CHAPTER V

Government and Politicians Role in settling the Boundary Problem

The creation of the new states led to inter-state boundary disputes. Relations between the parent and the new states has plagued North-East till today. The boundary of these states should have been the same as it stood on the date of separation or in conformity with relevant notification on the subject\(^1\). But this is not so, as all the neighbouring states have been claiming territories from Assam by putting forward their claims based on traditions\(^2\). Such claims are not only difficult to define, but impossible to accept\(^3\).

The boundary problem in the North-East is a post-colonial issue. During colonial period the province was united as the British asserted their authority firmly, especially, among the frontier tribes. After annexation of the province of Assam in the year 1826, the British decided to follow the policy of non-intervention towards the hill tribes. Then Colonel Henry Hopkinson, who succeeded Captain Jenkins in the year 1861 realized that to bring the tribes


\(^3\) Ibid.
under control and 'within the pale of civilisation', non-intervention had to make way to active intervention and annexation.

Then again there was a change in policy as decades of turmoil in the hill areas bordering the plains of Assam compelled the British to opt for a forward policy. In early 1860s the situation in the border areas became so critical that the vital revenue yielding districts in the plains below was in a process of being divided among the neighbouring tribes and then throw off the British from Assam. To prevent such a situation the authorities in Calcutta adopted a policy of slow but steady penetration into the hills.

*Inner Line* was another administrative regulations of the British. The Regulation first was introduced for the Naga tribes, who were not to enter the line beyond the jurisdiction of Act 33. Beyond this, the tribes were to manage their own affairs. Later Inner Line Regulations was provided for all the tribes of North-East.

The British also gave importance to the North-East because of its geo-political significance. This area borders three countries Bangladesh, Myanmar and China. Both colonial and post-colonial governments were keen to ensure peace,

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5 Ibid.
6 Act 33 provides executive power of summary legislation for backward areas.
security and stability considering it as a sensitive region because of its strategic importance. The British became a formidable power as it designed itself to serve imperial interests administrative, economic, strategic and military but never for the needs, wishes and aspirations of the people. For them the hill areas were liabilities and not assets. And they had to bring the hill areas under their control both for political and strategic purposes at the expense of the Indian tax-payers as most of these areas shared common borders with China and Burma (Myanmar).

The post-colonial period has been difficult for the North-Eastern States, as among other issues, the boundary is a core issue plaguing relations among the states. Creation of the new states was probably inevitable as the hill tracts had so such similarity with the plains people either historically, linguistically, socially or even culturally. Yet, Government of Assam was not keen on creation of new states; rather they wanted to maintain the unity and integrity. For this they presented a memorandum to The States Reorganisation Commission (SRC) which was appointed in 1953 by a Resolution of the Ministry of Home, requesting it to maintain the status quo.

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8 Ibid.
9 Ibid, p. 25.
10 Ibid., p. 6.
The Government of India to protect the identity of the tribes took ample measures by providing safeguards in respect of their land, preservation of their culture, customs and dialect. From the economic aspect also certain privileges were bestowed on the tribal people. They were exempted from the compulsory payment of income-tax, scholarships and stipends to encourage education and were given reservations not only for admissions to educational institutions but also in Government services. Tribal areas also got special grants for developmental purposes. Thus, the whole idea was to improve their condition by economic development and bring them into the mainstream with rest of India.

A leader, who participated in the freedom struggle wanted to maintain unity and integrity of the state and this they thought could be done by making Assamese the official language of the State. Thereby, The Official Language Act (XXIII, 1960) conformed Assamese to be the Official Language in all the districts of Assam Valley. Bengali in Cachar and in the hills areas the decision was left to respective District Councils. But once Assamese became the state language the hill leaders grew suspicious and apprehensive of being dominated by the Assamese people. The rift was growing and even the recommendations made by the Pataskar Commission also known as Commission on the Hill Areas of Assam were not acceptable to the tribal leaders.
Soon, the tribal leaders resorted to agitations. Then the inevitable began to happen and the supporters took to violence to fulfill their demand for full autonomy. Liquidation of government officials, intimidation, ‘hartals’ affected the day to day running of administration. These activities like series of agitations brought the administration virtually to a standstill. In case of Naga Hills, the peace mission led by Jay Prakash Narayan, who was a Gandhian failed. Tribal leaders A.Z. Phizo, Laldenga and Williamson Sangma stood firm on the right of self-determination. Thus, disintegration of the state of Assam started. It began with creation of Nagaland on 1963 and ended in 1987 with creation of Mizoram.

Assam – Nagaland

The boundary problem between Assam and Nagaland was started by underground Nagas in 1956 with the armed uprising in Naga Hills and taking refuge in Rangma and Nambor South. After the formation of the new state, with the support of the Nagaland Government they settled on large tracts of the reserved forests of Assam. And they protested when Assam Government took action against encroachers.

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Assam's reserve forest has been a bone of contention between the two governments. Nagaland was always interested in extension of their border even if that meant using administrative machinery. Along with Rengma and Nambor South, even in the reserve forests of Desoi encroachment was going on. Thus, large tracts of forest area along the district of Sibsagar was encroached upon before the Naga Hills – Tuensang Area.

The meeting on border issue took place in the year 1963 between Chief Secretaries of Assam and Nagaland. It was decided that Survey of India would conduct and relay the inter-state boundary on the basis of the 1925 Notification, which defines the boundary of the then districts of Naga Hills.

When Assam Government ordered eviction, the Naga leaders promised to leave after harvesting their crops. Unfortunately, the Nagas instead encroached more into territories of Assam.

On the southern boundary of Geleki Reserve, Nagas decided to set up the public sector undertaking of Paper and Pulp Project financed by Hindustan Paper Corporation within the Reserve Forest. Earlier the factory was to be

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15 Ibid.
16 Notification No. 3102R dated 25th November, 1925.
situated at Tuli. This was in gross violation of Notification of 1925, which had clearly specified the Assam and Nagaland boundary.

This encroachment of reserve forests by the Nagas was not justified, as in the Progress Report of the Forest Administration in Assam for 1874 – 75, it had been clearly, stated, that areas of Nambor Reserved Forest was only temporarily transferred to Naga Hills for administrative purpose. In para 19, it had been clearly, mentioned that Nambor Forest was formerly included in the Nowgong District. Though, it was transferred for administrative convenience the Government had not surrendered its rights over soil and its produce. Reserved forests of Abhoypur and Desoi in 1881 and 1883 was formed within Sibsagar District and Rengma Reserved Forests were formed in areas, which were once part of erstwhile Nowgong District\textsuperscript{18}. Dayong Reserved Forest was also formed in Sibsagar District in the year 1883. The constitution of the Doyang Reserved Forest and modification of the Inner Line clearly highlights the fact that the revenue survey boundary was never, either, the political boundary or administrative unit of the Sibsagar District. It has to be mentioned here that the southern boundary of the Dayong Reserved Forest was at the foot of the Naga Hills. This gradual shift towards the plains was because of the economic development. Hill districts are a ‘series of economic islands’ and

\textsuperscript{18} Note submitted by the Government of Assam to the Adviser on Assam – Nagaland Boundary on 1\textsuperscript{st} May, 1972.
they are conducted by the plains. The hill tribes are dependent on the plains as agriculture was declining in the hills. This was due to growing soil erosion. Another aspect, was communication for which the hill people had to depend on plains\textsuperscript{19}. This demographic shift and growth in the border areas created disputes among the people residing along the boundary and sometime leading to violence.

As tension continued between Assam and Nagaland on the boundary issue, the Government of India appointed Sri K.V.K. Sundaram, who was at that time Chairman of the Law Commission as Adviser in the Ministry of Home Affairs to study the border problem between the two states. It came into effect from 16\textsuperscript{th} August, 1971 (forenoon) for a period of six months\textsuperscript{20}.

In the guideline the Central Government had clearly stated that the Sundaram Commission will ascertain facts regarding the boundary between Assam and Nagaland. He further stated that he will try not only to put forward solutions to promote the welfare and interests of the people of both the states, but also made suggestions to maintain peace and tranquility in the border areas pending final advice\textsuperscript{21}.

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\textsuperscript{20} Notification of Government of India, Ministry of Home Affairs, 21\textsuperscript{st} August, 1971.

\textsuperscript{21} Ibid., para 20, p. 7.
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When the Interim Agreement was put forward in 1972, it was stated that, "The boundary between Nagaland and Sibsagar district was clearly defined in the notification of 1925"\textsuperscript{22}. In his report, Mr. Sundaram mentioned Naga encroachments on forest which started during the period of turmoil prior to statehood has increased over the years\textsuperscript{23}.

The Nagaland Government was clearly not happy with the Sundaram Committee Report and took the stand that they would stand by R.K. Shastri Commission of Inquiry till the boundary problem was completely solved. But Assam Governments view was that once Sundaram report had been submitted, the Interim Agreements end\textsuperscript{24}.

So, the problem has continued with regular eruption of tension. Another aggravating issue has been the enrolling of inhabitants of areas within Assam in their electoral rolls. Thus, during elections polling stations was set up within Assam territory\textsuperscript{25}.

Thus, skirmishes along Assam – Nagaland border became a common feature. Stray incidents have been going along the area particularly in Golaghat district.

\textsuperscript{22} Ibid., para 123, p. 43.  
\textsuperscript{23} Ibid.  
\textsuperscript{24} B. Bhattacharyya, The Troubled Border, 1995, p. 29. 
\textsuperscript{25} Ibid., p. 79.
Adding fuel to the problem the Nagaland Chief Minister has announced a sum of Rs. One crore to construct the boundary wall of a seed farm. Announcement of such nature has definitely created tension and apprehension among the people of Assam residing along the border\textsuperscript{26}.

On the other hand Assam Government is worried at the destruction of its reserve forests. According to them the pressure is on Golaghat district because of its proximity to Dimapur, which is growing as a business hub. Also the fertile lands of the Golaghat district is another key factor\textsuperscript{27}.

These blame games has been going on for thirty years now. But none of the political parties whether national or regional has shown any political will to solve the problem arising out of the boundary issue. They all know, including the party at the Center that it might affect their political future in the concerned states.

\textbf{Assam – Meghalaya}

The inter-state boundary dispute between Assam – Meghalaya has been creating a strain between the two states. This has created a sense of insecurity

\textsuperscript{26} The Assam Tribune, February 26, 2004, p. 1.
\textsuperscript{27} Ibid.
in the minds of the people on either side of the border\textsuperscript{28}. The Joint Official Committee, which was appointed in the year 1983, identified six areas in which they thought there might be differences. The sectors was as follows:

(i) Boundary between districts of Garo Hills in Meghalaya and Goalpara in Assam.

(ii) Boundary between districts of Jaintia Hills in Meghalaya and Karbi Anglong in Assam.

(iii) Boundary between districts of East Khasi Hills in Meghalaya and Karbi Anglong in Assam.

(iv) Areas, which involved the question of re-transfer such as re-transfer of Block I and Block II of Karbi Anglong district of Assam to Meghalaya.

(v) Boundary between the districts of Cachar in Assam and Jaintia Hills in Meghalaya.

(vi) Boundary between districts of East and West Khasi Hills of Meghalaya and Kamrup and Nowgong of Assam\textsuperscript{29}.

As both states could not come into any interpretation suitable to both, it was referred to the Committee headed by Mr. Justice Y.V. Chandrachud, former Chief Justice of India. The other member was Mr. Justice V.S. Deshpande, former Chief Justice of the Delhi High Court. The Chief Ministers of both the

\textsuperscript{29} B. Bhattacharyya, The Troubled Border, 1995, p. 311.
states on behalf of their Governments had referred 'the question of interpretation of the boundary between the two states in the light of the Sixth Schedule to the Constitution of India and the other relevant laws\textsuperscript{30}.

The Report of the Committee has not been accepted by the Government of Meghalaya. Here again polling stations have been set up within Assam. Encroachment of area inside Assam was also reported by a local paper. Surprisingly, even after having knowledge of the matter no action was taken\textsuperscript{31}.

As governments are not determined to solve the boundary issue which has been dragging on. However here, the incidence of violence till date is less here compared to Assam – Nagaland boundary.

\textbf{Assam – Arunachal Pradesh}

Since its inception as a State, Arunachal Pradesh has been having boundary disputes with Assam like other new states. Arunachal has taken place especially in Patarkuchi and Pilangkhata of Maidam goan near Guwahati city on the Assam – Meghalaya border, by constructing houses, schools and border by constructing houses, schools and churches\textsuperscript{32}.

\textsuperscript{31} The Sentinel, 19th May, 1994.
All this has been blamed on Assam Government for their apathetic attitude, as that basic necessities were never provided to people living in the border areas\textsuperscript{33}. Therefore, political parties of neighbouring state took advantage and by providing basic facilities claimed the area to bring it within their jurisdiction\textsuperscript{34}.

This apathy of Assam Government Pradesh has not only been claiming but also encroaching upon large areas of districts of Dibrugarh, Lakhimpur and Sonitpur. The \textit{modus operandi} was to set up villages, bazaars, roads and border posts. Like the other new states Arunachal too set up polling stations within the territory of Assam\textsuperscript{35}.

The boundary between the two states runs from the trijunction of Assam, Arunachal and Bhutan at Bhairabkundo, which was on the west bank of Dhansiri river to the tri-junction of Assam, Nagaland and Arunachal on the river Tiok. The districts that adjoin Arunachal Pradesh are Darrang, Sonitpur, Lakhimpur, Dhemaji, Tinsukia and Sibsagar. The length was nearly 704.8 kilometers. But till the year 1979 only 396 kilometers had been demarcated\textsuperscript{36}.

\textsuperscript{33} Ibid, p. 330.
\textsuperscript{34} Ibid.
\textsuperscript{36} Ibid., pp. 211, 212.
As the boundary was not accepted by Arunachal Pradesh tension continued as encroachment was backed by government. In a meeting Assam was clearly informed that the border issue had to be settled in such a way that Arunachalis are satisfied or less Assamese in Arunachal would be insecure\(^ {37} \). There was a demand that 955 sq. km. Should be adjusted out of 3648 sq. kms. The Chief Minister of Assam has turned down on ground that it would be going against State Reorganisation Act, which defined the constitutional boundaries of the two States, so that it does not have boundaries or transfer any land without contravening the provisions of the Act\(^ {38} \). Meetings and discussions went on but fresh encroachments and intimidations continued in the districts of Sonitpur, Lakhimpur and Tinsukia of Assam.

As the boundary issue is dragging on, its affecting the relation between the people of both the states. Political parties do not seem keen to solve the problem as flaming the issue in their favour during elections can be fruitful.

**Assam - Mizoram**

Assam – Mizoram boundary was along old Cachar – Lushai Hills inter-district boundary. This boundary was notified according to Notification No. 2106 AP

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\(^{37}\) Ibid., p. 221.

\(^{38}\) Ibid., pp. 254 – 255.
dated March 9, 1933. It also describes Inner Line of Lushai Hills, which was
the district boundary of Lushai Hills. The notification describes the southern
boundary of Cachar district as described in notification date September 12,
1890 and dated June 24, 1875 and later modified by notification No. 1092 – P
dated March 16, 190439.

Major portion of boundary between Cachar in Assam and Mizoram runs along
natural features like rivers, streams and water-sheds. Demarcations was done
Survey Party was set on fire by local tribals of Mizo Hills. After this incident
the demarcation of the boundary could not be resumed40. Unlike other states
here there has not been much dispute.

During the ‘Mautum’ famine of 1958 caused by the flowering of the bamboos,
as a humanitarian gesture the Mizo cultivators were only given temporary
settlement in Inner Line Reserve Forest (ILRF) but the condition was laid
down that they were to vacate soon after harvest41. But they did not follow the
condition and instead of vacating more encroachers followed. Like other new

39 Ibid., p. 362.
40 Ibid., pp. 362 – 63.
states, Mizoram too not only encroached upon ILRF by constructing roads, offices, schools, rest camps and even irrigation project\textsuperscript{42}.

The Home Ministry tried to diffuse the situation by calling a meeting between two Chief Ministers in 1994. Two aspect was decided upon in this meeting (i) both sides to simultaneously withdraw the security forces from the site, (ii) Mizoram will stop further construction on disputed area, (iii) a team from survey of India will be deputed to assist the states and then establish a correct alignment of the boarder on the ground\textsuperscript{43}. Both states withdrew their security forces and also Mizoram stopped construction of the road.

Because of this amicable relation, both sides do not have much tension on the border. The relation between people of borders of both the States are cordial.

The boundary issue between Assam and the neighbouring states of Nagaland, Meghalaya, Arunachal Pradesh and Mizoram is yet to be solved even after thirty years of its inception. Central Government on its part is not willing to interfere for fear of being blamed by any states of taking sides. At the same time they do not want tensions to escalate as this part being placed in a strategic position sharing boundaries with three countries.

\textsuperscript{43} Vide Minutes of the Meeting, 6\textsuperscript{th} February, '94; Ibid., pp. 380 – 81.
The Centre's apathy towards solving the boundary issue has annoyed the people of North-East. Even the youth organization has protested about it. The North East Students Organisation (NESO) alleged that the Central Government does not want the North Eastern states to remain united and hence not keen to settle the border disputes along the states\(^4\). Both the students organization NESO, AASU and NSF from their side tried to defuse the tension at the border in Golaghat and wants the states to unite and solve the problems unitedly\(^5\).

As the North-Eastern states could not rise above their political differences and settle this thorny issue, it has led to other issues which is threatening to escalate and destabilize this region. One such aspect which has been growing is secessionism and rise of militancy and insurgency. Political parties because of political gain was determined not to take any stand in solving the boundary issue. All political parties national and regional were more concerned about their vote bank. This has frustrated the people of the States, who want the parties in power to rise above petty politics and take the bold step to solve the boundary issue amicably.

\(^5\) Ibid.