Appendix-A

The Bodo Accord (BAC Accord, 20 February, 1993)

1. Preamble

(i) Both the Government of India and Assam have been making earnest efforts to bring about an amicable solution to the problems of the Bodos and other Plains Tribals living in the north bank of river Brahmaputra within Assam.

(ii) Towards this end, the Government of India held a series of meetings with the State Government as well as with leaders of All Bodo Students' Union (ABSU) and Bodo People's Action Committee (BPAC). The State Government has also separately held discussions with the Bodo leaders. As a result, it has been considered necessary to set up an administrative authority within the state of Assam under a scheme, the details of which are outlined in the succeeding paragraphs:

2. Objective

The objective of this scheme is to provide maximum autonomy within the framework of the Constitution to the Bodos for social, economic, educational, ethnic and cultural advancement.
3. (a) **Name:** Bodoland Autonomous Council (BAC): There shall be formed, by an Act of Assam Legislative Assembly, a Bodoland Autonomous Council (BAC) within the State of Assam comprising contiguous geographical areas between river Sankosh and Majbat\ river Pasnoi. The land records authority of the State will scrutinize the list of villages furnished by ABSU/BPAC having 50% and more of tribal population which shall be included. BAC will also include Reserve Forest as per guidelines laid by Ministry of Defence and Ministry of Environment and forests, Government of India, not otherwise required by the Government for manning the international border and tea gardens located completely within the BAC contiguous areas.

(b) **Powers:** the BAC will comprise of a General Council comprising 40 members, 35 elected on the basis of adult suffrage and having a life of five years. The Government will have powers to nominate 5 members to the Council, particularly from groups which could not otherwise be represented. This Council will have powers to make by-laws, rules and orders for application within the BAC area on the subjects enumerated in Schedule ‘A’.

(c) The Executive Authority of the BAC would be exercised in its Executive Body to be known as Bodoland Executive Council (BEC). The BEC will be responsible for implementation within the areas of the laws in Schedule ‘A’.

(d) The General Council and the BEC will hold office during the pleasure of the Governor of Assam. Consultation with the State Law Department of Government of Assam would be necessary.
if the Governor proposed to dissolve either the General Council or the BEC before the expiry of its term in accordance with the provisions of law. The Executive authority of the BEC will be exercised by the party enjoying a simple majority in the General Council. On completion of elections, the Governor would invite the leaders of the majority party to constitute the BEC.

4. (i) (a) the finances for the BAC will be earmarked under a separate sub-head within the State budget in keeping with the guidelines laid down by the Government of India from time to time. The Governor of Assam would have no powers to divert this earmarked allocation to other heads or areas except in exigencies when there is unavoidable overall Budget cut.

(b) The provisions made in 4 (i) (a) regarding allocation of funds should be in line with the spirit of the Constitution (seventy second) and (seventy third) amendment. (ii) The BAC would also receive grant-in-aid from time to time within the principles and policies enunciated by the Government of India.

(iii) the General Council will have powers to raise finances from levies / fees/taxes etc on subjects mentioned in Schedule ‘A’ subject to Constitutional amendment mentioned above.

(iv) the finances for the BAC will be managed exclusively by the General Council and the statement of its annual accounts will be laid on the table of the State Assembly.

5. **Powers of Appointments:**

The Bodoland Executive Committee would have powers to appoint Class III and Class IV staff within its Jurisdiction for
implementation of schemes connected with the subjects enumerated in Schedule ‘A’.

6. **Reservation of Seats**

The Election Commission of India will be requested by the BAC to consider seat reservation and delimitation of Constituencies, both Lok Sabha and the State Assembly, within the BAC area to the extent permitted by the Constitution and the law. Thereafter, only candidates belonging to the Schedule Tribes (Plains) will remain entitled to contest these reserved seats.

7. **Special Provisions for the BAC area**

The General Council shall be consulted and its views shall be given due regard before any law made on the following subjects, is implemented in the BAC area.

   (i) the religious or social practices of the Bodos;

   (ii) the Bodo customary laws and procedures; and

   (iii) the ownership and transfer of land within the BAC area.

8. **Special status of the Bodoland Autonomous Council**

The BAC shall, within the laws of the land, take steps to protect the demographic complexion of the areas falling within its jurisdiction.

9. **Special Courts**

Action will be taken in consultation with the Gauhati High court to set up within BAC area Special Courts as specified below to try suits and cases between parties all of whom belong to Scheduled Tribes or Tribes in accordance with the tribal customary law and procedure, if any.

(a) village Courts
10. **Appointments in Central Bodies**

The claims of the Bodos shall be considered for appointment to the North-Eastern Council.

11. **Official language**

The General Council can lay down policy with regard to use of Bodo language as medium of official correspondence with the BAC area. However, while corresponding with offices outside the BAC area, correspondence will have to be in bilingual form in accordance with the Article 345 of the Constitution and the provision of law in this behalf.

12. **Changes in geographical**

The geographical area of the Bodoland Autonomous Council as agreed upon can be changed with the mutual consent of the BAC and the Government of Assam.

13. **Revision of list of Schedule Scheduled Castes and Scheduled Tribes**

The scheduling and rescheduling of Schedule Castes and Scheduled Tribes residing within the Bodo areas will be done as per the Commission appointed by the Government of India under the Constitution.
14. **Trade and Commerce**

The General Council will have powers to regulate trade and commerce within its jurisdiction within the existing law. For this purpose, it can issue permits and licenses to individuals within the BAC area. The Government while considering allotment of permits to people residing within the BAC area will give preference to the Bodos.

15. **Employment opportunities**

The BAC will have powers to restore jobs for Scheduled Tribes within its jurisdiction. However, exercise of such powers shall be in accordance with the existing Constitutional and legal provisions.

16. **Civil and Police Services**

(i) The Government of Assam may from time to time post officers of the rank of Class II and above to posts within the BAC in accordance with the exigencies. While making these postings due regard will be given to, views of BAC about officers being so posted.

(ii) The officers posted to the BAC area will be accountable to the BAC for their performance and the assessment of their work recorded by the BEC authorities will be incorporated to their ACRs by the State Government.

(iii) The Central Government, while making recruitment from the State of Assam to the army, paramilitary forces and police units, will hold special recruitment drives within the BAC area.

17. **Appointment of Interim Bodoland Executive Council**

The Government of Assam will take steps for the formation of an Interim Bodoland Executive Council for the BAC from amongst the leaders of the present Bodoland movement who are signatories to this settlement, during the transition period, i.e. prior to the holding of election of election. Such Interim Council would be formed before a
prescribed date mutually agreed between the Central and State Government.

18. Relief and Rehabilitation
(i) ABSU-BPAC leaders will take immediate steps to bring over ground and deposit with the District authorities all arms, ammunition and explosives in the possession of their own supporters and will cooperate with the administration in bringing over ground all Bodo militants along with their arms and ammunition etc. within one month of the formation of the Interim BEC. In order to ensure the smooth return to civil life to the cadre and to assist in the quick restoration of peace and normalcy, such surrenders made voluntarily will not attract prosecution.
(ii) The Government of Assam will consider sympathetically the withdrawal of all cases against persons connected with the Bodoland Movement excluding those relating to heinous crimes.
(iii) The Government of India will initiate steps for review of action against the employees of Government of India and subordinate offices as well as in respect of Central undertakings. Similar action would be taken by the Government of Assam.
(iv) The Government of Assam will initiate immediate steps for suitable rehabilitation of the Bodo militants coming over ground as a result of this settlement. Similarly, the Government will organize ex-gratia payments as, per rules to next of kins killed during the Bodo agitation.
19. **Share in collection of excise duty on tea**

The Government of Assam will deposit in the BAG fund revenue collected from the tea gardens falling within the BAC area.

20. **Protection of rights of non-tribals**

The Government of Assam and the BAC will jointly ensure that all rights and interests of the non-tribals as on date living in BAC areas in matters pertaining to land as well as their language are protected.

21. **Ad-hoc Central grant for launching the BAC**

After the signing of this settlement, an ad-hoc Budget on reasonable basis will be prepared by Interim BEC and discussed with the State and Central Government by necessary financial support.

Sd/-

(S.K. Bwismutiary)
President, ABSU.

(K.S. Rao)
Addl. Chief Secretary
Government of Assam.

Sd/-

(Rabi Ram Brahma)
General Secretary, ABSU.

(Subhash Basumatari)
Chairman, BPAC.

Sd/-

(Rajesh Pilot)
Minister of State (Internal Security)
Ministry of Home Affairs,
Government of India.

(Hiteshwar Saikia)
Chief Minister of Assam
State Government of Assam.
Demands

(A) On Government of India

1. Education
The Government of India will give sympathetic consideration to the requests of the Bodo leaders:

(i) For the setting up of a Central University, Agricultural University, Medical College, Ayurvedic College, Forest Training School, Sainik School, Textile Institute and a Central School within BAC area; and

(ii) Introduction of Bodo language as medium of instruction in Post-graduate Course in the Universities within the North-Eastern hills University, Shillong, by opening of a separate Bodo Department therein.

2. Cultural Development
The Government of India shall refer to the Ministry of Information and Broadcasting the request of the Bodo leaders for:

(i) creation of facilities for programme production and opening of a TV station at Kokrajhar;

(ii) providing facility and capacity for production of Bodo and other tribal programmes including the broadcast of regional news from Kokrajhar Radio Station;

(iii) opening of one Radio Station each at Udalguri and Jonai:

(iv) reservation within the rules in matters of employment for the local Bodos in above mentioned new TV/Radio Stations; and

(v) the Government of India would consider establishing a Museum at Kokrajhar for preserving and display of Bodo and other indigenous art and culture.
(vi) all historical relics, monuments, archeological sites and remains and important historical places like Dimapur, Maibong etc. will be protected / preserved.

3. Economic Development of Bodo Areas
The Government of India will sympathetically consider depending upon vitality, the setting up of the following in Bodo Areas:

(i) Some forest based industries
(ii) Some hydro-electric projects
(iii) Some multi-purpose irrigation projects
(iv) One fertilizer plant
(v) One cement factory
(vi) One paper mill
(vii) One textile mill

4. Scholarship
The BAC will be helped by the Government of India in making arrangements for the payments for the payment of scholarships to Schedule Tribe students from primary school onward up to University level at enhanced rate and on monthly basis.

5. Bodo Hostels
The Government of India will be requested to help in establishing hostels for Bodos at New Delhi, Calcutta, Guwahati, Shillong, Madras and Bombay.

6. General
The Government of India for national security point of view shall consider construction of a National Highway starting from Raimana in the district of Kokrajhar up to Itanagar, the Capital of Arunachal Pradesh touching the Indo-Bhutan border through Bodoland and Arunachal Pradesh.
(B) On Government of Assam

1. Language and Literature

   (i) Establishment of a separate directorate of Plains Tribal Education in the BAC area with separate budget allocation.

   (ii) Establishment of a separate Education Ministry along with a separate Secretariat for Tribal Education in Assam.

   (iii) Recognition of Bodo language as one of the language subject in the Assam Public Service Commission.

2. Reservation

Increasing the reservation quota to 40% for the Scheduled Tribes for admission to educational institutions within Assam.

List of Subjects and Departments over which BAC will have control within the BAC area

1. Cottage Industries

2. Animal Husbandry and Veterinary

3. Forests

4. Agriculture

5. PWD

6. Sericulture

7. Education

   (a) Adult Education

   (b) Primary Education

   (c) Up to Higher Secondary including Vocational Training
8. Cultural Affairs
9. Soil Conservation
10. Co-operation
11. Fisheries
12. Panchayat and Rural Development
13. Handloom and Textiles
14. Health and Family Welfare
15. Public Health Engineering
16. Irrigation
17. Social Welfare
18. Flood Control scheme for protection of villages (not of highly technical nature)
19. Sports and Youth Welfare
20. Weight and measures
21. Library Services
22. Museums and Archeology
23. Urban Development -- Town and Country Planning
24. Tribal Research Institute
25. College Education (General)
26. Land and Revenue
27. Public / Public Relations
28. Library Services
29. Printing and Stationary
30. Transport
31. Any other matter connected with development
32. Municipal Corporation, Improvement Trusts, District Boards and other local authorities
33. Tribal Welfare
34. Markets and Fairs
35. Lotteries. Theaters, Dramatic Performances and Cinemas
36. Vital Statistics including registration of births and deaths
37. Food and Civil Supply
38. Intoxicating Liquors, opium and derivatives etc.