ANNEXURE A

THE NAGA-AKBAR HYDARI ACCORD, 1947
This 9-point agreement was reached between the then Governor of Assam, Akbar Hydari and the representatives of the Naga National Council at Kohima after three days of discussions.

Tribes Represented at Discussions on the 26th, 27th and 28th June, 1947 at Kohima

- Western Angamis
- Eastern Angamis
- Kukis
- Kacha Nagas (Mzemi)
- Rengmas
- Semas
- Lothas
- Aos
- Sangtams
- Changs.

Heads of Proposed Understanding:
That the right of the Nagas to develop themselves according to their freely expressed wishes is recognized.

1. Judicial - All cases whether civil or criminal arising between Nagas in the Naga Hills will be disposed of by duly constituted Naga Courts according to Naga customary law or such law as may be introduced with the consent of duly recognized Naga representative organizations: save that where a sentence of transportation or death has been passed there will be a right of appeal to the Governor. In cases arising between Nagas and non-Nagas in (a) Kohima and Mokokchung town areas, and (b) in the neighbouring plains districts, the judge if not a Naga will be assisted by a Naga assessor.

2. Executive – The general principle is accepted that what the Naga Council is prepared to pay for, the Naga Council should control. This principle will apply equally to the work done as well as the staff employed. While the District Officer will be appointed at the discretion of the Governor, Subdivisions of the Naga Hills should be administered by a Subdivisional Council with a full time executive President paid by Naga Council who would be responsible to the District Officer for all matters falling within the latter’s responsibility, and to
the Naga Council for all matters falling within their responsibility. In regard to: Agriculture – the Naga Council will exercise all the powers now vested in the District Officer. C.W.D. – The Naga Council would take over full control. Education and Forest Department – The Naga Council is prepared to pay for all the services and staff.

3. Legislative- That no laws passed by the Provincial or Central Legislature which would materially affect the terms of this agreement or the religious practices of the Nagas shall have legal force in the Naga Hills without the consent of the Naga Council. In cases of dispute as to whether any law did so affect this agreement the matter would be referred by the Naga Council to the Governor who would then direct that the law in question should not have legal force in the Naga Hills pending the decision of the Central Government.

4. Land- That land with all its resources in the Naga Hills should not be alienated to a non-Naga without the consent of the Naga Council.

5. Taxation- That the Naga Council will be responsible for the imposition, collection, and expenditure of land revenue and house tax and of such other taxes as may be imposed by the Naga Council.

6. Boundaries- That present administrative divisions should be modified so as (1) to bring back into the Naga Hills District all the forests transferred to the Sibsagar and Nowgong Districts in the past, and (2) to bring under one unified administrative unit as far as possible all Nagas. All the areas so included would be within the scope of the present proposed agreement. No areas should be transferred out of the Naga Hills without the consent of the Naga Council.

7. Arms Act- The Deputy Commissioner will act on the advice of the Naga Council in accordance with the provisions of the Arms Act.

8. Regulations- The Chin Hills regulations and the Bengal Eastern Frontier Regulations will remain in force.

9. Period of Agreement- The Governor of Assam as the Agent of the Government of the Indian Union will have a special responsibility for a period of 10 years to ensure the observance of the agreement, at the end of this period the Naga Council will be asked whether they require the above agreement to be extended for a further period or a new agreement regarding the future of Naga people arrived at.
ANNEXURE B
SHILLONG AGREEMENT OF NOVEMBER 11, 1975

1. The following representatives of the underground organisations met the Governor of Nagaland, Shri L.P. Singh representing the Government of India, at Shillong on 10 and 11 November, 1975.
   a. Shri. I. Temjenba
   b. Shri. S. Dahru
   c. Shri Veenyiyl Rhakhu
   d. Shri. Z. Ramyo
   e. Shri M. Assa
   f. Shri Kevi Yalley

2. There was a series of four discussions. Some of the discussions were held with the Governor alone; at other, the Governor was assisted by the two Advisors for Nagaland, Shri M. Ramunny, and Shri. H. Zopianga, and Shri M.L. Kampani, Joint Secretary in the Ministry of Home Affairs. All the five members of the Liaison Committee, namely Rev. Longri Ao, Dr. M. Aram, Shri. L. Lungalang, Shri Kenneth Kerhuo, and Shri Lungshim Shaiza, participated in the discussions.

3. The following were the outcome of the discussions:
   1. The representatives of the underground organisations conveyed their decision, of their own volition, to accept, without condition, the Constitution of India.
   2. It was agreed that the arms, now underground, would be brought out and deposited at appointed places. Details for giving effect of this agreement will be worked out between them and representatives of the Government, the security forces, and members of the Liaison Committee.
   3. It was agreed that the representatives of the underground organisations should have reasonable time to formulate other issues for discussion for final settlement.

Dated Shillong,
November 11, 1975
Sd/- (I. Temjenba)
Sd/- (S. Dahru)
Sd/- (Z. Ramyo)
Sd/- (M. Assa)
Sd/- (Kevi Yalley)
Supplementary Agreement of January 5, 1976

Implementation of Clause II of the Shillong Accord of November 11, 1975.

1. It was decided that the collection of arms, initially at collection centres, would commence as early as possible, and will be completed by 25 January, 1976. Initial places of collection to be decided through discussion between Commissioner, representatives of underground organisations and the members of the Liaison Committee.

2. Once all arms are collected, these will be handed over to Peace Council team at the respective places of collection.

3. Peace Council team will arrange to transport the arms from collection centres to Chedema peace camp and arrange guards, etc., for safe custody of arms.

4. Similar arrangement at agreed place/places will be made in Manipur with the concurrence of the Manipur Government.

5. The underground may stay at peace camps to be established at suitable places, and their maintenance will be arranged only by the Peace Council. Any voluntary contribution from any source will be made to the Peace Council who will utilize the fund according to necessity.

Sd/-
(L.P.Singh)
Governor

1. Sd/-
(Biseto Medom Keyho)
2. Sd/-
(Pukrove Nakru)
3. Sd/-
(Z. Ramyo)
4. Sd/-
(I. Temjenba)

Place: Shillong
Dated January 5, 1976
ANNEXURE C

The 16-point Agreement arrived at between the Government of India and the Naga People’s Convention, July, 1960

1. **The Name**: The territories that were heretofore known as the Naga Hills-Tuensang Area under the Naga Hills-Tuensang Area Act, 1957, shall form a State within the Indian Union and he hereafter known as Nagaland.

2. **The Ministry Incharge**: The Nagaland shall be under the Ministry of External Affairs of the Government of India.

3. **The Governor of Nagaland**:
   a. The President of India shall appoint a Governor for Nagaland and he will be vested with the executive powers of the Government of Nagaland. He will have his headquarters in Nagaland.
   b. His administrative secretariat will be headed by the Chief Secretary stationed at the Headquarters with other Secretariat staff as necessary.
   c. The Governor shall have special responsibility with regard to law and order during transitional period and for so long as the law and order situation continue to remain disturbed on account of hostile activities. In exercising this special responsibility, the Governor shall, after consultation with the Ministry, act in his individual judgment. This special responsibility of the Governor will cease when normalcy returns.

4. **Council of Ministers**:
   a. There shall be a Council of Ministers with a Chief Minister at the head to assist and advise the Governor in the exercise of his functions.
   b) The Council of Ministers shall be responsible to the Naga Legislative Assembly.

5. **The Legislature**: There shall be constituted a Legislative Assembly consisting of elected and nominated members as may be deemed necessary representing different tribes. (Further a duly constituted body of Expert may be formed to examine and determine the principles of representation on democratic basis).

6. **Representation in the Parliament**: Two elected members shall represent Nagaland in the Union Parliament, that is to say, one for the Lok Sabha and the other for the Rajya Sabha.

7. **Acts of Parliament**:
   a) No Act or law passed by the Union Parliament affecting the following provisions shall have legal force in the Nagaland unless specially applied to it by a majority vote of the Nagaland legislative Assembly:
      a) The Religious or Social Practices of the Nagas.
      c) Civil and Criminal Justice so far as these Concern decision according to the Naga Customary Law. The existing law relating to administration of civil and criminal justice as provided in the Rules for the Administration of Justice and Police in the Naga Hills District shall continue to be in force.
      d) The ownership and transfer of law and its resources.
8. **Local Self-Government**: Each tribe shall have the following units of the rule making and administrative local bodies to deal with matters concerning the respective tribes and areas:
   (a) The Village Council;
   (b) The Range Council; and
   (c) The Tribal Council.
The Council will also deal with disputes and cases involving breaches of customary laws and usages.

9. **Administration of Justice**:  
   a) The existing system of administration of civil and criminal justice shall continue.
   b) Appellate Courts:  
      i. The District Court-cum-Sessions Court (for each district), High Court and Supreme Court of India;
      ii. The Naga Tribunal (for the whole of Nagaland) in respect of cases decided according to customary law.

10. **Administrative of Tuensang District**:  
    (a) The Governor shall carry on the administration of the Tuensang District for a period of 10 (ten) years until such time when the tribes in the Tuensang District are capable of shouldering more responsibility of advance system of administration in other parts of the Nagaland.
    (b) Provided further that a Regional Council shall be formed for Tuensang District by representatives from all the tribes in Tuensang District, and the Governor may nominate representative to the Regional Council as well. The Regional Council will elect Member of the Naga Legislative Assembly to represent Tuensang District.
    (c) Provided further that on the advance of the Regional Council, steps will be taken to start various Councils and Courts, in those areas where the people feel themselves capable of establishing such institutions.
    (d) Provided further that no Act or Law passed by the Legislative Assembly shall be applicable to Tuensang District unless specially recommended by the Regional Council.
    (e) Provided further that the Regional Council shall supervise and guide the working of the various Councils and Tribal Courts within Tuensang District wherever necessary and depute the local officers to act as Chairmen thereof
    (f) Provided further that Council of such areas inhabited by a mixed population or which have not as yet decided to which specific Tribal Council be affiliated to, shall be directly under the Regional Council for the time being. And at the end of ten years the situation will be reviewed and if the people so desired the period will be further extended.

11. **Financial Assistance from the Government of India**: To supplement the revenues of Nagaland, there will be need for the Government of India to pay out of the Consolidated Fund of Nagaland, and a grant-in-aid towards meeting the cost of administration. Proposals for the above grants shall be prepared and
submitted by the Government of Nagaland to the Government of India for their approval. The Government will have general responsibility for ensuring that the funds made available by the Government of India are expended for the purposes for which they have been approved.

12. **Consolidation of Forest Areas:** The delegation wished the following to be placed on record: "The Naga delegation discussed the question of the inclusion of the Reserve Forests and of contiguous areas inhabited by the Nagas. They were referred to the provisions in Article 3 and 4 of the Constitution, prescribing the procedure for the transfer of areas from one state to another".

13. **Consolidation of Contiguous Naga Areas:** The delegation wished the following to be placed on record: "The Naga leaders expressed the view that other Nagas inhabiting contiguous areas should be enabled to join the new state. It was pointed out to them on behalf of the Government of India that Article 3 and 4 of the Constitution provided for increasing the area of any state, but it was possible for the Government of India to make any commitment in this regard at this stage".

14. **Formation of Separate Naga Regiment:** In other that Naga people can fulfil their desire of playing a full role in the defence forces of India, the question of raising a separate Naga Regiment should be duly examined for action.

15. **Transitional Period:**

(a) On reaching the political settlement with the Government of India, the Government of India will prepare a Bill for such amendment of the Constitution, as may be necessary, in order to implement the decision. The draft Bill, before presentation to Parliament, will be shown to the delegates of the NPC.

(b) There shall be constituted an Interim Body with elected representatives from every tribe, to assist the advice the Governor in the administration of Nagaland during the transitional period. The tenure of office of the members of the Interim Body will be 3 (three) years subject to the re-election.

16. **Inner Line Regulation:** Rules embodied in the Bengal Eastern Frontier Regulation, 1973, shall remain in force in Nagaland
ANNEXURE D

Ceasefire Ground rules between the Union Government and the National Socialist Council of Nagaland-Isak-Muivah (NSCN-IM), December 1997

1. There would be no offensive operations like ambush, raid and attack leading to death/injury/damage or loss of property against the NSCN by the Indian Army, paramilitary forces and the police;
2. Patrolling by the Indian Army, paramilitary forces and the police would continue to prevent infiltration of militants and arms as earlier.
3. Protection of convoys and patrolling of roads would continue to be undertaken by the Indian Army, paramilitary forces and the police;
4. The Indian Army, paramilitary forces and police would issue instructions to their formations, not to use masks to cover their faces during the period of ceasefire;
5. The NSCN would not undertake offensive operations like ambush raid, sniping, and attack leading to death/injury/damage or loss of property;
6. In the interest of promoting peace process, there would be no parading (either in groups or individually) or NSCN cadres in uniform and/or with arms.
7. There would be no blockade of roads and communications, disruption of economic or developmental activities as well as essential services by the NSCN;
8. It is mutually agreed that no safe haven or sanctuary to any armed group or elements will be maintained by anyone;
9. On the Government of India side, a concern was expressed that forcible collection of money on essential supplies and intimidation of individuals including government officials were taking place in the State. The NSCN representatives stated that their’s being a people’s organization, they did not resort to such activities;

Text of Cease-fire ground rules agreed upon between the Government of India and the National Socialist Council of Nagaland-Khaplang (NSCN-K) on 10/11April 2001

1. These ground rules will be valid only for the State of Nagaland.
2. Enforcement of ground rules will be the responsibility of the GOI. The GOI and the NSCN will jointly implement the ground rules. Contentious issues relating to the implementation of the ground rules will be resolved by a Cease-Fire Supervisory Board (CFSB) comprising five representatives each of GOI and NSCN and a Chairman to be nominated by the GOI.
3. The NSCN would not undertake offensive operations like ambush, raid, sniping and attack leading to death/injury/damage or loss of property against anybody. The NSCN would also act in a manner as not to cause harassment/damage or loss of property or injury to the civilian population.
4. There would be no offensive operations like ambush, raid and attack leading to death/injury/damage or loss of property against the NSCN by the Indian Army, Paramilitary Forces and the Police. However, the Government of India
reserves its right to continue operations against all other militant groups who are not a party to the 'Cease-fire'.

5. NSCN will notify to the CFSB, the list of all their camps. The CFSB would, after due scrutiny, finalise the list of the "designated camps" where all the armed cadres of the NSCN would be located within three months.

6. In the interest of promoting the peace process, there will be no movement in uniform and/or with arms outside "designated camps".

7. Movement of NSCN cadres from one "designated camp" to another will be carried out for mutually agreed purposes and with intimation to the Security Forces and CFSB. The modalities of this would be finalised by the CFSB.

8. The NSCN would refrain from blockade of roads and communications and from any activity which would disturb the functioning of local and, State Governments and of economic or developmental activities as well as essential services.

9. The NSCN will refrain from extending any form of support or assistance to other militant groups.

10. During the course of the cease-fire, the NSCN will refrain from acquiring any additional arms/ammunition military equipment.

11. The NSCN will refrain from extortions, forcible collection of money and supplies and intimidation of individuals including Government officials.

12. The NSCN will refrain from forcible recruitment of armed cadres.

13. Patrolling by the Indian Army, Paramilitary Forces and the Police would continue to prevent infiltration of militants and arms as hitherto fore. However, patrolling within one Km of the "designated camps" decided after due consultation in the Cease-Fire Supervisory Board (CFSB) will be carried out, with intimation to them. It is noted that no such camps are located/will be located in populated areas, and/or near Highways, Indian Army/Para Military Forces Posts, and Police Station/Police Posts etc.

14. Protection of convoys and patrolling of roads would continue to be undertaken by the Indian Army, Para Military Forces and Police.

15. Security Forces will retain the right to enforce measures necessary to uphold the laws of the land and prevent any disturbance to peace.


The following ground rules will be observed by both sides:-

(a) These ground rules will be valid only for the State of Nagaland.

(b) Enforcement of the ground rules will be the responsibility of the GOI. The GOI and the NSCN will jointly implement the ground rules. Contentious issues relating to the implementation of the ground rules will be resolved by a Cease Fire Supervisory Board (CFSB) comprising five representatives each of GOI and NSCN and a Chairman to be nominated by the GOI.
(c) The NSCN would not undertake offensive operations like ambush, raid, sniping and attack leading to death/injury/damage or loss of property or injury to the civilian population.

(d) There would be no offensive operations like ambush, raid and attack leading to death/injury/damage or loss of property against the NSCN by the Indian Army, Paramilitary Forces and the Police. However, the Government of India reserves its right to continue operations against all other militant groups who are not a party to the ‘cease fire’.

(e) NSCN will keep its cadres confined to the designated camps. The modalities of monitoring and locating the camps shall be the same as heretofore and shall be strictly adhered to. Persons from NSCN requiring to move frequently will have photo identity cards, which would be issued by the Chairman, CFSB, and shall not exceed 45 in the format mutually agreed upon. The holder of these identity cards would, for their personal security, be entitled to have one NSCN armed cadre each accompany them at all times. The weapons would be such as that can be concealed on the body.

(f) In the interest of promoting the peace process, there will be no movement in uniform and/or with arms outside “designated camps”.

(g) Movement of NSCN cadres from one “designated camp” to another will be carried out for mutually agreed purposes and with intimation to the Security Forces and CFSB. The modalities of this would be finalized by the CFSB.

(h) The NSCN would refrain from blockade of roads and communications and from any activity which would disturb the functioning of local and State Governments and of economic or developmental activities as well as essential services.

(i) The NSCN will refrain from extending any form of support or assistance to other militant groups.

(j) During the course of the Cease Fire, the NSCN refrain from acquiring any additional arms/ammunition/military equipment.

(k) The NSCN will refrain from extortions, forcible collection of money and supplies and intimidation of individuals including Government officials.

(l) The NSCN will refrain from forcible recruitment of armed cadres.

(m) Patrolling by the Indian Army, Paramilitary Forces and the Police would continue to prevent infiltration of militants and arms as hitherto fore. However, patrolling within one Km of the “designated camps” decided after due consultation in the Cease Fire Supervisory Board (CFSB) will be carried out, with intimation to them. It is noted that no such camps are located/will be located in populated areas, and/or near Highways, Indian Army/Para Military Forces posts, Police Station/Police Posts, etc.

x
Protection of SFs convoys and patrolling of roads would continue to be undertaken by the Indian Army, Para Military Forces and Police.

Security Forces will retain the right to enforce measures necessary to uphold the laws of the land and prevent any disturbance to peace.

**TEXT OF CEASE FIRE GROUND RULES AGREED UPON BETWEEN THE GOVERNMENT OF INDIA AND THE NATIONAL SOCIALIST COUNCIL OF NAGALAND (GPRN/NSCN) (KHOLE/KHITOVI) - 27 APRIL 2012**

The following ground rules will be observed by both sides:

(a) These ground rules will be valid only for the State of Nagaland.

(b) Enforcement of the ground rules will be the responsibility of the GOI. The GOI and the NSCN will jointly implement the ground rules. Contentious issues relating to the implementation of the ground rules will be resolved by a Cease Fire Supervisory Board (CFSB) comprising five representatives each of GOI and NSCN and a Chairman to be nominated by the GOI.

(c) The NSCN would not undertake offensive operations like ambush, raid, sniping and attack leading to death/injury/damage or loss of property or injury to the civilian population.

(d) There would be no offensive operations like ambush, raid and attack leading to death/injury/damage or loss of property against the NSCN by the Indian Army, Paramilitary Forces and the Police. However, the Government of India reserves its right to continue operations against all other militant groups who are not a party to the ‘cease fire’.

(e) NSCN will keep its cadres confined to the designated camps. The modalities of monitoring and locating the camps shall be the same as heretofore and shall be strictly adhered to. Persons from NSCN requiring to move frequently will have photo identity cards, which would be issued by the Chairman, CFSB, and shall not exceed 45. The holder of these identity cards would, for their personal security, be entitled to have one NSCN armed cadre each accompany them at all times. The weapons would be such as that can be concealed on the body.

(f) In the interest of promoting the peace process, there will be no movement in uniform and/or with arms outside “designated camps”.

(g) Movement of NSCN cadres from one “designated camp” to another will be carried out for mutually agreed purposes and with intimation to the Security Forces and CFSB. The modalities of this would be finalized by the CFSB.

(h) The NSCN would refrain from blockade of roads and communications and from any activity which would disturb the functioning of local and State Governments and of economic or developmental activities as well as essential services.
(i) The NSCN will refrain from extending any form of support or assistance to other militant groups.

(j) During the course of the Cease Fire, the NSCN will not acquire any additional arms/ammunition/military equipment.

(k) The NSCN will not resort to extortions, forcible collection of money and supplies and intimidation of individuals including Government officials.

(l) The NSCN will not undertake forcible recruitment of armed cadres.

(m) Patrolling by the Indian Army, Paramilitary Forces and the Police would continue to prevent infiltration of militants and arms as hitherto fore. However, patrolling within one Km of the “designated camps” will be carried out, with intimation to them. It shall be ensured that neither the area of the camp changes nor the camps are located within one Km radius of a public road/thoroughfare.

(n) Protection of SFs convoys and patrolling of roads would continue to be undertaken by the Indian Army, Para Military Forces and Police.

(o) Security Forces will retain the right to enforce measures necessary to uphold the laws of the land and prevent any disturbance to peace.

Source: Ministry of Home Affairs
ANNEXURE E

ASSAM ACCORD 1985

1. Government has all along been most anxious to find a satisfactory solution to the problem of foreigners in Assam. The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) have also expressed their keenness to find such a solution.

2. The AASU through their Memorandum dated 2nd February 1980 presented to the late Prime Minister Smt. Indira Gandhi, conveyed their profound sense of apprehensions regarding the continuing influx of foreign nationals into Assam and the fear about adverse effects upon the political, social, cultural and economic life of the State.

3. Being fully alive to the genuine apprehensions of the people of Assam, the then Prime Minister initiated the dialogue with the AASU/AAGSP. Subsequently, talks were held at the Prime Minister’s and Home Minister’s level during the period 1980-83. Several rounds of informal talks were held during 1984. Formal discussions were resumed in March, 1985.

4. Keeping all aspects of the problem including constitutional and legal provisions, international agreements, national commitments and humanitarian considerations, it has been decided to proceed as follows:

Foreigners Issue

5.1 For purposes of detection and deletion of foreigners, 1.1.1966 shall be the base data and year.

5.2 All persons who come to Assam prior to 1.1.1966, including those amongst them whose names appeared on the electoral rolls used in 1967 elections shall be regularised.

5.3 Foreigners, who came to Assam after 1.1.1966 (inclusive) and upto 24th March, 1971 shall be detected in accordance with the provisions of the Foreigners Act, 1946 and the Foreigners (Tribunals) Order 1964.

5.4 Names of foreigners so detected will be deleted from the electoral rolls in force. Such persons will be required to register themselves before the Registration Officers of the respective districts in accordance with the provisions of the Registration of Foreigners Act, 1939 and the Registration of Foreigners Rules, 1939.

5.5 For this purpose, Government of India will undertake suitable strengthening of the government machinery.

5.6 On the expiry of a period of ten years following the date of detection, the names of all such persons which have been deleted...
from the electoral roles shall be restored.

5.7 All persons who were expelled earlier, but have since reentered illegally into Assam shall be expelled.

5.8 Foreigners who came to Assam on or after March 25, 1971 shall continue to be detected, deleted and practical steps shall be taken to expel such foreigners.

5.9 The Government will give due consideration to certain difficulties expressed by the AASU/AAGSP regarding the implementation of the Illegal Migrants (Determination by Tribunals) Act, 1983.

SAFEGUARDS AND ECONOMIC DEVELOPMENT

6. Constitutional, legislative and administrative safeguards, as may be appropriate shall be provided to protect, preserve and promote the culture, social, linguistic identity and heritage of the Assamese people.

7. The Government takes this opportunity to renew their commitment for the speedy all round economic development of Assam, so as to improve the standard of living of the people. Special emphasis will be placed on education and science and technology through establishment of national institutions.

OTHER ISSUES

8.1 The Government will arrange for the issue of citizenship certificates in future only by the authorities of the Central Government.

8.2 Specific complaints that may be made by the AASU/AAGSP about irregular issuance of Indian Citizenship Certificates (ICC) will be looked into.

9.

9.1 The international border shall be made secure against future infiltration by erection of physical barriers like walls, barbed wire fencing and other obstacles at appropriate places. Patrolling by security forces on land and rivering routes all along the international border shall be adequately intensified. In order to further strengthen the security arrangements, to prevent effectively future infiltration, an adequate number of check posts shall be set up.

9.2 Besides the arrangements mentioned above and keeping in view security considerations, a road all along the international border shall be constructed as to facilitate patrolling by security forces. Land between border and the road would be kept free of human
habitation, wherever possible. Riverine patrolling along the international border would be intensified. All effective measures would be adopted to prevent infiltrators crossing or attempting to cross the international border.

10 It will be ensured that relevant laws for prevention of encroachment of government lands in tribal belts and blocks are strictly enforced and unauthorized encroachers evicted as laid down under such laws.

11 It will be ensured that the relevant law restricting acquisition of immovable property by foreigners in Assam is strictly enforced.

12 It will be ensured that Birth and Death Registers are duly maintained.

RESTORATION OF NORMALCY

13 The All Assam Students Union (AASU) and the All Assam Gana Sangram Parishad (AAGSP) call off the agitation and dedicate themselves towards the development of the country.

14 The Central and the State Government have agreed to:

- review with sympathy and withdraw cases of disciplinary action taken against employees in the context of the agitation and to ensure that there is no victimization;
- frame a scheme for ex-gratia payment to next of kin of those who were killed in the course of the agitation;
- give sympathetic consideration to proposal for relaxation of upper age limit for employment in public services in Assam, having regard to exceptional situation that prevailed in holding of academic and competitive examinations, etc., in the context of agitation in Assam;
- undertake review of detention cases, if any, as well as cases against persons charged with criminal offences in connection with the agitation, except those charged with commission of heinous offences;
- Consider withdrawal of the prohibitory orders/notifications in force, if any.
The Ministry of Home Affairs will be the nodal Ministry for the implementation of the above.

Signed/-
(P.K. Mahanta)  
President
All Assam Students Union

Signed/-
(R.D. Pradhan)  
Home Secretary
Govt. of India

Signed/-
(B.K. Phukan)  
General Secretary
All Assam Students Union

Signed/-
(Smt. P.P. Trivedi)  
Chief Secretary
Govt. of India

Signed/-
(Biraj Sharma)  
Convenor
All Assam Gana Sangram Parishad
In the presence of

Signed/-
(Rajiv Gandhi)  
Prime Minister of India

Date: 15th August, 1985
Place: New Delhi

1. Election Commission will be requested to ensure preparation of fair electoral rolls.

2. Time for submission of claims and objections will be extended by 30 days, subject to this being consistent with the Election rules.

3. The Election Commission will be requested to send Central Observers.

Signed/-
Home Secretary

1. Oil refinery will be established in Assam.

2. Central Government will render full assistance to the State Government in their efforts to re-open:
   - Ashok Paper Mill.
   - Jute Mills

3. I.I.T. will be set-up in Assam.
BODOLAND TERRITORIAL COUNCIL (BTC) ACCORD
Full text of the BTC Accord signed between the Assam government, the Union government and the Bodo Liberation Tigers On 10 February 2003

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

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

3. Area
3.1. The area of proposed BTC shall comprise all the 3082 villages and areas to be so notified by the State Government. The above mentioned villages and areas shall be divided into 4 contiguous districts after reorganisation of the existing districts of Assam within a period of 6 months of the signing of the agreement on the lines of the proposal given by BLT subject to clearance of the Delimitation Commission.

3.2 A committee comprising one representative each from Governments of India & Assam and BLT will decide by consensus on the inclusion of additional villages and areas in the BTC from out of 95 villages and areas on the basis of the criteria of tribal population being not less than 50%, contiguity or any other agreed relevant criteria within a period of three months of signing of this MoS.

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

4.1. Provision of para 1 (2) of Sixth Schedule regarding Autonomous Regions will not be applicable to BTC.

4.2. A provision will be made in para 2(1) of the Sixth Schedule for increasing
the number of members for BTC up to 46 out of which 30 will be reserved for Scheduled Tribes, 5 for non-tribal communities, 5 open for all communities and 6 to be nominated by Governor of Assam from the unrepresented communities for BTC area of which atleast two should be women. Nominated members will have the same rights and privileges as other members, including voting rights. Election from the 40 constituencies of BTC shall be on the basis of adult franchise. The term of the elected members of BTC shall be for 5 years.

4.3. Safeguards for the settlement rights, transfer and inheritance of property etc. of non-tribals will be suitably incorporated in para 3 of the Sixth Schedule. Any such law as may be made by the BTC in this regard will not, in particular:

(a) Extinguish the rights and privileges enjoyed by an citizen of India in respect of their land at the commencement of BTC, and

(b) Bar any citizen from acquiring land either by way of inheritance, allotment, settlement or by way of transfer if such citizens were eligible for such bonafide acquisition of land within the BTC area.

4.4. Provision will be added in para 6 of Sixth Schedule that in BTC area, language and medium of instruction in educational institutions will not be changed without approval of the State Government.

4.5. Provision of para 8 of Sixth Schedule regarding power to assess and collect land revenue and impose taxes shall be applicable to BTC.

4.6. Para 10 of the Sixth Schedule will not be applicable to BTC area.

4.7. Provision of Article 332(6) of the Constitution will be so modified that the existing status of representation of BTC area in the State Assembly is kept intact. After the creation of BTC, the Parliamentary & Assembly Constituencies shall be delimited by the Delimitation Commission in accordance with the provisions of the Constitution.

4.8. 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. The Amendments to the Sixth Schedule shall include provisions in such a manner that non-tribals are not disadvantaged in relation to the rights enjoyed by them at the commencement of BTC and their rights and privileges including land rights are fully protected.

5. Power and Functions

5.1. The Council shall have legislative powers in respect to subjects transferred to it as enumerated below. All laws made under this paragraph shall be submitted forthwith to the Governor and until assented to by him, shall have no effect. The BTC shall have executive, administrative and financial
powers in respect of subjects transferred to it.

Subjects to be entrusted to BTC by Assam Government

5.2. There shall be an Executive Council comprising of not more than 12 Executive Members, one of whom shall be the Chief and another one the Deputy Chief of the said Executive Council. There shall be adequate representation for the non-tribal members in the Executive Council. The Chief and the Deputy Chief of the Council shall have the status equivalent to the Cabinet Minister and the other Executive Members equivalent to the Minister of the State of Assam for protocol purposes in BTC area.

5.3. The BTC shall have the full control over the officers and staff connected with the delegated subjects working in the BTC area and shall be competent to transfer officers and staff within the BTC area. ACRs of these officers shall also be written by the appropriated BTC authority.

5.4. BTC shall also be competent to make appointments for all posts under its control in accordance with the rules of appointment followed by the Government of Assam. However, the posts, where recruitment is made on the recommendation of APSC, shall not be covered under this provision. The Council may constitute a Selection Board for appointments to be made by it and may also make rules, with the approval of the Governor of Assam to regulate appointments and to ensure adequate representation for all communities living in the Council area.

5.5. No posts shall be created by BTC without concurrence of the Government of Assam and it shall also abide by the decision of the Government of Assam in respect of abolition of/temporarily keeping vacant any post.
5.6. Development functions and bodies within the competence of BTC shall be transferred to BTC. In respect of DRDA, concurrence of Government of India will be obtained.

5.7. The offices of the Dy. Commissioner and Superintendent of Police will be outside the superintendence and control of BTC.

5.8. The State Government would provide an amount, to be decided every year on population ratio basis, as grants-in-aid in two equal instalments to the BTC for executing development works. The proportionate share for the BTC shall be calculated on the basis of the plan funds available after setting aside the funds required for earmarked sectors and the salary. This amount may be reduced proportionately if the state plan allocation is reduced or there is plan cut due to resource problem. In addition, the Council will be paid a suitable amount of plan funds and non-plan funds to cover the office expenses and the salaries of the staff working under their control. The BTC shall disburse the salaries of the staff under their control and would ensure strict economy in the matter.

5.9. BTC authority shall prepare a plan with the amounts likely to be available for development works, both under State share and Central share, covering any or all the activities of the departments under their control. The Council shall have full discretion in selecting the activities and choosing the amount for the investment under the same in any year covering all groups of people in a fair and equitable manner. This plan will be a sub set of the State plan and would be treated as its integral part. Once the plan of the State, including BTC plan, gets the approval of the Planning Commission the BTC authority will start execution of their plan in the BTC area. Modifications, if any, made by the Planning Commission in the BTC proposal, shall be binding on the BTC authority. The State Government shall not divert the funds allocated to the BTC to other heads and also ensure its timely release. BTC may have Planning Department to prepare the plans for BTC area to be submitted to Planning Commission through the Government of Assam.

5.10. The executive functions of the BTC shall be exercised through its Principal Secretary who shall be an officer of the rank not below of Commissioner/Secretary to Government of Assam. The sanctioning powers of the Government of Assam shall be vested with the Principal Secretary of BTC and sanctioning powers of head(s) of the Department(s) including for technical sanction shall be conferred on the senor most officer of that Department preferably not below the rank of Additional Director, who may be designated as Director of BTC for that department. The Principal Secretary and other officers shall exercise their powers under the overall guidance and supervision of BTC.
6. **Law and Order**

To strengthen the Police Administration, Government of Assam shall appoint an IGP for 4 districts of BTC and the jurisdiction of the DIG Kokrajhar shall also be modified to cover these 4 districts.

7. **Revision of list of ST**

Consequent to the inclusion of BTC area into the Sixth Schedule, the list of ST for the State of Assam shall be so modified so as to ensure that the tribal status of Bodos and other tribals living outside the BTC are does not get affected adversely.

8. **Grant of ST status of Bodo Kacharis of Karbi Anglong and NC Hills districts**

The Government of India agrees to consider sympathetically the inclusion of the Bodo Kacharis living in Karbi Anglong and NC Hills Autonomous Council area in the ST (Hill) List of State of Assam.

9. **Development of Bodo Language**


9.2. Bodo language shall be the official language of BTC subject to the condition that Assamese and English shall also continue to be used for official purpose.

10. **Additional Development Package for BTC**

10.1. The State Government, within the limitation of financial and other constraints, may offer or allow the Council to offer, possible and sustainable additional incentives for attracting private investment in the Council area and would also support projects for external funding.

10.2. In order to accelerate the development of the region and to meet the aspirations of the people, the Government of India will provide financial assistance of Rs 100 crores per annum for 5 years for projects to develop the socio-economic infrastructure in BTC areas over and above the normal plan assistance to the State of Assam. The size of the Corpus will be reviewed after a period of 5 years. Suitable mechanism will be built in the system to ensure that the funds are transferred to BTC in time and at regular intervals. An illustrative list of projects which may be considered to be taken up in BTC given below:

**List of projects:**

1. To establish a centre for development and research of Bodo language; 2. Upgradation of existing educational infrastructure by way of renovation/addition of buildings, providing modern facilities for teaching such as computers, science laboratories etc. from primary level to college
level in BTC area; 3. A cultural complex to be established at Kokrajhar to promote and develop Bodo tradition and cultural heritage; 4. To establish a super-speciality hospital with all modern facilities at Kokrajhar Government Hospitals shall be established in all district, sub-divisional and block headquarter; 5. To establish sports complexes in all the district headquarters; 6. Food processing plants and clod storage facilities at Kokrajhar, Kajolgaon, Udalguri and Tamulpur; 7. Construction of a bridge over river Aai to connect Koilamoiola, Amguri etc. with the rest of the district; 8. To build a Bodoland Bhawan in Delhi; 9. To set up integrated agro-processing park and textile-cum-apparel park; 10. Revitalisation of Kokilabari Agricultural Farm; 11. To develop adequate infrastructure to promote Manas sanctuary as an international tourist spot; 12. To complete Champa, Suklai and Dhansiri irrigation projects; 13. To construct a highway on the Indo-Bhutan border from Jamduar to Bhairabkunda to connect remote places located adjacent to the border; 14. To set up model dairy, fishery, horticulture and poultry farms/training centres at different places in all the 4 districts to encourage youth for self-employment; 15. To enhance the existing facilities in veterinary hospitals in BTC area.

10.3. Government of India will provide necessary one time financial assistance required for development of administrative infrastructure in the newly created district headquarters, sub-divisional headquarters and book headquarters, besides the BTC Secretariat Complex at Kokrajhar

11. Centrally funded University

11.1. A centrally funded Central Institute of Technology (CIT) will be set up to impact education in various technological/vocational disciplines such as Information Technology, Bio-Technology, Food Processing, Rural Industries, Business Management, etc.

11.2. The CIT will be subsequently upgraded to a Centrally funded State University with technical and non-technical disciplines to be run by the BTC.

12. Relief & Rehabilitation

12.1. The BLT would join the national mainstream and shun the path of violence in the interest of peace and development. After the formation of the interim council of BTC, BLT will dissolve itself as an organisation and surrender with arms within a week of swearing-in of the interim council. The State Government would provide full support to relief and rehabilitation of the members of BLT who would surrender with arms in this process in accordance with the existing policy of the State. Financial support in such cases, however shall be limited to be provisions of the scheme prepared and funded by the Government of India. Withdrawal of cases against such persons and those related to overground Bodo movement since 1987 shall
be considered according to the existing policy of the State of Assam.

12.2. The Government of India will initiate steps for review of action against the Bodo employees of Government of India and subordinate officers as well as in respect of Central Government Undertakings. Similar action would be taken by the Government of Assam.

12.3. Bodo youth will be considered for recruitment in Police, Army and Paramilitary forces to increase their representation in these forces.

13. Special Rehabilitation Programme for the people affected by ethnic disturbances:
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.

14. Interim Council
Immediately after signing of the agreement, Interim Executive Council for BTC shall be formed by Governor of Assam from amongst the leaders of the present Bodo movement, including the signatories to this settlement, and shall include adequate representation to the non-tribal communities in BTC area. The Interim Council shall not continue for a period beyond 6 months during which period election to the Council shall be held. Government of Assam shall dissolve the Bodoland Autonomous Council (BAC) and repeal the BAC Act.

15. Government of Assam will consider inclusion of all tribals including Bodos in RHAC/MAC/LAC in consultation with leaders of these Councils.

16. The Implementation of the provision of the Memorandum of Settlement shall be periodically reviewed by a Committee comprising representatives of Government of India, Government of Assam and BTC.

Signed on 10th February, 2003 at New Delhi in the presence of Shri L.K. Advani, Hon’ble Deputy Prime Minister of India and Shri Tarum Gogoi, Chief Minister of Assam.

(Hagrama Basumatary)
Chairman
Bodo Liberation Tigers

(PK Dutta)
Chief Secretary
Govt. of Assam

(R C A Jain)
Secretary (BM)
Ministry of Home Affairs
Government of India
MIZORAM ACCORD, 1986
Memorandum of Settlement

Preamble
1. Government of India has all along been making earnest effort to bring about an end to the disturbed condition in Mizoram and to restore peace and harmony.

   i. Toward this end, initiative was taken by the late Prime Minister Smt. Indira Gandhi on the acceptance by Shri Laldenga on behalf of the Mizo National Front (MNF) of the two conditions, namely, cessation of violence by MNF and to hold talks within the framework of the Constitution. A series of discussions were held with Shri Laldenga. Settlement on various issues reached during the course of talks is incorporated in the following paragraphs.

Restoration of Normalcy

1. With a view to restoring peace and normalcy in Mizoram, the MNF Party, in their part undertake within the agreed time-frame, to bring out all underground personnel of the MNF with their arms, ammunition, and equipment, to ensure their return to civil life, to abjure violence and generally to help in the process of restoration of normalcy. The modalities of bringing out all underground personnel and the deposit of arms, ammunition and equipment will be as worked out. The implementation of the foregoing will be under the supervision of the Central Government.

2. The MNF party will take immediate steps to amend its articles of Association so as to make them conform to the provision of Law.

3. The Central Government will take steps for the settlement and rehabilitation of underground after considering the scheme proposed in this regard by the Government of Mizoram.

   The MNF will not undertake to extend any support to the Tripura National Volunteer (TNV), Peoples’ Liberation Army of Manipur (PLA) and any other such group by way of training, supply of arms of providing protection or in any other matters.

Legal Administrative and Other Steps

1. With a view to satisfying the desires and aspirations of all sections of the people of Mizoram, the Government will initiate measures to confer Statehood on the Union Territory of Mizoram subject to the other stipulation contained in this Memorandum of Settlement.

2. To give effect to the above, the necessary legislative and administrative measures will be undertaken, including those for the enactment of Bills for the amendment of the Constitution and other laws for the conferment of
Statehood as aforesaid, to come into effect on a date to be notified by the Central Government.

3. The amendment aforesaid shall provide, among other things, for the following:

i. The territory of Mizoram shall consist of the territory specified in Section 6 of the North Eastern Areas (Reorganization) Act, 1971.

ii. Notwithstanding anything contained in the Constitution, no act of Parliament in respect of (a) Religion or Social practices of the Mizos, (b) Mizo customary Law or procedure, (c) Administration of Civil and Criminal Justice involving decisions according to Mizo customary Law, (d) Ownership and transfer of land, shall apply to the State of Mizoran unless the Legislative Assembly of Mizoram by a resolution so decides. Provided that nothing in this Clause shall apply to any Central Act in force in Mizoram immediately before the appointed day.

iii. Article 170 Clause (1) shall, in relation to Legislative Assembly of Mizoram, have effect as if for the word sixty the word forty has been substituted.

1. Soon after the Bill of Conferment of Statehood becomes law, and when the President is satisfied that normalcy has returned and that conditions are conducive to the holding of free and fair elections, elections to the Legislative Assembly will be initiated.

2. (a) The centre will transfer resource to the new Government keeping in view the change in Status from a Union Territory to a State and will include resources to cover the revenue gap for the year.

   (b) Central assistance for Plan 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.

3. Border trade in local produced or grown agriculture commodities could be allowed under a scheme to be formulated by the Central Government, subject to international arrangement with neighbouring Countries.

4. The Inner line Regulation, as now in force in Mizoram, will not be amended or repealed without consulting the State Government.

Other Matters

5. The rights and privileges of the minorities in Mizoram as envisaged in the constitution shall continue to be preserved and protected and their social and economic advancement shall be ensured.

6. Steps will be taken by the Government of Mizoram at the earliest to review and codify the existing customs, practices, law or other usages relating to the matters specified in Clauses (a) to (b) of para 4.3 (II) of the memorandum, keeping in view that an individual Mizo may prefer to be governed by Acts of Parliament dealing with such matters and which are of general application.
7. The question of Unification of Mizo inhabited areas of other States to form one administrative unit was raised by the MNF delegation. It was pointed out to them, on behalf of the Government of India, that Article 3 of the Constitution of India describes the procedure in this regard but that the Government cannot make any commitment in this respect.

8. It was also pointed out on behalf of the Government that as soon as Mizoram becomes a State:
   
   i. The Provisions of Part XVII of the Provision of the Constitution will apply and the State will be liberty to adopt any one or more language to be used for all or any of the official purposes of the State.

   ii. It is open to the State to move the establishment of the separate University in the State in accordance with the prescribed procedure.

   iii. In the light of the Prime Minister’s Statement at the Joint Conference of the Chief Justices, Chief Minister and Law Ministers held at New Delhi on 31st August, 1985 Mizoram will be entitled to have a High Court of its own if it so wishes.

1. (a) It was noted that there is already a scheme in force for payment of exgratia amount to heirs/dependants of persons who were killed during disturbances in 1966 and thereafter in the Union Territory of Mizoram. Arrangement will be made to expeditiously disburse payment to those eligible persons who have already applied but who had not been made such payment so far.

   a. It was noted that consequence on verification done by a joint team of officers, the Government of India had already made arrangement for payment of compensation in respect of damage to crop: building destroyed/damaged during the action in Mizoram, and rented charges of building and land occupied by security force. There may, however, be some claim which were referred and verified by the above team but is not yet settled expeditiously. Arrangement will also be made for payment of pending claim of rented charges or land/building occupied by the security forces.

Sd/-

LALDENGAMIZO National Front.

On behalf of

LALDENGAMizo National Front.

R.D. PRADHANHome Secretary

Government of India.

Sd/-

LALKHAMACHief Secretary

Government of Mizoram

Dated: 30th June, 1986.
Place: New Delhi
### ANNEXURE H

**ORGANISATION OF UNIFIED COMMAND: ASSAM**

**Strategic Group**

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<tr>
<td>Chairman</td>
<td>Chief Secretary, Assam</td>
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<tr>
<td>Members</td>
<td>GOC 4 Corps, senior representative Para Military Force/Central Police Organization. Principal Secretary/ Commissioner Assam Government, senior representative Intelligence Agency, IGP (Operations), senior representative SIB, Senior representative R&amp;AW, IG BSF&amp; CRPF,</td>
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<td>Secretary</td>
<td>Joint Secretary (Home &amp; Political Dept)</td>
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**Operational Group**

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<tr>
<td>Members</td>
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ANNEXURE J
ORGANISATION OF UNIFIED COMMAND : MANIPUR

Combined Headquarters
Chairman
Chief Minister
Members
Chief Secretary, GOC 3 Corps, DGP, GOC 57 Mountain Division, IGAR (South), Principal Secy (Home), Addl DGP, IGP (Intelligence), Senior representative BSF/CRPF/IB.

Strategy & Operational Group
Chairman
Chief Secretary
Members
DGP, GOC 57 Mtn Div, IGAR (South), Principal Secy, Addl DGP, IGP (L&O-I&II), IGP (Intelligence), IG CRPF, DIG BSF, Deputy Director SIB.

Operations & Intelligence Group
Chairman
DGP
Members
IGP (Intelligence), Senior Intelligence representative of Assam Rifles, BSF and CRPF, SP (CID), SP (SB).
### ANNEXURE-K

**STATEWISE SECURITY SITUATION THE YEARS 2005-2011**

**ASSAM**

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# STATEWISE SECURITY SITUATION THE YEARS 2005-2011

## NAGALAND

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<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Civilians killed</td>
<td>28</td>
<td>29</td>
<td>44</td>
<td>70</td>
<td>16</td>
<td>-</td>
<td>07</td>
</tr>
</tbody>
</table>

## MIZORAM

| Incidents | 04 | 05 | 02 | 01 | 01 | - | 1 |
| Extremists arrested/killed/surrendered | 210 | 848 | 21 | 13 | - | - | 6 |
| SFs killed | 0 | 0 | 0 | 04 | - | - | - |
| Civilians killed | 02 | 0 | 02 | - | 01 | - | - |

## MANIPUR

| Incidents | 554 | 498 | 584 | 740 | 659 | 367 | 298 |
| Extremists arrested/killed/surrendered | 1186 | 1097 | 1443 | 2112 | 1896 | 1626 | 1677 |
| SFs killed | 50  | 28  | 39  | 16  | 19  | 06  | 10  |
| Civilians killed | 158 | 96  | 130 | 137 | 81  | 33  | 26  |
ANNEXURE-L

LIST OF MAJOR MILITANT/INSURGENT OUTFITS ACTIVE
IN THE NORTH EASTERN STATE

State wise list of major militant groups is given below.*

(i) **Assam**
- United Liberation Front of Assam (ULFA)
- National Democratic Front of Bodoland (NDFB)
- Dima Halam Daogah (Jole Garlosa)

(ii) **Manipur**
- People’s Liberation Army (PLA)
- United National Liberation Front (UNLF)
- People’s Revolutionary Party of Kangleipak (PREPAK)
- Kangleipak Communist Party (KCP)
- Kanglei Yaol Kanba Lup (KYKL)
- Manipur People’s Liberation Front (MPLF)
- Revolutionary People’s Front (RPF)

(iii) **Meghalaya**
- Garo National Liberation Army (GNLA)
- Hynniewtrep National Liberation Council (HNLC)

(iv) **Tripura**
- National Liberation Front of Tripura (NLFT)

(v) **Nagaland**
- The National Socialist Council of Nagaland (Isak Muivah) – [NSCN(1/M)]
- The National Socialist Council of Nagaland (Khaplang) [NSCN (K)].

(vi) **Arunachal Pradesh**
- The National Socialist Council of Nagaland (Isak Muivah) – [NSCN(1/M)]
- The National Socialist Council of Nagaland (Khaplang) [NSCN (K)].
- United Liberation Front of Assam (ULFA)
- National Democratic Front of Bodoland (NDFB)

* 1 All the militant outfits mentioned above except the two factions of National Socialist Council of Nagaland, have been declared ‘Unlawful Associations’ under the Unlawful Activities (Prevention) Act, 1967 (37 of 1967). In addition, the outfit named above in respect of Assam, Manipur and Tripura (except the two National Socialist Council of Nagaland factions) have been listed as ‘terrorist organisations’ in the schedule of the above Act

* 2 In addition, other militant groups like the Dima Halam Daogah (DHD) and United Peoples Democratic Solidarity (UPDS); Karbi Longri N C Hills Liberation Front (KLNLF); Naga National Council (NNC) etc. are also operating in the North East
ANNEXURE M

ANNEXURE TO GOI’S LETTER NO. 11011/66/98-NE.IV DATED 10.05.05
Ministry of Home Affairs
Government of India

*****

Subject: REVISED SCHEME FOR SURRENDER-CUM REHABILITATION OF MILITANTS IN THE NORTH EAST

Objectives of the Scheme:
1. The objective of the Scheme is to wean away the misguided youth and hardcore militants that have strayed into the fold of militancy and now find themselves trapped into that net. The Scheme also seeks to ensure that the militants who have surrendered do not find it attractive to join militancy again.

Eligibility Criteria:
2. The Scheme is applicable to those militants who surrender at least with one weapon as mentioned in Para 5. However, in exceptional and deserving cases, militants who surrender without arms may also be considered for rehabilitation under the Scheme. The names of such militants would be scrutinized by the Screening Committee and a final view taken by Unified Headquarters or similar body at the State Government headquarters. The benefits of the scheme shall not be available to a surrenderee who is a recycled militant/terrorist.

Benefits under the Scheme:
3. Persons eligible under the scheme will be initially lodged in a Rehabilitation camp where they will be imparted training in a trade/vocation of their liking or befitting their aptitude.
3.1 They shall be paid a monthly stipend for a period of 36 months. The stipend in respect of a surrenderee shall not exceed Rs.2000/- per month. The scale of stipend for various categories of surrenderees will be decided by the State Government in consultation with the Government of India.
3.2 An immediate grant of Rs.1.5 lakh to be kept in a bank in the name of surrenderee as fixed deposit for a period of 3 years. The money can be withdrawn by the surrenderee after 3 years subject to good behaviour.

Note 1: This money can be utilized as collateral security/margin money against loan to be availed by the surrenderee from the bank for self-employment.
Note 2: In the event of a surrenderee being able to secure any Government job either in central Government/PSU/Army/State Government/Cooperatives, where the Central/State Government has a share, this amount will not be given to the surrenderee.

1 mha.nic.in/pdfs/NE-III-Revised-Scheme300909.pdf
3.3 Crimes committed by the militants.

3.3.1 Minor crime cases against successfully rehabilitated surrenderess will be withdrawn.

3.3.2 The surrenderees who have committed heinous crimes like murder, rape, abduction etc. will be subject to the due process of law and surrender shall not imply amnesty from the crimes.

3.3.3 A surrenderee who indulges in crime while under rehabilitation shall forfeit the benefits under the Scheme.

4. Board and lodging at the Rehabilitation camp.

4.1 The stay of a surrenderee in a Rehabilitation Camp shall not exceed three years. All attempts shall be made to settle the surrenderees during this period. In case of settlement of any surrenderee before the expiry of three years, the stipend shall be stopped with effect from the date of settlement.

4.2 Expenditure incurred on boarding and lodging provided to surrenderees in the rehabilitation camps would be met out of the stipend of Rs.2000 to be provided to surrenderees.

**Incentives for Weapons:**

5. The following incentives have been built in to the Scheme for the surrendered weapons/ammunitions:

<table>
<thead>
<tr>
<th>i)</th>
<th>AK 47/56/74 Rifle</th>
<th>Rs.15,000 per weapon</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii)</td>
<td>UMG/GPMG/PIMCA/RPG/Sniper Rifle</td>
<td>Rs.25,000 per weapon</td>
</tr>
<tr>
<td>iii)</td>
<td>Pistol/Revolver</td>
<td>Rs.3,000 per weapon</td>
</tr>
<tr>
<td>iv)</td>
<td>Rockets</td>
<td>Rs.1,000 per rocket</td>
</tr>
<tr>
<td>v)</td>
<td>Grenade/Hand Grenade /Stick Grenade</td>
<td>Rs.500 per grenade</td>
</tr>
<tr>
<td>vi)</td>
<td>Remote Control device</td>
<td>Rs.3,000 per device</td>
</tr>
<tr>
<td>vii)</td>
<td>Ammunition of all types</td>
<td>Rs.3 per round</td>
</tr>
<tr>
<td>viii)</td>
<td>IED</td>
<td>Rs.1,000 each</td>
</tr>
<tr>
<td>ix)</td>
<td>Mines</td>
<td>Rs.3000</td>
</tr>
<tr>
<td>x)</td>
<td>Explosive material</td>
<td>Rs.1,000 per Kg</td>
</tr>
<tr>
<td>xi)</td>
<td>Wireless sets: (a) Short range (b) Long range</td>
<td>Rs.1,000 each set Rs.5,000 each set</td>
</tr>
<tr>
<td>xii)</td>
<td>SAM Missiles</td>
<td>Rs.20,000</td>
</tr>
<tr>
<td>xiii)</td>
<td>Satellite phone</td>
<td>Rs.10,000</td>
</tr>
<tr>
<td>xiv)</td>
<td>VHF/HF Communication sets</td>
<td>Rs.5,000</td>
</tr>
<tr>
<td>xv)</td>
<td>Electronic Detonators Other detonators</td>
<td>Rs.50 Rs.10</td>
</tr>
</tbody>
</table>

Note: The incentive given for surrender of the aforesaid arms shall be deposited in the form of a Fixed Deposit in the joint name of surrenderee and the NGO/State...
Government nominee and shall be given to the surrenderee at the time of his leaving the Rehabilitation Camp.

**Agencies for rehabilitation:**
6. The agency for rehabilitation may be a suitable NGO and/or the State Government. In case it is an NGO, it will run the Rehabilitation Camp with support from the Security Forces and the Government where required. (A suitable NGO, which has good credentials and willing to work in this sphere, will have to be identified and provided necessary support from the Government).

**Reimbursement of Expenditure on Rehabilitation by Government of India:**
7. The Government of India shall provide 100% reimbursement for expenditure incurred on the rehabilitation of surrenderees under the Security Related Expenditure Scheme. In view of the financial position of insurgency affected States and also the fact that the NGO’s who may undertake rehabilitation work would immediately need some money in advance, there will be provision for giving 50% of estimated annual expenditure on rehabilitation in advance and the rest as reimbursement.

**Inspection of rehabilitation Centres and records by Government of India:**
8. The Government of India shall have the right to inspect any of the camps setup for rehabilitation or transit and to verify any record in this regard.

**Procedure for identification and rehabilitation:**
9. The following agencies will be involved in the process of identification and rehabilitation of surrendered militants:-
   (i) IG (Special Branch) will act as the Surrender and Rehabilitation Officer (S&R Officer) under the Scheme.
   (ii) Army.
   (iii) Central Para Military Force.
   (iv) State Police/State Administration.
   (v) A nominated NGO.

9.1 Each of the Security Forces will identify one officer of the rank of DIG or equivalent officer as the nodal officer for coordinating surrender and rehabilitation work of militants with respect to their organization.

9.2 A militant shall be free to surrender before any unit of the Army/CPMFs. District Magistrate, District SP, Range DIG, IG(Ops), IG(Special Branch), DIG (Special Branch), SPs (Special Branch), SDM, SDM, Sub-Divisional Police Officer and other notified officers. The officers for this purpose shall be notified by the State Governments with due approval of the Government of India. A militant may also surrender before any unit of the Army or the CPMFs outside the State. The officer receiving the surrender shall be the details as informed by the surrenderee filled into a prescribed proforma and send the same to the S&R officer and to the nodal officer of the three forces. The nodal officer of each of the organizations will verify the antecedents of the militants from its own sources and his activities and send its specific recommendations to the S&R Officer stating whether the individual could be taken in as surrenderee or not.
9.3 The officer receiving the surrender will provide immediate security to the surrendered militant and after getting necessary details for filling up the performa, send him to the transit camp to be maintained by the S&R Officer. The board and lodging expenses for the person lodged in the transit Camp will be borne by the Government. The maximum period within which the decision about a person should be taken would be 15 days.

9.4 On receiving the reports from the different organizations regarding the activities of surrendered person as militant, a Screening Committee headed by the S&R Officer and comprising of nodal officers of the four organizations would formally consider the surrender of militant and if accepted, transfer him to the rehabilitation camp.

**Impact assessment of the Scheme:**
10. Impact assessment of the policy would be done every year to ensure corrective action if required. If the percentage of surrenderees who are successfully rehabilitated at the rehabilitation centre is below 80% the NGO should be changed.

**Date of Effect of revised scheme:**
11. The revised Scheme will come into effect from 01.04.05.

**Modification in the Scheme:**
12. The Ministry of Home Affairs may carry out such modifications in the scheme as may be considered necessary in public interest. The Ministry of Finance will be consulted if any such modification involves financial implications.
ANNEXURE -N

Excerpts from the Supreme Court Judgement on Armed Forces Special Powers Act
Naga People’s Movement of Human Rights, etc. - Petitioner vs. Union of India - Respondent
Before J.S. Verma, CJI and other four Judges 27 November, 1997
Operative Part of the Judgement (Relevant extracts) 74. In the light of the above discussion we arrive at the following conclusions:

1) Parliament was competent to enact the Central Act in exercise of the legislative power conferred on it under Entry 2 of List I and Article 248 read with Entry 97 of List I. After the insertion of Entry 2A in List I by the Forty Second Amendment of the Constitution, the legislative power of Parliament to enact the Central Act flows from Entry 2A of List I. It is not a law in respect of maintenance of public order falling under Entry I and List II.

2) The expression ‘in aid of the civil power” in Entry 2A of List I and in Entry 1 of List II implies that deployment of the armed forces of the Union shall be for the purpose of enabling the civil power in the State to deal with the situation affecting maintenance of public order which has necessitated the deployment of the armed forces in the State.

3) The word ‘aid” postulates the continued existence of the authority to be aided. This would mean that even after deployment of the armed forces the civil power will continue to function.

4) The power to make a law providing for deployment of the armed forces of the Union in aid of the civil power of a State does not include within its ambit the power to enact a law which would enable the armed forces of the Union to supplant or act as a substitute for the civil power in the State. The armed forces of the Union would operate in the State concerned in cooperation with the civil administration so that the situation which has necessitated the deployment of armed forces is effectively dealt with and normalcy is restored.
5) The Central Act does not displace the civil power of the State by the armed forces of the Union and it only provides for deployment of armed forces of the Union in aid of the civil power.

6) The Central Act cannot be regarded as a colourable legislation or a fraud on the Constitution. It is not a measure intended to achieve the same result as contemplated by a Proclamation of Emergency under Article 352 or a proclamation under Article 356 of the Constitution.

7) Section 3 of the Central act does not confer an arbitrary or unguided power to declare an area as a ‘disturbed area’. For declaring an area as a ‘disturbed area’ under Section 3 there must exist a grave situation of law and order on the basis of which the Governor/Administrator of the State/Union territory of the Central Government can from an opinion that the area is in such a disturbed or dangerous condition that the use of the armed forces in aid of civil power is necessary.

8) A declaration under Section 3 has to be for a limited duration and there should be periodic review of the declaration before the expiry of six months.

9) Although a declaration under Section 3 can be made by the Central Government suo motto without consulting the concerned State Government, but it is desirable that the State Government be consulted while making the declaration.

10) The conferment of the power to make a declaration under Section 3 of the Central Act on the Governor of the State cannot be regarded as delegation of the power of the Central Government.

11) The conferment of the power to make a declaration under Section 3 of the Central Act of the Government is not violative of the federal scheme as envisaged by the Constitution.

12) The provision contained in Sections 130 and 131 Cr.P.C. cannot be treated as comparable and adequate to deal with the situation requiring the use of armed forces in aid of civil power as envisaged by the Central Act.

13) The powers conferred under clauses (a) to (d) of Section 4 and Section 5 of the Central Act on the officers of the armed forces, including a Non-Commissioned Officer, are not arbitrary and unreasonable and are not violative of the provisions of Articles 14, 19 or 21 of the Constitution.
14) While exercising the powers conferred under Section 4(a) of the Central Act, the officer in the armed forces shall use minimal force required for effective action against the person/persons acting in contravention of the prohibitory order.

15) A person arrested and taken into custody in exercise of the powers under Section 4(c) of the Central Act should be handed over to the officer in charge of the nearest police station with least possible delay so that he can be produced before nearest Magistrate within 24 hours of such arrest excluding the time taken for journey from the place of arrest to the court of magistrate.

16) The property or the arms, ammunition etc., seized during the course of search conducted under Section 4(d) of the Central Act must be handed over to officer in charge of the nearest police station together with a report of the circumstances occasioning such search and seizure.

17) The provisions of Cr.P.C. governing search and seizure have to be followed during the course of search and seizure conducted in exercise of the power conferred under Section 4(d) of the Central Act.

18) Section 6 of the Central Act in so far as it confers a discretion on the Central Government to grant or refuse sanction for instituting prosecution or suit or proceeding against any person in respect of anything done or purported to be done in exercise of the powers conferred by the Act does not suffer from the vice of arbitrariness. Since the order of the Central Government refusing or granting the sanction under Section 6 is subject to judicial review, the Central Government shall pass an order giving reasons.

19) While exercising the power conferred under clauses (a) to (d) of Section 4 the officers of the armed forces shall strictly follow the instructions contained in the list of ‘Do’s and Don’ts” issued by the army authorities which are binding and any disregard to the said instructions would entail suitable action under the Army Act, 1950.

20) The instructions contained in the list of ‘Do’s and Don’ts” shall be suitably amended so as to bring them in conformity with the guidelines contained in the decisions of this Court and to incorporate the safeguards that are contained in clauses (a) to (d) of Section 4 and Section 5 of the Central Act as construed and also the direction contained in the order of this Court dated July 4, 1991 in Civil Appeal No. 2551 of 1991.
21) A complaint containing an allegation about misuse or abuse of the powers conferred under the Central Act shall be thoroughly inquired into and, if on enquiry it is found that the allegations are correct, the victim should be suitably compensated and the necessary sanction for institution of prosecution and/or suit or other proceeding should be granted under Section 6 of the Central Act.
ANNEXURE O

COAS TEN COMMANDMENTS (1993)
1. No rape.
2. No molestation.
3. No torture resulting in death or maiming.
4. No military disgrace.
5. No meddling in civil administration.
6. Competence in platoon/company level tactics in counter insurgency operations.
7. Willingly carry out civic action with innovations.
8. Develop media interaction.
10. Only fear God, uphold Dharma and enjoy serving the country.

SUPPLEMENTARY COMMANDMENTS (2005)
1. Remember that people you are dealing with are your own countrymen. All your conduct must be dictated by this one significant consideration.
2. Operations must be people friendly, using minimum force and avoiding collateral damage-restraint must be the key.
3. Good intelligence is the key to success – the thrust of your operations must be intelligence based and must include the militant leadership.
4. Be compassionate, help the people and win their hearts and minds. Employ all resources under your command to improve their living conditions.
5. No operations without police representative. No operations against women cadres under any circumstances without Mahila Police. Operations against women insurgents be preferably carried out by police.
6. Be truthful, honest and maintain highest standards of integrity, honour, discipline, courage and sacrifice.
7. Sustain physical and moral strength, mental robustness and motivation.
8. Train hard, be vigilant and maintain highest standards of military professionalism.
9. Synergise your actions with the civil administration and other security forces.
10. Uphold Dharma and take pride in your Country and the Army.
ANNEXURE P

LIST OF DO’S AND DON’TS WHILE ACTING UNDER THE
ARMED FORCES (SPECIAL POWERS) ACT, 1958

PREAMBLE
1. Protection and respect of human dignity, human decency and human rights are
   the very essence of rule of law and social order in civilised society. Armed
   Forces are called in aid to civil authorities to maintain and restore law and
   order and catastrophies. Thus members of the Armed Forces act as the
   protectors of the social order so that other citizens can enjoy the fruits in an
   orderly society.
2. When deployed in aid to civil authority, the Armed Forces of the Union
   operate in the State concerned in cooperation with the civil administration so
   that the situation affecting maintenance of public order, which has necessitated
   the deployment of the Armed Forces, is effectively dealt with and normalcy is
   restored. The Central Act, viz Armed Forces (Special Powers) Act 1958, does
   not displace the civil power of the State by the Armed Forces of the Union and
   it only provides for deployment of Armed Forces of the Union in aid of the
   civil power. The word ‘aid’ postulates the continued existence of the authority
   to be aided. This means that even after deployment of the Armed Forces the
   civil power continues to function.
3. The instructions given below in the form of DO’s and DON’Ts are binding
   instructions which are required to be followed by the members of the Armed
   Forces exercising powers under the Armed Forces (Special Powers) Act 1958 and any disregard of these
   instructions would entail suitable action under Army Act, 1950.

DO’s AND DON’Ts

DO’s
   a) Act only in the area declared as “Disturbed” under Section 3 of the Act.
   b) Before taking action to fire upon or using force, ensure:-
      (i) There exists a prohibitory order against assemble of five or more
          persons or carrying of weapons or fire arms/ammunition or explosive
          substances in the disturbed area and the persons concerned have acted
          in contravention of such order.
      (ii) Power to open fire, using force or arrest is exercised only by an
           Officer, JCO/WO or NCO.
      (iii) Such officer is satisfied that action is necessary for maintenance of
           public order, and
      (iv) Due warning is given by such person exercising powers under this
           section.
(c) Under Section 4(b) of the Act, any Officer, JCO/WO and NCO may destroy those arms dump, prepared or fortified position or shelter from which armed attacks are made or are likely to be made or are attempted to be made or any structure used as training camp for armed volunteers or utilised as hide out by armed gang or absconders wanted for any offence. Before taking action, ensure that such officer is of the opinion that it is necessary to destroy any arms dump etc.

(d) Under Section 4(c) of the Act, powers to arrest any person without warrant can only be exercised if that person has committed a cognizable offence or against whom a reasonable suspicion exists that he has committed cognizable offence or is about to commit a cognizable offence. For effecting arrest, such force as may be necessary can be exercised. Ensure that only such a person who has either committed a cognizable offence or against whom reasonable suspicion exists, is arrested, innocent persons are not to be arrested.

(e) Under Section 4(d) of the Act, power can only be exercised to enter and search without warrant any premises, to make any such arrest of any person as mentioned in Sub Para 4(d) above, to recover any person believed to be wrongfully restrained or confined or any property reasonably suspected to be stolen property or any arms, ammunition or explosive substances believed to be unlawfully kept in such premises and the concerned person may for that purpose use such force as may be necessary. Ensure that before launching any raid/search, definite information about the activity is obtained from the local source and/ or civil authorities.

f) Ensure that the troops deployed in aid to civil authorities operate in the State concerned in cooperation with the civil administration.

5. Acting During Operation.

(a) While exercising powers conferred under Section 4 of the Act, ensure that minimal force required for effective action against the person/persons acting in contravention of the prohibitory order is used.

(b) In case of necessity of opening fire or using any force against any person(s), ascertain that the same is essential for maintenance of public order. Open fire only after due warning.

(c) The provisions of Criminal Procedure Code governing search and seizure are applicable during the course of search and seizures conducted in exercise of powers conferred vide Section 4(d) of the Act. Therefore:-

(i) Before making a search, the concerned person about to make search is to ensure that two or more independent and respectable inhabitants of the locality are available or are willing to be a witness to the search, to attend and witness the search and may issue an order in writing to them or any of them so to do on Form at Appendix (not attached). The search is to be made in their presence and a list of all things seized in the course of such search and of the places in which they are respectively found is to be prepared by such officer or other person and signed by such witnesses but no person witnessing a search under this
Section, is required to attend, the Court as a witness of the search unless especially summoned by it.

(ii) The occupant of the place searched, or some person on his behalf, in every instance, is to be permitted to attend the search, and a copy of the list prepared duly signed by the said witnesses, is to be delivered to such occupant or person.

(d) The persons acting under the Act while effecting the arrest of a woman or making search of a woman or in searching the place in the actual occupancy of a female shall follow the procedure meant for the police officers as contemplated under the various provisions of the Code of Criminal Procedure, namely, the provision to Sub Section (2) of Section 47, Sub Section (2) of Section 51, Sub Section (3) of Section 100 and provision to Sub Section (1) of Section 160 of the Code of Criminal Procedure. These provisions in substance provide as under:-

(i) If any place to be searched is an apartment in the actual occupancy of a female (not being the persons to be arrested) who, according to custom, does not appear in public, then before entering such apartment, such female shall be informed that she is at liberty to withdraw, and shall afford her every reasonable facility for withdrawing, and may then break open the apartment and enter it.

(ii) Whenever it is necessary to cause a female to be searched, the search shall be made by another female with strict regard to decency.

(iii) No male person under the age of fifteen years or woman is required to attend at any place other than the place in which such male person or woman resides.

(e) Ensure that troops under command do not harass innocent people, destroy property of the public or unnecessarily enter into the house/dwellings of people not connected with any unlawful activity.

(f) Ensure proper record is maintained of arrested and released persons after apprehension.


(a) After arrest, prepare a list of the persons so arrested and handover the arrested persons to the officer-in-charge of the nearest police station with the least possible delay together with a report of the circumstances occasioning the arrest so that the arrested person can be produced before the nearest Magistrate within a period of 24 hours of his arrest excluding the time taken for journey from place of arrest to the Court of Magistrate.

(b) Every delay in handing over the arrested person to the police must be justified depending upon the place, time of arrest and the territory in which such person has been arrested.

(c) After raid, make out a list of all property, arms, ammunition or any other incriminating material/documents taken into possession.

(d) All such property, arms, ammunition, stores, etc are to be handed over to the officer-in-charge of the nearest police station together with a report of the
circumstances occasioning such search and seizure. Supreme Court Order passed on petition No 4198 of 1999 will be scrupulously followed with regard to custody of seized arms, ammunition and other property by the Army authorities.

(e) Obtain receipt of persons and arms/ammunition stores etc so handed over to the police and maintain proper record of such receipts.

(f) Maintain record of the area where operations are launched, with details of date, time and the persons participating in such operations.

(g) Maintain a record of the Commander and other Officers/JCOs/NCOs forming part of such task forces.

(h) Ensure medical relief to all persons injured during the encounter. If any person dies in the encounter, the dead body be handed over immediately to the officer-in-charge of the nearest police station along with the details leading to such death.

(j) Maintain detailed record of the entire operation correctly and explicitly.

7. **Dealing with Civil Courts**

(a) Ensure that directions/instructions of the Supreme Court/High Courts and other subordinate judiciary are promptly attended to.

(b) Whenever summoned by the Courts, ensure that decorum of the Court is maintained and proper respect paid.

(c) Answer questions of the Courts politely and with dignity.

8. **DON’Ts**

(a) Do not keep a person under custody for any period longer than the bare necessary for handing over to the nearest Police Station.

(b) Do not use third degree methods to extract information or to extract confession of other involvement in unlawful activities.

(c) Do not use any force after having arrested a person except when he is trying to escape.

(d) Do not release the person directly after apprehending on your own; effect release of such person through civil police.

(e) Do not take back a person after he is handed over to civil police.

(f) Do not tamper with official records.
ANNEXURE Q

LIST OF DO’S AND DON’TS WHILE PROVIDING AID TO CIVIL AUTHORITY IN LAW AND ORDER SITUATION (CrPC-131)

9.DO’s -

a) Act in close cooperation with civil authorities throughout.
   a. Maintain inter-communication if possible by telephone/radio.
   b. Obtain requisition from the Magistrate when present.
   c. Use as little force and do as little injury to person and property as may be consistent with attainment of objective in view.
   d. In case you decide to open fire:-
      i. Give warning in local language that fire will be effective.
      ii. Attract attention before firing by bugle or other means.
      iii. Distribute your men in fire units with specified commanders.
      iv. Control fire by issuing personal orders.
      v. Note number of rounds fired.
      vi. Aim at the front of crowd actually rioting or inciting to riot or at conspicuous ring leaders, ie, do not fire into the thick of the crowd.
      vii. Aim low and shoot for effect with personal weapons on specific orders.
      viii. Keep all other weapons in reserve.
      ix. Cease fire immediate once the object has been attained.
      x. Take immediate steps to secure the wounded.
      xi. Maintain cordial relations with civilian authorities and Para Military Forces.
      xii. Ensure high standard of discipline.

DON’Ts

i. Do not use excessive force.
   i. Do not get involved in hand to hand struggle with the mob.
   ii. Do not ill treat any one, in particular, women and children.
   iii. Do not harass any civilian.
   iv. Do not resort to any torture.
   v. Do not show any communal bias while dealing with civilians.
   vi. Do not meddle in civilian administrations affairs.
   vii. Do not accept loss/surrender of weapons by troops.
   viii. Do not accept presents, donations and rewards.
   ix. Do not resort to indiscriminate firing.
ANNEXURE R

DRAFT CHAPTER VI A TO BE INSERTED IN THE UNLAWFUL
ACTIVITIES (PREVENTION) ACT, 1967. DEPLOYMENT OF THE
ARMED - FORCES OF THE UNION.

Section 40 A –

(1) (a) If the State Government, is of the opinion that on account of the terrorist acts or otherwise, a situation has arisen where public order cannot be maintained in the State or in any part of the State , as the case may be, except with the aid of army, navy, air-force or any other force subject to the control of the Union, it may request the Central Government to deploy such forces for such a period (not exceeding 6 months) as it may specify.

(b) It shall however be open to the State Govt. to review the situation at the end of the period as specified and request the such period (not exceeding 3 months) as it may deem necessary. Such review, and the request if any following the review, can take place from time to time. Every such request shall be placed on the table of the Legislative Assembly of that State and if there are two Houses, then on the table of both Houses.

(2) Where a request from a State Government is received under sub-section (1), the Central Government may deploy such forces under its control or such other armed forces of the Union, including army, navy, air-force, or such other force, as are, in its opinion, necessary for restoration of public order in the State or part of the State, as the case may be. While deploying the forces under this sub-section, the Central Govt. shall, by a notification published in the Gazette, specify the State or the part of the state, in which the forces deployed, shall operate and the period for which they are deployed. On the basis of the request of the State Govt, the period of deployment and area of deployment can be extended or varied, as the case may be.

(3) If the Central Government, is of the opinion that on account of terrorist acts a situation has arisen in a State or a Union Territory or in a part of a-State, as the case may be, where deployment of a force under its control or any other armed forces of the Union, including army, navy or air-force have become necessary to quell internal disturbance, it may do so notwithstanding that no request for such force is received from the State Government concerned. While deploying the forces under sub-sections (2) or (3), the Central Govt. shall by a notification published in the Gazette, specify the State or the part of the state in which the forces are to operate and the period of deployment (not exceeding six months). At the end of the period so specified, the central Govt. shall review the situation in consultation with the State Govt. and may extend the period of deployment, if found necessary, provided however, that such extension shall not be for more than six months at a time. It shall also be competent for the Central Govt. to vary the area of deployment where the earlier notification is for a part of the State. Every notification extending the period of deployment or the area of deployment, shall be laid on the table of both Houses of Parliament, within one month of publication of such notification.
(4) The force deployed under sub-section (2) or sub-sections (3) shall act in aid of civil power and shall, to the extent feasible and practicable, coordinate their operations with the operations of the Security Forces of the State Government. However, the manner in which such forces shall conduct their operations shall be within the discretion and judgement of such forces;

(5) (a) The force deployed under sub-section (2) or under subsection (3) shall take such steps and undertake such operations as are deemed necessary for the purpose of restoring public order or to quell internal disturbance.

(b) In the course of undertaking operations mentioned in (a) above, any officer not below the rank of a non-commissioned officer, may, if it is necessary, in his judgement, for an effective conduct of operations, use force or fire upon, after giving due warning, an individual or a group of individuals unlawfully carrying or in possession of or is reasonably suspected of being in unlawful possession of any of the articles mentioned in Section 15 of this Act, enter and search, without warrant, any premises in order to arrest and detain any person who has committed a terrorist act or against whom a reasonable suspicion exists that he is likely to commit a terrorist act, (iii) enter, search and seize, without warrant, any premises, and destroy, if necessary, the firearms or any of the articles mentioned in Section 15 from any premises/vehicle, vessel or other means of transport and for that purpose to stop the vehicle, vessel or other means of transport, provided that where such premises happens to be in an inhabited area, the entry, search, seizure or destruction shall be effected in the presence of the elders of the locality or the head of the household, and in his/her absence, any two independent witnesses, as the case may be.

(c) While acting under clauses (a) and (b) of this subsection, the forces deployed under sub-section (2) or sub-section (3) shall act in accordance with the directions contained in Appendix-A to this Act.

Section 40 B -

(1) If the forces deployed under sub-section (2) or sub-section (3) of Section 40A arrest any person, under the preceding section, they shall forthwith hand over such person to the officer in charge of the nearest police station. In case, a police officer of the rank not below the rank of Sub Inspector is available on the spot, the person so arrested shall be handed over forthwith to such police officer. It shall be the duty of such police officer to hand over such person to the officer in charge of the nearest police station;

(2) While handing over the person arrested to the police station or to the police officer of the rank specified in sub-section (1) present on the spot, the member of the forces, shall prepare a memo setting out the circumstances in which such person was arrested. Such memo shall be deemed to be proof of the circumstances stated therein, and it shall not be necessary to call such member of the forces to prove his report, unless the court, for the reasons to be recorded, decides to call him;

(3) The officer in charge of the police station shall, as soon as a person is handed over under sub-section (1) to him, make appropriate entries in the relevant registers and
shall also incorporate the contents of the memo referred to in sub-section (2) in such registers;
(4) If any property is recovered by the forces deployed under sub section (2) or sub-
section (3) of Section 40A in the course of their operations, the same shall also be
dealt with in the manner specified in sub-sections (1) and (2) of this section.

Section 40-C -

(1) The Central Government shall constitute a Grievances Cell in each district of a
State where the forces are deployed. The grievances cell shall consist of three
members namely:
   (a) Sub-Divisional Magistrate, who shall be the Chairman,
   (b) A representative of the forces operating in that district, of the rank of Captain
       or an equivalent rank,
   (c) An officer of the State police not below the rank of Deputy Supdt. of police or
       officer holding an equivalent rank;
(2) The Grievances Cell shall be an independent body and shall be competent to
inquire into complaints of violations of rights of citizens including unlawful arrest or
detention, as the case may be. On receipt of any such complaint, the cell shall
promptly obtain relevant information from the Commander of the unit or the local
headquarters of the Unit operating in the State and the appropriate State Police
authorities, complained against. The Commander of the unit or the force or the Police
authority, as the case may be, shall furnish the relevant information to the cell
forthwith, which information shall be promptly communicated to the complainant.
Such information to the complainant shall be furnished within 24 hours of the receipt
of the complaint. In case the complainant is not satisfied with the correctness of the
information furnished and is prepared to file an affidavit in support of his allegation, it
shall be competent to the cell to call upon the Commander of the force at the State
level or the head of the State Police Department, to make appropriate enquiries and
furnish information to the cell within a period not exceeding one week, which
information shall be promptly communicated to the complainant.
(4) The Grievances Cell shall be provided with dedicated communications and shall
also have the necessary infrastructure for its efficient functioning. The office of the
Grievances Cell shall be located in the premises of the Sub-Division Magistrate or the
District Magistrate/Deputy Collector, as the case may be;

Section 40-D -

(1) In this chapter, the expression "force" and "forces" shall mean the armed-forces of
the Union or any other force subject to the control of the Union or any contingent or
Unit thereof.
(2) In this chapter, wherever necessary, as referring to "Union Territory" and similarly
the expression “State Govt." shall be construed, wherever necessary, as referring to
the Administrator or Union Territory.

Section 40 - E –
The Armed Forces (Special Powers) Act, 1958 is repealed herewith.