

CHAPTER 6

RESPONSE OF THE GOVERNMENT TO KARBI MILITANT MOVEMENT

6.1 Introduction:

India is a nation in the making. And the makers of the Indian Constitution were well aware of the problems of forging national unity between diverse people belonging to different religions, speaking diverse languages and at various stages of economic development. In this connection, the government is aware of the need to give special protection to the tribal peoples in the country.²²⁵ The ethnic movements enjoy a large membership in the North Eastern region of India because the Union Government has failed to give the people in these regions a sense of belonging.

Response of the government to Karbi Militant Movement is rebuilding of the strategy adopted by the military authorities to restrain injustices. This policy pivots on completely ignoring the main issues that give rise to Karbi Militant Movement. Hence the faulty idea is that suppression is the ultimate therapy for uprising and movement. The popularity of this behaviour stem from the observation of the colonial rule as unlawful because its legitimacy ultimately depended on its ability to control and manage the political community it created rather than on enabling representation of its constituent parts. This centralized feature of the government has greater connotation for citizenship status and condition in the sense that the state was far away from the people, baffling to them and deceiving of their views and opinions.

Though the British has left the country more than half a century but still the 'divide and rule' policy adopted by the British is still alive. The portrayal of the colonial rule and its discernment by the people has not changed. It is therefore not surprising that secession, self-rule and autonomy still continue in the country. And some of the ethnic movement adopted militant tactics to pressurize their demand and which the country is facing the challenges of how to tackle with the situation.

The Indian Government has adopted different tactics to fight with any militant movement and to subdue them in the country. They sometime used security forces striking forceful assault and sometime used propagandas to triumph over the minds of the

²²⁵ Luingam Luithui, Nandita Haksar, *Nagaland File: A question of Human Rights*, New Delhi: Lancer International 1984, p.141

militants. On several occasions, the government has given order to security forces to 'shoot-at-sight'. The strong counter-militancy measures taken by the government through various viable means led to the killing of hundreds Karbi militants and sympathizers for the past one and half decade. However, what necessary is not just a prompt measure to deal with the law and order problem but urgent steps to politically resolve the basic issue that relates to redressing the legitimate grievances of the local populace.²²⁶

The feeling of nationalism shown by the Karbi is looked upon by the rest of the country as rebels. They were even described as 'terrorist'. But the demand made by the Karbis' militant has its historical verity and constitutional obligation which needs to be realized and considered.

6.2 Armed Forces (Special Power) Act and Karbi Militant

The AFSPA (Armed Forces Special Power Act) was passed in 1958 in the face serious opposition from many members of the Parliament from tribal areas: even members of the ruling party articulated their misgivings about the consequences of such a law. In the Sixth Schedule of the Constitution of India recognizes the right of tribal people to their culture and society. Even the Criminal Procedure Code is not applicable to most areas of the North East. The government has begun looking upon the militancy of North East region of India as law and order problems. The bill was passed and it was a defeat of Indian democracy. This means that the powers of civil administration were consistently eroded. Parliament passed a series of laws which invested the Armed Forces with vast powers.²²⁷

The extra-judicial executions of innocent civilian populace and other forms of naked human rights violation remain a fact of life in the North-Eastern States of India for the last six decades and more. Two contentious arguments are being advanced: one, by the State, which has rationalized the enactment and enforcement of demonical law like Armed Forces (Special Power) Act, 1958 and the other, by the defenders of the human rights, who not only defy the apparent legitimacy of such a law but also raise the politico-historical basis of the upsurges that characterize the North-eastern life. The apex court upheld the statue on November 27, 1997 by overlooking the gross human rights violations since 1958, whereas it could have struck down the black law on the ground of its incompatibility with the Rule of Law and the International Covenant on Civil and Political Rights, 1966 to which India is a State party.

²²⁶ In the editorial note on the heading 'Unrest in Darjeeling Hills' in *Mainstream* (Vol. XLVI No. 26) New Delhi: June 14, 2008

²²⁷ Luingham Luithui and Nandita Haksar. *op.cit.*, pp. 150-155

Although the armed forces do not favour the repeal of the black law, the AFSPA has recorded the assessment of the armed forces about the political consequences of the repeal of the AFSPA. “The militancy situation in the north-east has worsened since the AFSPA has been applied in the 1950s. The militant groups have greatly increased. Their cadres, weapons, tactical have expanded and improved immensely”²²⁸. Apparently, the black law has acted as surrogate mother of increasing proliferating belligerency and militancy. The deployment of forces has been re-enunciated by the Government of India. An impartial analysis of these official statements of the respectable national institution of India reveals that they remain rhetorical at best. The Indian state unlike the Indian nationhood is a nascent British-created entity which has passed through diverse and even non-complimentary historical experiences. A nation-in-the-making that India is, the Manipur and Tripura state have been brought to the fold of the nascent state after two full years of Indian Independence; the other state of the region remained part of Assam, which on its part, joined the British Indian mainstream in 1826. Mainstream historians have misrepresented the acquired territories of the North-eastern region as state succession from the British colonial power.

In political term, the subterranean fault-lines are cracking up and the Indian state persists in quick-fixing the deep structured NSGT (Non-Self Governing Territories) fault-lines with the help of the powerful Indian army and state repression. This process itself would lose legitimacy without even having demonical law like AFSPA and the Punjab Security Act 1953. Occasional patchwork and cosmetic reforms apart, the deep structured political contradiction are shelved beyond the reach of bold and visionary stroke of statesmanship, which itself is missing word in the colonial legacy. The tangible political repercussions of the invocation of the AFSPA demonstrate the following phenomena.²²⁹

Firstly, the similarity of the draconian law with its predecessor could be found in the subsequent political fallout also. The AFSPA’s predecessor- the Armed Forces Special Powers Ordinance 1942 had been enacted in order to neutralized Quit India Movement. It was one hundred percent a colonial instrument, used for legitimization and continuation of Colonialism. The British colonial Armed Forces (Special Powers) Ordinance, 1942 promulgated by Viceroy Linlithgow had provided: “2(1) Any Officer not below the rank of Captain in His Majesty’s Military Force..., may require any personnel under his command to use force as may be necessary, even to the causing of death, against any person...”. The India Parliament has been acting as Linlithgow in the North-Eastern region of India for more than half a century. Nearly 30 Nation-States are waiting independence in the 21st century, notwithstanding the State repression. The 1942 demoniacal ordinance crafted by the British colonialists, among others, had expedited

²²⁸ See, Justice Jeevan Reddy Report, 2005, p.62

²²⁹ Naorem Sanajaoba, *AFSPA: A law Review*, New Delhi: Critical Quest, 2014 pp. 4-6

and facilitated the passage of Indian Independence Act, 1947. The 1958 law inherited the same powerful political potency.²³⁰

Secondly, the AFSPA was passed in the year 1958 in order to quell the ethnic uprising in the Naga Hills in Assam. After four decades, like a nuclear chain reaction, the first invocation of the black law in a small range of the hills spread over all the seven States in a conflagration like domino effect.²³¹

Only after two-hours of summary Parliamentary debate, the concentration camp theory got approved in the house. In spite of referring the Bill to a Joint Parliamentary Committee to examine the statute and discussing the same in details, on August 18, 1958 the AFSPA was adopted after two-hour long summary debate by the Parliament. Member of Parliament from Manipur Mr. L. Achaw Singh argued against the bill, “This is a black law...How can we imagine that these military officers should be allowed to shoot to kill and without warrant, arrest and search? This is a lawless law”²³². The Manipur Hills MP Rungnung Suisa argued against the AFSPA, “All these Ordinance and sending of Armed Forces will not solve the problem”²³³. The MP Mr. Warrior (Trichur) opposed the bill, “The whole of Assam and Manipur is going to come under martial law, though martial law and emergency are not declared”²³⁴. In the same vein, MP Mr. Mohanty opposed the bill, “What I am trying to submit is that this is a martial law ...it is being sought to be introduced in this House as most innocuous measure”²³⁵. He further argued.... “But, we do not want a free India with barbed wires and concentration camps, where the Havildars can shoot at sight any man”.

However, brute majoritarianism of the ruling Congress got the bill passed without elaborate debate in the Parliament in just two hours. Human Rights had been violated for more than half a century in the North-Eastern region ruthlessly and mercilessly following the passage of this concentration camp law.

The AFSPA empower the security forces who is a non-commissioned officer to used arms if there is a crowd of four people. They sometime misused their and abused the Act and ordinary and innocent civilian become the victim. In the capital and other places in India, punishment for unlawful assembly is six months imprisonment that too after a trial in the court of law. But in North Eastern States of India naked human rights

²³⁰ Naorem Sanajaoba, *op.cit.*, p.5

²³¹ *ibid*

²³² *See*, Lok Sabha Debates Vol. XVIII, 1958, p.1441

²³³ *ibid*

²³⁴ *ibid*

²³⁵ *ibid*

violations remain a fact of life. Even in Karbi Anglong, the non-commissioned officers are allowing to take away the life of a person in the name of counter militancy.

Due to the promulgation of AFSPA in the region many of the ethnic movement were suppressed by the government. For any minor reasons in the territory, the authority promulgated 144 CrPC and subjugated the public of their fundamental rights. On the other hand due to the vast power vested with the security forces many of the militants were shot and killed without any human consideration. Nobody will ever challenge the government if Security Forces are engaged in a genuine combat with the militants. But the problem arises when they targeted the innocent civilians. Arbitrary arrest, encounter, cold-blooded killing, custodial death is the order of the day which the militants as well as the civilian populace are experiencing in the territory. In this regard, the Karbi militants are no exception which several clashes with security forces have already taken place. Now, it became a permanent weapon for the government security forces to carry out extra-judicial killing, rape, arbitrary arrest, torture, detention in any area which considers as ‘disturb area’ and Karbi Anglong was pushed to such area by the state government.

6.3 Assam Disturbed Area Act and its extension to Karbi Anglong

The infamous Armed Forces (Special Power) Act which continues to devastate the entire North Eastern states can be trace its origin to the Armed Forces Special Ordinance, 1942 enacted by the British. After independence, the Assam Assembly adopted the ‘Assam Disturbed Areas Act, 1955 apparently to meet with the exigencies of the Naga militancy, then under the leadership of A.Z. Phizo. The State Act was followed three years later by the Armed Forces (Assam and Manipur) Special Power Act, 1958 a piece of Central legislation, identical to the State legislation in all essential respect, ostensibly to deal with the disturbed condition in the Naga-inhabited areas of Manipur, then a Union Territory. Incidentally, the Assam Disturbed Areas Act, 1955 is very much a ‘living’ piece of legislation with the required notification designating the ‘disturbed area’ (in this case, the reserve forest on the Assam-Nagaland border) renewed every six months duly published in the Assam Gazette. Since those who control and manipulate even protest movements view these areas as ‘remote’ there is hardly a ripple of protest in the state about the continuing application of the Disturbed Areas Act in part of the State.²³⁶

Though specifically not mentioned, the ‘reserve forests on the Assam-Nagaland border’ is Karbi Anglong district. Why was Karbi Anglong considered as ‘disturbed’ when there was no single case of disturbance then? And even more unusual was that cases of conviction in the district court, arbitrarily combining both the executive and the

²³⁶ Dharamsing Teron, *op.cit.*, 2011, pp. 163-68

judiciary in a single authority, were the lowest in the entire State. What were the Assam Government justifications for punishing the innocent Karbis for the militants in Naga Hills? The Assam Disturbed Areas Act, 1955 was used as an instrument to perpetually keep the innocent Karbis under subjugation in the guise of making 'better provisions for the suppression of disorder and for restoration and maintenance of public order in disturbed areas in Assam and empowers civil authority'. And as far as one can remember, the District Magistrate readily imposed CrPC 144 at the slightest pretext since those early days. It was only when the 'disturbed area' proclamation was made covering the Brahmaputra valley that the people of Assam appear to have woken up to the dreadful implication of the two Acts. But tragically there had been no protest against these dangerous laws in Assam till now.

The Assam Government was guided by this colonial mindset imposed the draconian 'disturb' area act during the peak period of statehood movement of the Karbis between 1986 -1989. In January 1989 part of the Karbi Anglong including the district headquarters- Diphu were declared as 'disturbed' under the Assam Disturbed Area Act, 1955. Although, ostensibly the notification was due to the border dispute with Nagaland but it became a weapon for the government to suppress the statehood movement and the Assam Police Task Force, now bestowed with special powers under the legislation, played a communal role.

After a decade long of arms struggle for Statehood, the Karbi militant groups are coming out openly for formal peace-talks and negotiation with the government. The Karbi militants groups have showed their willingness for discussion on their legitimate demands including all-round development for the territory.

6.4 Government response to United Peoples Democratic Solidarity

For the first time in the history of armed movement in Karbi Anglong, the United Peoples Democratic Solidarity (UPDS) has signed a ceasefire agreement with the Union Government on May 23, 2002. The UPDS came forward and expressed its willingness to give up violence and seek solution of its problems peacefully within the framework of the Indian Constitution. The Union Government has initiated tripartite talks involving the Union Government, State Government and the UPDS from 2003 onwards. Over several round of talks, the UPDS leaders had made great efforts to convince the Government to grant Separate State under the provision of Article 3 of Indian Constitution or at least Autonomous State under Article 244(A) of the Indian Constitution. But the Union Government has consistently denied by saying 'no policy to create a new State'. Due to which the tripartite talks had encountered a deadlock over the absence of policy to create a new state by the Union Government in 2006. And there was a breakdown of Ceasefire

agreement for at least 3 months and the organization leaders were reaffirmed to take arms again but the Union and State Government force the UPDS to continue the negotiation process.

On December 15, 16 and 17, 2009 talks between UPDS and Government representatives was held with a clear envision that the UPDS stick to the demand of self-rule or separate statehood for the Karbis.

Another round of Centre-UPDS talks was held on January 21, 2010 at New Delhi. The UPDS negotiation team was led by Elwin Teron and Dhorom Sing Teron and accompanied by UPDS leaders Sai Ding-eh (General Secretary), Wojaru Mukrang (Joint Secretary, incharge Political Affairs), and Tung-eh Nongloda (Joint Secretary, incharge Home Affairs). The Government of India was represented by P.C Halder, (Interlocutor) and other officials.

The UPDS opened their Central Liasion Office at Diphu for smooth correspondent with the Public and Government on different issues and problems in the district. After seven years of peace-talks, it has been agreed to initiate time bound steps to bring about greater decentralization of power to the grass roots level in Karbi Anglong while ensuring increased capacity building for developmental activities. Instead of separate state, the whole focus gradually shifted to a 'peace agreement' with the UPDS. 'Peace' is the focal theme of the current accord, and it clearly stipulates that the UPDS will not only abjure violence in any manner but even dissolve itself as an organization within a reasonable time (within six months) upon the signing of Memorandum of Settlement (MoS). The Government has also promised to facilitate rehabilitation of the UPDS cadres and considered withdrawal of cases 'according to the existing policy of the State of Assam. The MoS was signed in New Delhi on November 25, 2011 in presence of Union Home Minister Mr. P.Chidambaram and Chief Minister of Assam Mr.Tarun Gogoi. The UPDS was represented by Chairman Mr. Mohon Timung alias Longsodar Senar, General Secretary Mr.Horensing Bey, Joint Secretary (Political Affairs) Mr. Kangjang Terang, Joint Secretary (Home Affairs) Mr.Surjya Rongphar and Commanader-in Chief Mr. Anil Teron alias Akar Teron. The MoS signing procedure started from 5:00 pm at Room No. 103 of Home Ministry Conference Hall, New Delhi.

Following are the salient features of the Memorandum of Understanding that have signed between UPDS and the government.

- Setting up of a committee under Assam Legislative Assembly as envisaged under Article 371B of the Constitution of India.
- Renaming of existing Council as Karbi Anglong Autonomous Territorial Council (KAATC)

- Increasing seats in the Council up to 50 members of which 6 will be nominated by the Governor.
- Setting up of Village Council for deepening democratic process at the grass root level.
- Transfer of additional subjects by the State of Assam to the Council along with legislation and executive powers.
- Setting up of State Finance Commission (SFC) and consideration of higher fund allocation to the Council to undertake viable activity.
- Strict adherence to established norms of financial management, proper audit of the account, etc.
- Measure for socio-economic, education, health and cultural development.
- Special economic package of Rs. 350 crore (Rs.70 crore p.a.) over and above the plan fund over the next 5 years to KAATC for identified projects.
- Improving of roads connectivity, water supply and supply of power in Karbi Anglong District under existing schemes.
- Providing one-time grant for capacity building in KAATC for preparation of Detailed Project Report (DPR), etc.
- Rehabilitation of UPDS cadres, withdrawal of cases relating to heinous crimes shall be reviewed case by case according to existing policy for withdrawal of such cases.

After signing MoS with the government on November 25, 2011, an arm laying down ceremony of UPDS was held on December 14, 2011 in Karbi Anglong Sports Association (KASA) playground, Diphu in presence of Assam DGP Sankar Barua, GOC 4 Corps, Lt. Gen. Shakti Gurung and additional DGP (special branch) Khagen Sharma besides other senior military, police and civilian officials. Altogether 568 UPDS top brass leaders including 22 women cadres; ranks ranged from self-style colonel to lieutenant had handed over their arms to the government. The laying of arms by the UPDS militants was led by its Chairman Longsodar Senar. He recalled that, they have embraced armed struggle to rescue the people from ‘oppression and neglect, to fight inequality and injustice’ meted on Karbis. Adding to his speech he said, “We are fully conscious of the fact that every armed movement has collateral damage and criminal tendencies that negatively impact society and the UPDS movement is no exception to the rule. There is no denying fact that traders, government functionaries and even innocent individuals have had to suffer immensely because of our movement. It is therefore my solemn duty, on behalf of my organization, to apologise for the pain caused by us intentionally or unintentionally....from today onward we pledge to stand by you and make Karbi Anglong a safer and better place to live in”.²³⁷

As per Clause 4.1 of the MoS mandates the dissolution of the UPDS as an armed organization was seek by the government within six months from the date of signing

²³⁷ The Telegraph, December 15, 2011

MoS. And accordingly under the Chairmanship of Longsodar Senar, the General Council meeting of the UPDS was held at its designated camp at Diphu and dissolved itself as an organization on November 25, 2011. (See. Appendix-V)

Table 6.1: Arms and Ammunition lay down by the UPDS in 2011

Sl.no.	Category of weapons	Numbers handed over
1	Rifles	177
2	Rifles bullets	18740
3	Rifles magazines	322
4	AK series rifles	85
5	AK series bullets	1173
6	M-16 rifles	05
7	M-16 bullets	631
8	MMUBGL	40
9	Self Loading Rifles	03
10	G-3 Mortar	04
11	G-4 Mortar	01
12	Starling Carbine	05
13	303 Rifles	08
14	.32 Rifles	38
15	US carbine	02
16	Rocket launcher	01
17	UMG	01
18	9 mm pistols	18

Source: The Arleng Daily (December 15, 2011)

The UPDS is of course free and welcome to decide its own future and seek peace instead of waging war. But what are the implications of the UPDS-Government peace deal for the people of Karbi Anglong and their aspiration for Statehood? The MoS has changed the name of the existing Karbi Anglong Autonomous Council to Karbi Anglong Autonomous Territorial Council (KAATC). One has no idea how this ‘Territorial’ tag helps to meet the popular aspiration for greater autonomy. The change of nomenclature will not bring any peaceful solution to the Karbis’ demand. The accord has also promised to divide the district of Karbi Anglong into four districts and increase the number of seats in the KAATC from the existing seats of 30 to 50 where six members will be nominated by the Governor of Assam. Ironically enough, while the accord is evidently silent about Article 244(A) of the Indian Constitution or the very concept of an Autonomous State.

On the eve of the tripartite accord, the Karbi Students Association under the leadership of Laichan Engleng has convened a Karbi National Convention at Diphu on November 3, 2011 to discuss the question of Autonomous State and peace in Karbi Anglong. The meeting was attended by Dr. Jayanta Rongpi, Holiram Terang, and Jones

Ingti Kathar (IAS retired) and other social leaders of the district. The convention had highlighted the following five key parameters to determine the degree of Autonomy for Karbi Anglong: (i) the power of the elected representative body of Karbi Anglong to frame its own constitution (as opposed to the current practice of the Governor framing rules as advised by the Assam Cabinet), (ii) the power of elected body to advise the Governor on subjects administered by it, equivalent to the power enjoyed by state government under Article 163 of the Constitution of India, (iii) the power to make and pass its own budget and draw contingency fund and overdraft, (iv) formation of a separate election commission to conduct election and (v) formation of a separate Karbi Anglong Public Service Commission to ensure that department transferred to the council are administered by officers of Karbi Anglong cadre and not Assam cadre. The MoS does not fulfill any of these five parameters.

The MoS signed with the UPDS compares quite poorly with even tripartite accord signed by the Union Government and the Government of West Bengal with the Gorkha Janmukti Morcha (GJM). According to that accord, the newly named Gorkhaland Territorial Administration will get a special package of Rs. 200 crore per year (600 crore over the next three years) apart from other specific projects which will raise the effective value of the package to Rs. 1000 crore whereas KAATC has been promised only Rs. 70 crore per year (Rs. 350 crore over the next five years).

6.5 Mistake Committed by Government and Karbi Nationalist Leaders

Peace Accords have been simply defined as ‘a formal commitment between hostile parties to end a war’.²³⁸ At minimum they are ceasefire and at the most they are frameworks for social and political transformation. Accords that go beyond ceasefires and termed of reference for further talks are likely to include provisions related to independence/autonomy/power sharing, human rights and ‘fair distribution of resources and employment.’²³⁹ Both the government and Karbi nationalist leaders have committed mistakes in solving the Karbi issue politically. The Karbi demand for statehood has undervalued and the militant’s problem in the district was considered as ‘law and order’ situation. Instead of solving the issues amicably, the Government has deployed the army and other para-military forces in the district for counter militancy. Nabbing and killing the Karbi militants will not solved the militancy problems in Karbi Anglong. The demands placed by the militants are based on historical facts and within the framework of Indian Constitution. The surprising part is that, till today the government could not traced

²³⁸ Sanam Naraghi Anderlini, ‘*Peace, Negotiation and Agreements*’, The initiative for Inclusive Society, November 2004 p.16 available in www.womenwagingpeace.net/content/toolkit.asp.

²³⁹ Fernand de Varennes, ‘Lesson in Conflict Prevention: A Comparative Examination of the Content of Peace Accords’, *The Global Review of Ethnopolitics*, 1(3) March, 2002, p. 55

the cornerstone of Karbis legitimacy. The ‘peace process’, ‘peace talks’, ‘cease-fire’ which have been offered by the government did not make any sense to many vigilant peoples. These are hibernating period and slowly the discontent section will resorted to the use of arms if the government do not solved the issue politically.

As per the ‘Agreed Formula’, the present Karbi Anglong Autonomous Council (KAAC) will be dissolved and form an interim government with the UPDS leaders. And new government will be called Karbi Anglong Autonomus Territorial Council (KAATC). The deal with the UPDS was just a fiasco as the government has no definite blueprint by way of a formula to resolve the problems. The UPDS did not even get to contest the Council’s election with an interim administration unlike the erstwhile Bodo Liberation Tigers (BLT) militants who got to rule at the new politico-administrative structure in an interim arrangement before facing electorate. After signing of the UPDS Accord with the Government without loosing time the Government of Assam, Hills Areas Development Department have sent a letter vide No. HAD/209/2011/18 dated 03/11/2011 that the Karbi Anglong Autonomous Council election must be held on December 12, 2011. Within nineteen (19) days from the date of signing an Accord, it is impossible for the UPDS leaders to go for war-footing campaign to win the hearts and minds of the people. The nomination date has fixed from November 14-19, Scrutiny on November 22, withdrawal on November 25, allotment of symbol on November 28. Different political parties and social organizations have appealed the government through media for withdrawal of election notification as it is upsetting the Accord signed between UPDS and Government. Accordingly the notification for Council election was withdrawn.

In order to suppress the Karbi movement for separate statehood and to divide them, the government has strategically planned to sign a Memorandum of Settlement (MoS) with the United Peoples’ Democratic Solidarity (UPDS) leaders. For this, it was necessary to use the people of Karbi Anglong to trap themselves, making a political instrument. Thus, the UPDS was lured to let the Karbi people commit themselves the mistake. The government was skillfully designed to constitute a Committee of Group of Ministers (CGoM) vide Notification No. PLA 206/2010/1 on March 25, 2010 to frame an alternative proposal on the demand raised by the UPDS. The Chairman of the CGoM was Dr. Bhumindar Barman who himself is not from the hill districts and have modest knowledge about the genuine grievances faces by the tribal peoples living in Assam. Later on the UPDS leaders were called to New Delhi to sign the Memorandum of Settlement without a deep thought and deliberation. And the Karbi leaders became the prey of the Indian Government. No referendum was made with the public on the issues before taking such agreement.

The Karbis were hoodwinked in the MoU signed between the ASDC leaders and the Government representatives on April 1, 1995 and later the same trick was played in the MoS signed with the UPDS leaders by the Government representatives on November 25, 2011. These may hinder in the implementation of Article 244 (A) of the Indian Constitution which is a constitutional provision and legitimate rights of the people living in the hills districts of Assam.

The UPDS which had began their demand with self-determination then separate state under Article 3 is now celebrating the MoS as “*a step closer to the Autonomous State*” which fooled their own people. They made a mistake in flinging dust into the eyes of their own brothers and mounting their hopes where there is no hope at all. The nationalist leaders should have fastened to their demands as it has historical based and constitutional obligation. They even fooled the villagers that the Karbi Statehood is just around the corner.

Figure 6.1: Peace Accord and Restructuring of Adminstrative Unit of Karbi Anglong

Date, Month and Year	Accord/Settlement	Parties to the Accord	Unit created
April 1,1995	Memorandum of Understanding (MoU)	Government of Assam and representatives of ASDC	Karbi Anglong District Council (KADC) change to Karbi Anglong Autonomous Council (KAAC) and transferred of thirty departments.
November 25, 2011	Memorandum of Settlement (MoS)	Government of India, State Government and representatives of UPDS	Karbi Anglong Autonomus Council (KAAC) tag to Karbi Anglong Autonomous Territorial Council (KAATC), agreed for creation of four administrative districts and increased to 50 Members Council

The various accords signed with the Government of India and the Karbis in the past have failed considerably. History, vividly tells us that, every memorandum signed with the government so far turned to be political mockery which has created confusion, division and destruction to Karbi society. For instance, the Memorandum of Understanding (MoU) which was signed between the ASDC leaders and the Government

in 1995 could not be implemented fully and Memorandum of Settlement (MoS) 2011 has added another disastrous outcome to the history of Karbi movement for Statehood. Both the accords turned out to be the eyewash to the people of Karbi Anglong. One pertinent problem was that each set of negotiation engaged only a small subset of those who were fighting. The same mistake was made in the two agreements with the Karbi separatist in Assam over autonomy arrangement within the state, with the result that the negotiating process is piecemeal and endless. It had turned to be a total failure as nothing new has in store for the Karbi tribe in particular.

The present study revealed that, people's perception is weighted more to Sixth Schedule to the Constitution of India, as it safeguarded better for the socio-economic development of the hill tribes than the present MoS signed by the UPDS.²⁴⁰ Bringing arms and ammunitions all the way from Myanmar, Bangladesh and Bhutan on foot was a remarkable achievement but the laying downs of arms of the same is read as a shameful act on their part. The memorandum was artfully designed by the State and Central Government through its representatives. And the militant leaders signed the accord without profound consideration and deliberation. It also examined that the Karbis have paid enough prices for the cause of Statehood. Originally, the Karbi militants' demand is not to signed the MoS but for self-rule or separate statehood within the framework of Indian Constitution. The Memorandum of Settlement (MoS) has signed with the UPDS leaders in 2011 bringing an end to one chapter of Karbi Statehood movement. The mistake of signing MoS will invites more Statehood demand movement in the district as it is the long standing demand and aspiration of the people. The KLNLF militant are yet to sign an agreement with the Government, as of now there is no indication for any inimitable outcome from their demands.

Both the government and the Karbi nationalist leaders can not hide from the History for the mistakes they have committed. Both the parties blamed each other to be guilty of insincerity and the common people merely awaited the destructive results with growing anxiety.

6.6 Government response to Karbi Longri and North Cachar Hills Liberation Front

After Sixteen years of armed movement for Statehood, the Karbi Longri and North Cachar Hills Liberation Front (KLNLF) has declared unilateral ceasefire on December 31, 2009. Accordingly, the Suspension of Opreation (SoO) was also signed

²⁴⁰ An Appeal to the Government of India, Government of Assam, Karbi Anglong Autonomous Council and the people of Karbi Anglong to save the Sixth Schedule to the Constitution of India by Joint Co-ordination Committee (Committee for protection of Sixth Schedule to the Constitution of India), Diphu, April 01, 2013.

between KLNLF and the Government of India. With full security escort altogether 412 KLNLF members including 22 female cadres reached Diphu town on February 7, 2010.

The KLNLF leaders and cadres were picking up from gathering centre like Langlokso, Tarabasa and Bhoksong. All the KLNLF leaders and cadres were temporarily lodged at Polytechnic camp and segregated them later into different designated camps in the district. The arms laydown ceremony was held on February 11, 2010 at KASA stadium, Diphu after spending sixteen years in the deep jungle with unruly nature, raising voices to the government on Karbi's demand. Thousand of peoles from different walks of life in the district has come to witness the ceremony with amazement.

The government has enter into dialogue with KLNLF as they recognized the crucial role played by them in the socio-political scenario of the hills areas of Assam and also in raising national issue of the Karbis. During the course of their struggle, atleast 103 nationalist both militants and civilians has laid down their precious lives for the sake of separate statehood. The government has invited the KLNLF for political talks to settle the core issue of '*Hemprek Kangthim*' (self-rule or self-determination) for Karbi Anglong. On the good gesture shown by United Progressive Alliance (UPA) at the Centre and Tarun Gogoi led government of Assam, the KLNLF has decommissioned their arms in presence of Assam Chief Minister Mr. Tarun Gogoi, Member of Paliamanet Mr. Biren Sing Ingti, Hill Areas Development Minister Mr. Khorsing Ingti, Parliamentary Secretary, Assam Mr. Bidyasing Engleng, Joint Secretary (Home), i/c North-East, Government of India, Mr. Navin Verma, Principal Secretary (Home), Assam Mr. Prafulla Sharma, Deputy General of Police, Assam Mr. Sankar Baruah, Additional DGP (SB) Mr. Khagen Sharma and other dignitaries of the state. In the ceremony the Chief Minister of Assam announced to provide rupees two lakhs to each cadres of KLNLF and 500 crores (special package) for the economic development of the district.

Union Home Minister, Government of India Mr. P. Chidambaram was invited to witness the arms laydown ceremony by KLNLF. But Union Home Minister could not attend the meeting for some unavoidable circumstances and for the same he sent a message through Deputy Commissioner of Karbi Anglong Mr. M.C. Sahu to cconvey the leaders and cadres of KLNLF. Chidambaram mentioned about his confident that would help in creating conducive atmosphere for tripartite talks. The KLNLF Publicity Secretary Rijak Dera announced his full confident on the message sent by Union Home Minister and he asserted that, 'KLNLF need political power, not money'. And appeal the government to initiate the talks at the earliest. Chairman of the KLNLF could not attended the arms lay down ceremony as he was arrested by the Police and was lodged at District Jail, Diphu and Acting Chairman of KLNLF Mr. Habe Tokbi read out the written speech on behalf of the organization. "The movement launched by the KLNLF has been for achieving self-rule (*Hemprek Kangthim*) within the framework of the Indian

Constitution. We believed, the political crisis in Karbi Anglong can be settled only by a political decision taken at the highest level. Therefore, to have a meaningful political solution, involvement of political heads from both sides is crucially essential. So, we urge upon the government to initiate political negotiation from the Ministry of Home Affairs rather than any bureaucracy level talks and constitute a Cabinet Committee headed by our honourable Prime Minister or Union Home Minister of India.²⁴¹ The organization determined for achieving *Hemprek Kangthim* (self-rule) for the Karbis within the framework of Indian Constituion. In the hope of positive reponse from the government the KLNLF have lay down their arms. The details of arms and ammunitions lay down by the KLNLF members is shown in Table 6.2

Table 6.2: Arms and Ammunition lay down by the KLNLF in 2010

Sl. No.	Category	Numbers/weight handed over
1.	AK series rifles	46
2.	M-16 rifles	06
3.	G-3 series	01
4.	Self Loading Rifles (SLR)	11
5.	RPG-7	01
6.	Universal Machine Gun (UMG)	01
7.	US carbine/Sten gun	08
8.	Lethod Gun (40mm)	06
9.	Pistol/Revolver	32
10.	Semi Rifles	04
11.	Light Machine Gun (LMG)	01
12.	Shotgun	01
13.	SBBL	08
14.	DBBL	02
15.	.22 Rifles	03
16.	Assaulted Ammunitions	9471
17.	Lethod Gun Shell	19
18.	TNT	25 kilogram
19.	Improvised Explosive Device	500 gram
20.	RDX	02
21.	Time Device	02
22.	Electronic Detonator	12
23.	Chinese made grenade	22
24.	Rifles magazine	218
25.	Radio sets	14
26.	Wireles Walky Talky set	01

Source: The Arleng Daily (February 11, 2010)

²⁴¹ See, Written Speech of Mr. Habe Tokbi, Acting Chairman, KLNLF during Arms Laydown Ceremony on February 11, 2010 at KASA Stadium, Diphu

The first round of informal talks was held on May 7, 2010 at Guwahati with the Government's representatives and KLNLF leaders. Before going for formal talks, a consultative meeting was organized by the KLNLF over its Demand Charter at Agriculture Farmer's Hostel Conference Hall, Diphu. To initiate the peace talk's process, the government has appointed the former Intelligence Bureau Chief Mr. P.C. Halder as Interlocutor (Government of India's representative) to negotiate with the KLNLF. As per the resolution of consultative meeting, a Demands Charter of their organization was handed over to PC Halder on June 9, 2010. Talks with the government are on the process and the militant leaders are pleading for self-rule or separate statehood to the Karbis tribe with a defined territory within the constitutional framework of India.²⁴²

6.7 Demand Charter of Karbi Longri and North Cachar Hills Liberation Front

The Karbi Longri North Cachar Hills Liberation Front (KLNLF) has submitted Demands Charter to the Union Government in the due course of their political dialogue with the State and Union government through P.C. Halder, Interlocutor, Government of India. The Demands Charter put stress for re-establishing the inalienable rights of the Karbi People for self governance. The very process of present dialogue has recognized the following ground realities:

- (a) The existing arrangement under the sixth schedule of the Constitution of India in the hills areas of Assam is obsolete and unworkable.
- (b) The urgent need to meet the aspiration of the people of hills areas for self-rule under a separate arrangement other than sixth Schedule or so called autonomous council.
- (c) Peaceful and permanent political settlement is the only way for sustainable peace and development in the region for overall paramount national interest.

The KLNLF leaders demand for creation of separate Karbi Longri state (here after is referred to as 'Karbi Longri') comprising of the present Karbi Anglong Autonomous Council District i.e the areas transferred to the Mikir Hills autonomous district by the notification of the Government of Assam No. TAD/R/31/50/149 dated April 13, 1951 and such other tribal dominated contiguous areas as specified annexure – I, under Article 3 of the Constitution of India. The Karbi Longri state will consist of the Governor and the Legislative Assembly. The total number of seats in the Legislative Assembly shall not be less than 60 seats and shall be reserved for Schedule Tribes. The seats are to be filled by persons chosen by direct election. For this purpose, the Representation of People Act 43 of 1950 shall be amended. There shall be a Council of

²⁴² Written Speech of Thong Teron, General Secretary, KLNLF/KNPR during first anniversary of Ceasefire Agreement signed with the Government of India on February 11, 2011

Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions in relation to Karbi Longri. The Chief Minister shall be appointed by the Governor and the other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor. The Council of Ministers shall be collectively responsible to the Legislative Assembly. The executive power of Karbi Longri shall extend to all the subject listed in List –II (State list) and List-III (Concurrent list) of the seventh schedule of the constitution of India. Those departments shall be treated as transferred or devolved to the state as inherent departments with full legislative, executive and judiciary power. In addition the Union list of entries 41 and 42 shall be devolved to the State, for these purposes the constitution of India shall be suitably amended. The Karbi Longri shall have its own Advocate general. The Karbi Longri shall have its own Conduct of Business procedures. English shall be the official language of the State till the Karbi Language is developed and recognized as Major Indian Language (M.I.L) in the 8th Schedule of the Indian Constitution. Karbi Longri shall be the sole authority in fiscal and policy matters of planning, tax, revenue and finance as contained in Part XII of the Constitution of India. Central assistance for Plan fund will be fixed taking note of any residuary gap in resources so as to sustain the approved plan outlay and the pattern of assistance will be as in the case of Special Category State like Mizoram, Nagaland etc. The existing Karbi Anglong Autonomous Council constituted under the Sixth Schedule to the constitution of India shall be retained to act as a nodal agency to percolate developmental work down to the grass root level. There shall be High court bench for Administration of Justice. The Karbi Longri shall have its own Public Service Commission and Civil Service cadres. Karbi Longri shall be entitled to have another 1(one) seat in the House of the People (Lok sabha) and one Seat in the Council of State (Rajya Sabha) for which the First Schedule of the Representation of the Peoples’ Act, 1950 (43 of 1950) and the Fourth Schedule of the Indian Constitution shall be suitably amended. Notwithstanding anything contained in the Constitution, no act of Parliament in respect of – (i) Religion or Social practices of the Karbis, (ii) Karbi customary Law or procedure, (iii) Administration of Civil and Criminal Justice involving decisions according to Karbi customary Law, Ownership and transfer of land and also utilization of its mineral resources shall be apply to the State of Karbi Longri unless the Legislative Assembly of Karbi Longri by a resolution so decides.

Karbi inhabited areas of Ribhoi District of Meghalaya and Amri Karbi inhabited areas of Kamrup District of Assam shall be brought under the Administration of Karbi Longri. Karbis living outside Karbi Longri i.e. Assam, Arunachal Pradesh and Meghalaya shall be recognized as Schedule Tribe (Hills) and a Development Council shall be created for Karbi Living in Tribal Belt and Block of Assam in Sonitpur District, Nagaon District, Morigaon District and Cachar District.

In their Demands Charters, the KLNLF has demanded an economic package for infrastructure development in Karbi Longri (state) and construction of Karbi Longri capital complex at Inghongpo (Singhason). The Government of India shall sanction an approximate amount of Rs.5, 000 crores as one time lump sum grant. Besides these, they also demanded the exemption of taking Major Indian Language (MIL) as compulsory paper in the Union Public Service Commission examination by candidates of Schedule Tribes (Hills) of Karbi Longri and shall receive the same concession as enjoyed by other hills state of Meghalaya, Manipur, Mizoram, Nagaland, etc (for this purpose relevant UPSC Act shall be suitably amended).

Karbi Longri shall be re-organized in to five revenue and administrative districts namely: Lumbajong District with Headquarters at Diphu, Jiroi District with Headquarters at Dongmukak, Nilip District with Headquarters at Chokihola, Amri-Chinthong District with Headquarters at Hamren and Rongkhang District with Headquarters at Dongkamukam and 14 civil sub-divisions with headquarters at Diphu, Dillai, Disobai, Langlokso, Donghap, Jirikindeng, Punja Borpathar, Rongmongve, Hanjanglangso, Khanduli, Ampanai, Menmiji, Dolamara and Rongjangphong. In their demands, they also included the establishment of Central University, National Institute of Technology, Central funded Medical College, India Institute of Management (IIM) in Karbi Longri. Till the Commission of these institutions, government of India shall consider for reservation of Seats for Students from Karbi Longri at different Central Technical Institution, like Medical, IIT and IIM in India. And to develop the Karbi Language, the 8th schedule of the constitution of India shall be amended to include Karbi Language in the list of the National Language.

The KLNLF join the national mainstream and shun the path of violences in the interest of peace and development in the region. So, after the formation of the interim government of Karbi Longri, the KLNLF will dissolve itself as an organization after swearing-in of the interim government. Central Government and the State Government of Karbi Longri would provide full support to relief and rehabilitation of the members of KLNLF and shall be considered for joining the Arms Forces by the Government of India. Those cadres who are not absorbed to any government services shall be paid an amount of Rs. 10 lakhs as one time grant by the Government of India, in addition the KLNLF demanded the State Government shall to pay a monthly pension of Rs. 15000/ (fixed) per month to those cadres. Grant of general amnesty to all cadres and leaders of KLNLF and it sympathizers and withdrawal of criminal cases against such persons and those related to Karbi movement since 1993. To increase representation of Karbi youth in the Arms Forces the Government of India Shall considers raising a Karbi Regiment. The demand even included the Special Rehabilitation Programme for the people affected by ethnic disturbances in Karbi Longri who are at present living at relief camps. Necessary funds for their rehabilitation shall be provided by the Government of India.

6.8 Chronology of Peace-Talks between KLNLF and Government

Following are the chronology of the peace-talks held between KLNLF and the Government of Assam and Government of India.

- i. On June 06, 2010 talk was held with Mr. P.C. Halder, Interlocutor, Government of India in New Delhi.
- ii. On June 10, 2010 talk was held with Mr. P. Chidambaram, Union Home Minister, Government of India in New Delhi.
- iii. On August 17, 2010 talk was held with Mrs. Sonia Gandhi, Chairperson United Progressive Alliance (UPA)
- iv. On August 18, 2010 talk was held with Dr. Manmohan Singh, Prime Minister of India.
- v. On September 03, 2011 talk was held with Mr. P.C. Halder, Interlocutor, Government of India and representatives from Government of Assam in New Delhi.
- vi. On September 04, 2011 talk was held with Mr. P. Chidambaram, Union Home Minister, Government of India in New Delhi.
- vii. On September 07, 2011 talk was held with Mr. P.C. Halder, Interlocutor, Government of India and representatives from Government of Assam in New Delhi.
- viii. On September 03, 2012 talk was held with Mr. P.C. Halder, Interlocutor, Government of India in New Delhi.
- ix. On December 18, 2012 talk was held with Mr, Sushil Kr. Shinde, Union Home Minister, Government of India.

6.9 Chapter Summary

Several rounds of talks have already been completed between the KLNLF and government since they entered into a ceasefire agreement. But, till date their charter of demand is yet to be discussed. The KLNLF launched the movement for achieving of self-rule within the framework of the Indian Constitution. They have demanded for separate Statehood under the provision of Article 3 of Indian Constitution or at least Autonomous State under the special provision of Article 244 (A) of the Indian Constitution but below that they decided not to sign any accord with the Government.

It will be again watchable as to what kind of agreement or accord would be signed in the future between KLNLF and the Government of India as the peace process of searching towards a final political settlement. Who will be benefitted by such an agreement in future and for whose interest; what kind of term of reference would be arrived. It will be interesting to watch the future course of demand for Statehood either

rejection or acceptances of ceasefire, political negotiation and their violation by different groups, factions and section of people including the governments.

The journey in quest for Statehood by the Karbis is still remained incomplete, the aspiration remains unfulfilled and the fight remains inconclusive. During the course of journey, certain milestones have been positively crossed by extra-ordinary resilience and collective wisdom of the Karbi masses. The mistake were also committed extracting heavy penalty and on few occasion causing far reaching negative impact on the society.

Infact the Militant movement could not materialize the core demand of Statehood by the Karbis. The pro-Statehood movements were divided by state forces, anti-tribal activities of the ruling dispensation, rural economy was devastated leading to large scale pauperization of Karbi masses all this has created desperation, frustration and unemployment. However everything is not yet lost and the Karbis are once again resumed back the journey to create a positive Karbi History though it may take few decades. The Karbis donot seek to divide Assam but they only want their ancestor's land back for which they are demanding a separate statehood.