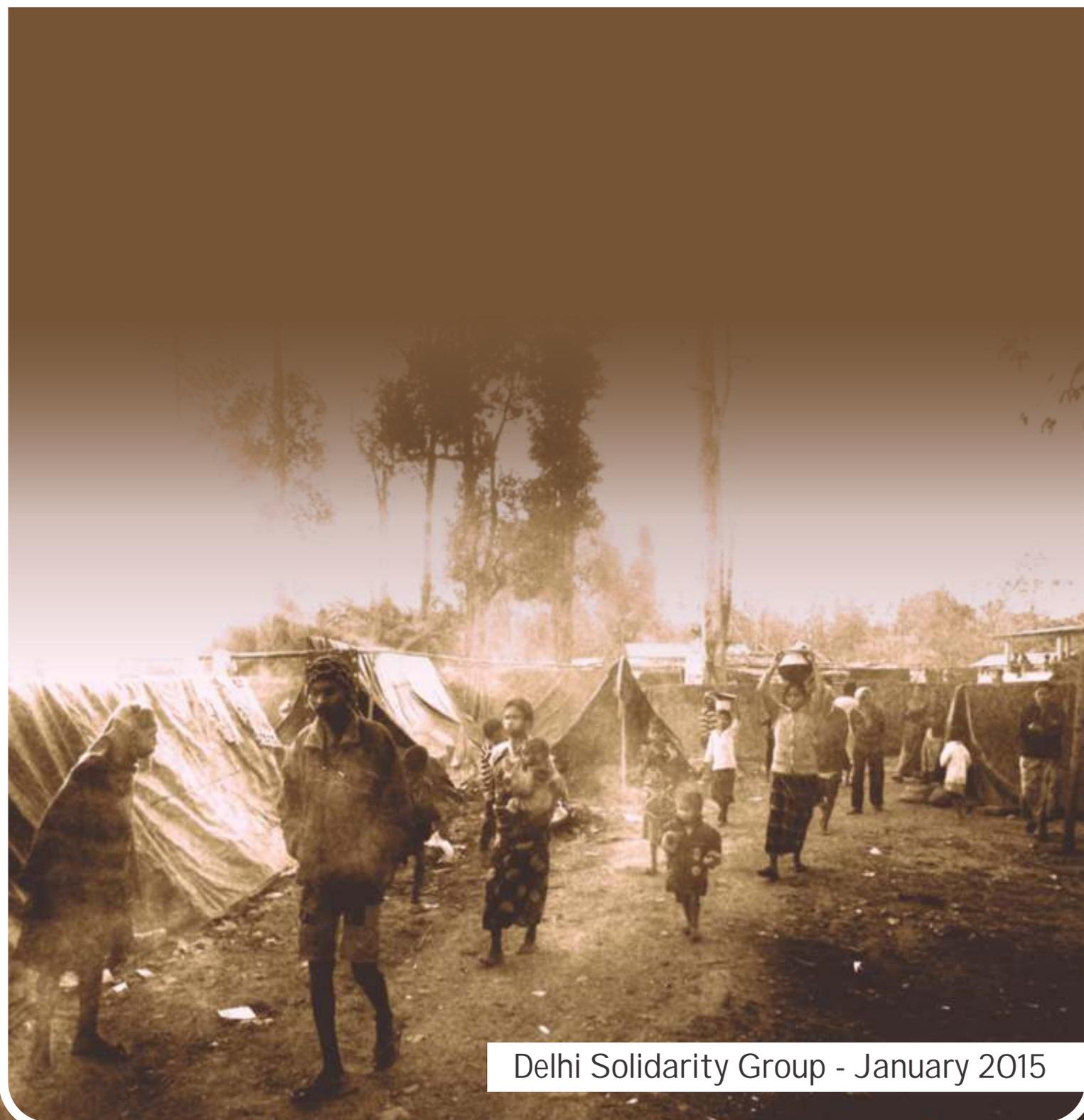
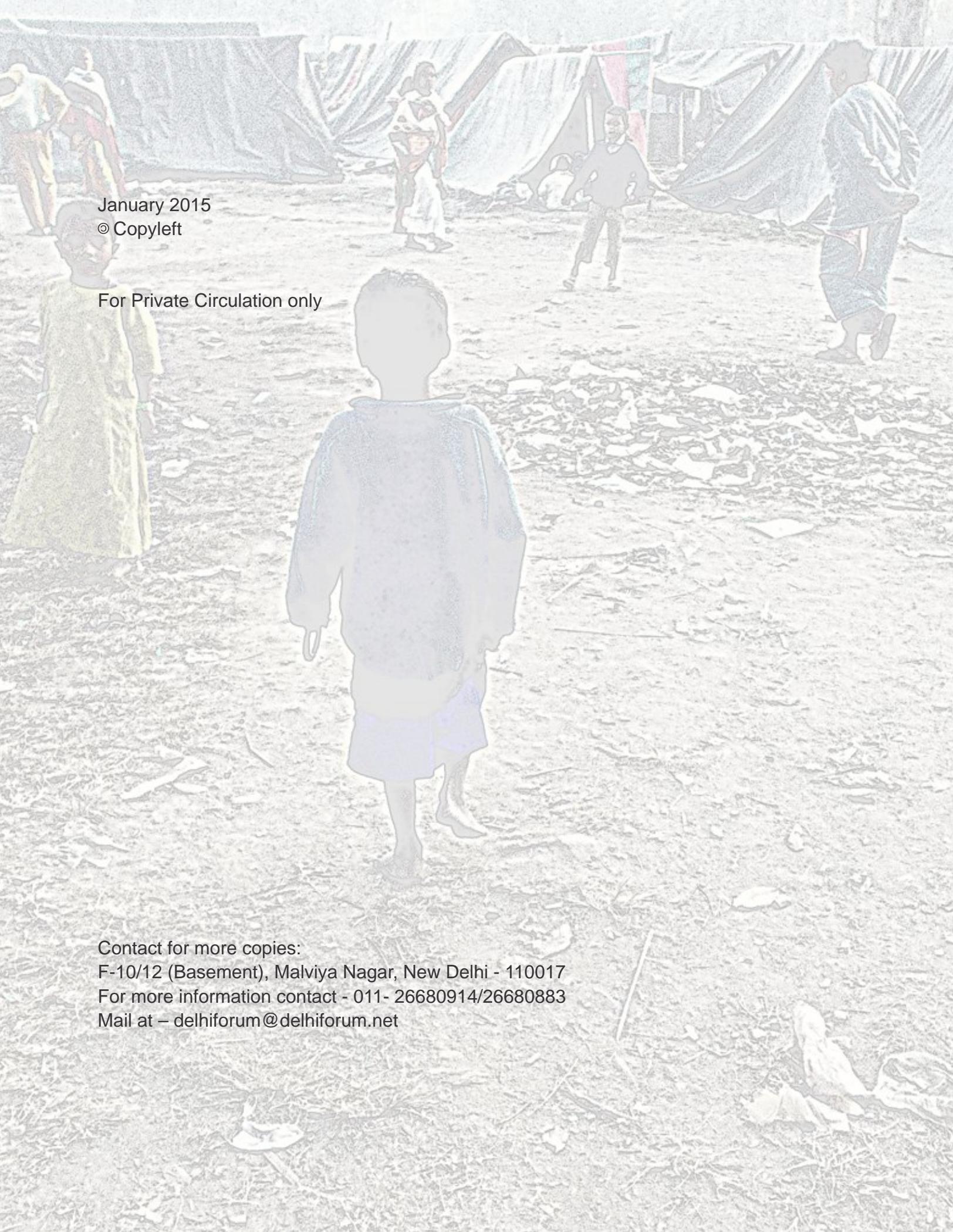


RECENT MILITANT VIOLENCE AGAINST ADIVASIS IN ASSAM

Report of a Fact Finding Team



Delhi Solidarity Group - January 2015



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RECENT MILITANT VIOLENCE AGAINST ADIVASIS
IN ASSAM
A FACT FINDING REPORT (10-12 January 2015)

Introduction

On December 23, the Bodoland autonomous region of Assam and some adjoining areas suffered an eruption of ethnic violence, particularly in the two districts of Kokrajhar and Sonitpur. These outbreaks of violence have been a disturbingly recurrent feature of the quarter-century long campaign for autonomy in the districts north of the Brahmaputra. Between January 10 and 12, a fact finding team constituted by the Delhi Solidarity Group comprising senior journalists Seema Mustafa and Sukumar Muralidharan, and human rights worker Harsh Mander, visited the villages ravaged by the killings as well as relief camps where terrified residents had fled. The team was assisted by Shefali from the Delhi Solidarity Group and Mangla Verma from the Centre for Equity Studies. In Guwahati, Kokrajhar and Sonitpur, the team was rendered invaluable support, assistance and guidance by Raju Narzary of North East Research & Social Work Networking (NERSWN) and Abdul Kalam Azad from Aman Biradari.

1. Findings

As the sun was setting over the low forested hills and farmlands of the northern districts of Assam on December 23, armed militants in military fatigues, their faces masked, walked into small and remote *adivasi* hamlets to carry out a chilling series of coordinated attacks. Residents in these hamlets, at five locations in Kokrajhar, Chirang and Sonitpur districts were mowed down by indiscriminate firing from what were reportedly automatic weapons. More than 70 people, including at least 18 children and 21 women, were killed in a matter of minutes.

The armed intruders burned down and ransacked several of the mud hutments in these hamlets before retreating into the jungles. In retaliatory attacks the following day, at least 5 Bodos were murdered and several homes gutted. In Sonitpur district, a protest demonstration taken out by *adivasi* political groups in Dhekiajuli was fired on by the police with three deaths and several injuries. In Udalguri, a protest demonstration taken out by *adivasi* youth was set upon, resulting in injuries on both sides and an atmosphere of tension.

Initial reports about the number of the displaced were wildly contradictory. Kokrajhar was clearly the district worst affected in this respect. News reports datelined December 25 and attributed to the Deputy Commissioner, Kokrajhar, put the number of the displaced at 25,000 in that district alone. On December 28, the figure was scaled up to 100,000 in all four Bodoland districts, Kokrajhar, Baksa, Udalguri and Chirang. The following day a very precise figure of 176,440 was put out as the total number of the displaced, of which 101,272 were identified as *adivasi* and 61,000 as Bodo. The greatest incidence of displacement was in Kokrajhar, where an estimated 100,000 had fled their homes. On January 1, the number was revised upwards yet again to 236,349 in all four districts, of which again the largest part by far was in Kokrajhar, where 197,189 persons were sheltering in 81 camps for the displaced.

It seems finally from the inquiries of this team, that ***roughly 300,000 left their homes in the aftermath of the first attacks and the retaliation.*** A large number may have gone back soon afterwards, but as the harsh winter days and nights passed, the district administration did have to reckon with human displacement on a major scale. At the time that this fact-finding team met the Kokrajhar Deputy Commissioner on January 10, the numbers had begun to shrink. Of the initial displacement of close to 200,000 he said, fewer than 71,000 remained in camps within his jurisdiction.

This team visited camps for the displaced in Kokrajhar district and villages that had been targeted in Sonitpur. We found the inmates deeply traumatised and profoundly insecure. Desperately impoverished and defenceless to begin with, the targeted and displaced *adivasi* communities in particular stand in dire need of security assurances they can rely on.

Testimonies from victim survivors:

Sonitpur district: The armed attackers chose hamlets of *adivasi* settlers which were deep in the forests and close to the borders of Bhutan and Arunachal, where they hid after the attacks. Team members visited both the hamlets in Sonitpur district in which six and thirty villagers had been slaughtered respectively, Dhekiajuli and Biswanath Chariali. To reach the hamlet in Biswanath Chariali, in which the largest number of killings occurred, we had to walk around five kilometres further into the forests after the motorable road reached its end. We found residents camping there under thin plastic sheets just in front of a camp of paramilitary soldiers who had been rushed to extend them protection.

The villages we visited, we were told, were settled some 15 to 20 years earlier. Elders among the villagers had laboured hard to fashion paddy fields after clearing the thick forest cover. Some settlers came because there was no work for them in the tea gardens of the area, others reported fleeing earlier settlements in Kokrajhar because they were fed up with the extortion by armed militants. Sonitpur district falls outside the boundaries of the Bodo Territorial Council (BTC), which is why the *adivasi* communities expected to find relative safety there. But many Bodo families also settled in the same forests around the same time. The *adivasi* and Bodo settlers maintained mutually cordial ties prior to the attack, and invited each other for weddings and funerals. However in recent years, some local militants had begun to extort informal “taxes” from them, even for every headload or bicycle-load of firewood gathered from the forests. There was no violence though: the December 23 attacks were the first time they suffered physical violence, which is why they have been left more shaken and frightened.

In both villages, the accounts of the raids were similar. Armed young men, their faces covered and with only eyes showing, arrived at their homes and first asked for water to drink. After they were served, suddenly and without any warning they opened fire with their automatic weapons, killing whoever they saw – children, women and men. They chased villagers down as they fled in terror. The survivors hid behind trees, and watched as many of their homes were set on fire and their meagre belongings vandalised. Eye-witnesses reported that the intruders danced in celebration as they left after the slaughter, unhurried and unafraid that the police would catch up before their escape.

Leaders of the *adivasi* student unions came in after nightfall, and it was they who offered solace, called in the police, helped with the last rites, and took the traumatised survivors to the safety of the roadside. Here the local administration later established makeshift camps, as thousands of *adivasi* settlers, and often their Bodo neighbours, fled separately in panic to the security of camps. At the peak, there were 200,000 people in makeshift camps in the affected districts, battling trauma, fear and the winter cold. They felt safe only when trucks with large deployments of paramilitary soldiers drove into these forest interiors. In some places, the student leaders and volunteers marched with the villagers to local police outposts, shouting anguished slogans and parading the corpses of the dead. Police personnel in some of these outposts panicked

and fired at the peacefully protesting crowds. It is officially learnt that three *adivasi* protestors were killed during police firings.

A few houses in Dhekiajuli under Sonitpur district were burned down in retaliatory attacks. Agitators also vandalised the local office of the All Bodo Students' Union (ABSU) in Dhekiajuli.

The prospect of violence spiralling out of control was defused. In Sonitpur, the student leaders and village elders took care to reassure their Bodo neighbours that they had nothing to fear from them. Despite similar precautions by *adivasi* student leaders and elders, at least three Bodos in Kokrajhar district were killed in revenge for the Adivasi slaughter. Bodo student leaders joined the protests against the firing, and tried to assist with relief for the affected *adivasi* people.

In our discussions with the *adivasi* villagers, we encountered extreme fear about their security once the forces deployed to guard them were withdrawn. Though the state administration is committed to a deployment of the men in uniform for as long as they are required, the targeted communities are not quite reassured.

There was virtually no outreach of the development state in these villages. Even the nearest primary school was more than seven kilometres distant, through the jungles; not surprisingly most children never went to school. There were no ICDS centres for young children, no health worker, and no MG-NREGA public works. Almost none of the households had ration cards, and the PDS shop was again seven kilometres distant. We spoke to the local development officers, and it was clear that the first time most had visited the village was after the slaughter.

We met in these villages an extremely impoverished people. They owned almost nothing, and had no titles to the small paddy plots which they had cleared and cultivated. Among the families we spoke to, we met a young teenage girl who had been sent to Gurgaon near Delhi to work as a domestic help. We met many male migrants who worked brief stints in factories and construction sites as distant as Gujarat and Chennai.

Korakjhar: The team visited a camp for the displaced people in Saralpara in the Ulta Pani reserve forest area. There were an estimated 9,011 inmates there, all of them from local *adivasi* villages. In all 51 villages from the far and near environs had evacuated into this camp, which was set up in the immediate vicinity of a Sashastra Seema Bal (SSB) base on the Bhutan border. We met with inhabitants of the Shantipur village, some ten kilometres from the Saralpara camp, which had suffered a lethal attack in which an estimated twelve were killed. Most of the 32 houses in the village were gutted and large parts of the 15 bighas of agricultural land, freshly sown with sesame, mustard and ginger, were laid waste. A number of inmates of the Saralpara camp had also sought refuge from Pipargaon village, located again at a distance of about ten kilometres. This village had also been attacked at the same time, though without loss of life.

Terrified villagers ran into the forests where they cowered in fear until the militants left. A young girl Munni Hembram, told us how her mother and elder brother were killed.

Clearly not comprehending the magnitude of what has happened, she said she was on her own, with no surviving member except a cousin. A young man said that the militants dressed in black had their faces covered, were heavily armed, and ruthless. He said he ran into the forest until the firing stopped and he was sure they had left.

The forest hamlets belong in a different age. Very little is perceptible in terms of what could be called the markers of “development” despite the creation of Bodoland with its own administrative council. The people have small tracts of agricultural land, and supplement meagre incomes with manual labour as and when they can find it. There are no schools, no roads, no health centres, just utter, unrelieved penury where man has forsaken man and there is no sign of governance.

Dense forests connect this part of India to Bhutan. Recent years have seen alternating attacks by the militant groups---with new factions emerging every now and again---on Muslims and Adivasis. The reasons vary but have largely to do with land and political differences which typically become fierce in electoral contexts. Muslims were brutally targeted last year soon after polling in the Lok Sabha elections just because they were believed to be wavering in their support for a Bodo candidate. And speeches had been made by top BJP leaders stirring the communal cauldron as it were.

Locally the displaced villagers have no idea of why they were targeted. Everybody that this team spoke to in the relief camps confessed to a sense of bewilderment: “no we have had no problem, no confrontation, we don't know why they just came and attacked us.” There were no threats or prior warnings although the local police chief said that they had intelligence information of a possible attack without specific knowledge of the precise location. With or without the information the administration was ill prepared for the attack, with no effort made to strengthen security in the area at all.

Nearly 300,000 people ran for their lives as news of the attack swept through the remote villages. On December 24 some *adivasis* grouped together to launch a counterattack on Bodo villages in the area. Thousands of Bodos fled as well and today Kokrajhar's jungles are full of relief camps for both communities, the *adivasis* of course being the worse hit. Of the 300,000 now about 90,000 villagers remain and are looking for concrete assurances that they will be secure in their homes before venturing back. The district authorities are making arrangements for police pickets in the more sensitive villages, but even they know that these cannot be permanent arrangements. Neither is there the faintest pretence that they will be able to provide security in all parts of the area, where villagers are widely spaced and dispersed.

The camp for displaced *adivasi* people that this team visited was a dismal place. Most hutments were built on short bamboo poles no more than three feet high. They had typically single sheets of plastic or tarpaulin as roofs. Supplies were not reliably available. A young man that this group met had a modest sized bundle of potatoes, onions and spinach with him, for which he had paid a hundred rupees. Medical units were not in evidence. Despite the environment of fear, inmates were keen to return home given reliable security assurances. The squalor of the camp they were in was undoubtedly a powerful push factor.

Much of the relief material has been provided by local civil society organisations and unions. The district administration has been involved in mobilising and distributing relief material, but not to the extent required, according to most of the inmates of the camps for the displaced.

We observed a decided difference in the camp for the Bodos we visited, some ten kilometres off the main highway between Guwahati and Kokrajhar. Most dwelling units here had two layers of plastic or tarpaulin for their roofs, were closed on at least three sides and were built sufficiently high for an adult to enter standing up. A butcher seemed to have set up shop in the camp. A medical van fully equipped under the National Rural Health Mission arrived while this team was at the site. The *adivasis* seemingly had to seek safety in the vicinity of an SSB base to ensure that they would be secure. But the Bodo camp had a full contingent of the Assam Police under a sub-inspector rank officer and some fifteen personnel, assigned to guard it.

The inmates of the Bodo camp that this team spoke to said that they were not over-anxious about returning to their villages. Kokrajhar Deputy Commissioner Thanesar Malakar told us that except for those whose huts had been burnt, all others were in the process of returning to their villages.

Causes for the current upsurge of violence

The reasons for the attack on the Adivasis are unclear. The state administration believes that recent operations have cut the Songbijit militant faction of the National Democratic Front of BODoland (NDFB) very close to the bone. The terror strikes may have been an effort to terrorise villagers in areas they routinely move through, to preempt any possible information being passed on to the security agencies. They could also have been a way of taking the pressure off their more vulnerable flanks by diverting the attention of the security forces elsewhere.

Media reports have suggested that communications intercepts by the intelligence agencies revealed an intent to cause a wave of violence after a number of cadre of the I.K. Songbijit faction – referred to as the NDFB(S) – were captured or eliminated in recent encounters. The group was under pressure and may have carried out the massacres to divert security forces to protective patrolling. Kokrajhar's Police Superintendent Sunil Kumar confirmed that intelligence inputs were available suggesting an imminent attack. But with an overstretched force and a vast territory to guard, it was impossible to prepare adequately.

Other local observers suggest that the attacks may have been in retaliation for the cancellation of the captured Bodo militant leader Ranjan Daimary's bail. Since being taken into custody in Bangladesh and transferred to India in 2010, Daimary's faction of the NDFB has entered into a ceasefire agreement with the Indian authorities. However, he still faces trial for a string of bomb blasts in Assam in October 2008, carried out with ostensible intent to wreck the peace talks then underway between another faction of the NDFB and the government. Songbijit is a former military commander of the Daimary faction who opposed the ceasefire deal. Though ostensibly operating autonomously of Daimary, there are several who believe that Songbijit could still be working covertly on

an operational agenda that is coordinated with his former leader.

Still another possibility is the intent of the underground groups to wreck the imminent elections to the Bodoland Territorial Council. The BTC is currently under the control of Hagrama Mohilary, whose Bodoland Liberation Tigers (BLT) ceased hostile actions in 1999 and concluded a disarmament agreement in 2003. First by nomination and then through elections, Mohilary's group has been in control of the BTC ever since. Mohilary has emerged as an important powerbroker in the Bodo regions, whose patronage is courted by mainstream regional parties like the Asom Gana Parishad, and national parties such as the Congress and BJP. Rivalries with other Bodo militant groups, notably the numerous factions of the NDFB, remain intense. And there are several players who would be keen to ensure that the election process is derailed.

Glimmers of hope are evident in the manner that student bodies and civil society organisations have stood up to condemn the wave of terror and extend all possible sustenance to the victims and survivors. The All Bodo Students Union (ABSU) and the All Assam Adivasi Students Association (AAASA) have coordinated their efforts and forcefully asserted a message of peace and communal amity. They are also working in concert to persuade the displaced persons to return to their villages and set up cooperative mechanisms of self-defence.

The major security operations launched by the Assam Police and local army units have the full support of Bodo political groups and civil society. They tend to share a view of the NDFB(S) as a group wedded to terror without a larger political or ideological goal.

Youth leaders and civil society organisations point out that the violence of the 1990s when the Bodo identity movement was at its peak, could be described as ethnic clashes, given the competition for scarce land and resources that was particularly acute then. The recent violence though, could possibly be called “terror strikes” since they have been carried out with the intent to shock and awe the authorities and the civilian populations that are seen as threats to militants' freedom of manoeuvre. Further, unlike the earlier episodes when militant groups seemingly had some support outside their ranks, now there are very few people in the wider population who are willing to speak even the slightest in their support.

These are some of the positives of the current situation. Yet the situation of the *adivasi* communities in Assam remains precarious. This is poor testament for India's commitment to the principles of equality and fair opportunity, since these are people who have been calling the state their home for several generations. The story of the *adivasis* of Assam is one of forced displacement and tremendous resilience against formidable odds. Well over a hundred years since they were settled in Assam and other parts of the north-east, it is time they were assured a fair deal.

2. The *Adivasis* of Assam: a Brief History

The murderous attacks carried out on December 23 on *adivasi* communities in Assam's northern districts were in themselves a deep human tragedy. Still greater as tragedy is the fact that the assault targeted one of the most oppressed and dispossessed communities in the entire north-eastern region, and indeed, all of India. This was not the first such attack which the community has endured, and it is unlikely to be the last. It is a measure of political and social disempowerment that their slaughter has not caused even a blip on the collective conscience of the country, let alone the rest of the world.

A meticulously researched paper by the University of Toronto scholar Jayeeta Sharma, recounts the grim history of the *adivasi* settlement as indentured labour in Assam since the mid-nineteenth century, which it characterises as an element of the great colonial capitalist enterprise.¹ The discovery that Chinese tea could flourish in the hills and plains of Assam led to the clearance of vast forest tracts for tea plantations. Whereas land for these plantations was available in abundance, the tea planters confronted the continuing challenge of finding hardy, submissive and industrious labour. Originally they relied briefly on labour imported from China, which was found unequal to the hard work required for clearing the thick jungle undergrowth. This gave way to the employment of workers from indigenous tribal communities like the Nagas, who they found sturdy and hard-working, and often willing to work in return for as little as some rice, shells and beads. But they worked when they chose, and refused to be regimented and controlled. The colonial tea planters experimented with other local tribes, but resistance to the iron discipline of tea gardens led them to search for other workers.

Around that time, tribal communities from the Chotanagpur plateau of Central India were recruited in large numbers to labour at dirt wages in burgeoning colonial enterprises such as sugar factories, indigo plantations and railway construction. These workers were resilient and acquiescent, quite able to meet the tough standards of labour the plantation owners sought. They were called coolies, and the colonial government assisted the planters with coolie indenture contracts, strengthened further by ruthless penal legislation. Sharma recounts that "Men, women, and children were sent from Central India, a long, difficult journey by steamers, roads, and later railways, into the jungles and gardens of Upper Assam. By the end of the nineteenth century, Chotanagpur labourers acquired the highest rank among Assam coolies. They became known as 'Class I junglies' in the planter's lexicon".

These indentured workers and their families were housed in cramped and poorly serviced workers' lines. As Sharma records: "They were virtually imprisoned in the squalor of the housing lines and locked in at night. These migrants found themselves living in the middle of remote, forested terrain. They were allowed little or no contact with local villagers. Flight was almost impossible since ignorance of the terrain, coupled with bounties offered to hill people to track runaways with dogs ensured that the plantation existence had to be borne

1 Jayeeta Sharma, "'Lazy' Natives, Coolie Labour, and the Assam Tea Industry", *Modern Asian Studies*, 43:6, 2009, pp 1287-1324.

against all provocation”. To make matters worse, British planters were armed with penal powers of arrest of workers who tried to leave before their indenture contracts were completed. Plantations worked with their own system of legality.

The availability of large tracts of forest land attracted workers to Assam and induced them to remain even after their contracts ended. They cleared the forests to carve out paddy fields, and were also available as contract labour, called “*faltus*”, (or extras), during the peak plantation seasons. Settlements grew gradually in erstwhile forests in which indigenous tribal communities like the Bodos, former coolie *adivasis*, caste Hindu Assamese, and Nepali and new East Bengali settlers lived side by side. Their links with original homelands gradually snapped, although they spoke their native *adivasi* tongues, and learnt Assamese and often Hindi.

Conditions of virtual slave labour persisted right up to the 1920s, when a nationalist agitation led by Gandhi and C.F. Andrews finally put an end to the indenture system. But even though they were now nominally free, these workers remained submissive and severely exploited, and continued to work under near-colonial conditions of employment and housing even long after Independence.

It is estimated that the so-called “tea-tribes” today constitute between 15 and 20 percent of the population of Assam, but they survive with the poorest human development indicators in the state. The tea-tribes are not notified as Scheduled Tribes (ST) in Assam, though counterparts in Jharkhand and the central Indian tribal region enjoy this benefit. *Adivasis* in Assam are deprived of the benefits of reservations. Labour economist B. Saikia reported in 2008 that tea-garden labourers are typically paid wages lower than the minimum and even paid partly in kind.² Tea garden labour lines have been always kept under-developed and dependent for their basic survival needs on tea-garden managements. The underlying design is simple: even if nominally free, they are to be always on call to meet requirements of cheap labour.

Compared to the state average of out-of-school children in the 6-14 age group of 22 percent in 2002, the proportion in tea gardens was 43 percent. Teachers are employed by management and are often “part-time teachers” who work on the gardens for the remainder of the day. Child labour is highly prevalent, with children leaving school to work for a nominal wage. A 1990 government report estimated that children working in tea gardens constituted about 14 percent of the total labour force. Children were subjected to strenuous tasks such as carrying heavy loads, plucking, fertilisation and even working at the factories.

A 2007 study by the central government revealed a high incidence of under-nutrition among the Assamese *adivasi* communities. Among children, 59.9 percent were found to be underweight and 72 percent to be suffering from deficiency disorders like anaemia. Hypertension affected 45.9 percent of the population. This is caused in part by the high intake of salt by the community. To save costs, British plantation owners got workers used to drinking tea with salt, a practice which continues to the present day. Infectious diseases

² Saikia, B., Development of tea garden community and *adivasi* identity politics in Assam, *The Indian Journal of Labour Economics*, 51:2, 2008. Extracted from:
<http://www.isleijle.org/ijle/issuepdf/53d318c4-13f6-4a4e-bb22-09a0796b5ea2.pdf>

such as worm-infestation (65.4 percent) and pulmonary tuberculosis (11.7 percent) – both linked with poor hygiene and nutrition – are prevalent to a much higher degree than any control group. Over 40 percent of workers, in a survey, reported that they had no access to medical facilities.

A 2012 case study by Hazarika in the Jorhat tea gardens found that average daily earning per labourer was about Rs 84; over 64 percent women workers and 40 percent male workers were illiterate; 80 percent of married women had 5 children or more; and 40 percent did not have *pucca* houses. Although tap water was available, facilities for filtration were not. The study showed that living conditions of tea garden labour were extremely poor, highlighting their dependence on garden managements who were apathetic as a rule. Levels of literacy, awareness of contraception, quality of housing and availability of water were some of the indicators evaluated.³

The misfortunes of this oppressed and deprived people were compounded following the creation of the Bodoland Autonomous Council in 1993. In this region, indigenous tribal Bodos, Bengali Muslims and *adivasi* communities all constituted roughly equal proportions of the population. Waves of violence successively targeting Bengali Muslims and *adivasi* were unleashed by armed militants in a bid to establish an original ownership title over the land. Some of the most brutal attacks on *adivasi* were mounted between 1996 and 1998, at the peak of which 300,000 among them sought refuge in relief camps. Some of these camps have not been dismantled despite the passage of two decades, as *adivasi* live in an official state of limbo and have never managed to secure any kind of assistance from the state government or the local authorities, or the newly created territorial council, in seeking a life of dignity and security.

Custodians of the forests are against rehabilitating *adivasi* since this would in their estimation amount to a legalisation of encroachments. Without a formal notification as ST's, they do not have the protection of the Forest Rights Act (FRA). In situations of displacement, resettlement procedures are determined by revenue status. Typically, the inhabitants of revenue villages and forest revenue villages are entitled to resettlement rights. Those deemed inhabitants of forest encroachments however, are cast into an official limbo.

Official policy at both the state government and the territorial council levels, mean that schools will not be built in areas deemed forest encroachments. In a land where living space is constricted by tea plantations on one side and protected forests on another, large numbers of people are finding themselves without a place where they can say they belong. With people of the Muslim faith, the same argument works in a different way: since the entire land is deemed to be under a “schedule”, they cannot claim any title over it.⁴

3 Hazarika, K., “Tea tribes are lagging behind in the process of urbanisation: A study on selected tea gardens in Jorhat, Assam”, *International Journal of Trends in Economics Management and Technology*; 1:6, December 2012.

4 The dilemmas of land and belonging in Bodoland are dealt with by Udayon Misra in “Bodoland: The Burden of History”, *Economic and Political Weekly*, XLVII:37, September 15, 2012, pp 36-42; and Nel Vandekerckhove and Bert Suykens, “The Liberation of Bodoland’: Tea, Forestry and Tribal Entrapment in Western Assam”, *South Asia: Journal of South Asian Studies*, 31:3, 45-71, 2008.

Indentured labour from the central Indian regions who were transported to countries like Fiji and Mauritius have today acquired education, economic strength and substantial political influence. As Sanjib Baruah, a scholar of the history and ethnic politics of the north-east reminds us, indentured workers from the central Indian plains were transported to Mauritius and Fiji at the same time as they were brought into the north-east of India. In many instances, the contractors who undertook the tasks of recruitment were the same.⁵ In Mauritius and Fiji, the descendants of those indentured workers have now achieved power in a substantive sense: several have risen to the rank of Prime Minister. And in a standing reproach to the quality of India's democracy, the gentle and industrious *adivasis* settled in Assam remain to this day exiles condemned to inhabit the outer margins of survival: exploited, malnourished, uneducated, and powerless pawns subject to wave after wave of targeted violence.

⁵ Interview with Fact Finding Team, Guwahati, January 11.

3. The Bodo autonomy movement: a brief historical sketch

There is much that is unique in the political evolution of Bodoland and much that is shared with other parts of Assam and the wider north-east, where the typical response to the competing pulls of ethnicity has been to create a proliferating number of zones of supposed tribal autonomy.

Bodoland has been a reality on the political map since 1993, taking on a fresh definition in 2003. It is a reality that continues to be defined by various forces, both overt and covert, pushing their particular visions. Some of these groups have earned their credentials as dialogue partners of the state and central governments through acts of violence. And once these dialogues have begun, they have progressed under a shroud of secrecy and opacity.

The most recent spurt in violence is attributed to the National Democratic Front of Bodoland (NDFB) led by I.K. Songbijit, a shadowy figure commonly believed to be from the Karbi ethnic community. The NDFB (S) as it is called, is itself a breakaway from the Ranjan Daimary faction, or the NDFB(R), which in turn emerged out of a 2005 schism.

The background to this last-named split is a story of how both concord and coercion have been elements in the history of Bodoland autonomy. An accord concluded in 2003 empowered one among several militant groups, the Bodo Liberation Tigers (BLT) which soon afterwards secured control -- through nominations at first and then through elections -- over the newly created Bodoland Territorial Council (BTC). While bringing some militants into the tent of political legitimacy, this alienated others and sharpened rivalries based in part on religious differences.

Recalcitrant elements were dealt with rather roughly when the Indian army soon afterwards in coordination with Bhutan, launched "Operation All Clear", to confront and eliminate armed groups from the forests north of the Brahmaputra. A faction of the underground groups -- which has since adopted the "progressive" appellation and is now known as the NDFB(P) -- then accepted an offer of talks and entered into a truce with the central government. This faction was, even as large-scale violence erupted in Bodoland and the neighbouring district of Sonitpur on December 23 last year, engaged in talks with central interlocutors in Delhi, though with an agenda that remains unclear.

Ranjan Daimary's faction in 2005 remained resolutely opposed to any manner of engagement with the state or central governments, underlining its resolve in October 2008 with a serial bombing in Guwahati and nearby urban areas which claimed close to a hundred lives. Following his 2010 capture in Bangladesh and subsequent transfer to India, the NDFB(R) declared a unilateral ceasefire in April 2011. Daimary in April 2013 was granted conditional bail. His militant group, the NDFB(R), in November 2013 entered into a "suspension of operations" agreement with the state and central governments. In all, 579 NDFB(R) cadre surrendered their firearms, which curiously, numbered no more than 40 pieces.⁶

Daimary's bail was cancelled in September 2014 and he has since been in prison. His group remains in a state of suspension of operations, though doubts remain about the true extent of its separation from the Songbijit faction in operational decisions. By way of background,

6 Report datelined Guwahati, November 29 in *Assam Tribune*, extracted January 23, 2015 at: <http://www.assamtribune.com/scripts/detailsnew.asp?id=nov3013/at07>.

Songbijit was the military commander of the Ranjan Daimary faction till the 2011 ceasefire, when he declared he would go his separate way. The military logic by then had seemingly acquired its own momentum.

Bodoland's political history is part of a story of militarised ethnicities that persists to this day. The movement began in peace but soon acquired a military dimension which has been in continuous mutation. On January 12, 1967, just a few weeks after Prime Minister Indira Gandhi's visit to Shillong, then the capital of Assam, an official government statement announced that Assam and the wider north-east would be reorganised in accordance with the "federal principle". Within a month, the Plains Tribes Council of Assam (PTCA) and the All Bodo Students' Union (ABSU) were formed to campaign for a state on the north bank of the Brahmaputra. The name they chose for the campaign was "Udayachal", geographically specific, but ethnically neutral.⁷

Always consigned to official neglect, the north-east receded further in national attentions in the years of turbulence that followed – the Congress split, the 1971 war, the Emergency and the Janata interlude. Important territorial rearrangements were nonetheless effected through this period, all seemingly in conformity with the "federal principle". Of the five autonomous districts created in Assam in 1952, the United Khasi-Jaintia Hills and Garo Hills were consolidated into Meghalaya state in 1972. The Lushai hills and North-East Frontier Agency were similarly redesignated as the union territories of Mizoram and Arunachal Pradesh, a preliminary to both being conferred full statehood in 1987. Two other autonomous districts were given explicitly ethnic appellations to replace geographically referential names: the Mikir Hills became the Karbi Anglong district in 1976. A demand for redesignating North Cachar Hills district after the Dimasa tribal grouping was concurrently emerging, though this was not formally conceded till 2010.

The PTCA joined the Janata government in 1978 and the Udayachal demand, subdued for a while, was soon engulfed in the Assamese identity movement of the 1980s. In a familiar action-reaction sequence, the Bodo identity emerged with greater political salience from this turbulence. In the assessment of some scholars, this was partly on account of active political encouragement from the centre, which saw the Bodo homeland demand as a way of undermining the aggressive assertion of Assamese identity.

The central government sued for peace in 1985, following which the leadership that had spearheaded the Assam movement came to power through a newly constituted political vehicle, the Asom Gana Parishad (AGP). The Bodo leadership was insistent in its opposition to Clause 6 of the Assam Accord, which spoke of safeguards for the cultural identity of the Assamese people. Among other irritants was the AGP government decision, soon after it assumed office, to declare all forest settlements made after January 1, 1980 as illegal encroachments, which were to be reversed.⁸ In 1987, the ABSU with Upendra Brahma as leader, launched its agitation on the basis of a 92-point charter of demands. PTCA stayed away from this agitation, holding the Congress responsible for "inciting ethnic passions and having a direct hand in the ABSU-led movement". Targeted attacks on PTCA supporters were

7 Udayon Misra, "Bodo Stir: Complex Issues, Unattainable Demands", EPW, May 27, 1989, p 1146)

8 Monoj Kumar Nath, "Body Insurgency in Assam: New Accord and new problems", *Strategic Analysis*, 27:4, 533-45, 2003

a feature of this phase of the ABSU agitation. These clashes, as Udayon Misra, a scholar of ethnicity and politics in Assam and the wider North-East put it in a 1989 article, “lent a fratricidal element to the Bodo agitation and... placed the two major Bodo organisations in an irreconcilable position.... Attacks on school buildings, bazaars and public buildings... had a negative effect even in the ABSU strongholds, not to speak of areas where the PTCA or other tribal organisations (held) sway”.⁹

Among the other plains tribes, substantial elements such as the Rabha, came out in opposition to the Bodo autonomy demand. Though often considered a part of the larger Bodo identity, the Rabha had apparently been alienated by the violent turn in the movement. The 1981 census had bypassed Assam because of the violent conditions in the state. Best figures available for the debate on Bodo autonomy were from the earlier census. Figures recorded in 1971 put the number of Bodo-speaking people at 530,000, i.e. 3.65 percent of Assam's total population. And in Kokrajhar district, which was really their area of densest settlement, they numbered just about 28 per cent of total population, while all the plains tribes numbered 35 per cent. The organisational spearheads of the movement then – the Upendra Brahma faction of the ABSU and the United Tribal National Liberation Front (UTNLF) – refused to accept the census figures as anywhere near authentic, putting forward their own figure of 4.2 million as the plains tribal population, out of a total of 6.1 million in the districts north of the Brahmaputra.¹⁰

In a letter of October 1984, the Union Home Ministry placed on record its scepticism about these claims: “It (had) not been established that the plains tribal population constitutes a majority in (areas designated as the autonomous region). It has also not been possible to substantiate the inaccuracies pointed out in the 1971 census as regards alleged miscounting of tribal population. The demand, therefore, for a separate political unit does not appear to be in the larger interest of the plains tribals of the north eastern region as a whole”.¹¹

There were other events in the wider north-east that did not attest to great consistency of principle on the part of the central government. Apart from the grant of full statehood to Mizoram in 1986, a sub-regional autonomy arrangement was finalised with the Gorkhaland movement in West Bengal. A ceasefire agreement with the Tripura National Volunteers was concluded at the same time, allowing them the opportunity to integrate into the mainstream political process.¹²

As the Bodo agitation gained force, the best the AGP government could offer was greater devolution under existing district administration and *panchayati raj* laws. In 1990, following an upsurge of violent attacks by the United Liberation Front of Assam (ULFA), the AGP state government was dismissed and central rule imposed.

With the Congress winning Assam's state assembly elections in 1991, the environment turned more favourable for the Bodo autonomy demand. Negotiations picked up momentum through 1992, but dragged on with no seeming prospect of decision, ostensibly on account of an absence of relevant demographic data. In October 1992, another wave of violence swept

9 Ibid.

10 Ibid.

11 Ibid.

12 See Sudhir Jacob George, “The Bodo Movement in Assam: Unrest to Accord”, *Asian Survey*, Vol 34, No: 10, October 1994, pp 878-92.

through the Bodo region, with a new force, the Bodo Security Force appearing on the scene as an actor. The Autonomous States Demand Committee (ASDC), which was then campaigning for statehood for the two southern Assam districts of Karbi Anglong and North Cachar, lent support to this demand, multiplying the pressures for a settlement.

An agreement signed in 1993 involving the Upendra Brahma faction of the ABSU and the wider coalition of the Bodo Peoples Action Committee (BPAC), came apart over details. The accord opened the way to a Bodoland Autonomous Council (BAC), but left the territorial question undecided. Despite state assembly ratification of the accord, the territorial deadlock proved more difficult to dissolve. Faced with an impossible situation, the state government unilaterally imposed a decision covering 2,570 villages against the BPAC demand of 3,085, which was itself a radical rollback of ambition from an initial figure of 4,453. As political agitation and violence resumed, two new forces – the BLT and the NDFB -- emerged on the scene.¹³

The issue boiled over soon after the AGP returned to power in state assembly elections in May 1996. Within days, Bodo militants began a series of attacks against *adivasi* villages. The trigger was the alleged killing of three Bodo women by *adivasi* militants, though later investigations revealed that the three were in fact Bhutanese sex workers whose bodies were dumped near an *adivasi* village to instigate revenge attacks.¹⁴ Over 200 *adivasi* villagers were killed in this wave of violence, and 200,000 forced into camps for the internally displaced. Some continue to languish in these camps. As recounted by one such camp inmate to a researcher in 2007, the attacks happened without warning:

“This was around two o'clock in the afternoon... Suddenly we saw plumes of smoke and heard shooting from nearby villages. Before we even realised what was going on, a group of masked men dressed in black, came out of the jungle behind us. At first we thought we could handle them, but they had guns... We had no other option but to run and leave everything behind... Nothing could be saved.. they burnt and demolished our houses, looted our cattle and chopped down our trees. It was as if they wanted to erase every sign of us ever been there.”¹⁵

Other ethnic groups acquired their own armed vigilantes in this time. The Adivasi Cobra Militants of Assam, the Adivasi National Liberation Army, the Birsa Commando Force and the Santhal Tiger Force appeared on the scene, though without the lethal firepower that the NDFB and BLT seemed to have accumulated.¹⁶ After a period of mounting violence, the BLT in 1999 declared a ceasefire in response to an offer of talks from the central government. Again, the negotiations acquired a fresh momentum after the AGP was voted out and the Congress assumed power in state assembly elections in 2001. In February 2003, a memorandum of settlement was agreed at a tripartite meeting involving the state and central governments and the BLT. Hagrama Mohilary, the BLT supremo, on December 6, 2003, led 2,641 armed cadre in a mass ceremony of laying down arms. The following day, an interim Bodoland Territorial

13 M. Amarjeet Singh, “Ethnic Diversity, Autonomy and Territoriality in Northeast India: A Case of Tribal Autonomy in Assam”, *Strategic Analysis*, 32:6, 1101-1114; November 2008.

14 Nel Vandekerckhove and Bert Suykens, “‘The Liberation of Bodoland’: Tea, Forestry and Tribal Entrapment in Western Assam”, *South Asia: Journal of South Asian Studies*, 31:3, 45-71, 2008.

15 Nel Vandekerckhove, “We Are Sons of This Soil”, *Critical Asian Studies*, 41:4, November 2009, pp 523-48.

16 All these armed groups were part of a collective surrender in January 2012 .

Council (BTC) was formed with Mohilary as chief.¹⁷

A federation of 18 non-Bodo organisations in the designated area of the BTC united under the umbrella of the Sanmilita Janagosthiya Sangram Samiti (SJSS) to register their vehement opposition to the accord. It seemed that in conformity with an older pattern, a political accord designed to heal an older divide ended up creating new schisms. At the other end of the spectrum, the NDFB denounced the agreement as “an insult to the Bodo nation”. It was purportedly a “faulty pact that had the backing of a handful of opportunists and Bodo people with leanings towards Delhi”.¹⁸ Under subsequent military pressure and the stresses generated by the Bangladesh government's new attitude of cooperation with Indian security agencies, the recalcitrants in turn fissured, though the remnant bits retained sufficient capacity to inflict pain.

Among the grounds for the NDFB's opposition were the supposed concessions made to the security of the region's numerous ethnic groups, which in their perception, seemed a higher priority than Bodo welfare. One of the issues that called for immediate attention after the conclusion of the deal was that of rehabilitation and resettlement of the internally displaced. An estimate made at the time, quite contrary to the NDFB narrative, put the number of those displaced through the years of the Bodo agitation at 179,872, comprising 6,089 Bodo and 33,255 non-Bodo families.¹⁹

In clause 13, the BTC Accord explicitly made provision for a “Special Rehabilitation Programme” for persons displaced in the ethnic violence. The clause reads as follows:

“The Special Rehabilitation Programme (SRP) for the people affected by ethnic disturbances in Assam, who are at present living at relief camps in Kokrajhar, Bongaigaon etc. shall be completed by the Government of Assam with active support of BTC. Necessary funds for their rehabilitation shall be provided by the Government of India and lands which are free from all encumbrances required for such rehabilitation shall be made available by the BTC.”

Yet the problem of internal displacement through the decade-and-a-half of the Bodo autonomy movement and the sporadic incidents of insurgent violence it involved, has remained almost entirely unaddressed.

As it was finally agreed, the BTC embraced four districts – Kokrajhar, Udalguri, Baksa and Chirang. These were carved out of seven existing districts to aggregate villages of perceived Bodo concentration within a contiguous administrative area. Constituted as a 46-member body, the council reserved 30 seats for scheduled tribe (ST) communities and left ten seats open. The remaining six seats were to be filled by nomination from unrepresented communities.

Basic demographic data from the Bodoland districts would show that this representational arithmetic ran the risk of being less than fair to certain communities. ST communities as a percentage of the total population in Bodoland, number 37.1 percent in Chirang, 34.8 percent in Baksa, 31.4 percent in Kokrajhar and 32.1 percent in Udalguri. The predominant share

17 Amarjeet Singh, cited in 13 above.

18 Monoj Kumar Nath, cited in 8 above.

19 Ibid.

within this demographic group is of the Bodo. Yet, a 65 percent reservation in representative institutions for communities whose cumulative share would not be more than 35 percent, may be perceived by others as a gross injustice. Statistics on the *adivasi* population in the Bodoland districts are not available since this is a community that inhabits a limbo in the official classification. But through the entire state of Assam, *adivasi* number an estimated 17 percent of the total population. In the Bodoland districts, they may well number about 20 percent of the population, as also in the upper Assam districts.

A breakdown of population in terms of religion is not available at the district level from the 2011 census. And the reorganisation of districts since the 2003 accord makes the figures from 2001 less than representative. But to consider the seven districts from which the Bodoland territory was carved out, the Muslim population ranges from a low of 15.9 percent in Sonitput district, to median figures of 35.4 in Darrang and 38.5 percent in Bongaigaon, to a high of 59.4 percent in Barpeta.

In whatever manner considered, the quantum of reservation for the STs, which is a category that the Assam *adivasi* community has for long been seeking to break into, but to no avail, represents a less than fair outcome for them and for the Muslims.

The Bodo cause is a just one but signs are abundant of the territorial autonomy experiment failing generating fresh fissures while failing to deliver substantive benefits. Yet the autonomous councils process remains the favoured policy, as attested by the number of such bodies created between 1993 and 2005 in Assam: Mishing, Rabha Hasong, Tiwa, Deori, Thengal Kachari and Sonowal Kachari.

A further democratic deficit arises from sub-clause 4.8 of BTC Accord, which abolishes the *panchayati raj* system within the council area and virtually bars the non-Bodo population from participating in the grassroots development process and decision making. When *panchayati raj* was brought into the scheduled areas through the Panchayat Extension in Scheduled Areas Act (PESA), it was abolished in the BTC jurisdiction. The relevant clause of the BTC accord reads as follows:

"In the event, panchayati raj system ceases to be in force in the council area, the powers of the panchayati raj Institutions in such matters shall be vested with the council".

In 1960, a committee appointed by the Assam Governor had inquired into the functioning of the councils as they existed then. The final assessment was far from positive. The councils, the committee concluded, "suffered from an excess of clerical over field staffs and spent government subsidy meant for development purposes on administrative expenses. There was no adequate effort to increase revenue, no inspection of offices and coordination with the state government". Another inquiry in 1966 returned a similar verdict: "there were serious complaints against the accounts of the councils".²⁰ Subsequent experience has provided little ground for revising these early, unfavourable judgments. Yet as long as state and central governments remain within this mode of thought, the pressures from various other ethnic groups that have reason to feel alienated from governance processes, will remain unrelenting. New modes of imagining the challenge of ethnic diversity are clearly called for as the north-east suffers through unyielding and unremitting cycles of violence

17 20 Amarjeet Singh, cited in 13 above.

4. Recommendations

The fact finding team was distressed to encounter a community living in intense social and economic distress, with grave development deficits, highly insecure and demoralised after the recent organised attacks. Our recommendations proceed from immediate steps required to longer term interventions.

Relief: For around 70,000 persons still in camps, the state government needs to urgently improve services in the camps, particularly in light of the winter cold. The quality of tents and blankets, and food, health and sanitation services need urgent and significant upgrading. Some camps that we visited are very overcrowded, such as the one we visited in Saralpara where 9000 people from close to 51 villages were living on the day of our visit.

The fact finding team also observed with some dismay that the quality of services were very different for different affected communities. We recommend that given the repeated acts of violence in Assam, the state should lay down statutory standards of relief and rehabilitation, and these must apply in all cases without exception.

Security: The affected communities are extremely insecure after the attacks, especially because of the remoteness of their locations. Whereas a permanent presence of military personnel is not socially desirable, the security forces should not be withdrawn until affected communities feel completely secure.

The sense of security would also be heightened with a dedicated and systematic campaign for the genuine disarmament of all non-state groups in the region, beginning with the surrendered militants.

Investigation: We have observed that one of the major reasons for the recurrence of violent ethnic clashes is a long history of impunity for the attackers. In other words, beginning from the fatalities in the Assam agitation and the Nellie massacre of 1983, guilty persons have not been punished till now. As a result, conditions have not been created for ensuring that such killings do not recur. We recommend that all the criminal cases connected with the attacks be handed over to the newly created central body, the National Investigation Agency (NIA) and the state government render its full support for independent investigation.

Following a fact-finding exercise on the last serious outbreak of communal violence in the region in May 2014, a fact finding team that some of us were members of, recommended that victim-survivor statements should be recorded by a magistrate camping in the affected villages under Section 164 of the CrPC. We commend the steps taken by the state government along these lines, and urge that the same practice be adopted for the December 2014 attacks as well.

Rehabilitation: The state government has taken early steps to pay death compensation as well as compensation for destroyed houses. It should be ensured that residents are not prevented from rebuilding destroyed houses in old locations. The assistance of reputed social workers may be taken to assist the families which receive large quantities of cash compensation to use their grants wisely, making longer term investments such as in property or bank fixed deposits.

Likewise the state government should take the assistance of professionals and students from social work and medical institutions to extend community based psycho-social care to the affected households, especially to children, women and the aged.

The state government should also undertake large-scale works under the MG NREGA in all the affected villages to help the affected people get back to a normal life, and to also assist them with basic subsistence in this difficult time.

Development Deficits and Entitlements: The fact finding team found the communities living in extreme poverty, with obvious signs of malnutrition, and many narratives of distress migration and trafficking of young adolescents for domestic work. Matters are aggravated by the failure of almost any government programme to reach them. We found that most did not have ration-cards, and ration shops were located too far from the village. RTE was not implemented as the nearest primary schools to some of the settlements were as far as 7 kilometres. There were no ICDS centres in the *adivasi* villages. Most old people did not access pensions, and the majority of deliveries were still unprotected at home, with no ante- and post-natal check-ups, immunisation or maternity benefit payments. In the absence of land or other local livelihoods, and virtual non-functioning of MG NREGA, they were more vulnerable to trafficking and exploitative migration.

The Fact-Finding Team recommends that a detailed mapping is undertaken of *adivasi* settlements, and these basic food and social protection entitlements, mandated both by the Supreme Court and the NFSA are ensured to them in a time-bound fashion. A more detailed and in-depth study of the development deficits and denials of entitlements of the *adivasi* settlements across the state should also be undertaken, so that a medium and long-term special plan is prepared to ensure that their situation is improved sustainably over time.

In fact there are many communities who are living across Assam in camps, many unrecognised by the state government, sometimes for many years. These include *adivasis*, Bengali Muslims, Bodos and persons of other communities. A full mapping of all such internally displaced persons in camps is imperative, to ensure to start with that their basic food and social protection entitlements, mandated both by the Supreme Court and the NFSA are ensured to them in a time-bound fashion.

Long-term Measures: A major source of the conflicts as well as the pauperisation of the *adivasi* communities in Assam relate to their fragile economic conditions born from exploitative conditions within tea-gardens and failures to secure land-titles of lands occupied by them in reserve forest areas outside. The *adivasi* people are denied ST status, and the benefits of the Forest Rights Act. These are issues which need to be carefully studied, and solutions found. The longer they fester without resolution, the longer the vulnerability to marginalisation and violence will persist.

There also needs to be better protection of the labour and food security rights of workers within tea-gardens, who are mainly from the *adivasi* community.

The state government should also play a proactive role in facilitating peace initiatives, and also supporting those which are being undertaken by the locals and the student unions.

Photo Documentation

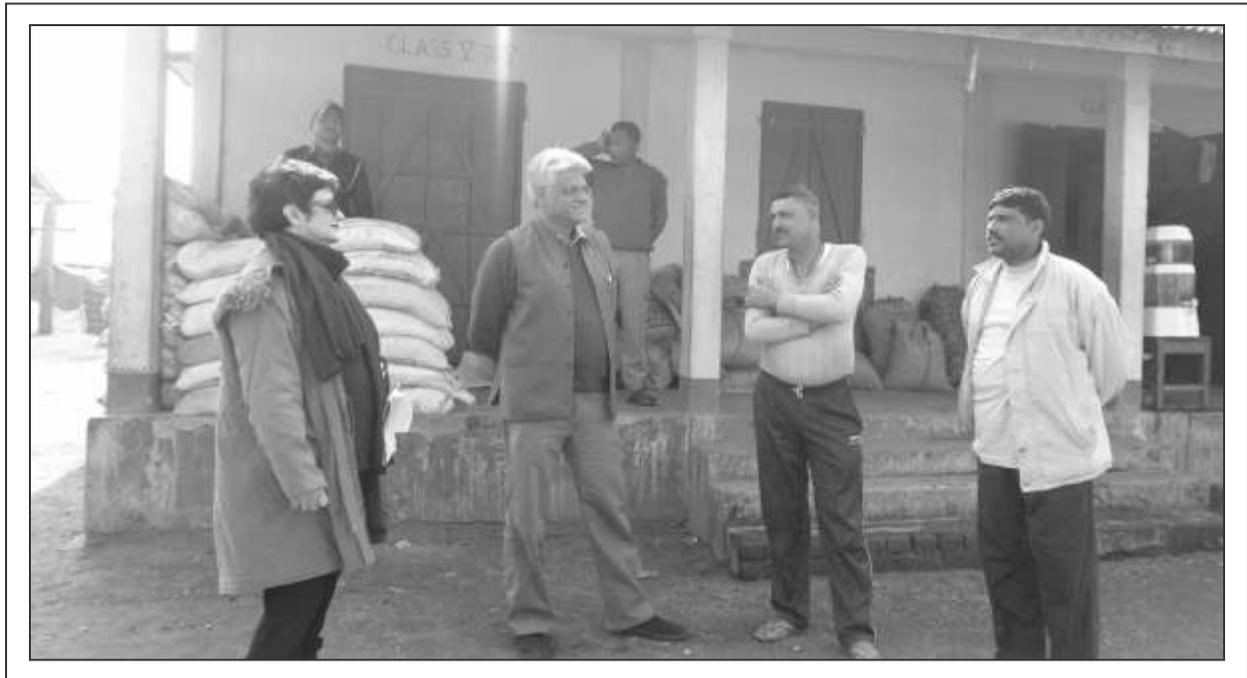
Clicked in Sonitpur, this shows the remains of a house after it was burnt down by the militants. (Photo: Abdul)



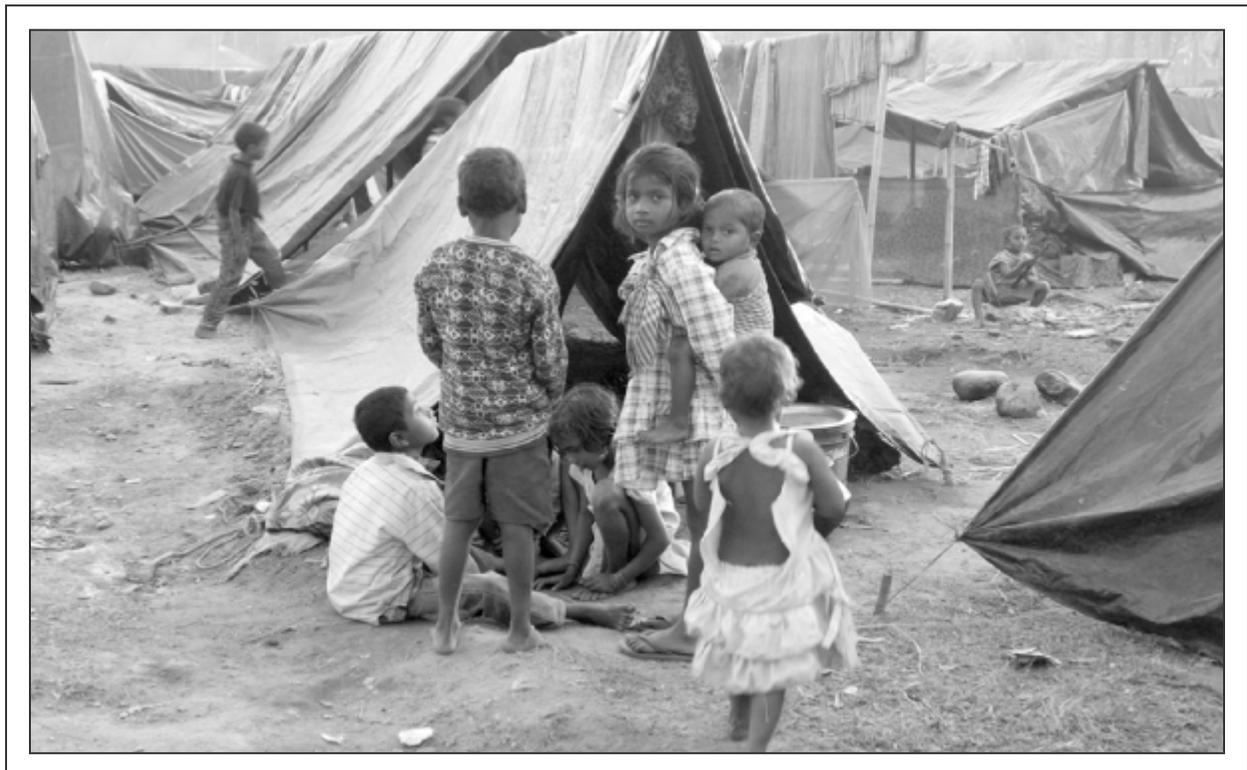
Fact finding team interacting with communities at Sonitpur. (Photo: Chiranjit)



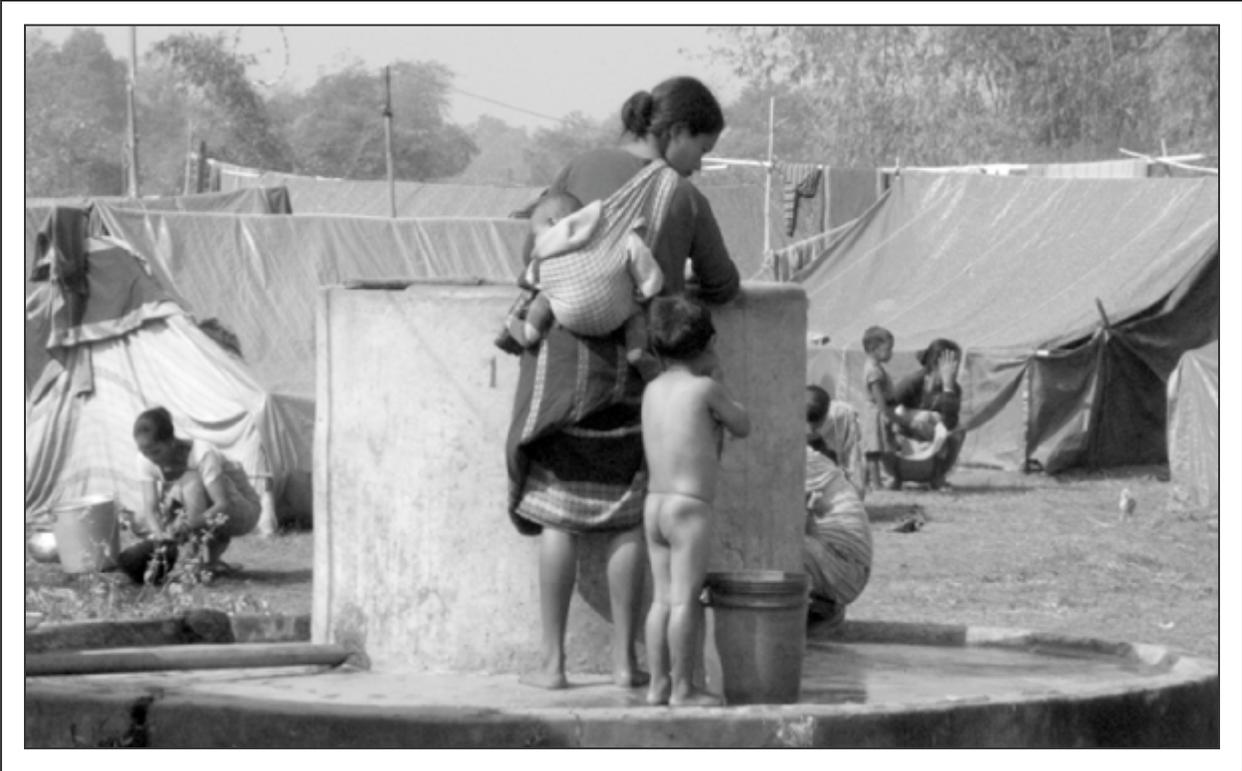
Fact finding team interacting with the police officials at a bodo camp in Kokrajhar.
(Photo: Shefali)



In an overcrowded *adivasi* camp at Kokrajhar the children and women were found to be living in an utter state of poverty, malnutrition and undergoing unbound hardship to survive.



An overcrowded camp at Saralpara.



Adivasis in Sonitpur, sitting in front of a house that was burnt down on 23rd December.



(Photo: Abdul)





Children living in a camp for the internally displaced peer into an empty classroom.

Irrespective of their identity, women and children bear the brunt of a conflict which has now become a reckless game of violence and retaliation. Children in the camps for the displaced now recall their traumas, involving the killing of near and dear ones, with little hint of grief.

Violence has become normalised in their lives and uncertainty is their state of being.