of an increasingly integrated economy dictate that India as a country should engage itself more actively with countries on its east in trade, commerce and finance, reasons of geography present particularly promising opportunities to the States in the North East which abut areas that have begun to enjoy the fruits of regional economic development. Long term economic growth of the region is, therefore, intimately connected with implementation of sound strategies to make the ‘look east policy’ happen. Synergies of the economies of nations on the east of this region can have a catalysing effect on the economy of the North East if proper preparations are in place and local society is readied to deal with all the implications – economic, social, political, cultural and security, of such transnational engagements. There is need for a concrete agenda in order to achieve the relevant objectives – an agenda which must be prepared by actively associating the State Governments of the region. The recent resumption of trans-border trade between Sikkim and the Tibetan autonomous region of the Peoples’ Republic of China, even though small, should offer the right lessons on how to go about this task. Within the Union Government, appropriate apportionment of responsibilities for effectuating the policy is also necessary, with the Ministry of External Affairs and other nodal Ministries playing a mutually complementary role with well defined common objectives.

(g) While some progress has been achieved in bringing all the States of the region within the rail map of the country, this exercise should be made more
region to potential investors as an attractive destination should be launched. For improving the limited entrepreneurial base, a major capacity building exercise for local entrepreneurs should be taken up. As a necessary first step, governments in the region should allow free movement and employment of professional/skilled workers from within the region and outside to provide managerial and technological leadership. The North East Industrial Policy, 1997 should be extended for 10 years after suitable modification. Tourism should be identified as a thrust area for industrial development of the region. Skills upgradation and skill creation will have to be given top priority through promotion of vocational education, setting up of ITIs and polytechnics, and hotel management institutes. Export of services such as medical and health care workers, and education (English teachers in particular) could play an important role.

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33 N. Sinha and A. Dabney, Unemployment in North Eastern Region of India: An Inter-State Comparison.
meaningful by providing broadguage connectivity and early completion of the projects.

(h) In the absence of institutional finance mechanisms, the bane of money lenders continues. Under-banked areas display a larger deficit of unexploited potential. Much greater efforts are needed to establish bank branches and other credit disbursement outlets through further relaxation and incentivisation in policies of the Reserve Bank and other financial institutions. Similarly, the newly established economic activities require significant degree of risk coverage; while some progress has been made in the expansion of bank branches, the situation remains highly unsatisfactory in the insurance sector.

(i) Nagaland has a system of village guards for guarding border villages adjoining Myanmar. There are approximately 5,000 village guards who cover Mon and Tuensang districts and Meluri sub-division. They are paid a monthly salary of Rs. 500 only and are issued a uniform once in a lifetime and are equipped with a firearm. The institution of village guard is said to have played an important role in protecting villages from militant attacks and providing security to their villages. It is felt that their effectiveness would be enhanced if their monthly remuneration is increased and they are equipped with better weapons.

(j) Due to lack of higher educational infrastructure in the North East, a very large number of students migrate to other parts of the country for education leading to a drain of both manpower and financial resources. Thus it is estimated that as many as ten thousand students from Nagaland have to go to other parts of the country for their education. This re-emphasises the need for setting up of centres of excellence for professional and higher education in the North East.

(k) In many of the tribal villages of the North Eastern States, disputes particularly those relating to land are settled by the village councils under customary laws. There is a need to make an in-depth study of the customary judicial system in order to achieve better understanding and dissemination of the prevailing norms and practices.

(l) The system of maintenance of formal land records in the North East is weak and practically absent in tribal areas. This prevents the land-holders from approaching the banks and financial institutions for securing loans as also leading to a large number of land related disputes. It is necessary to evolve a credible system of maintenance of land records.

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**12.6.7.2 Recommendations**

- a. The recommendations of the High Level Commission contained in its Report – ‘Transforming the North East’ - and the report of the Task Force on Development Initiatives prepared by the North Eastern Council should be implemented to fill the gaps in infrastructure in the region.

- b. A comprehensive framework needs to be evolved and put in place to promote the region as a preferred investment destination.

- c. A Transport Development Fund to finance construction of important road corridors should be set up.

- d. Comprehensive implementation of a ‘look east’ policy though relevant for the country as a whole, is especially important for the long term growth of the North East. The agenda for its implementation must be prepared in active association with the State Governments. Clear apportionment of responsibility for planning and implementation of the policy between various Ministries of the Union Government for its implementation should be expeditiously undertaken.

- e. Rail connectivity should be improved in the region on a priority basis.

- f. Much greater efforts are needed to establish bank branches and other credit disbursement outlets through further relaxation and incentivisation in the policies of the Reserve Bank and other financial institutions.

- g. There is need for setting up of centres of excellence for professional and higher education in the North East. In addition, a large scale expansion of facilities for technical education, such as ITIs, should be carried out to create a pool of skilled work force and generate entrepreneurial capacity as well as employment.

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