

**CHAPTER – IV**  
**DATA ANALYSIS AND DISCUSSION ON THE STATUS OF HUMAN RIGHTS**  
**IN THE CONTEXT OF BODO COMMUNITY**

**4.0 Introduction**

The Northern part of Brahmaputra valley, especially the Bodo dominated areas, heartland of the Bodos and where the historic land of proposed separate state Bodoland lies has been remaining one of the most disturbed zone in the context of law and order situation. In that very particular land, the Bodo as distinct community has been raising their descent voice to meet their aspirations since 1900s. Those very movement can be divided into many phases like reformation movement by Gurudev Kalicharan Brahma, language movement by BSS, separate political arrangement Udayachal movement by PTCA, separate state Bodoland movement by ABSU, BPAC and ABWWF, violent movement for separate state by BLTF and sovereign movement by NDFB. It is noteworthy to mention that the ABSU movement of 1980s is significant and turning point in the prolonged movement history of Bodos for safeguard of distinct community. As a result of prolong movement, BAC was achieved in 1993. But, this small administrative arrangement call Bodoland Autonomous Council could not fulfil the aspirations of Bodo people. Hence, democratic non-violence movement again started for separate homeland within the Indian union under the banner of ABSU, BPAC and ABWWF. Besides non-violence movement, violence movement was also carried out by BLT simultaneously. The Govt. of India invited the militant group BLT for talk, so that problems can be solved through dialogue during NDA regime in 1999. Accordingly Ceasefire agreement was accepted and after several times of round talk, BTC was created on 10<sup>th</sup> February 2003 through MoS. Presently, BTC is a small political arrangement consisting of four districts under 6<sup>th</sup> Schedule of Indian constitution is on its way to meet the aspirations of people belonging to BTAD area.

The BTC accord of 2003 brought certain changes in Governance and Administration Sector, Social Sector and Economic Sector as well. Some changes also can be seen in other field like education and development of roads and communication of the backward region. But still, raising of descent voice on human rights concern issues by various political parties, NGOs, literary bodies, women bodies and students' organisation of the region are not away out from Bodo community. The student leaders

and some section of the intellectual claim that BTC is unable to fulfil all the aspirations of Bodo Community. Here, the attempt is being made to assess the status of human rights in the context of Bodo Community after the achievement of BTC i.e. 10<sup>th</sup> February 2003 to 31<sup>st</sup> December 2014.

The acts against humanity stands as obstacle in stepping up towards the development of every aspects in human society. Hence, such act seems curse to Bodo people. But, since all the children are not from same parents, the activities that human being carry forward with them are also different from one individual to another. As a result of such acts, different kind of action and reaction that can be seen in human society. As per human rights of Bodo community is concern, the same can be seen in BTAD. The human rights scenario prevailing in BTAD region is different than previous situation, whatever we had before BTC Accord. This even can be said that there has been improved a lot. But, it is obvious fact that where there is human being, there always we find human rights concern issues. So to say, still violation of human rights cases are found in many aspects. In fact, incidents may be vary from one place to another and may be more or less in number.

#### **4.1 Sampling profile and distribution of respondents**

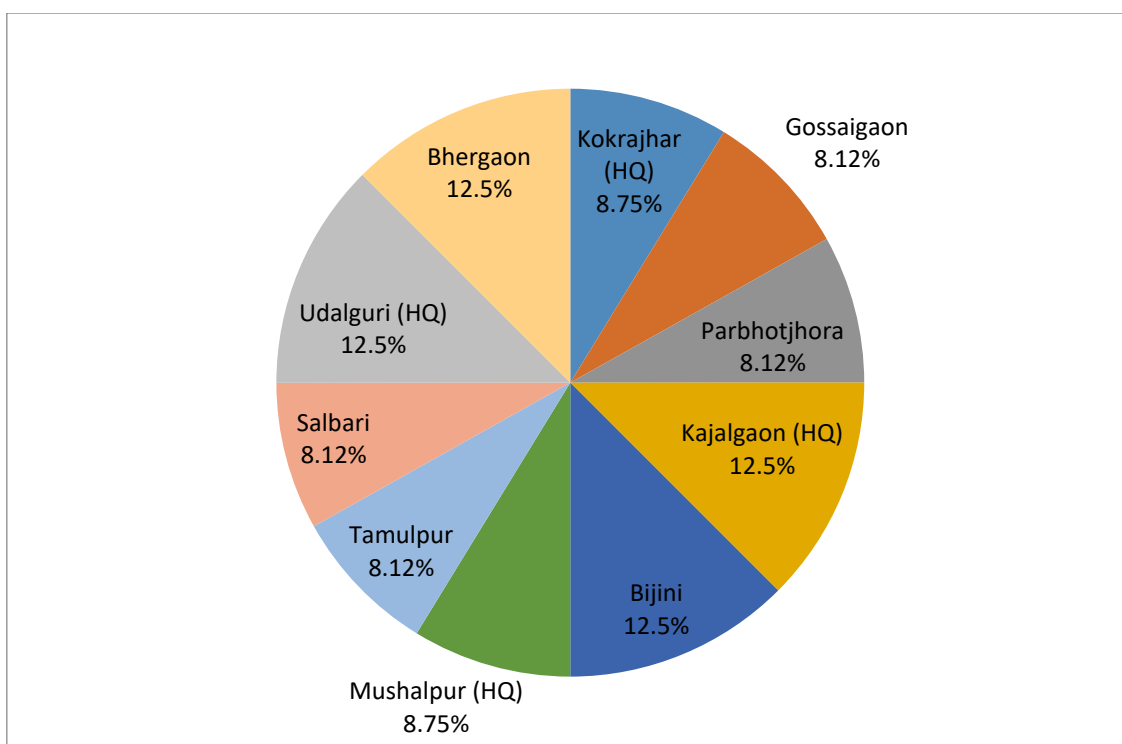
On the basis of the mention sectors and arrangement, the questionnaire was prepared and accordingly attempt was made to collect the data from the field survey. The sample chosen as mentioned in Chapter I was 800 in total, which is divided 200 each in four different districts of BTAD areas. Again, breakup of 100 male and 100 female was made for each districts. During the time of field survey, special attention was given to meet at least 50 (fifty) numbers of individuals from every sub-divisions. The following **table 4.1** shows the distribution of respondent and percentage of it during field survey in 10 sub-division of BTAD area.

**Table 4.1**  
**Distribution of respondents in 10 sub-divisions of BTAD**

Sl. No.	District	Sub-division	Respondents	Respondents in %
1	Kokrajhar	Kokrajhar (HQ)	70	8.75%
		Gossaigaon	65	8.12%
		Parbhotjhora	65	8.12%
2	Chirang	Kajalgaon (HQ)	100	12.5%
		Bijini	100	12.5%
3	Baksa	Mushalpur (HQ)	70	8.75%
		Tamulpur	65	8.12%
		Salbari	65	8.12%
4	Udalguri	Udalguri (HQ)	100	12.5%
		Bhergaon	100	12.5%
<b>Total</b>	<b>BTAD</b>	<b>10</b>	<b>800</b>	<b>100%</b>

Source: - Field survey.

**Figure: 4.1 Distribution of respondents in 10 sub-divisions of BTAD**



Source: - Field survey.

The male persons were seen more conscious and matured than female, the way of understanding and experience, whatever they had shown as respondents on the query of researcher during field survey. The clear difference was visible between male and female, and the very response shows that maximum female member of family especially in

backward rural areas were encouraged by male members of the family. However, it does not mean that the female members were hesitate to response of all queries. Many of the respondents were concern about the sensitivity of issues especially for governmental scheme concern issue, witch hunting issue and political conflicts concern issue.

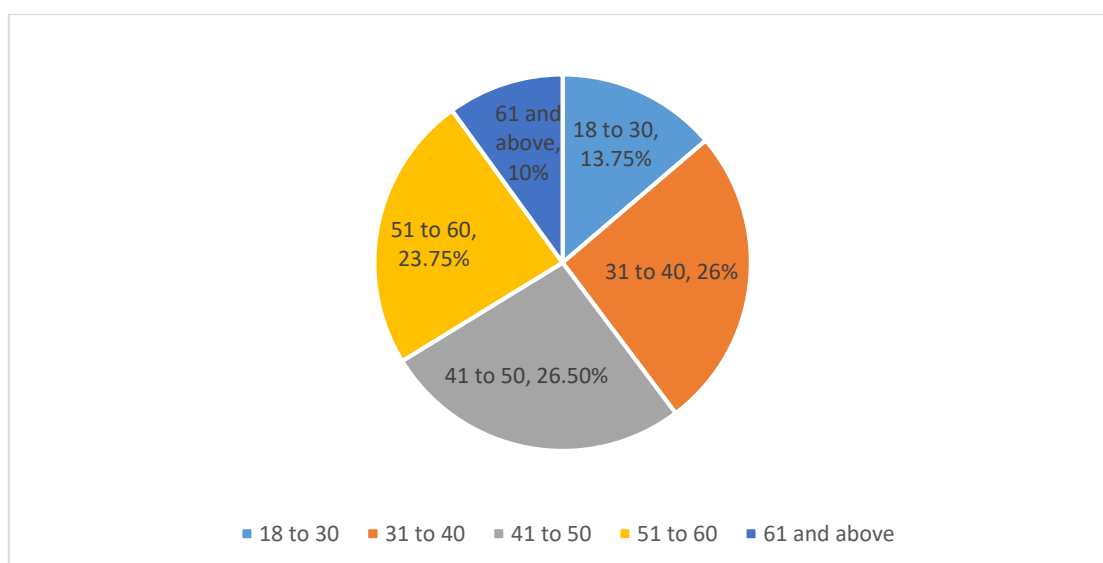
In term of respondents' age, the emphasis was given to the individual, those who are above 18 years of age. Since, in Indian context 18 years and above are only considered as adult. The researcher also personally feel it suitable age in search of matured observation on required issues as mentioned in questionnaire. The following **table 4.2** shows the details of respondents in terms of age and sex that was following during field survey in order to collect data.

**Table 4.2**  
**Category of respondents in terms of age**

Age group (in years)	Male	Female	Total	Male in %	Female in %	Total in %
18 to 30	55	55	110	6.87%	6.87%	13.75%
31 to 40	105	113	208	13.12%	14.12%	26%
41 to 50	100	112	212	12.5%	14%	26.50%
51 to 60	95	85	190	11.87%	10.62%	23.75%
61 and above	45	35	80	5.62%	4.37%	10%
<b>Total</b>	<b>400</b>	<b>400</b>	<b>800</b>	<b>-</b>	<b>-</b>	<b>100%</b>

Source: - Field survey.

**Figure: 4.2 Category of respondents in terms of age**



Source: - Field survey.

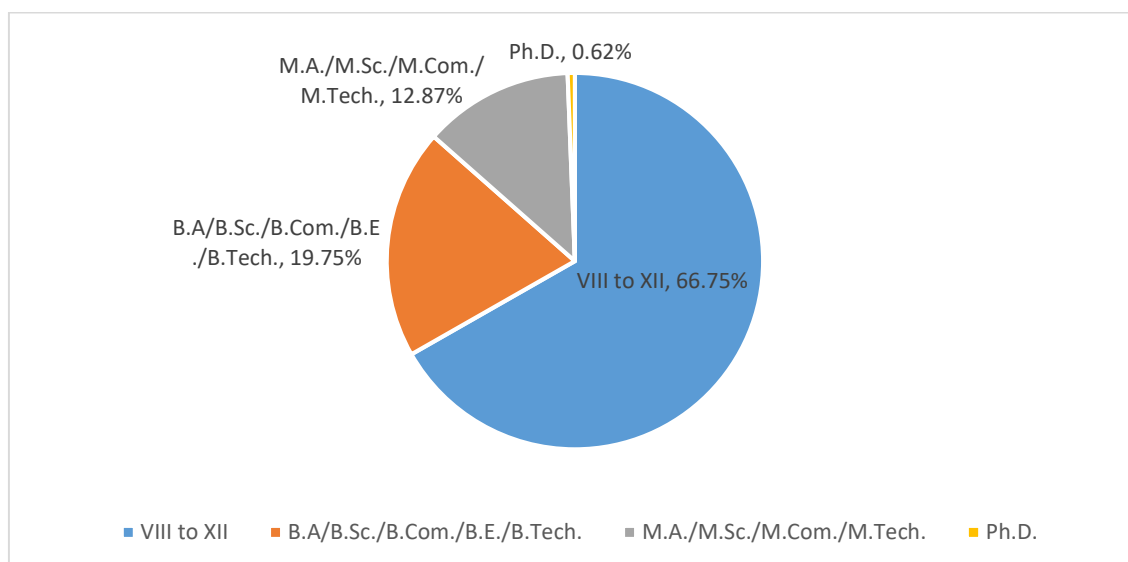
As per as the literacy of respondents are concern, only literate person were selected. The questionnaire was prepared in two language i.e. English and Bodo for the convenience of the respondents. The educational qualification or degree of the individual has a great role in every aspects of individual's life. Because, the lenses through which qualified persons see the world is different than the non-qualified persons. The observation and analysis on every issues by highly qualified person is always deeper and better. Such variations was found in the field survey. The following **table 4.3** shows the details of qualification of respondents in percentage.

**Table 4.3**  
**Qualification of respondents**

District	VIII to XII		B.A./B.Sc./B.Com./B.E./B.Tech.		M.A./M.Sc./M.Com./M.Tech.		Ph.D.	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	44	72	29	19	25	9	2	0
Chirang	67	85	19	13	13	2	1	0
Baksa	53	88	28	10	19	2	0	0
Udalguri	50	75	25	15	23	10	2	0
<b>BTAD</b>	<b>214</b>	<b>320</b>	<b>101</b>	<b>57</b>	<b>80</b>	<b>23</b>	<b>5</b>	<b>0</b>

Source: - Field Survey.

**Figure: 4.3 Qualification of respondents**



Source: - Field Survey.

The occupation of individual is close concern with various issues that we have in human society. Whatever it may be politics, economic, social and others. It is undeniable fact that due to advancement of science and technology, the needs and aspirations of

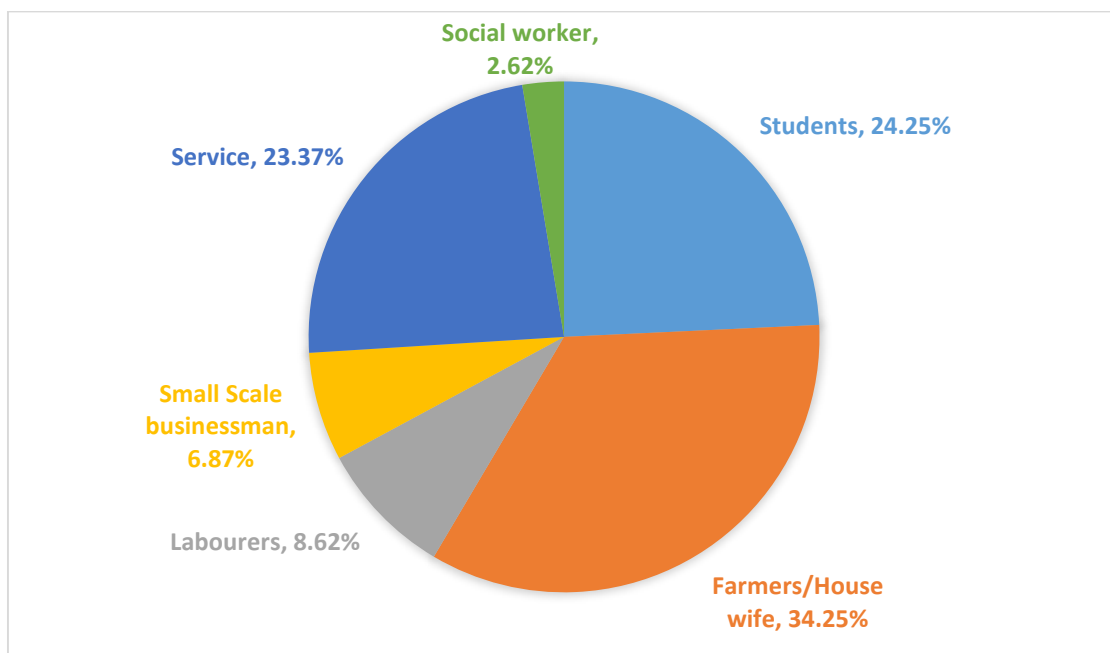
people have changed. People in present world are not satisfied with simple basic needs food, shelter and clothes. As a result, every individual are in great race to fulfil all their needs and aspirations. Many people are even don't hesitate to involve in anti-social activities to earn easy money. The indigenous Bodo community are mainly dependent on agriculture for their livelihood. Hence, we have every close connection with nature and environment. Therefore, due to necessity of good occupation for proper and happy leading of life, occupation of respondents were not ignored. The following **table 4.4** shows the details of occupation in percentage.

**Table 4.4**  
**Occupation of respondents**

Occupation	Male	Female	Total	Male (in %)	Female (in %)	Total (in %)
Students	81	113	194	10.125%	14.125%	24.25%
Farmers/House wife	97	177	274	12.125%	14.625%	34.25%
Labourers	39	30	69	4.875%	3.75%	8.625%
Small Scale businessman	36	19	55	4.5%	2.375%	6.875%
Service	132	55	187	16.5%	6.875%	23.375%
Social worker	15	6	21	1.87%	0.75%	2.625%
<b>Total</b>	<b>400</b>	<b>400</b>	<b>800</b>	<b>-</b>	<b>-</b>	<b>100%</b>

Source: - Field Survey.

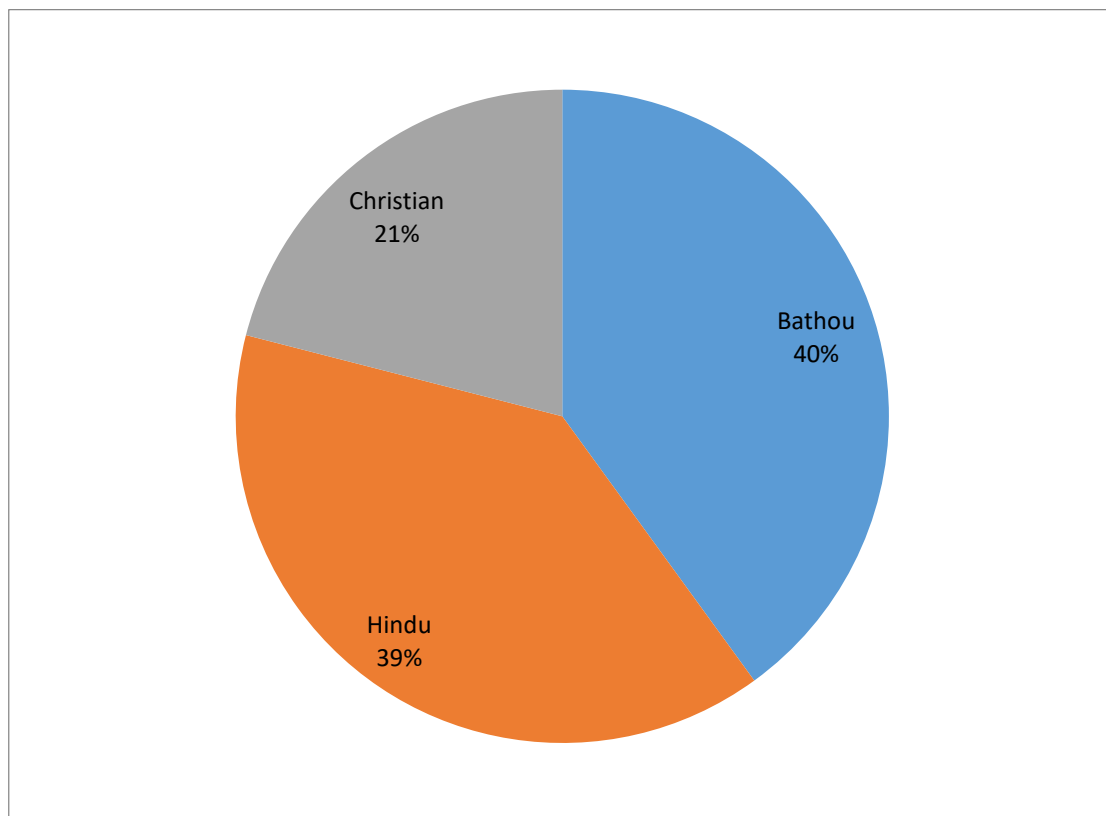
**Figure: 4.4 Occupation of respondents**



Source: - Field survey.

The respondents again were categorised within the fold of three different religious group. Mainly the Bodo community are the believers of Bathou, Hindu and Christian. Religious belief in this research is essential because many belief system have link with the religion. We have superstitious belief of witchcraft and witch hunting in Bodo society, which seems curse to us. The data of field survey reveals that such kind of blind faith is more among the followers of Bathouism and Hinduism. The field survey show some 40% of respondents was found from Bathou religion, 39% was from Hindu and 21% was from Christian. It is noteworthy to mention here that Bathou religious followers of Bodo community do not want to identify them within the fold of Hindu religion. Hence, separate religion has considered to Bathou in the questionnaire. The following **figure 4.5** shows in details.

**Figure: 4.5 Classification of respondents on the basis of religion**



*Source: - Field survey.*

The above mentioned are the details structure of compositions of respondents in respect to the 10 different sub-division of four districts in BTAD and how it was being taken, category of respondents in terms of gender or sex, qualification, occupation and religion.

## 4.2 Data analysis and discussion on human rights concern issue

Observing the very scenario of human rights in the context of Bodo Community in BTAD, the researcher decided to have the research work on four different sector or areas like Governance and Administration, Social Sector, Economic Sector and Environmental sector. The following **table 4.5** shows the systematic arrangement for analysis of work in different sectors or areas with different human rights concern issues.

**Table 4.5**

**Human rights concern issues in various sector**

Sl. No.	Sector or areas	Human Rights Concern Issues
4.2.1	Governance and administration sector	4.2.1.1 Policy making concern issue
		4.2.1.2 Speech and expression concern issue
		4.2.1.3 Government facility concern issue
4.2.2	Social Sector	4.2.2.1 Identity concern issue
		4.2.2.2 Conflicts related issue
		4.2.2.3 Migration concern issue
		4.2.2.4 Witch hunting issue
		4.2.2.5 Land issue
		4.2.2.6 Health care concern issue
		4.2.2.7 Education concern issue
		4.2.2.8 Women concern issue
4.2.3	Economic Sector	4.2.3.1 Poverty and unemployment
		4.2.3.2 Bonded and child labour
		4.2.3.3 Human Trafficking
4.2.4	Environmental Sector	4.2.4.1 Deforestation
		4.2.4.2 Flood and soil erosion

### 4.2.1 Governance and administration

The prolong reformation and separate autonomy movement history of Bodo community shows the aspirations, they want to have the political and administrative power in their hand. It is obvious fact that in present modern nation state system, only these two powers can ensure the due share of rights in a system. The achievement of BTC can be seen as turning point for Bodo Community in getting political and administrative powers in their hand. Since its inception, mainly the Bodo leaders have taking dominant role in the politics of BTC.

There are 45 numbers of BTCLA seats in law making body of BTC and executive council are being form within 12 members including Chief and Deputy Chief. Out of these 46 seats, 30 numbers are reserved for STs, 5 for non-tribal communities, 5 are open



and remaining 6 are nominated by the Governor of Assam. On the other hand, parties those who are in power in BTC can influence to other election like MLA for Assam Assembly, MP election both in Lok Sabha and Rajya Sabha.

**4.2.1.1 Policy making concern issue:** - The most important part of governance is policy making process, because the execution always depends on the quality of policy. Quality policy only can produce quality output, if it is implemented effectively. In Democratic country like India, a member of law making body are being elected by citizens through vote, it may be direct or indirect, and nominated. To get elected, a candidate must get highest support from voters.

The policy making powers lies in the law makers, who are known as MCLA in BTC, MLA in state legislative assembly and MP in central level i.e. Parliament. This way, executives of three level executes the policies by helping each other through existing system of governance and administration in BTAD area.

The BTC is a small autonomous self-governing body with BTAD areas consisting of contiguous four different districts. The MoS gives power to council to make laws on 40 numbers of subjects conferred to it. The laws make by legislators are being executed by Executive Council comprising not more than 12 Executive Members, one of whom shall be the Chief and another the Deputy Chief of said executives.<sup>1</sup> The Council have full control over the officers and staff connected with the delegated subjects working in BTC area and shall be component to transfer these officers and staff within the BTC area.<sup>2</sup> The whole executive functions of the BTC are being exercise through its Principal Secretary.

There is only two MP one each in both the houses of Parliament and 12 numbers of MLA in Assam Legislative Assembly, who represents the will and woe of the people of BTAD. Hence, in a big democratic country like India such small number of representatives do not get important and cannot make members of the house to accept their decisions. The following detail shows the political representative in parliament and state legislative assembly from BTAD since 2003.

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<sup>1</sup>MoS of BTC Accord 2003, Clause No. 5.1 and 5.2.

<sup>2</sup>MoS, *op.cit.* Clause No. 5.3

Table 4.6

**Political representatives in Parliament and State Legislative Assembly**

Sl. No.	MP/MLA	Nos. of Representative	Election Year	Period	Name of Party
1	MLA	12	2002	2002-2006	Independent
2	MP (LS)	1	2004	2004-2009	BPF
3	MLA	12	2006	2006-2011	BPF
4	MP (RS)	1	2008	2008-2014	BPF
5	MP (LS)	1	2009	2009-2014	BPF
6	MLA	12	2011	2011-2016	BPF
7	MP (LS)	1	2014	2014-2019	Independent
8	MP (RS)	1	2014	2014-2020	BPF
9	MLA	12	2016	2016-2021	BPF

Source: - Sources from Election result held in different years.

On the basis of population shares with the total population of the state, BTC was supposed to get 12.19 percent from total budget of the state. Instead BTC has been getting only 3.04 percent since 2004 for the development works of BTAD.<sup>3</sup> In this regard, the BPF ruling party of BTC since inception of council claiming that such kind of unequal funding is hampering a lot in carrying out the various developmental activities of BTAD region.<sup>4</sup> The Supremo of BPF, Mr. Hagrama Mohilary, an alliance party of congress government in Assam for 13 long years accused the congress government for non-cooperation in development of BTAD. He also said that “BTC has always has been deprived of the state government’s fund allocation. The fund allocation is done taking into account the population factor of a particular region, but this has not been the case with us.”<sup>5</sup>

The BSS, one of the oldest literary body submitted memorandum vide letter no. BSS/M/04/93/12/820, dated – 8.6.2012 to the Hon’ble Chief Minister of Assam appreciating the Plan Budget for 2012-13 financial year allocation of Rs. 10, 500 (ten thousand and five hundred) Crores for development of Assam comprising the development of areas of other backward communities. The organisation requested Chief Minister to do favour by allocating Rs. 1, 279.00 (one thousand two hundred and seventy nine) Crores approximately with 12.19 percent from whole budget for the development of BTAD area.<sup>6</sup> In the same memorandum, organisation mentioned their surprise to see

<sup>3</sup>2015 Election Manifesto of BPF, Kokrajhar, p. 5.

<sup>4</sup>Ibid.

<sup>5</sup>India TV, PTI 26<sup>th</sup> June 2014.

<sup>6</sup>Memorandum submitted to the Chief Minister, Govt. of Assam by BSS on 8.6.2012. Published in the ‘The Bodo’ The Mouthpiece of BSS, 38<sup>th</sup> Issue, 2013.

the Rs. 320 (three hundred and twenty) Crores only allocation for BTAD area from total budget of Rs. 9, 000 (nine thousand) Crores for development of state in financial year of 2011-12.<sup>7</sup>

Out of 40 departments, Relief and Rehabilitation department is not handed over yet to the BTC authority. Hence, BTC authority has been facing difficulties in settlement of IDPs due to ethnic conflicts and few numbers due to natural calamities. Law and order department on the other hand is not BTCs subject, it is fully state subject. Hence, BTC authority could not control violence activities during the ethnic conflict of 2008, 2012 and 2014. In this situation, BTC authority do not have any power and dependent on Centre and state. Their policy should be accepted.

The NDFB (P) and NDFB (R) are under the ceasefire agreement with Government of India since 2005 and 2013 respectively. But, the peace process is very slow and no clear cut policy is being disclosed from the part of government. Such policy of the Government of India and Assam is not positive in solving the Bodo problem. There are approximately 1200 cadres of NDFB (P) and NDFB (R) in various designated camps of BTAD. Some of these cadres are violating the ceasefire rules involving in illegal activities. Until and unless, they are suitably engaged and employed, their rehabilitation is likely to continue to be a major issue of concern. Hence, there is need of proper policy and discussion on it to have long lasting solution.

As per as the peace and talk with anti-talk faction NDFB (S) is concern, after the ‘Operation All Out’ in 2014 under the heavy pressure from the security forces; NDFB (S) has been completely marginalised and leaders of outfit requested the government for ceasefire, but centre had rightly rejected.<sup>8</sup> In that time, many of the Bodo leaders and intellectual wanted to accept the request and use diplomatic pressure to get the outfit leaders from Myanmar and Bhutan for peace talk. But, the policy adopted by government was not positive and if want, government could review the policy. In such critical situation, our law makers both in Dispur and Delhi could not influence at all, which Bodo people feel violation of rights of indigenous Bodo community.

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<sup>7</sup>Ibid

<sup>8</sup>Sharma, S. Kumar (2016), Operation All Out against Bodo Militants: What Next? In Institute for Defence Studies and Analyses. P.

Taking into account the above mentioned points, the questionnaire was prepared to collect data from the respondents. The three choices with a) Satisfied, b) Not Satisfied and c) No idea was given. The following **table 4.7** shows the response of respondents.

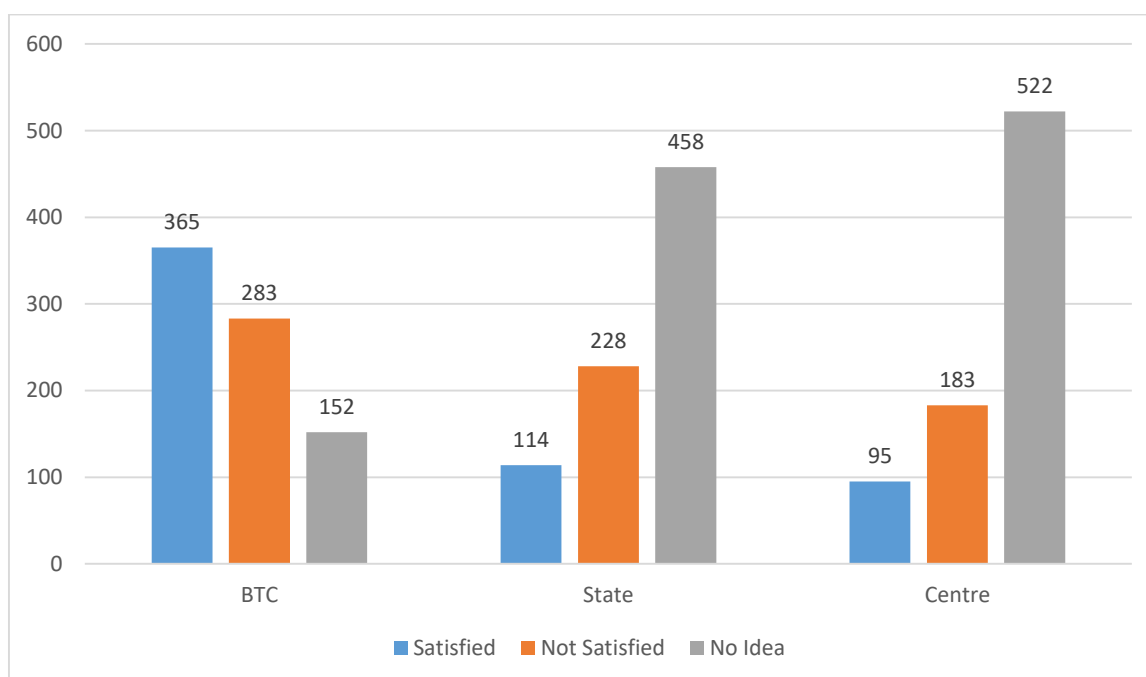
**Table 4.7**

**Effective participation of public representative in Policy making**

District	BTC			State			Centre		
	Satisfied	Not satisfied	No idea	Satisfied	Not satisfied	No idea	Satisfied	Not satisfied	No idea
Kokrajhar	90	75	35	35	55	110	15	55	130
Chirang	74	93	33	19	53	128	20	49	131
Baksa	93	65	42	29	65	106	35	45	120
Udalguri	108	50	42	31	55	114	25	34	141
<b>BTAD</b>	<b>365</b>	<b>283</b>	<b>152</b>	<b>114</b>	<b>228</b>	<b>458</b>	<b>95</b>	<b>183</b>	<b>522</b>

Source: - Field Survey.

**Figure: 4.6 Effective participation on public representatives in Policy making**



Source: - Field survey.

**Findings:**

As a findings, the analysis and figure reveals that 45.62% of Bodo community are satisfied with decision making process of BTC, but in legislative assembly of Assam only 14.25% of respondents are responded satisfactory answer. As per law making in union is concern, 11.87% of respondent gave satisfactory answer. The policy making and its

ineffective implementation is cause of concern or obstacle in ensuring human rights of indigenous Bodo people.

The following are areas of human rights that are being violated:

i) Equality of opportunity. The provision is mentioned in Article 21 of UDHR and Article 16 of Indian Constitution.

ii) The equality in dignity and rights, entitlement for all the rights set forth in UDHR and right to life, liberty and security of person. The provisions are mentioned in Article 1, 2 and 3 of UDHR respectively. Article 1 and 18 of UN Declaration on the Rights of Indigenous Peoples and Article 21 of Indian Constitution.

**4.2.1.2 Speech and expression concern issue:** - The freedom of speech can be considered as the first condition of liberty and mother of all other liberties. Freedom of speech and expression means the right to say or express of an individual's own convictions and opinions freely by the words of mouth, writing, printing, pictures and any other means or mode. In modern times, it is widely accepted by every section of the people that the right to freedom of speech and expression is the essence of free society and it must be safeguarded at all the time and at any cost. Freedom of speech and expression without any hindrances or obstacles under the open sky of a system plays a significant role in the development of every aspects in the present modern state system. It may be in good governance and administration, societal development, economic development, environmental protection and sustainable development.

The Article 19 (1) (a) of the Constitution of India guarantees that all citizens shall have the right to freedom of speech and expression. It is one of the most important feature for the successful working of the democracy for country like India. Because, where there is liberty to say and make others known to their problem, there only we can come to know the will and woe of those areas or sections of people. Accordingly, the decision makers can make suitable decision and executive mechanisms can execute the policies in proper way. This way, freedom of speech and expression help to an individual to attain self-development and fulfilment, provides possibility of state mechanisms to establish a reasonable balance between stability and change, and assists to discover the truth and find out amicable solutions of the problems.

As per as Bodo Community of BTAD is concern, as soon as achievement of BTC, a new political party was form on 12<sup>th</sup> April 2005 with the name and style of Bodoland

Peoples' Progressive Front (BPPF) headed by former President of ABSU, Mr. Rabiram Narzary. The main objective of formation of BPPF was to participate in BTC election, which was held in 2005 for the first time. The former cadres of BLT were not satisfied with the decision taken by some ABSU leaders, especially in respect of selection of candidates of BTCLA elections. They demanded the withdrawal of party President Rabiram Narzary from contest of elections as candidate from Banargaon constituency against the former BLT leader Mr. Mono Kr. Brahma.<sup>9</sup> The squabbling took serious turn when the then BTC Chief of interim government, Mr. Hagrama Mohilary openly support to his former comrades of BLT Mr. Mono Kr. Brahma, a rebel candidate against Mr. Rabiram Narzary in Banargaon constituency.<sup>10</sup> This way, the BPPF party suffered a split into two faction i.e. BPPF (R) headed by former ABSU President Mr. Rabiram Narzary and BPPF (H) headed by Mr. Hagrama Mohilary, the then supremo of dissolved BLT. In the later part BPPF (H) faction renamed as Bodoland Peoples' Front (BPF) and got recognised as regional party of Assam by Election Commission of India (ECI).

The split of political party in BTAD area sowed the seed of suspicion, hatred and misunderstanding among the masses and workers of two political parties within a community, and between some sections of Bodo and non-Bodo peoples as well. This bickering spiralled into several incidents of violence against its own community as well as the other communities. Many workers and supporters got life threatening; some even got killed and beaten up by supporters of opposite parties. Such scenario was because of fearing to lose their supporting candidate and gain majority support. Money and muscle power took a significant role during the time of election. The stronger party was seen trying to influence the voters by using money and muscle power.

The freedom of speech and expression in BTAD area was very sensitive during the election since the formation of BTC till last 2014 MP election due to party politics. But now, the scenario has changed to some other way. The situation has improved a lot and freedom can be enjoyed by every section of people as per political point of view. But, if we talk of quality work of government schemes in backward areas of BTAD, still it's very difficult to raise voice. Even concern government officials not interested to check its proper functioning. The reason behind that are many. Some section of people claim that

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<sup>9</sup>Bodo Divided by Sushanta Talukdar, The Hindu, 7<sup>th</sup> May 2005.

<sup>10</sup>Ibid

demand of money as donation by student organisations, militant groups, social organisations and local clubs hampers a lot in maintaining quality of woks. And some are claiming that people those who are involved in those governmental schemes are rich person having link with powerful people. So, they don't care the voices of poor masses or publics.

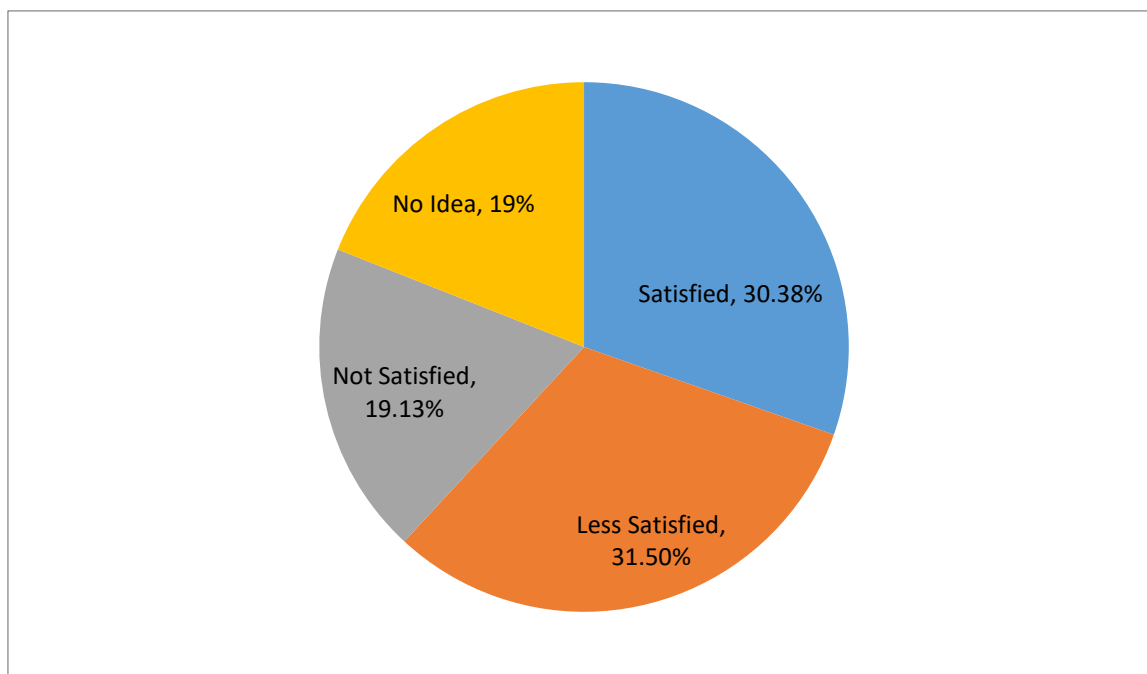
In order to know the perception of respondents on rights to freedom of speech and expression in the context of Bodo community, the following shows the details of status.

**Table 4.8**  
**Perception on right to freedom of speech and expression**

Districts	Satisfied		Less satisfied		Not satisfied		No idea	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	28	26	32	35	21	17	19	22
Chirang	31	28	33	29	19	25	17	18
Baksa	33	30	32	27	15	22	20	21
Udalguri	35	32	30	34	19	15	16	19
<b>BTAD</b>	<b>127</b>	<b>116</b>	<b>127</b>	<b>125</b>	<b>74</b>	<b>79</b>	<b>72</b>	<b>80</b>

Source: - Field Survey.

**Figure 4.7 Perception on right to freedom of speech and expression**



Source: - Field Survey.

### **Findings:**

As findings, the above discussion reveals that 30.38% of respondents are satisfied, 31.50% are less satisfied, 19.13% percent are not satisfied and 19% don't have idea. The reasons found which led to the violation of rights to freedom of speech and expression are - illiteracy, lack of awareness about system, poverty, domination of political leaders, law and order situation is not favourable.

The details can be discussed as below:

i) Illiteracy: - Democracy is a form of government, where the real power is vested in the people of the country. Public representatives are the decision makers and executors of policies being part of the system. Hence, the selection of good representatives is utmost essential for the successful working of democracy. In this regard, it is noteworthy to mention that the core of the democracy lies in the awareness of the people about what is right and what is wrong for them, which ultimately comes through education. Illiterate people don't have much knowledge what is going around. Therefore, education is one of the main essential medium through which consciousness of the people regarding the functioning of system can be understood.

ii) Lack of political consciousness: - Political consciousness constitutes knowledge about political institutions, its dynamic and processes, and is a key concept for understanding the political system. For the successful working of democracy the political consciousness of citizens is utmost essential. Because, politically conscious people only can have the knowledge of political issues and participate more meaningfully in political process and take enlightened decisions. But, maximum people of BTAD area are not politically conscious, hence, they unable to participate in political process meaningfully. They are being fooled easily by the leaders. Due to lack of political knowledge, they are being inspired to do illegal activities.

iii) Poverty: - This has been said in the beginning that muscle and money power of leaders or candidates take influential role in the elections. This way, rich people can make dance the poor section of people to their tune throwing money and giving commitment for work after coming to the power. During field visit under Kachugaon block of Kokrajhar district, one of the daily wage earner told to the researcher "What to do Sir, we are illiterate poor people. No one cares us after election, before elections only our local leaders approach us to support their party candidate. They use to give us token



of money in return of support. So, we used to accept it and support to their candidate.” Again, one of the farmer from Tipkai area under Porbhotjhora sub-division told “Local leaders approach us to give some token of money to spend at the time of election to make the candidate win to bring Bodoland. They also order us to support their candidate. They also use to say that only Bodoland can fulfil the aspirations of Bodo people.” This way, Poor people are being convinced by party workers in their favour.

iv) Unemployment: - Unemployment is one of the big challenge for BTAD region. Some of our Bodo youths are lack of quality and skill education. After passing of 10<sup>th</sup> and 12<sup>th</sup> standard, many students cannot go for higher education. They drop out from schools and colleges, and look for easy money. Politics, on the other hand is one of the means for earning easy money. This way, they join in the parties or organizations for government schemes with the aim to earn money, and don’t fear to do violence activities even to make their supporting candidate win at any cost. In this connection, one unemployed youth from Rowta area of Udalguri district told “After completion of my 12<sup>th</sup> standard, I could not go for higher education due to financial problem at home. I am the elder son of family and have one younger brother and two younger sisters, they are also studying. My poor farmer parents unable to bear expenditure for all four children. As soon as completion of my 12<sup>th</sup> standard, I tried for IV grade job several times, but got failed in written examinations. It is being heard that without money, it is not possible to get job now. So, I gave up looking for job and join in political party to earn money for my family to help my poor parents.” Then I asked to him what will he do, if his boss order him to involve in illegal activities. He answered “No way, we have to involve for the sake of money, reliable relation and favour at the time in need. If not, lots of people are always will be on queue to do the same.”

The human rights that are being violated are:

i) Right to freedom of speech and expression. The provisions are mention in Article 19 of UDHR, Article 1 of UNDRIP and Article 19 (a) of Indian Constitution.

ii) Freedom of movement from one place to another and practice of any profession. The provisions are mentioned in Article 19 (e) and (f) of Indian Constitution.

**4.2.1.3 Government facility concern issue**: - India being a democratic and socialist country, trying its best to fulfil the aspirations of every citizen of the country since independence by providing various facilities. But in practice, equal and just

distribution, effective implementation of various government schemes are the big challenge. Hence, the dream to ensure human rights for every section of people is on its way to be successful with difficulties. There are many factors which are responsible for hindrances in providing equal distribution and implementing government scheme properly. These are illiteracy, lack of consciousness, favouritism to near and dear ones by government employees, politicians and workers of political parties those who are in power and many others.

The government schemes and programmes that we find in BTAD area can be grouped into Central, State and BTC. There are many central schemes, brought by different parties in power during different period. Some of those are Bachat Lamp Scheme for electrification by Ministry of Power (MoP) launch in 2009, Deendayal Disabled Rehabilitation Scheme by Ministry of Social Justice and Empowerment (MoSJE) launch in 2003 to ensure equal opportunities, equity, social justice and empowerment of persons with disabilities, Deen Dayal Upadhyaya Grameen Kaushalaya Yojana by Ministry of Rural Development (MoRD) launch on 25<sup>th</sup> September 2014 to engage rural youth especially BPL and SC/ST segment of population for employment through skill training programs, Gramin Bhandaran Yojana by Ministry of Agriculture (MoA) launch on 31<sup>st</sup> March 2007 in order to store the farmers produce goods in rural areas and improve the marketability through promotion of grading, standardization and quality control of agriculture produce, Pradhan Mantri Gramin Awaas Yojana (PMGAY) by MoRD launch in 1985 to provide financial assistance to rural poor for constructing their houses themselves, Pradhan Mantri Matritva Vandana Yojana by Ministry of Women and Child Development (MoWCD) launch in 2010 for cash incentive of Rs. 4,000/- to women (19 years and above) for the first two live births, Integrated Child Development Service (ICDS) by MoWCD launch on 2<sup>nd</sup> October 1975 for child development to tackle malnutrition and health problems, Integrated Rural Development Program by MoRD launch in 1978 for rural development to raise the income generation capacity, Janani Suraksha Yojana by Ministry of Health and Family Welfare (MoHFW) launch in 2005 for mother care by giving one time incentive to pregnant women, Kasturba Gandhi Balika Vidhyalaya by Ministry of Human Resource Development (MoHRD) launch in July 2004 for educational facilities (residential schools) for SC, ST, OBC, Minority Communities and families BPL in educationally backward areas, INSPIRE Programme by Department

of Science and Technology (India) to provide scholarship for top science students, Kishore Vaigyanik Protsahan Yojana by Ministry of Science and Technology (MoST) launch in 1999 for scholarship program to encourage students to take research careers, Livestock Insurance Scheme by MoA for insurance to cattle and attaining qualitative improvement in livestock and their products, Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) by MoRD launch on 6<sup>th</sup> February 2006 for rural wage employment by providing legal guarantee for one hundred days of employment in every financial year to adult members of any rural household willing to do public work-related unskilled manual work at the statutory minimum wage of Rs.120/- per day in 2009 prices, Members of Parliament Local Area Development Scheme by Ministry of Statistics and Programme Implementation (MoSPI) launch on 23<sup>rd</sup> December 1993 for development works each MP can spent Rs. 5 Crores per annum through District Collector, Midday Meal Scheme by MoHRD launch on 15<sup>th</sup> August 1995 for health and education by providing free of cost lunch to school children on all working days, National Service Scheme by Ministry of youth Affairs and Sports (MoYS) launch in 1969 for personality development through social (or community) service, National Social Assistance Scheme by MoRD launch on 25<sup>th</sup> August 1995 for pension by providing public assistance to its citizens in case of unemployment, old age, sickness and disablement and in other cases of undeserved want, Pradhan Mantri Gram Sadak Yojana (PMGSY) by MoRD launch on 25<sup>th</sup> December 2000 for rural development by good all weather road connectivity to unconnected villages, Sampoorna Grameen Rozgar Yojana by MoRD launch on 25<sup>th</sup> September 2001 for rural self-employment by providing additional wage employment and food security, alongside creation of durable community assets in rural areas, Swarnajayanti Gram Swarozgar Yojana by MoRD launch on 1<sup>st</sup> April 1999 for rural employment to bring poor families above the poverty line by organizing them into SHGs through the process of social mobilization, training and capacity building, NHM, Udisha by MoWCD for child care by training program for ICDS workers, National Rural Livelihood Mission (NRLM) by MoRD in 2011 to organize rural poor into SHG and make them capable for self-employment, Antyodaya Anna Yojana launch on 25<sup>th</sup> December 2000 to issue ration card by identifying BPL families to bring under public distribution system and many others. The schemes adopted by Central government has been implementing through state and BTC government.

Apart from Central Govt. schemes, Govt. of Assam and BTC have their own certain developmental schemes in some department. Some of the Schemes in health and family department are Operation Smile initiated in 2009 for free surgery for children having cleft palate and lip, Assam Arogya Nidhi (ANN) is provides financial assistance to up to Rs. 1,50,000/- to BPL families and families having a monthly income of less than Rs. 10,000/- for general and specialized treatment of life threatening diseases and injuries caused by natural and manmade disasters, and Kayakalp is to promote cleanliness, hygiene and infection control Practices in Public health Care Facilities. Under Tourism department Assam Vikash Yojana (AVY), Amar Alohi – Rural Home Stay Scheme with the objective to give a new dimension and thrust to the Rural Homestay facilities in the state of Assam and creation of self-employment opportunities for educated youth in rural and semi-urban areas of tourism potential and importance. Welfare schemes for ST people taken up by Department of welfare of Plain Tribes and Backward Classes, Pre-Matric Scholarship for ST, Assam Vikash Yojana & CM's Special Employment Generation Programme for self-employment of ST unemployed youths, Grants to patients suffering from TB/Cancer and other malignant disease, Grant to ST meritorious students and stipend for craftsman training.

The achievement of BTC can be considered as turning point for poor sections of Bodo people in the sense that many people admit “they were not conscious regarding government schemes before the achievement of BTC, but now they have come to know and many of them are getting benefit too.” One of the Chairman of VCDC under Kachugaon development block in Kokrajhar district told “We are trying our level best to provide every government schemes for the benefit of poor people. But, there are some local Dadagiris, who always want to enjoy by themselves. If does not serve their want, they use to criticize the Chairman and other members. Don't hesitate to allege that concern person use to do partiality in distributing schemes. Especially, these cases are happening more in job cards, ration cards and housing. But, this is not the case in my area as per my view is concerned.” One of the poor lady running small business in village told “We have job card, but the work is not being given to us by telling our family can run without the wages of job card. But, at the time of their need, they take away our card and draw the money in our name. In return, they give us Rs.100/- (one hundred) and sometime Rs.200/- (two hundred), this is too in demand for consuming alcohol. What to do, they

are rich and local leaders. Having link with some leaders.” After telling all these in details, she asked me not to disclose her name otherwise they will be in problem. If this is the case than it is very unfortunate. Concern authority should look after all these matter in details and take every possible initiative to ensure the schemes.

The poverty alleviation programmes by Govt. of India mostly targeted in rural areas since prevalence of rural poverty is high has been challenging due to various geographical and infrastructure limitations. Funds mean for the tribal were not utilized fully. In December 2007, Makhan Chandra Doley, Secretary General of the Co-ordination Committee of ST and SC revealed that the state government of Assam failed to utilized Rs. 705.861 million out of a total Rs. 3,366.326 million released by the Ministry of Tribal Affairs from 1999-2000 to 2006-2007as on 31<sup>st</sup> August 2006.<sup>11</sup>

It is known fact to every sections of people that no schemes are anti-people and anti-development. Criticisms of schemes by politicians are just a political issue for political benefit. The question is how these schemes are being implemented in practice? Because, proper implementation of schemes only make it successful and provide benefit to entitled citizens. The concern authority and department are responsible for this. During the time of field survey options were given to respondents in questionnaire on the awareness of various schemes by Government. The three options given were – a) Aware, b) Less aware and c) Not aware. The following is the response of the survey.

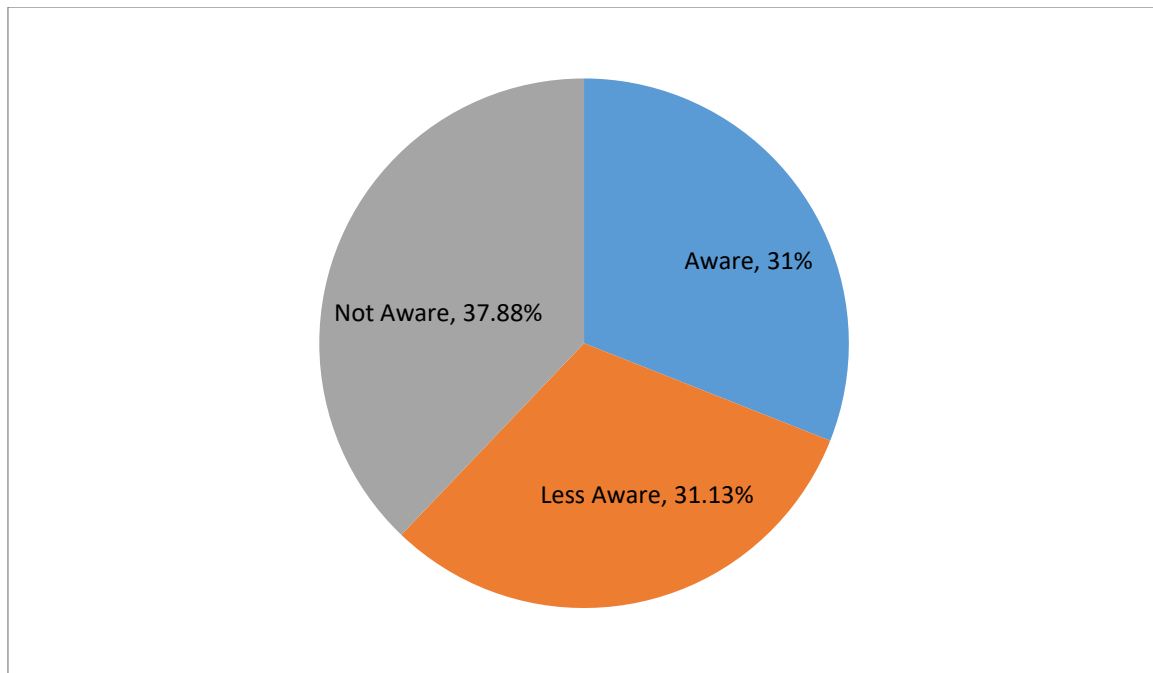
**Table 4.9**  
**Response on awareness of schemes**

Sl. No.	Districts	Aware		Less Aware		Not Aware	
		Male	Female	Male	Female	Male	Female
1	Kokrajhar	40	20	40	25	20	55
2	Chirang	39	24	38	27	23	49
3	Baksa	35	19	32	25	33	56
4	Udalguri	47	24	28	34	25	42
<b>5</b>	<b>BTAD</b>	<b>161</b>	<b>87</b>	<b>138</b>	<b>111</b>	<b>101</b>	<b>202</b>

*Source: - Response of respondents from field survey.*

<sup>11</sup>Over Rs. 70 Crore Central fund for Tribal Unspent, The Assam Tribune, 7<sup>th</sup> December 2007.

**Figure 4.8 Response on awareness of schemes**



*Source: - Response of respondents from field survey.*

**Findings:**

As findings, the above discussion reveals that 31% of respondents are aware, 31% are less aware and 38% are not aware about government schemes mean for development. Most of the Bodo people, especially those are illiterate and poor from backward rural region are not aware regarding many government schemes. The concern authority also not serious in this regard. In such situation, benefit of an individual has to get from schemes are doubtful. Most of the respondents claim that the quality of some of the government schemes like roads, bridges, government buildings and irrigation projects of agriculture field need to improve. Rice, houses, toilets and clothes, they are getting are poor in quality.

The human rights that are being violated due to ineffective implementations of government schemes are:

- i) Equality of opportunity. The provisions are mention in Article 21 of UDHR, Article 1 & 2 of UNDRIP and Article 16 of Indian Constitution.
- ii) Indigenous people have every right to determine and develop priorities and strategies for exercising their right to development in every aspects of life. The provisions is mention in Article 23 of UNDRIP.

## 4.2.2 Social Sector

The social sector is one of the most important sector for the development of community. The several components of society like ethnic identity, land, conflicts, migration, health and sanitation, skill and quality education play a vital role in human development. In the context of Bodo community in BTAD, several human rights concern issues can be seen, which have been standing as obstacles for the development of community. It is known fact to every inhabitants of Assam that Bodo society is known for its uniqueness and rich culture. But, the very unfortunate fact as claim by and happening in Bodo society is, those components of society are under threat or many obstacles that are being seen in stepping up of journey to survive as community. The human rights concern issue is very significant in the following given areas.

**4.2.2.1 Identity concern issue:** - Identity in general and ethnic identity in particular is consists with identifying components of an ethnic group like its language, literature, culture and religion. Human rights of an individual covers all mentioned components, if any situation or acts of other dominant group threaten to weaker section of people's in their survival by protecting and promoting of their distinct identifying factors as ethnic group or community, then it is known to all without any doubt that rights of weaker section of people are being violated. However, in such kind of crisis or situation, suppressed people raise their voice or may take violence means to get freedom from injustice.

Indigenous section of peoples of world have a unique place within a multicultural society. Similarly, indigenous people like Bodo of Assam also has unique identity or place within multicultural society of state. The ethnic identity of Bodo Community is very unique in comparison to the high caste Hindu Assamese people and other smaller ethnic group of state. The Bodo people have their own distinct language, literature, culture, region and religion. But as per preservation and promotion of distinct identity of indigenous Bodo people is concerned, it the community has been struggling a lot. It seems giving less important by government even before the independent of nation. Sometimes Assamese high caste Hindu people even try to assimilate with the formation of greater Assamese society. Such trend of chauvinist mentality and activities of certain section of Assamese leaders always been considering as one of the main factor for raising voice for protection and promotion of distinct identity of smaller ethnic groups in Assam.

The identity assertion of Bodo people of Assam can be seen since British period. That was during 1910s – 1920s that reformation movement took place under the initiative of Gurudev Kalicharan Brahma with the aim and objective to protect the identity of Bodo community from extinction and to get free from assimilation of high caste Hindu domination. The spread of education brought awareness and created certain section of Bodo elite class, which felt the need to protect and promote the identity of community. As a result, literate Bodo people of undivided Goalpara district started working for community by forming Bodo Chatra Sanmiloni, Bodo Mahasanmiloni and many other small unions. It was in 1960s that the Bodo people had started for their separate homeland movement within Indian Union or isolation from Assam rather seeking a place within a multicultural society of state. It was in late 1980s the separate Bodoland movement got different turn under the leadership of ABSU. The main reason for immediate rigorous movement can be seen due to Assamese chauvinism, which is clearly reflects in Clause VI of IMDT Act in 1985. The Act had promised constitutional, legislative and administrative safeguards to protect, promote and preserve the cultural, society, linguistic, identity and heritage of the Assamese people. The decision had greatly angered the Bodo activities, who argued that it might legitimize the imposition of the Assamese language and culture on the Bodos.<sup>12</sup>

Language always considered as one of the main component for ethnic identity. Dead of language means dead of a community. As per protection and promotion of Bodo language is concerned, the work of BSS is remarkable and it has been tirelessly doing for every best. The Bodo Writers Academy (BWA) also has been working since its inception for Bodo literature. The Bodo as medium of instruction got it's recognition in 1963 in the primary schools of Bodo dominated areas. It was then upgraded to the Middle School stage of education in the year 1968 and followed by further up gradation to the Secondary School stage of education in the year 1972. Bodo language again was recognised as one of the Modern Indian Language by the Gauhati University in Pre-university Level in 1977, and in the Degree level in 1980. Another achievement of Bodo language was recognition of associated state official language of Assam in 1985. One of the pride of Bodo language has attained is opening of Post-Graduate Course in Bodo language and

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<sup>12</sup>Mahanta, N.G. (2012), Conflict Resolution and Conflict Transformation in Assam: An Urge for Paradigmatic Shift in Sujit Deka (eds), population Development and Conflicts in North East India. Guwahati: EBH Publishers (India) p. 274.



Literature in Gauhati University in 1996. Recently, as part of BTC Accord in 2003, Bodo Language has achieved 8<sup>th</sup> Scheduled status under Indian constitution. Here, above mentioned achievement has become possible only because of tireless demand made by Bodo people especially under the banner of BSS, ABSU, BPAC, ABWWF, BLT and others. But, as per preservation and promotion of Bodo as medium of instruction is concern, the role of Assam government seems not much serious. Hence, question of safeguard to Bodo language as one of the main component of ethnic identity is doubtful in the mind of indigenous Bodo people.

The growth and strengthening of Assamese chauvinism by imposing their hidden agendas on indigenous non-Assamese speaking people is very unfortunate. The chauvinist attitude of certain section of Assamese people reflects in their many deeds, intellectual discussions and writings. Such kind of attitude always play a factor for division within greater Assam society and inspire every smaller ethnic group for extreme narrow ethnic nationalism, which is not healthy sign for the state like Assam. In this connection, renowned Historian Hira Charan Narzinari rightly said “the so called Assamese people have always been talking about assimilation of various castes and tribes of Assam to form a greater Assamese nation.”<sup>13</sup>

The scenario whatever we had earlier has changed a lot after the achievement of BTC. But still lots of lacking have found on the part of accepting demand and executing the policies in practice. These can be presented as below:

i) The Bodo language as associate official language of Assam and 8<sup>th</sup> Scheduled recognize language under Indian constitution supposed to get due importance in Assam. But, no such importance has seen so far.

ii) The tradition and cultures, whatever Bodo has a distinct ethnic group is not getting due importance in protection and promotion.

iii) Separate Directorate is one of long pending demand of Bodo people but the government is mum on this issue, which clearly shows the unwillingness on the part of Assam government.

iv) Appointment of enough teachers in Bodo medium schools are also not properly done in Bodo medium schools, as a result many Bodo medium schools are running with

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<sup>13</sup>Narzinari, Hira Charan (2014), the Saga of the Bodos. Kokrajhar: Words n Words. P.96

shortest of teachers. Such crisis is badly affecting on the skill and quality improvement of education for Bodo medium students.

v) The text books of Bodo medium schools are not provided available and on time, which is very unfortunate and great obstacles in pursuing education for school student.

The modernity on the other hand is impacting on social and religious festivals, dress, agriculture, and use of musical instruments in many ways. The impact can be discussed both positive and negative ways. The negative impact in this regard are in the social and religious festival of Bodo community were celebrated by following old traditional rituals within specific time but now a days young generation do not follow all these rituals. Dress, one of the main components for identity of a community slowly removed by so called modern dresses. Basically, Bodo women wear handmade 'Dokhwna' with 'Fasra' (which is also called as Jwmgra) and Bodo men wear 'Gamsa' and 'Aronai.' Aronai is one of unique identity of Bodo people, which is being used by giving in festivals and get together to offer or pay respect to elders and love to youngers. All these traditional dresses is weave by Bodo people themselves. But, the very saddest part now is all these dresses are found machine made with cheap price. So, poor people are opting to machine made with gorgeous design and lesser price.

The Bodo community were fully dependent on nature for agriculture, and production were fully organic. But, in modern times, the use of modern equipment, fertilizer, pesticides and insecticides are badly effecting both in human health and greenhouse gases. As per as identity issue is concern, the traditional agricultural tools like Nangal, Jungal, Mwi, Hasini, Suken, Laoti, Kula, Sandanga, Songgrai and Sandri are rarely use and slowly decreasing its importance. These tools are part of our community, but the very unfortunately part is, we are being compelled to preserve all these tools in museums.

The traditional music instruments of Bodo people like Serja, Sifung, Jota and Jabkring are rarely use. The new technologies in music world, modern musical instruments and varieties of software in computer provide sounds of expedient musical instruments. Instead of using traditional music, people of modern age feel more comfort by using modern instruments. Such kind of trend is really a challenging for the protection and preservation of music instruments of small ethnic group like Bodo. This way, modernity has been impacting on preservation of culture as community.

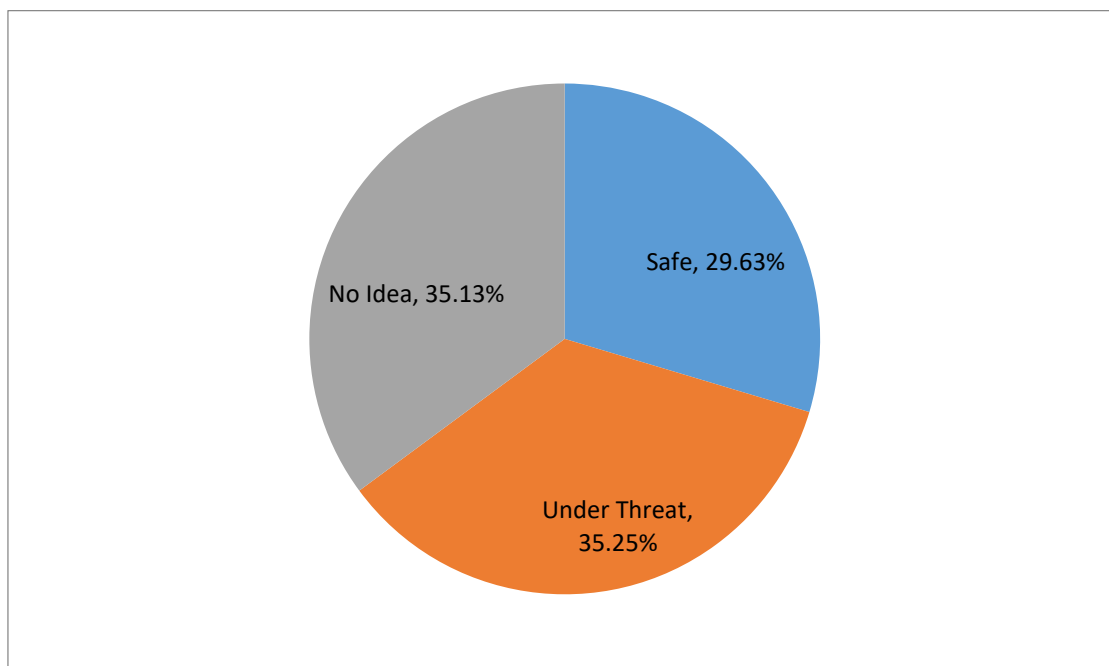
The three options i.e. (a) Safe, (b) Under threat and (c) No idea were given to respondents to choose in respect of identity concern issue. The following given **Table 4.10** is the outcome of respondents from the field survey.

**Table 4.10**  
**Status of identity concern issue**

Sl. No.	District	Safe		Under threat		No idea	
		Male	Female	Male	Female	Male	Female
1	Kokrajhar	25	25	35	35	40	40
2	Chirang	29	21	32	37	39	42
3	Baksa	35	32	35	36	30	32
4	Udalguri	36	34	35	37	29	29
<b>5</b>	<b>BTAD</b>	<b>125</b>	<b>112</b>	<b>137</b>	<b>145</b>	<b>138</b>	<b>143</b>

Source: - Field Survey.

**Figure 4.9 Status of identity concern issue**



Source: - Field Survey.

### **Findings:**

As findings, the above discussion in respect to identity concern issue reveals that 29.63% of respondents viewed safe, 35.25% viewed under threat and 35.13% do not have idea. The reasons found from survey for which the identity of Bodo community is under threat are:

a) Low importance given by law makers in state legislative assembly in order to protect and promote smaller non-Assamese indigenous language.

b) Partial attitude of government officials towards identity concern issue of smaller ethnic group.

c) Impact of modernity.

d) Assimilation of culture.

e) Lack of awareness.

The identity concern human rights that are being violated are:

a) Equality of opportunity. The provision are mention in Article 2 of UDHR and Article 16 of Indian Constitution.

b) Right to promotion and protection of ethnic identity. The provision are mention in Article 22 of UDHR and Article 29 of Indian Constitution.

c) Right to get freedom from forced assimilation and destruction of culture. The provision is mention in Article 1 and 2 (a) & (d) of UNDRIP.

**4.2.2.2 Conflict concern issue:** - BTAD area witnesses several number of conflicts. Most of the time, this particular area is being projected as sensitive area by Government agencies and Medias. The significant conflicts that are being seen are conflict between communities, conflict among political parties, conflict between police forces and militant groups. All these conflicts are characterized by punishment, mental torturing, kidnapping, killing, murdering, harassing, sexual exploitation, molestation, displacement of people and in general led to the large scale of human rights violation. Especially, in ethnic clashes lakhs of people are being forced to become homeless and huge amount of property are being destroyed for both the parties involve. Innocent people are forced to lead miserable life in relief camp. The worst victims are children and women, those are being forced to stay at relief camp without proper shed, toilet, dress, clean water drinking facility and nutrient food.

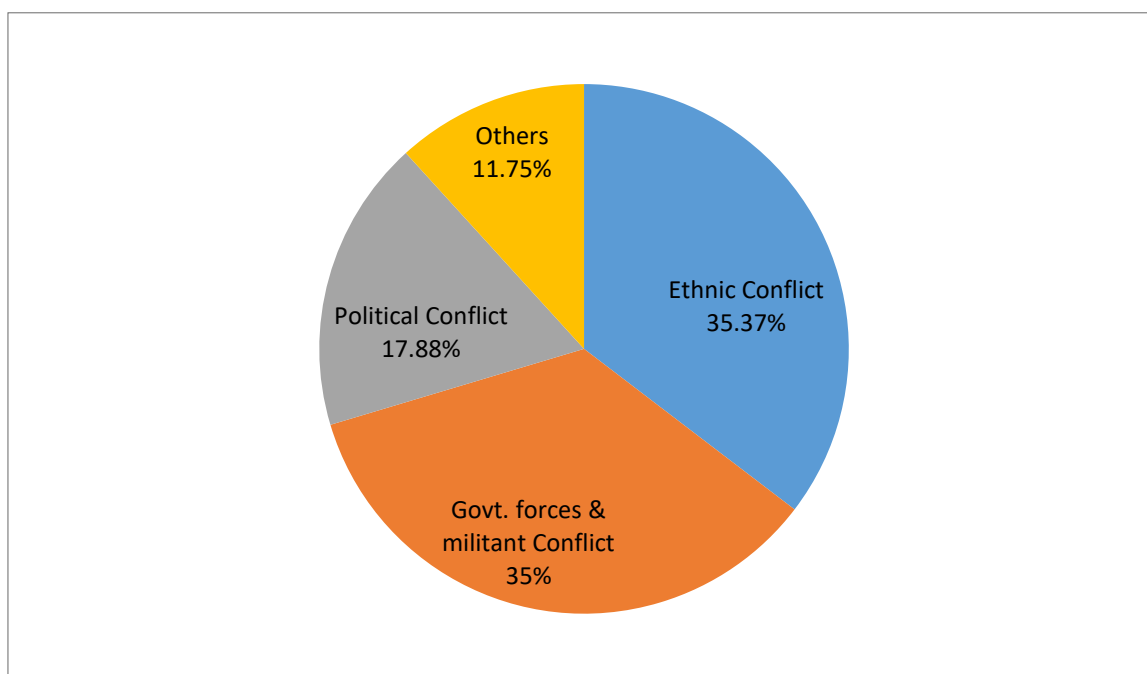
The following **table 4.11** is the response from the field survey regarding the types of conflicts, and for which human rights of people are being violated. The 4 (four) options were given to the respondents on the basis of the nature of conflicts. The options were – a) Ethnic Conflict, b) Govt. forces and militant conflict, c) Political Conflict and d) Others. Let's have response,

**Table 4.11**  
**Type of Conflict**

District	Ethnic conflict		Govt. forces & militant conflict		Political conflict		Others	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	39	38	32	39	19	15	10	08
Chirang	32	37	39	37	16	16	13	10
Baksa	30	35	30	35	24	19	16	11
Udalguri	35	37	34	34	17	17	14	12
<b>BTAD</b>	<b>136</b>	<b>147</b>	<b>135</b>	<b>145</b>	<b>76</b>	<b>67</b>	<b>53</b>	<b>41</b>

Source: - Field survey.

**Figure 4.10 Type of Conflict**



Source: - Field survey.

**Ethnic conflict:** - The most significant violations of human rights that took place are during ethnic conflicts between indigenous Bodo and Muslim in 2008 in Udalguri and Darang districts, and in five districts in 2012 i.e. Kokrajhar, Chirang, Baksa, Bongaigaon and Dhubri, and indigenous Bodo and Adivasi in 2014. The origin of Bodo and Muslim ethnic conflict can be clarified from the report submitted by Justice P.C. Phukan, former Justice of Gauhati High Court on 15<sup>th</sup> February 2010. His reports reveal that “MUSA office bearers and MUSA activities are squarely responsible for starting the violence by forcing the shop keepers to close their shops and beating up those who refused to oblige and forcing the scooter/motor cycle riders, cyclist etc. to stay off the road and beating up

those who resisted such use of force. If such shop keepers, motor cycle riders, cyclists etc. while resisting use of force by the MUSA activists, struck them back in exercise of their right to private defence of persons and property, they cannot be said to be on the wrong side of the law.”<sup>14</sup> On the basis of the report submitted by Mr. Phukan, it can be rightly believed that it was the handiwork of the activists of All Assam Student’s union (AASU) and Assam Jatiyatabadi Yuba Chatra Parisad (AJYCP), and certain other organisations that sowed the seed for leading to the incidents occurred at Rowta, Bhalukmari and Hathkhola in Udalguri district which started on 14<sup>th</sup> August 2008. During bandh called by MUSA on 14.08.2018, some 15 persons were leaving to dead, 11 person missing of which 7 persons were presumed to be dead and at least 22 persons injured in a single day.<sup>15</sup> It was came to know from reliable sources that some 10 (ten) numbers of dead people were from indigenous Bodo community. This violent conflict leading to displacement of over 200000 people.<sup>16</sup> The houses of Bodo village viz. Kaijamati, Mohanpur, Bhakatpara and Jhargaon were burnt to ashes.

The other ethnic conflict between Bodo and Muslim started on 20<sup>th</sup> July 2012 that took place in five districts of Assam i.e. Kokrajhar, Chirang, Baksa, Bongaigaon and Dhubri. The immediate reason of the conflict can be found that 2 Muslim youth name Md. Nurul Haque and Md. Mujibar Rahman of Dotma block under Kokrajhar district were killed by Kamatapur Liberation Organization (KLO) militants on 6<sup>th</sup> July 2012. In this connection, the then union Home Minister Mr. Suchil Kumar Sinde, while replying to the Rajya Sabha stated – “on July 6, KLO terrorists fired indiscriminately at Muslimpara Gaon under Gossaigaon Police Station killing two persons belonging to Muslim Community and injuring three persons. One KLO terrorist was arrested in connection with the case registered in this regard. Though this was communicated to the Muslim people of the area, it was not believed by them and they strongly suspected the hands of Bodo miscreants in the incident.”<sup>17</sup> As a reaction of this incident, on 12<sup>th</sup> July 2012, four Bodo youths identifies as Pradip Boro (32 years), Dhrubajit Goyary (28 years),

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<sup>14</sup>Mr. Justice P.K. Phukan, Report of the Commission of inquiry into the incidents that took place at Rowta, Bhalukmari and hathkhola in Udalguri district on 14.08.2008 during the bandh called by the Muslim Students Union of Assam (MUSA) resulting in loss of lives and injuries to a large number of persons, submitted on 15<sup>th</sup> February 2010. p. 73

<sup>15</sup>Ibid p.71

<sup>16</sup>Asian Centre for Human Rights (2012), Assam Riots: Preventable but not prevented. New Delhi: ACHR p. 5

<sup>17</sup>Clarify stand on Assam Accord: BJP tells Sonia, The Seven Sisters Post, 10<sup>th</sup> August 2012.

Jatin Goyary (24 years) and Jwngsar Boro (27 years) were killed by mob which had assembled to discuss about Tarabi Namaj. Though these four Bodo youths took shelter in the van of the police petrol team led by the Officer In-charge of Kokrajhar Police Station and Deputy Superintendent of Police, Shri Anjan Pandit, but the mob snatch away from police and lynched to death.<sup>18</sup> Though riots can be prevented by the government, but due to delayed in deployment of military forces, the riots or conflict turn into more violent by involving both the parties. Some 400000 people were rendered homeless and life of more than 100 people were lost.

The situation of those victims' people were really pathetic in relief camps. The inmates of relief of camps faced various problems like availability of food, lack of nutritional food, adequate shelter, health and hygiene, sanitation, education of the children were halt for more than three months, HSLCE candidates appeared in their final examination without classes in schools since the outbreak of conflicts. The worst victims were women and children. The health problems facing by women and man are differ according to their biological structure and role. It is known to every conscious people that women section of people need more privacy than male. But, such privacy is very difficult to get by staying in relief camp. Many inmates of relief camp were complaining regarding they were facing during the time of staying in relief camp.

The following **table 4.12** shows the details of relief camps in Kokrajhar district with inmates' category wise as per survey and report did on 24<sup>th</sup> September 2012 by Jt. Director I/c & CHD, Social Welfare, BTC and DC Court, Kokrajhar.

**Table 4.12**

**Relief Camps in Kokrajhar district with inmates in Bodo – Muslim conflict of 2012**

Districts	Sub-divisions	Nos. of Relief Camp	Nos. of inmates	Category		
				Bodo	Muslim	Others
Kokrajhar	Kokrajhar	28	48612	7878	40629	109
	Gossaigaon	10	5441	5135	306	0
	Porbotjhora	2	435	164	271	0

*Source: - Jt. Director I/c & CHD, Social Welfare, BTC and DC Court, Kokrajhar.*

<sup>18</sup>Asian Centre for Human Rights (2012), Assam Riots: Preventable but not Prevented. New Delhi: ACHR. Pp. 4-5.

The precious life of many people were lost, houses and property of people were burnt to ashes during the conflicts. The following given are some of the cases, which have found in connection with the conflict. These are,

i) Dead body of one student of Basugaon College, Gretus Basumatary age 19 years of village Bamwngaon, Salakati was found on 18<sup>th</sup> September 2012. The cause of dead was murdered by Muslim miscreants. Many organizations like ABSU, BSS, ABWWF, Tribal Sangha and Boro Somaj of Salakati Unit come forward and join to protest against the murder and demanded the punishment of culprits. Sri Lawrence Islary, the then General Secretary of Kokrajhar district ABSU strongly condemned the barbaric incidents and said incidents was unfortunate.

ii) Sri Sanswring Brahma, S/o – Sri Daimansing Brahma and Smt. Ramila Brahma, Class VIII student of village Binyakata, P.O.- Binyakata, P.S. – Gossaigaon of district Kokrajhar was killed by Muslim migrants in July 2012 conflict at Second Bazar near to Bhaowraguri Bazar.<sup>19</sup>

iii) Smt. Garsw Mushahary and 2 others of village Tulsibil under Gossaigaon Police Station of Kokrajhar district killed in July 2012 conflict at their own village by Muslim migrants.<sup>20</sup>

iv) Sri Jaysal Brahma, S/o – Sri Gorla Brahma of village Koklingbari, P.O.- Binyakata, P.S. – Gossaigaon of district Kokrajhar was killed by Muslim migrants in July 2012 conflict at Second Bazar near to Bhaowraguri Bazar.<sup>21</sup>

One of the significant ethnic conflict took place in BTAD area is 2014 ethnic conflicts between Bodo and Adivasi, where life of people were lost and hundreds of people were forced to become homeless. Where Adivasi people killed 14 Bodo people.<sup>22</sup>

i) One simple farmer name Bhoben Mushahary of village Fulkumari under Gossaigaon sub-division of Kokrajhar district was killed by Adivasi miscreants in 2014 Bodo and Santhal conflicts.

### **Findings:**

As findings in regard to ethnic conflict issue is concern, the above discussion reveal that the Bodo Indigenous people of Udalguri district suffered from Bodo-Muslim

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<sup>19</sup> Field survey.

<sup>20</sup> Ibid

<sup>21</sup> ibid

<sup>22</sup> Patowary, Digambar (26<sup>th</sup> December 2014), Assam Violence: Security Launch Offensive against Bodo Militants, in Hindustan Times.



conflict in 2008, the Bodo people of Kokrajhar and Chirang district suffered from Bodo-Muslim conflict in 20012 and again Bodo people of Kokrajhar district had to face Bodo-Santhal conflict in 2014. Many people lost their life, thousands of people rendered homeless and forced to stay at relief camp with lack of basic necessities of life, houses; and property were burnt to ashes. Still some of the people are staying in relief camp, there is no any proper initiatives from government for rehabilitation.

The reasons for frequent ethnic conflict that have been taking place in BTAD area, which have found from field survey are:

- a) Migration and illegal settlement in some portion of tribal belt and block areas.
- b) Suspicion or miss-trust among general masses.
- c) Message of hatred spread by some section of leaders in the name of religion and migrants.

The human rights that are being violated due to ethnic conflict are:

i) Right to life, liberty and security of person. The protective provision is mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

ii) Right to education. The provision is mention in Article 26 (1) & (3) of UDHR and Article 21 (A) of Indian Constitution.

iii) Right to freedom of speech and expression. The provisions are mention in Article 19 of UDHR, Article 1 of UNDRIP and Article 19 (a) of Indian Constitution.

**Political conflict:** - The first and second election of the BTC held in 2005 and 2010 were marked by bitter rivalry and acrimony among two rival political parties. There was a clash between the party workers, many got beaten and even killed. The main reason for such violent activities that took place was due to lack of political consciousness and unemployment problems. Many youths were forced to take part in politics to earn money for their livelihood. Hence, party workers were forced work with 'Do or Die' spirit to make win their supporting candidate. Skill and quality education also be found as one of the reason for literate youth are roaming around idle. Because, for capable person there is no lack of way to earn small amount of money for their survival by fulfilling all basic requirements. This way, political rights of citizen to participate in political process as voters, supporters and candidate were violated.

Some of the incidents that took place due to emergence of faction in party in the context of Bodo community are,

i) On 23<sup>rd</sup> April 2009, two person namely Sri Bipul Basumatary and Sri Probhu Brahma were kidnapped from the Tipkai HS School polling station by unidentified miscreants in Kokrajhar district.<sup>23</sup>

ii) On 24<sup>th</sup> April 2009, the miscreants attacked brutally on the convoy of Sri S. K. Bwiswmuthiary, MP (Lok Sabha) and Sri Mono Kr. Brahma, EM, BTC in Parbotjhora sub-division of Kokrajhar district resulting dead of one driver and two Security personals.<sup>24</sup>

iii) On 24<sup>th</sup> April 2009, due to group clashes in the name of party, several innocent people were tortured at Haltugaon in Kokrajhar district.<sup>25</sup>

iv) On 25<sup>th</sup> April 2009, one person name Hrishikesh Brahma was abducted and killed by some unidentified miscreants at village Bhumka in Kokrajhar district.<sup>26</sup>

v) On 29<sup>th</sup> April 2009, one person Sri Birbhuson Narzary, the President of Gossaigaon district BPPF was shot at Tulsibil in the broad day light by some unidentified gun men.<sup>27</sup>

vi) On 15<sup>th</sup> December 2009, one Contractor Gokul Brahma of Bhatarmari under Kokrajhar district was shot dead by unidentified miscreants.<sup>28</sup>

vii) On 6<sup>th</sup> January 2010, Mr. Madan Kr. Brahma, Secretary of Dotma Anchalick Committee, ABSU was attacked by miscreants at Goibari of Dotma in Kokrajhar district, when he was on the way to attend 41<sup>st</sup> Annual Conference of KDC, ABSU held at Ramfalbil.<sup>29</sup>

### **Findings:**

The study in respect to Political Conflict reveal that illiteracy, poverty, lack of political consciousness, unemployment and seeking easy money are cause of concern for

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<sup>23</sup>Memorandum submitted to the DC, Kokrajhar district, requesting to maintain law and order situation of the BTAD area. Published in the Mouthpiece of BSS, The Bodo, 35<sup>th</sup> Issue 2010. P.354.

<sup>24</sup>Ibid

<sup>25</sup>Ibid

<sup>26</sup>Ibid

<sup>27</sup>Ibid

<sup>28</sup>Annual Report by Mr. L. Islary, G.S., KDC, ABSU published in 'Daosrigwba' the Biennial Mouthpiece of KDC, ABSU. p. 239.

<sup>29</sup>Ibid p. 241.

most of the youths join in organisation or political parties. As a result, they don't hesitate to involve in illegal activities to make they are candidate win in the time of election.

The human rights that are being violated at the time of Political Conflicts are:

i) Right to take part in political process or equal access to public service. The provisions is mention in Article 21 (1), (2) & (3) of UDHR.

ii) Right to life, liberty and security of person. The protective provisions are mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

**Government forces and Militant group:** - One of the most significant and year's long conflict that has been witnessing in BTAD area is conflict between government arms forces and militant groups. In such a situations, human rights are threatened either because of the activities of opposition or by the Government arms forces. Civilians are kidnapped, tortured, displaced and even killed by various militant groups. In the name of suppressing insurgency, the Government security forces are again involved in the violation of human rights. Violation of human rights due to harassment and extra-judicial killing of people are common. Many have been tortured on the suspension of being members or having links with insurgent groups. Thus, during insurgency and counter insurgency operations civilians become the easiest target. The frequent occurrences of conflict in the region have largely affected the lives of the common people, which also have led to the large scale violence of human rights.

Arbitrary arrest, illegal detention, torture and other abuses during cordon and search operation were perpetrated regularly across BTAD. Often, the victims were taken into custody without any memo or warrant, held in illegal detentions without being produced before the court and tortured for alleged links with the armed opposition groups or to extract information about the movement of the armed opposition groups. Both the Police and Army personal are responsible for it.

Following are the some of the few cases that researcher has collected as data from reports of news and media, government reports and field survey.

i. On 31<sup>st</sup> December of the year 2003, 5 (five) Bodo women were gang raped by the Jawans of the 8<sup>th</sup> Umaon Regiment at Ultapani under Kokrajhar district.

ii. On 4<sup>th</sup> May, 2005, Alok Basumatary, President of Jharbari unit of All Bodo Students' Union tortured at the hands of the security personal.<sup>30</sup>

iii. Mantu Daimari, an ex-BLTF cadre of Narayanpur and Jalen Basumatary of Karaibari, Gangaram Basumatary of Doomruguri in Baksa district and Rajen Narzary of Bogijuli, Sonitpur districts who were shot dead at Musalpur in Baksa district on 19<sup>th</sup> May 2007 as suspected NDFB cadres.<sup>31</sup>

iv. On 21<sup>st</sup> December 2013, three youths were picked up by the Army in a civil dress from the daily market. They were tortured in Musalpur Army camp led to the death, whose body after few days were found from two different areas with bullet mark. While the third with the grimmest injury managed to escape the death and so could inform the fact publicly.<sup>32</sup>

v. On 8<sup>th</sup> December 2013, the security forces allegedly killed a class XII student name Biswajit Basumatary of Bollamguri Junior College, under Amguri Police Station in Chirang district. Biswajit was the nephew of Rwfwdai Basumatary, the Principal of the college and denied his nephew's any link with any militant group.<sup>33</sup>

vi. On 11<sup>th</sup> December 2013, two children Pranjit Narzary, student of class VI, Jirimia Narzary, student of class X were killed, another boy Nikodidin Narzary was injured by the bullet of a joint team of Assam police and Army at village Raidangbari in Chirang district.

vii. On 16<sup>th</sup> May 2014, Biraj Brahma of age 9, a class III student was hurt in a shootout by militant at Porbotjhora forest under Gossaigaon sub-division in Kokrajhar district.

viii. On 16<sup>th</sup> may, 2014, Bharat Boro of age 45 and Majen Boro of age 35 of village Dwimuguri were killed in Police firing at Panbari in Chirang district.

ix. On 21<sup>st</sup> August 2014, one 16 year teenage girl Priya Basumatary was shot dead by NDFB (S) militant for being an informer at Dwimuguri village of Runikhata Police Station under Chirang district.<sup>34</sup>

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<sup>30</sup> Protest over 'tortured' of ABSU leader, The Telegraph, 5<sup>th</sup> May 2005.

<sup>31</sup> Protest Rally taken out against Balipara Killings, The Assam Tribune, 26<sup>th</sup> May, 2007.

<sup>32</sup> The three youths picked up by the army personnel were from the Musalpur district of BTAD. The two being killed were Khwmdwn Daimary and Rajiv Basumatary, while the other happened to manage was Raj Kumar Rabha. Even on the matter the State High Court had the ordered probe into such open killing in the Baksa district.

<sup>33</sup> The Assam Tribune, 11<sup>th</sup> December 2013, Action demanded against security forces.

<sup>34</sup> The Indian Express, reported by Samudra Gupta Kashyap on 22<sup>nd</sup> August, 2014.

### **Findings:**

The study reveals that almost every member of the Bodo Community have been directly and indirectly suffering from the conflicts. The bulk of respondents believe that different kinds of violation of human rights take place in conflict situation. These include arrest without warrant, custodial death, murder, extra-judicial killings and sexual harassment etc. many are tortured on the suspicious of being members or having links with insurgent groups.

The reasons that have found from field survey are - population explosion, land encroachment, poverty, unemployment, assimilation of culture, cheap labour, political insecurity of native people, atrocities on civilians by government security forces and atrocities on public my militant groups.

The violation of human rights of the people is a harsh reality at the time of conflict situation. The following human rights are being violated due to conflict between Government arms forces and militant group.

i) Right to life, liberty and security of person. The protective provision are mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

ii) Right to education. The provision is mention in Article 26 (1) of UDHR and Article 21 (A) of Indian Constitution.

iii) Right to freedom of speech and expression. The provisions are mention in Article 19 of UDHR, Article 1 of UNDRIP and Article 19 (a) of Indian Constitution.

**4.2.2.3 Migration concern issue:** - The actual number of Muslim and other migrant presence both in the soil of BTAD and across the Assam is complicated and controversial one, since no specific detection work has been carried out so far. Different individual researcher, media organizations, govt. reports etc. shows different numbers of migrants presence. But this is undeniable fact that the Muslim community from formidable majority in the certain districts of Assam. There are also other migrants like Adivasis, Hindu Bangladeshi, Nepali and others.

As per as the presence of Muslim migrants in the soil of Assam is concern, it was confirmed at official level after the statement made by then Home Minister Indrajit Gupta in union Parliament that there were 10.83 million illegal migrant residing in India and out

of it, Assam itself bears 4 million.<sup>35</sup> Similar estimate of illegal migrant presence in Assam is also reported by Lt. Gen. (Rtd.) S.K. Sinha, then Governor of Assam. Recently released on 11<sup>th</sup> September 2013, though actual numbers settle in Assam is not given by the exodus from Bangladesh into India as whole has for the first been termed by United Nations as the single largest bilateral stock of international migrants in the eastern hemisphere and also in the developing world. Data revealed by the UN Department of Economic and Social Affairs (UN-DESA) shows that India is home of 3.2 million Bangladeshi residents who had migrated into the country and settled.<sup>36</sup> But interestingly, while releasing the “White paper on Foreign Issue” brought out by the Home and Political Department, Govt. of Assam, by quoting figures Chief Minister Tarun Gogoi said various tribunals from 1985 to July 2012 declared 61,774 persons as foreigners and these includes those who crossed the Assam-Bangladesh border between 1966 to 1977 and the post 25<sup>th</sup> march 1971 migrants.<sup>37</sup> The All Assam Students Union (AASU) dubbed the “white paper on Foreign Issue” published by Gogoi led Congress government as “a white lie” and accused both the state and centre for betraying the people by not implementing the Assam Accord of 1985 for 27 years. Apart from the Muslim migrants, formidable number of Adivasis and Hindu Bengali people are also found in BTAD area. Mainly, the Adivasis people are entering to the forest land illegally by destroying the forest.

Mass exodus of migrants has been impacting many ways. These are deforestation, overpopulation, land encroachment and alienation, increase of anti-social activities, cultural assimilation, ethnic clashes, emergence of Islamic militant, poverty, poor housing, poor health, education, sanitation and many more. High growth of population disturbing the demographic of the region for which encroachment and illegal settlement in the tribal belt and block areas, forest land, char areas etc. became concern of community security and human rights violation for smaller indigenous Bodo ethnic groups. This kind of trends not only threatening to the survival of smaller ethnic group of state rather matter of concern for internal security of the nation in peace building.

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<sup>35</sup>India Today, 10<sup>th</sup> August 1988 and also cited in the judgement on Sarbanda Sonowal vs Union of India and others (2005) by the Supreme Court of India.

<sup>36</sup>Articles.timesofindia.indiatimes.com/2013-09-13/india/42040328\_1\_bangladeshi\_migrants-south-asians-largest-group.

<sup>37</sup>www.thehindu.com/new/national/other-states/gogi-releases-white-paper-on-migrants-seeks-to-ally-fears-on-theissue/article401695.ece.

The indigenous people always consider and feel that the tribal belt and block areas are the only place for their survival and have close connection with it. But no successive State Governments have cared to implement the provisions of the protected areas. As a result, the protected areas have converted to the pleasure ground for the land hungry migrants. Eventually the ever increasing illegal migrants have outnumbered the tribal people in most of the tribal belt and blocks. Many social and political thinkers disgracefully heaved a sigh of sorrow that the Bangladeshi illegal Muslim migrants have been given more liberty in respect of settlement and other developmental spheres than the ethnic tribes by the successive State governments for the sake of vote bank politics.

As per observation made by the Sangha Parivar's of India, the Muslim migration is driven by communal motives, creation of a 'Greater Bangladeshi' or a conspiracy to spread radical Islamism. This cannot be ignored fully, since Bangladesh authority never accept population that are driven away from their land though found in their census record and it seems hoisting flags of Pakistan and Bangladesh sometimes at the time of clashes whatever has taken place in Assam. Anti-social activities like theft, rape, kidnapping, extortion, killing, etc. also directly or indirectly link with the Muslim migrants. Recent ethnic violence between indigenous Bodo tribe and Bangladeshi Muslim migrants in July, 2012 in five districts (viz. Kokrajhar, Dhubri, Chirang, Bongaigaon and Baksa) and in October, 2008 in two districts (viz. Udalguri and Darrang) of state are the best examples in this regard.

In the field of politics, political security of native in Assam is under big threat since migrants are in a position to influence the result of elections in a large number of constituencies in the North east and about 32% of the constituencies in Assam.<sup>38</sup> Nation where democratic system is followed, majority support is always matter to determine the fate of parties in power. In case of India, even after the adoption of principles of secularism and equality of all the people but communalism still continues to afflict our polity and very sad fact is that it has been increasing its intensity and area. Communalism constitutes the biggest strain in the unity and integrity of India as a nation. In this regard, observing the excessive population growth among the Muslim and role played by political parties, question of political security arise to protect the local interest of native people. Here, every individual must be clear that problem is not between Hindu and Muslim but

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<sup>38</sup>Group of Ministers Report on Reforming the National Security System, Chapter II, p.6, Para 2.35.

it is between native people and Bangladeshi migrants. Doubt on this issue can be clear from observation and pointed out by Dr. Arun K. Sarma that out of 126 constituencies of Assam, now there are more than 40 constituencies in which the population statistics are such that if they are united under the banner of one party, they can enter in the Assam assembly easily i.e. they can capture the one-third of the seats in the assembly of today.<sup>39</sup>

It will not be surprised to say that the Congress in Assam has been using the religious minority Muslim people as vote bank in politics. Even United Minority Front (UMF), Muslim based smaller religion political party of Assam product of protest against the formation of AGP and development of implementation of Assam Accord could not influence much due to Congress. But, newly formed All India United Democratic Front (AIUDF) formerly known as United Democratic Front (UDF) led by Maulana Badruddin Ajmal, Member of Parliament have become champion among minorities and brought certain changes in the scenario of state politics. The performance of AIUDF in state legislative assembly election clearly shows their popularity among minority. In 2006 assembly election out of 69 numbers of candidates' contested won 10 seats, in 2009 Lok Sabha election out of 9 contested won 1 seat and by securing 18 seats in 2011 assembly election had become second after congress and took the role of main opposition party. It will be noteworthy to mention that AAMSU and AIUDF have been taking leading role and became successful in bridging the gap between native Muslim people of Assam and Bangladeshi Muslim migrants. Such kind of unity will strengthen the majority base political parties in state politics. In BTAD area also, Muslim voters can take significant role. In most of the MCLA and MLA constituencies, they can be deciding factor. In MP (Lok Sabha) election also the supporter of Muslim can decide the winner. Due to Muslim support, Naba Kr. Sarania won as MP from prestigious Kokrajhar ST constituency in 2014. In last BTC election held in 2015, 8 numbers of independent candidate won, those were contested under the banner of Sanmilito Jonogosthiya Oikya Manch (SJOM) and Ana Bodo Suraksha Samiti (ABSS), back by other non-Bodo organisations mainly ABMSU and others. The AIUDF on the other hand lone got 4 seats. Such changes in the political scenario shows the Muslim community as important deciding factor in BTAD area.

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<sup>39</sup>K.Sarma, Arun (2006), *Illegal Migration from Bangladesh and the Electoral Politics*. In B.B.Kumar (Ed), *Illegal Migration from Bangladesh*. Delhi: Astha Bharati. p. 118.



Now, question may arise, how did Bangladeshi Muslim migrants got voting rights and native people of Assam today are forced to think about their political security? The straight answer is that Mr. D.N. Bezbaruah has been pointed out, by unofficial enrolment of non-citizens, a vote bank was created and they were given some right on land in addition to the right to stay and vote. So, this right to franchise gave them automatic citizenship.<sup>40</sup> Again as observed by Dr. Arun K. Sarma, there was gradual increase in the number of voters in every constituency, out of this in 40 constituencies they could nominated their candidates to the Assam Assembly and in another 20, and they could influence the outcome of election. If voters of native people are divided, the illegal migrants could determine whom to elect. That is the reason why some of the politicians have become dormant on this issue. Nobody wants to take the risk of telling the unpalatable truth. No political party wants to tell facts correctly because of this numbers game. The number factor is so high even today that to get a political mileage or power in Assam, the votes of migrants counts a lot and minus of those support, no one can form the government.<sup>41</sup> If this is the situation today than political security of native people are really in critical juncture. Native people in this regard must be conscious and must move hand to hand for the better political security in the days to come.

There is a large scale impact in the economy of state, these are decrease of agricultural land, unemployment, cheap labour, threat to work culture of native people, imbalance in per capita income of state etc. Due to mass exodus of Migrants, decreases of agricultural land are found in the areas where Muslim people are more in number. This is because huge growth rate of population. Bangladeshis migrants are hardworking and they are very much productive. Because of their hard labour and acceptance of cheap labour cost, there can be seen lots of construction workers, day labourers, rickshaw pullers, porters and household helpers in the cities and towns. Availability of cheap labours is diminishing the work culture of native people especially in the sphere of low category works. After the achievement of BTC, the maximum number of construction workers find in BTAD are Muslims from neighbouring district Dhubri and because of cheap labour, they always get preference. Whereas, the local Bodo people are roaming around in search of job.

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<sup>40</sup>Bezbaruah, D. N. (2006), *Illegal Migration from Bangladesh*. In B. B. Kumar (Ed.), *Illegal Migration from Bangladesh*. Delhi: Astha Bharati. p. 49

<sup>41</sup>K. Sarma, *op.cit.*, p. 119

The Adivasi on the other hand is the second largest group next to Bangladeshi Muslim migrants in BTAD region of Assam. If we look back to the pages of history, it is found that Adivasis were imported to Assam as labours to work in tea garden during the time of British period. Since, they are not original son of soil; so they do not have their ancestral land. Mainly the tea garden management authority were allowed them to stay in tea garden and still most of them are staying there. But, labourers those who have left the tea garden are illegally settling in forest and government lands without any proper land documents. As per the Adivasis of BTAD area is concern, they have been illegally settling in many forest areas. Most of the land inhabited by the Adivasis people are forest and government land. In this connection, once Walter Fernandes in his article ‘Assam Adivasis: Identity issues and Liberation’ described that ‘Adivasis are majority in lower Assam, especially in BTAD area; where Bodo people have been living since the time immemorial.’<sup>42</sup> He also added that ‘few numbers of them are fluent in Assamese language and most of them speak their Jharkand tribal language, which shows that Adivasi people of that particular area are not assimilated with the Assamese native culture and language unlike the Adivasis of upper Assam. Besides these, some of the Adivasis leader try to revert to their Jharkand identity, which creates negative impact on the minds of the native people.’<sup>43</sup> Such kind of situation always lead to feeling of insecurity in the mind of indigenous people.

The world where we live is currently restless with serious problems such as global warming, climate change, land and soil degradation, air and water pollution, deforestation, the thinning of the ozone layer, increasing crime rates, toxic chemicals in our food, poverty and lack of job, each of which is at least partially due to growing of population. The phenomenal population growth exerts immense pressure on other basic necessities like education, health, housing, clothing, employment opportunities etc. With employment opportunities in the rural areas becoming scare, population explosion is resulting in increasing migration of rural poor to other urban areas of the nation. These all problems are remarkable in BTAD area too. In order to support the growing population, forests are being destroyed illegally at an alarming rate. Especially land

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<sup>42</sup>Fernandes, Walter (2003), Assam Adivasis: Identity Issues and Liberation. Published in ‘Vidhyajyoti Journal of Theological Reflection.’ p. 21.

<sup>43</sup>Ibid

encroachment in tribal belt and block areas, forest land, char areas and government free land are major issue of concern. Unrest being seen are because of migration.

Some of the cases that have found in BTAD due to migrations can be cited. These are,

i) On 16<sup>th</sup> March 2009, at Saralpara in Kokrajhar district clashes took place due to boundary of land between Bodo and Nepali Community. At last, it was solved initiative taken by Ramfalbil Anchalik Committee, ABSU and KDC, AGSU.<sup>44</sup>

ii) Illegal encroachment in forest land at Bedlangmari, Bashbari (Part – II) under Tribal Belt and Block area, where Muslim people proposed to build Mosque. They had plan to use the land for Id-Gah-Maidan. In this regard, many Bodo organizations come forward and protest the plan. The BSS submitted memorandum to DC of Kokrajhar district on 18<sup>th</sup> August 2012.

iii) The villages namely Naworbhita, Saragaon, Angthihara and Munshirgop of Fokiragram Mouza under Dotma Revenue Circle of Kokrajhar district come under Dotma Tribal belt area as per notification no. RSD 02/82/10, dated – 16<sup>th</sup> June 1983. Those villages are in the hand of illegal encroachers now especially Muslim people.

iv) 31 (thirty one) Bodo families of village Tokeamari, some 12 km away from Kokrajhar town situated at border area of Kokrajhar and Dhubri district were forced to leave their village due to insecurity. Those families are temporary settling at Kokrajhar, Gossaigaon, Dotma and Kachugaon. This was claim by working President of BJSM, Mr. D. D. Narzary, and also alleged that concern authority has not taken any initiatives in this regard for their rehabilitation.<sup>45</sup>

v) Many Bodo villages like North Bollamguri, No. 1, 2 & 3 Dawaguri, Simultapu, Goladangi, Tulsibil, Aminkata of Gossaigaon sub division suffered during the Bodo - Muslim ethnic conflict of 2012. Fulkmari, Amlaiguri, Narengguri (Dingdinga) on the other hand most suffered villages during 2014 Bodo - Adivasi conflict. The local people claimed that due to migrants indigenous Bodo people are outnumbered in those areas, hence they have to lead their life with insecurity.

In order to know the perception of people on migrant people, who are significantly found in BTAD can be clear from the following.

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<sup>44</sup> Annual Report by L. Islary *op.cit.* p. 231.

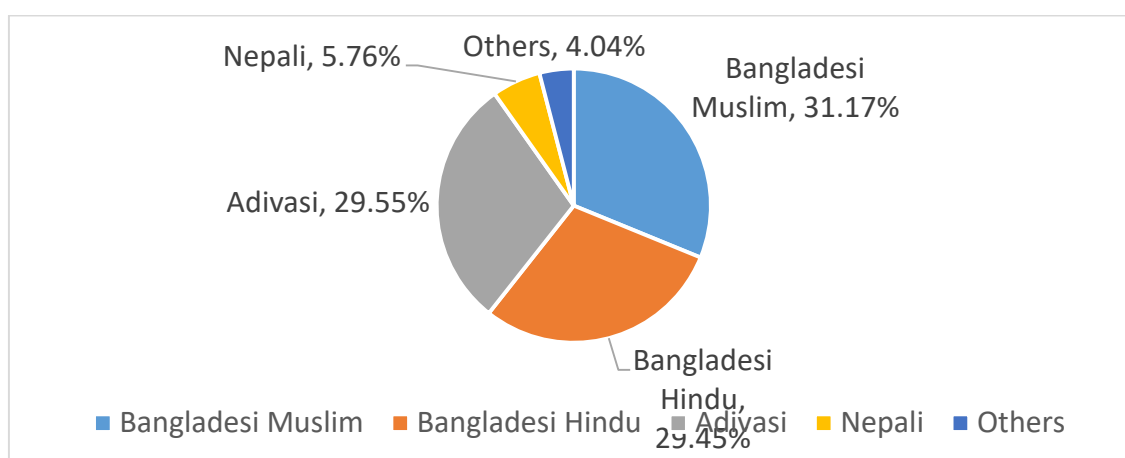
<sup>45</sup>Asomiya Pratidin, 3<sup>rd</sup> October 2018. Bodoland Janjati Suraksa Manchar Obhijok ‘Sondheyukta Bangladeshi Atyasarot Ghor Arise 31 ta Boro Pariyale.’

**Table 4.13**  
**Migrant people in BTAD**

Migrant people	Kokrajhar			Chirang			Baksa			Udalguri			Total
	Yes	No	No idea	Yes	No	No idea	Yes	No	No idea	Yes	No	No idea	
Bangladesi Muslim	150	19	31	153	22	25	156	21	23	157	22	21	616
Bangladesi Hindu	140	27	33	143	20	37	151	23	26	148	28	24	582
Adivasi	145	17	38	148	27	25	158	25	17	133	28	39	584
Nepali	35	145	20	26	157	17	27	151	22	26	159	15	114
Others	14	164	22	22	153	25	23	159	18	21	160	19	80

Source: - Field survey.

**Figure 4.11 Migrant people in BTAD**



Source: - Field survey.

### **Findings:**

The study reveals that 31.17% migrants of BTAD are Bangladeshi Muslim, 29.45% are Bangladeshi Hindu, 29.55% are Adivasi, 5.76% are Nepali and others are 4.04%. The rapid growth of population is quite hard to endure since it has a bad effect in the social, political and economic condition of recipient area or on native people. More specifically, the problem that emerges due to migration are - population explosion, land encroachment, poverty, unemployment, assimilation of culture, ethnic conflict, cheap labour, political insecurity of native people, deforestation, health and sanitation problem, and increase of anti-social activities.

The human rights of indigenous Bodo people that are being violated due to migration are:

i) Right to life, liberty and security of person. The protective provisions are mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

ii) Right to freedom of speech and expression. The provisions are mention in Article 19 of UDHR, Article 1 of UNDRIP and Article 19 (a) of Indian Constitution.

iii) Right to standard of living adequate for health and well-being of himself and family. The provisions is mention in Article 25 (1) of UDHR.

iv) Right to land & resources of it, use & develop, and legal recognition & protection of it, which they have owned traditionally. The provision is mention in Article 26 (1), (2) & (3) of UNDRIP.

**4.2.2.4 Witch hunting:** - The term 'witch hunt' is used for searching of people by labelling or branding them 'witch' or evidence of following 'witchcraft' (witchcrafts means the practice of, and belief in, magical skills and abilities through which an individual can harm to others) often involving in moral panic (feeling of fear spread among large number of people) and mass hysteria (phenomenon that transmits collective delusions of threats, whether real or imaginary through population in society as a results of rumour).

The witchcraft and witch hunting is very difficult to believe in modern society. But still, it is deeply rooted in backward society even in the dawn of 21<sup>st</sup> Century. Hundreds of innocent people are being killed by branding as a witch and it is one of areas of grave concern in India. The progressive people of the world consider it as a mere superstition or blind faith. In the context of human rights, right to life and dignity of life are inevitable rights and universally recognized one. Nobody has the right to take one's lives in the name of witchcraft. In fact, the right to life is inborn and inevitable, and must be respected properly.

Today, we are in 21<sup>st</sup> Century and world has witnessed lot of changes due to Liberalization, Privatization and Globalization (LPG). But, fruit of those great changes have been tasted and enjoyed by some sections of people only. Most of the people in backward areas are still suffering from various hardships or problems. One of the most such contemporary prevailing hardship that women are suffering from is social evil i.e. witch hunting. The women are the worst victim of this menace in society.

The worst evil witch hunting is raising their ugly heads in the entire state of Assam. BTAD area is being one of the most backward area in Assam is not free from such sort of problem. The practice of witchcraft and witch hunting is serious problems in Bodo society. As a consequence of this menace, many people from Bodo community are being killed by branding witch, whole members of family suffer due to victimization of family head, many children have become parentless, victim family members suffered from isolation and loneliness, boycotts from village, morally frustrated and become unable to involve in productive activities, force to leave the village, become homeless and many more.

The witch hunting in Bodo society is very old superstitious belief and unfortunately hundreds of Bodo people have victim of such sort of evil in society. But, most of the cases are not registered in Police Station. It was inform by concern authority while regarding the case registered by Bodo people, it was said that since the year 2000 only the family member or relatives of victimised people had seen coming to the Police Station. It obvious fact that the Bodo people are not familiar with registered of the cases in Police station. Since, we had the traditional way of judging the cases by villagers under the head of Gaonbura (Village Headman).

The following are the incidence of witch hunting, where people got killed in four different district of BTAD among Bodo Community since 2003 to 2014.

**Table 4.14**  
**Witch hunting related killing among Bodo Community**

Sl. No.	Year	Numbers of person killed			
		Kokrajhar	Chirang	Baksa	Udalguri
1	2003	2	1	0	0
2	2004	1	1	0	0
3	2005	4	1	0	0
4	2006	5	0	0	0
5	2007	0	4	1	1
6	2008	1	1	1	0
7	2009	0	0	0	0
8	2010	0	0	1	0
9	2011	9	2	3	4
10	2012	0	2	1	0
11	2013	3	1	0	2
12	2014	3	2	1	1

*Source: - Field survey and secondary sources.*

The killing cases for witch hunting among Bodo society is one of the main social evil against humanity. In this juncture, following are some of cases that have found in BTAD area.

i) On 31<sup>st</sup> May 2005, an age couple Nelson Daimary and his wife Bimala Daimary were killed in the name of Witchcraft by Niranjana Kakhary under Kalaigaon Police Station in Udalguri district. In this connection, on 18<sup>th</sup> November 2016 the then district and session Judge Darrang, Nalinakshya Sarma in a landmark judgement passed for the first time in the state awarded capital punishment to the accused Niranjana Kakhary. However, the appellate court later reduced the punishment to life time rigorous punishment.<sup>46</sup>

ii) On 1<sup>st</sup> January 2011, an elderly couple Sarat Bindu Hazowary (65) and his wife Tapashree Hazowary (57) were brutally killed on the suspicion of practising black magic in Habrubeel village of Kokrajhar district.

iii) On 15<sup>th</sup> April 2011 Purnima Basumatary (57) and Madani Basumatary (55) were beaten to death in Belguri Guwabari village of Kokrajhar district.

iv) On 16<sup>th</sup> April 2011 Bipula Narzary was hacked to death at Borsabil village under Gossaigaon Police Station in Kokrajhar district by a fellow villager Dusmal Narzary. Later Dusmal Narzary surrendered to Saraibil Police Outpost and confessed the killing.

v) On 17<sup>th</sup> April 2011, one Sarala Brahma (52) of Samtaibari village under Kokrajhar Police Station was taken away from home by unidentified miscreants and killed.

vi) On 29<sup>th</sup> April 2011, aged couple Jugen Boro (65) and wife Alasi Boro (60) were forcefully taken away from their home and killed under Mazbat Police Station in Udalguri district.

vii) On 25<sup>th</sup> May 2011, Jogen Boro (60) and his wife Akhari Boro (55) were killed because of superstitious belief by villagers in the backward village call Hadanguri along the Assam – Arunachal Pradesh border under Udalguri district.<sup>47</sup>

viii) On 3<sup>rd</sup> June 2011, three elderly persons namely Saniram Boro (65), Suren Ramchiary (62) both of them from Thaikarkuchi and Hagam Boro (60) of adjoining

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<sup>46</sup>Interactin on Social Ills held in Udalguri, The Sentinel, Guwahati, 15<sup>th</sup> August 2011, p. 11.

<sup>47</sup>Spurt in Witch Hunting cases in Assam, The Sentinel, Guwahati, 25<sup>th</sup> May, 2011, p. 3.

village Sitalpur under Tihu Police Station in Baksa district were called out of their respective home by a group of miscreants, numbering around 15 to 20, before they were killed and their bodies buried on the bank of river.<sup>48</sup>

ix) On 9<sup>th</sup> October 2011, one Urbushi Narzary (55) with her husband Bigiram Narzary (60) of No.1 Jaraguri village under Simultapu Police Outpost in Gossaigaon sub-division of Kokrajhar district were stoned to death by people who alleged the couple was responsible for numbers of death in the village.<sup>49</sup>

x) On 6<sup>th</sup> November 2011, an elderly couple Ramon Narzary (55) and his wife Bulao Narzary (50) were killed at Tilapara Dimakumarigaon under Dangtol Police Station Chirang district on suspicion of practising black magic on a child of the village.<sup>50</sup> In this connection, son of couple Amar had filed a police complaint seeking action against those involve in killing. During the investigation, police identified four people as accused and arrested of them. The eight accused identified as Gauri Boro is still absconding.<sup>51</sup>

xi) On 21<sup>st</sup> November 2012, Lakhiram Brahma (55) and his wife Naleb Brahma (50) were killed at Tangshigami in Chirang district.

xii) On 20<sup>th</sup> February 2013, one Chekon basumatary (58) a tailor by Profession of Samugaon under Bijini Police Station in Chirang district was killed while returning home after attending marriage party at locality by suspecting witch.<sup>52</sup>

xiii) On 20<sup>th</sup> June 2013, one Lepsri Narzary (42) was killed and body was dumped in a paddy field at Bhatipara near Kokrajhar town under Kokrajhar district.

xiv) On 23<sup>rd</sup> August 2013, Biren Basumatary (66) and his wife Sukushri Basumatary (55) of Milonpur under Kokrajhar district were killed on suspect of witch practitioner.<sup>53</sup>

xv) On 22<sup>nd</sup> March 2014, Rajendra Brahma, Bangali Brahma and Malati Brahma of Monglajhora of Kokrajhar district were killed on suspect of witch practitioner.<sup>54</sup>

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<sup>48</sup>Mushahary, J. and J. Basumatary (2014), Witch Hunting: Menace of Society with special reference to the Kokrajhar district. In Dr. Jyotiraj Pathak (Eds.), Tribal Welfare in India with special reference to North East India. Visakapatnam: Global Publishing House. p. 286

<sup>49</sup>ABSU condemns killing on suspicion, The Assam Tribune, Guwahati, 14<sup>th</sup> October 2011, p. 10.

<sup>50</sup>Mushahary J. and J. Basumatary, *op.cit.* p. 286.

<sup>51</sup>News – Mid Day, 2<sup>nd</sup> June 2015.

<sup>52</sup>‘Witchcraft Suspect Killed’ in English daily, The Assam Tribune, Guwahati, 21<sup>st</sup> February 2013, p. 9.

<sup>53</sup>Witchcraft: Three in Kokrajhar, The Assam Tribune, Guwahati, 21<sup>st</sup> February 2013. p. 9.

<sup>54</sup>3 Killed in Witch Hunting in Kokrajhar, The Assam Tribune, Guwahati, 23<sup>rd</sup> March 2014, p. 1.



### **Findings:**

The study reveals that there is presence of witch belief and witch hunt in Bodo society, especially it is more in rural or backward areas. Hence, many people become victims of this social menace. This problem is concern with multifaceted reason. The reasons are illiteracy, poverty, superstition, jealousy, personal enmity, property dispute, backwardness, lack of modern good health care facilities, lack of awareness, consumption of excessive alcohol and political rivalry.

Due to witchcraft and witch hunting, the human rights that are being violated are,

i) Right to life, liberty and security of person. The protective provisions are mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

ii) Right to freedom of conscience to profess and practise of any religion. The provision is mention in Article 25 of Indian Constitution.

iii) No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment. The provision is mention in Article 5 of UDHR.

**4.2.2.5 Land issue:** - The sense of connection to the land is a primary factor in the psychological makeup of Indian people. As the land is alienated, social cohesion erodes.<sup>55</sup> Connection to the land is intimately intertwined with native oneness, values, culture and lifestyle. Loss of land presents enormous challenges for maintenance of ethnic identity and culture. Similarly, the fear of losing land and identity connected with land have been one of the root cause for separate demand of Bodos. The conflicts and misunderstanding, whatever we have been witnessing in Bodo dominated areas of Assam are directly and indirectly connected with land. Because, land belong to the aboriginal inhabitant of Bodo are not secured due to alienation and encroachment by non-tribal in tribal belt and blocks areas. Whereas, the tribal belt and block areas are mean for the certain weaker section of people. The Bodo community as ST is one of the people among those weaker section of people.

The Assam was annexed to the British territories in 1826 after the Treaty of Yandaboo. After that in 1886, the British administration introduced a general land policy enacting the Assam Land and Revenue Regulation Act, 1886 with the aim and objective

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<sup>55</sup>Deloria, Vine & Clifford Lytle (1984), Nations within: the Past and Future of American Indian Sovereignty. New York: Pantheon. p. 47.

to provide systematic regulation of land and revenue in the province. It came into force with effect from 1<sup>st</sup> July 1886. But, when the above mentioned Act on land was introduced, the British Administration did not incorporate any provision for providing protective measures for the weaker section of people or indigenous tribal people.<sup>56</sup> Mass exodus of immigrations from East Bengal and settling in huge free lands invoked the resentment in the mind of indigenous Assamese and plain tribal people of Assam. Even, the indigenous people were compelled to go for agitation against the anti-indigenous policy adopted by the government. Especially the plain tribes, inhabitants of Brahmaputra valley became the most affected people due to settlement of land hungry people from East Bengal. In the latter part, realising the necessity to restrain the immigrants and prevent possibility of conflicts, the British administration introduced Line System, which was mooted in 1916 and adopted in 1920.<sup>57</sup> But, the Line System also fully could not help to check the grabbing of the land by immigrants.

It was only in 1945 that the Government of Assam included a paragraph in the 'Resolution of Land Settlement' published under no. RD.68/44/52, dated 15<sup>th</sup> January 1945 for providing protection to the tribal and other backward classes of people. In pursuance to the 1945 resolution, the new chapter called 'Chapter X' was added under the caption 'PROTECTION OF BACKWARD CLASSES' after the amendment of the Assam Land and Revenue Regulation (Amendment) Act, 1947 during the Chief Ministership of Lokopriya Gopinath Borodoloi.<sup>58</sup> This way, in exercise of the powers conferred by Section 161 of the Assam Land and Revenue Regulation, 1886 (Regulation 1 of 1886) as amended by the Assam Land and Revenue Regulation (Amendment) Act, 1947 (Assam Act XV of 1947), the first Tribal Belt of Sidli and first Tribal Block of Bijni were constituted by a Notification No. RD.69/46/20, dated 5<sup>th</sup> December 1947. Thereafter, various Tribal Belt and Blocks had been constituted by the power of section 160 of the said Act. There are 17 Tribal belts and 30 Tribal Blocks numbering total 47 Tribal Belt and Blocks are there in Assam till 30<sup>th</sup> June 1990.<sup>59</sup>

The following are the Tribal Belt and Blocks areas in four districts of BTAD constituted during different years with different areas. But, it will be more precise to

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<sup>56</sup>Narjinari, H. Charan (2014), *The Saga of the Bodos*. Kolkata: Regent Greens, p. 43.

<sup>57</sup>Ibid, p. 44.

<sup>58</sup>Hawelia, Nitu and Medha Lila Gope (2011), *An Introduction to the Land Laws of Assam*. Guwahati: Bookland, Pp. 118-119.

<sup>59</sup>Narzinary, H. Charan, *op.cit*, p.46.

mention here that number of all villages may not be included in BTAD area and name of circles may changes from one to another due to convenience of administration for BTC, because after the creation of BTC some new sub-division and districts are come up.

**Table 4.15**  
**Tribal belt & block area, quantity of land and govt notification number**

Sl. No.	Name of Tribal Belt and Block	Govt. Notification	Quantity of land	Number of villages	Circles
1	Ripu Tribal Belt	RSD.5/82/43, Dt. 23/11/1945	1, 60, 644	106	Gossaigaon and Bhaowraguri
2	Sidli Tribal Belt	RD.69/45/20, Dt. 5/12/1947	4, 66, 270	333	Sidli, Dotma, Gossaigaon and Kokrajhar
3	Sidli Tribal Belt (Part)	RD. 69/45/20, Dt. 5/12/1947	1, 36, 567	93	Sidli
4	Bijni Tribal Block	RD. 69/45/20, Dt. 5/12/1947	2, 35, 759	131	Bijni
5	Kalaigaon Tribal Belt	RD. 74/46/119, Dt. 12/7/1948	11, 99, 409	704	Kaligram, Koirabari, Harisnga, Majbat & Udalguri
6	Bhuyakat Tribal Block	RD. 74/46/119, Dt. 12/7/1948	9, 299	5	Kalaigaon
7	Dolgaon Tribal Block	RD. 74/46/119, Dt. 12/7/1948	38, 299	18	Dolgaon
8	Baksa Tribal Belt	RD. 74/46/161, Dt. 22/8/1949	3, 33, 982	146	Baksa
9	Tamulpur Tribal Belt	RD. 74/46/161, Dt. 22/8/1949	2, 43, 509	161	Tamulpur
10	Tamulpur Tribal Belt (Part)	RD. 74/46/161, Dt. 22/8/1949	2, 01, 029	91	Goreswar
11	Govordhona Tribal Block	RD. 74/46/161, Dt. 22/08/1949	38, 348	24	Bornagar
12	Bajegaon Tribal Block	RD. 74/46/161, Dt. 22/08/1949	6, 526	4	Bornagar
13	Karija Rojni Tribal Block	RD. 74/46/161, Dt. 22/08/1949	34, 932	16	Bornagar
14	Chapaguri Tribal Belt	RD. 74/46/161 Dt. 22/08/1949	1, 63, 573	85	Sarupeta and Jalah
15	Santhal Colony Tribal Block	RSD.9/77/11, Dt. 24/8/1977	57, 930	333	Gossaigaon
16	Dotma Tribal Belt	RSD.2/82/10, Dt. 16/6/1983	38, 185	37	Dotma
17	Balaghat Nayekgaon Tribal Block	RSD. 1/53/15, Dt. 5/7/1984	78, 777	43	Chapor
18	Parbatjhora Tribal Belt	RSD. 5/82/44, Dt. 23/11/1984	3, 23, 187	182	Dhubri, Golgonj, Bogribari

Source: - *Tribal Belt and Blocks, published by Govt. of Assam.*

The saddest part is that the land belong to indigenous tribal people, fall under the tribal belt and block areas are not protected properly. Time to time, many controversial debates have seen for not proper implementation of land laws. Even, the indigenous tribal

people go for democratic movement for protection of ancestral land by implementing the existing land laws.

During the Chief Minister led Congress regime on 3<sup>rd</sup> July 2006, the state government took cabinet decision to take action against the encroachers. According to that meeting, some 4, 18, 670 Bighas of land of tribal belt and blocks are encroached by the non-tribal in 16 districts of Assam.<sup>60</sup> The following table shows the details of land in four districts of BTAD that are being encroached by non-tribal.

**Table 4.16**  
**Tribal belt and block areas Land encroached by non-tribal**

Sl. No.	Districts	Total quantity of land
1	Kokrajhar	14, 891 Bigha, 3 Kotha, 15 Lessa
2	Chirang	10, 171 Bigha, 1 Kotha, 5 Lessa
3	Baksa	15, 298 Bigha, 0 Kotha, 15 Lessa
4	Udalguri	1, 65, 713 Bigha, 2 Kotha, 10 Lessa
<b>BTAD</b>		<b>2, 06, 074 Bigha, 3 Katha, 5 Lessa</b>

*Source: - 3<sup>rd</sup> July 2006 in Cabinet Meeting during Congress Government in Assam and reported by News 18 Assam.*

In the summer session of BTC Legislative Assembly held in 2014, the then EM of Land and revenue Department, BTC, Mr. Reo Reoa Narzihary said that they had no knowledge about fresh encroachment in tribal belt and block areas in BTC but the department concern was collecting the data of fresh encroachments. He admitted that a total of 3, 49, 505 Bighas, 4 Katha, 8 Lessa of Tribal Belt and Blocks and TSP areas had been encroached in BTAD area.<sup>61</sup>

As per as the encroachment in forest land is concern, Deputy Chief of BTC, who is the In- charge of Forest and Tourism said in his written reply during the summer session of BTC Legislative Assembly held in 2014 said that the encroachment in forest land and reserve forest areas was going on in various reserve forest like Kachugaon, Dhansri, Chirang, Baksa, Haltugaon and Porbotjhora division.<sup>62</sup> He also added that Haltugaon division of Kokrajhar district has the highest record of encroachment of forest land.<sup>63</sup>

<sup>60</sup>Discussion on 3<sup>rd</sup> July 2006 in Cabinet Meeting during Congress Government in Assam and reported by News 18 Assam.

<sup>61</sup>The Sentinel, Kokrajhar Correspondent, 6<sup>th</sup> October 2014.

<sup>62</sup> Ibid

<sup>63</sup> Ibid

Such trend of encroachment really very unfortunate for the generation to come. Destruction of thick forest badly leading to environmental degradation.

The following **table 4.17** reveals the details of quantity of land that are being encroached in different forest land of BTAD Assam.

**Table 4.17**  
**Encroachment of Forest Land**

Sl. No.	District	Division	Quantity of land
1	Kokrajhar	Kachugaon Division	2385.14 Hectare
		Haltugaon Division	14538.41 Hectare
		Porbotjhora Division	3332.8 Hectare
2	Chirang	Chirang Division	8894.21 Hectare
3	Baksa	Baksa Division	6337.6 Hectare
4	Udalguri	Dhansri Division	4262.7 Hectare

*Source: - The Sentinel, Kokrajhar Correspondent, 6<sup>th</sup> October 2014.*

The land with which the identity of community is connected should be protected, then only leading of life with full security is possible, and dream of preservation of ethnic identity is possible and promotion of language as well as culture can be possible. This is what the Bodo people think with land. Whatever crisis are prevailing due to Migrants in Assam and in regard to the ethnic identity movement of Bodos since mid-1970s are connected with their due land rights being tribal, and that needs systematic and wide humanistic approach to resolve the issue and problems.

The following are some of the cases in BTAD as an outcome of encroachment in belt and block areas by non-tribal. These are,

i) The land belong to indigenous Bodo people measuring 380 Bighas 7 Kotha 17 Lessas fall under tribal belt and block area of village Mozabari under Sidli Revenue Circle of Chirang district is in the hand of non-tribal encroachers. In this regard, Bodoland Janjati Suraksha Manch (BJSM) has been seeking justice. Accordingly, Smt. Subhalaksmi Deka, Joint Secretary, BTC, Kokrajhar vide letter bearing no. BTC/LR-246/2018/65, dated – 11<sup>th</sup> October 2018 has directed to the Circle Officer, Sidli Revenue Circle, Sidli, Chirang for details report.

ii) The reasons that have found from survey, which led to the encroachment in forest land both by tribal and non-tribal are migration, population explosion, poverty, unemployment, ethnic clashes, natural calamities, expansion of agricultural land, fertile land and for new settlement.

### **Findings:**

The study reveals that the land rights of the Bodo tribal have been consistently violated by negligence of some government officials and some section of politicians for their narrow vested political interest. As a result, numbers of non-tribal villages have come up and outnumbered the tribal population in those notified areas.

Being the aborigine citizens of country, every ethnic group or native people or sons of the soil have every right to live peacefully with their due rights but the way migrants are threatening to the social security, political security and economic security in the survival of native people of the land can never be a good sign for the future. The factors responsible for encroachment by outsiders in tribal belt and block areas are migration including Bangladeshi Muslim, Adibasi, Hindu Bangladeshi, Nepali and others. Due to illiteracy, indigenous people are not aware about the future. Lack of keenness to protect the protected land by bureaucrats and some selfish politicians are also one of the cause.

The human rights that are being violated in respect to land issues are:

i) Equality in dignity, rights and before the law. The provision is mentioned in Article 1 of UDHR and Article 14 of Indian Constitution.

ii) Prohibition of discrimination on the ground of race, caste and place of birth. The provision is mention in Article 2 of UDHR and Article 15 of Indian Constitution.

iii) Right to land & resources of it, use & develop, and legal recognition & protection of it, which they have owned traditionally. The provision is mention in Article 26 (1), (2) & (3) of UNDRIP.

iv) The concern state should give special care to ST people and should protect them from social injustice and all forms of exploitation. The provision is mention in Part IV, Article 46 of Indian Constitution.

**4.2.2.6 Health care concern issue:** - Health refers to a state of sound mind and physically fit body free from any disorder, sickness or ailment. In simple words, health refers to the physical, emotional and psychological well-being of person. According to WHO - "Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity."

Health of human being are considered as one of the most vital indicators of quality of life. In this connection, WHO in 1984 defines “complete state of physical, mental, social wellbeing, not simply the absence of diseases.” The declaration of UDHR also clearly states “the protection and promotion of health is one of the most basic human right that an individual should get.” The increasing demand for needs of more and advance health care services are because of demand of individual or community to get better health status i.e. free from any sort of diseases. The suffering from deadly diseases also always lead to demand of more better and advance health care centres.

The proverb saying health is wealth is undeniable fact for healthy and happy life. The healthy body and sound mind person only can do their duty properly being human. In this connection, importance of good health for person cannot be ignored at any cost. That very good health is possible only through proper nutrition. As per as women is concern, by concentrating on proper nutrition throughout the life-cycle of a women, she would have a much healthier life to pursue her multiple responsibilities for production, reproduction and care of family more efficiently, thereby in turn enhancing her social and economic status.

Nutrition is the science of nursing the body. It interprets the interactions of nutrients and other substances in food in relation to maintenance, growth, reproduction, health, diseases of an organism. It includes food intake, absorption, assimilation, biosynthesis (biogenesis or anabolism), catabolism and excretion. Nutrition plays a major role in an individual’s overall health. Psychological and physical health status is often dramatically impacted by the presence of malnutrition.

Whenever we talk about health related issues of ST people of India, it comes to our mind of their food habit or nutrition and sanitation. The worst victim in relation to health problems in India are ST people. The Bodo community of BTAD are also not different from other tribes of India in terms of maintaining good health. There are various significant factors, which can be seen among Bodos and all those proves that large proportions of Bodo population is not able to access the quality healthcare. These factors are geographical isolation, illiteracy, poverty, traditional societal attitudes and belief, lack of sufficient or available health care centres, lack of knowledge, and inadequacy of health providers. Diseases like anaemia, high blood pressure, heart disease, gastritis, diarrhoea and cancer are very common. The main causes of such diseases can be seen due to lack

of nutritious food, lack of sanitation facilities and lack of access to medical facilities. Since some Bodo people are forest dwellers, they are more prone to the diseases like malaria and animal bites, especially many have to die for snake bites. The consumption of heavy alcohol is very common among the male Bodo people. Such sort of excessive consumption is detrimental to health. Diseases like liver problem, pancreatic, cancer, ulcers and gastrointestinal problems, immune system dysfunction, brain damage, malnourishment and vitamin deficiencies, accident and injuries are being seen very common.

The health care facilities that are available for the people of BTAD can be found both government and private, as well as urban and rural. The government urban health care centres are district hospitals located mainly in district headquarters, sub-divisional hospitals and block level hospitals. Rural government health services are being provided through Primary Health Centres (PHCR), Sub-Health Centre, First Referral Units (FRU), Community Health Centres (CHC) and Sub-Centres. The following **table 4.18** will show the details of government hospitals and health centres in four different districts as per 2014-15.

**Table 4.18**  
**Number of Govt. Hospitals and Health care centres**

<b>District</b>	<b>Hospitals</b>	<b>SDCH</b>	<b>PHC</b>	<b>FRU</b>	<b>CHC</b>	<b>Sub-Centres</b>
Kokrajhar	1	1	44	4	5	177
Chirang	1	Nil	26	2	2	76
Baksa	1	Nil	44	5	5	157
Udalguri	1	Nil	23	4	3	142
<b>BTAD</b>	<b>4</b>	<b>1</b>	<b>137</b>	<b>15</b>	<b>15</b>	<b>552</b>

*Source: - Statistical Handbook of BTC, 2014-15, p. 89, table 15.01.*

The number of capacity of beds for patients are differ from one district to another. The following **table 4.19** will show the details in terms of numbers or capacity of beds in different kind of health care institutions of BTAD as per 2014-15.



**Table 4.19**  
**Number of beds in Different type of Health Care Institutions in BTAD**

District	Number of beds					Total
	CH	BPHC	MPHC	CHC	SDCH	
Kokrajhar	200	24	6	120	100	450
Chirang	100	12	20	60	Nil	192
Baksa	200	36	Nil	150	Nil	386
Udalguri	100	18	62	120	Nil	300
BTAD	600	90	88	450	100	1328

Source: - *Statistical Handbook of BTC, 2014-15.*

The numbers of medical and paramedical staffs in four districts of BTAD as per 2014-15 is being given below in **table 4.20**.

**Table 4.20**  
**Number of Medical and Paramedical Staff in BTAD**

Post/Designation of staff	Nature of position		
	Government	NHM	Total
MBBS Doctors	156	49	205
Specialist Doctors	25	2	27
Ayurvedic Doctors	70	59	129
Dental Surgeon	11	4	15
Homeopathic Doctors	12	8	20
MBBS Doctors for 1 year rural posting	5	44	49
ANM	503	548	1051
GNM	111	176	1051
Pharmacists	164	21	185
Lab Technician	121	72	193
Radiographer	15	5	20
Rural Health Practitioner	Nil	27	27

Source: - *Director cum CHD, Health & Family Welfare Department, BTC.*

The private hospital and diagnostics centres are taking remarkable role in providing health service to the people. The rich section of people even prefer the private hospitals than government one. Such trend in India is really unfortunate. Due to huge population and limited numbers of good government hospitals, it is very difficult to get immediate treatment in government hospitals and medical colleges. Hence, this is one of the reason for opting of private hospitals. But, in case of BTAD region the scenario of private hospital is totally different than other big town and cities of India in general and Assam in particular. We have few numbers of private hospitals and registered diagnostic centres. The following **table 4.21** will show the details,

**Table 4.21**  
**Private Hospitals and Registered Diagnostic Centres in BTAD, 2014-15**

District	Nursing Home	Clinic/Poly Clinic	Total (2 + 3)	Diagnostic Centres
Kokrajhar	2	5	7	3
Chirang	1	Nil	1	Nil
Baksa	Nil	Nil	Nil	Nil
Udalguri	Nil	2	2	1
<b>BTAD</b>	<b>3</b>	<b>7</b>	<b>10</b>	<b>4</b>

*Source: - Statistical Handbook of BTC, 2014-15.*

Though we have above given facilities, but it is unfortunate to say that the existing number of health care centres are not enough at all. As per SDCH are concern, only one sub-division of BTAD is having SDHR, on the other hand not even single MPHC is seen in Baksa district. The Medical and Paramedical Staff mentioned in **table 4.20** is not enough, if we equally want to make ratio on the basis of the total population of the BTAD area. In present context of the world, private hospitals or nursing home and private clinics take great role in providing better health service to the people. But, unfortunate fact is no single nursing home are being seen in Baksa and Udalguri district. No registered diagnostic centre are seen in Chirang and Baksa district.

Here, after the study and analysis of data, in findings it can be said that there are some human rights concern issues are being seen. These are good health facilities and services must be accessible to everyone. Assessment on accessibility requires the analysis of hindrances or barriers like availability of health care centres and staff appointment in those centres, and financial involvement may be, how these are affecting on the poor and illiterate section of the people from rural areas in achieving good health. Monitoring system on health related information, and whether these information are reaching to all sections of population or not are also utmost essential.

Poor health is one of the main problems, from which the women of the region has been suffering since long. Especially, the indigenous Bodo women work more but consume less food. Due to lack of knowledge for requirement of rich nutritious food for health, they suffer from various disease like anaemia, low blood pressure, migraine, jaundice etc. But, illiterate women mostly from backward areas are hesitate to come to hospitals and consult with medical experts or doctors to get better treatment. Hence, many people have to die for simple disease. The main factors in this juncture can be found

poverty, illiteracy, lack of hospitals, shy to disclose disease to others, traditional way of treatment and many others.

There are some lacking on the part of government too. The ACHR Reports of 2009 shows that the Govt. of Assam diverted huge amounts of funds given by the Central Government under Supplementary Nutrition Programme (SNP) for Children. This was revealed in the latest report of the Comptroller and Auditor General (CAG) of India in 2008. According to CAG report, the government diverted a whopping of Rs. 135.86 Crore Central fund under SNP for children below 3 (three) years of age during 2002-2003. The reports also revealed that the government provided only a sum of Rs. 236.73 Crore for the programme against the requirement of Rs. 1345.30 Crore for providing supplementary nutrition to children in the age group 0-6 years is concerned besides pregnant and nursing mothers during 2002-03 and 2006-07. The budget estimates was prepared for over 54.37 lakh children besides pregnant and nursing mothers during 2005-06 and 2006-07 but only about 47 per cent of the total targeted eligible beneficiaries were actually covered during implementation.<sup>64</sup>

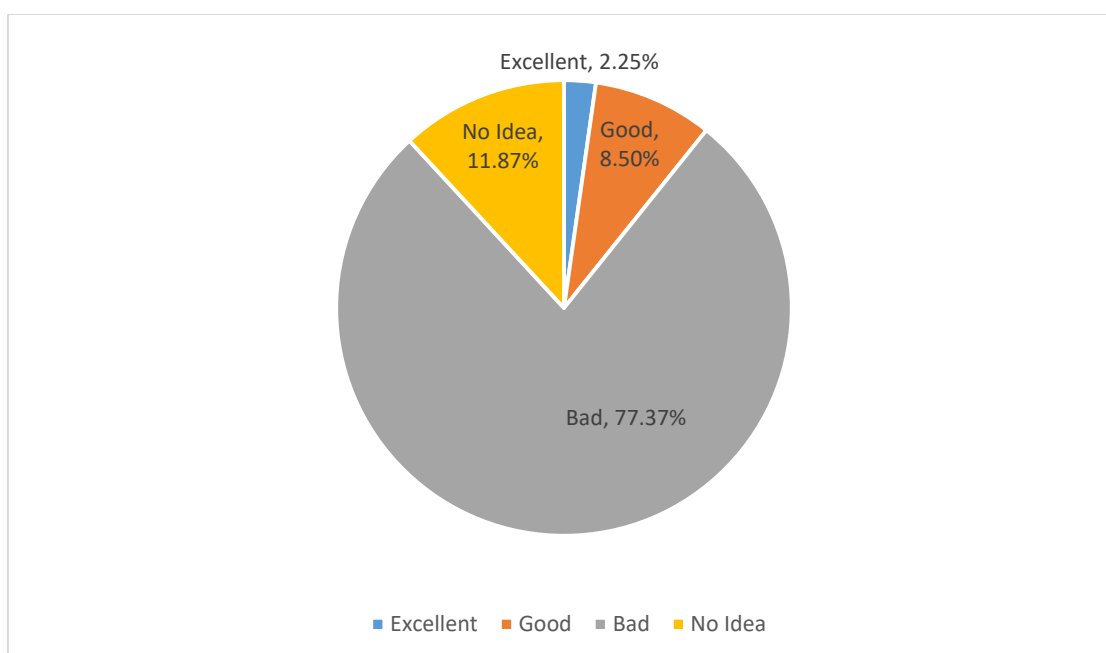
The following table shows the perception of respondents on the overall status of health among the Bodo community in BTAD area.

**Table 4.22**  
**Health status of Bodo people in BTAD**

<b>District</b>	<b>Excellent</b>	<b>Good</b>	<b>Bad</b>	<b>No idea</b>
Kokrajhar	2	13	163	22
Chirang	5	18	149	28
Baks	7	15	151	27
Udalguri	4	22	156	18
<b>BTAD</b>	<b>18</b>	<b>68</b>	<b>619</b>	<b>95</b>

*Source: - Field survey.*

<sup>64</sup> The Assam Govt. diverted fund meant for children: CAG, The India Express, 29<sup>th</sup> March 2008.

**Figure 4.12 Health status of Bodo people in BTAD**

Source: - Field survey.

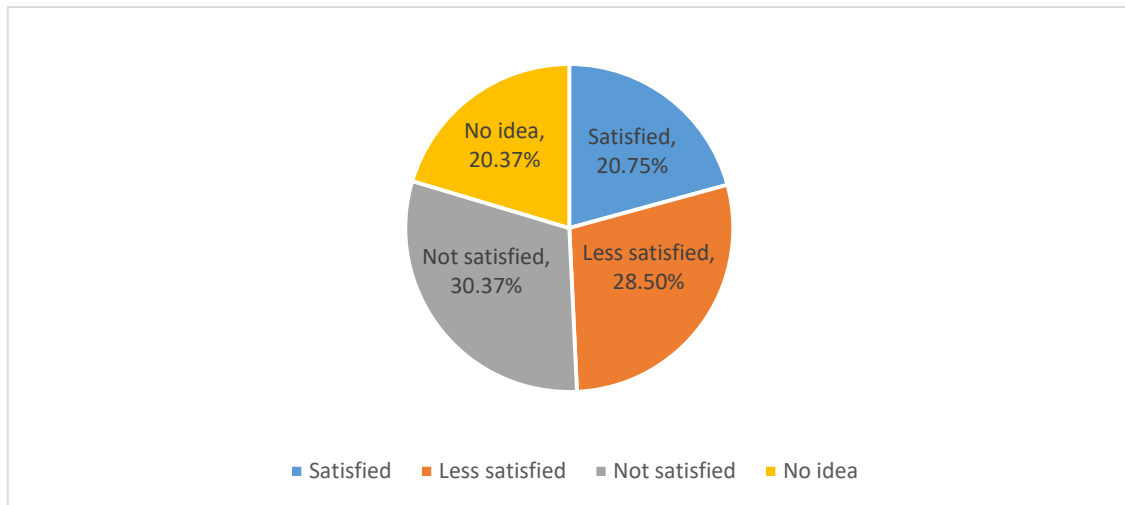
In order to know the satisfactory level of respondents, the four options i.e. a) Satisfied, b) Less satisfied, c) Not satisfied and d) No idea was given in questionnaire. The following table shows the perception of respondents on health care facilities provided by government.

**Table 4.23**  
Perception on health care facilities by governments

Sl. No.	District	Satisfied		Less satisfied		Not satisfied		No idea	
		Male	Female	Male	Female	Male	Female	Male	Female
1	Kokrajhar	19	18	24	29	35	24	25	26
2	Chirang	23	23	32	33	30	27	15	17
3	Baksa	20	21	26	28	32	29	23	21
4	Udaguri	25	17	29	27	31	35	15	21
<b>5</b>	<b>BTAD</b>	<b>87</b>	<b>79</b>	<b>111</b>	<b>117</b>	<b>128</b>	<b>115</b>	<b>78</b>	<b>85</b>

Source: - Field survey.

**Figure 4.13 Perception on health care facilities by governments**



Source: - Field survey.

### **Findings:**

The findings of study **Figure 4.12** regarding overall health status of Bodo people in BTAD reveals that 2.25% of people responded excellent, 8.5% of people responded good, 77.375% responded bad and 11.875% don't have idea. Again, **Figure 4.13** Perception on health care facilities by government reveals that 20.37% of people responded satisfied, 28.50% people are less satisfied, 30.37% people responded not satisfied and 20.37% don't have idea.

The reasons for the poor health of Bodo community are illiteracy, poverty, backwardness and lack of modern good medical facilities. In this regard, the Govt. of Assam and Govt. of BTC have been taking their best possible ways to improve the health of this region. Still, there is in need to do more works for improvement of health. Hence, government need to take better more initiatives so that every section of people can get access to good health.

The human rights that are being violated in respect to the health care concern issues are:

i) Right to standard of living adequate for health and well-being of himself and family. The provisions is mention in Article 25 (1) of UDHR.

ii) Equality of opportunity. The provision are mention in Article 2 of UDHR and Article 16 of Indian Constitution.

iii) The states should take effective measures for monitoring, maintaining and restoring the health of indigenous people. The provision is mention in Article 29 (3) of UNDRIP.

**4.2.2.7 Education concern issue:** - Education plays a great role in preparation for human resources of nation. The good education only can produce good results. Hence, whatever policy we adopt for development of education always should be for the betterment of human society and nation as well. Realization of this, the nation has been adopting various policy during different period. This way, people of every section in society is acquiring education across the nation. But, in case of implementation of those policies seems not proper in backward rural region of the nation, as a result the literacy rate is very low comparatively. The literacy rate that are found in backward rural areas of BTAD region is not satisfactory in comparison to other district of Assam. Especially, the female literacy rate is very poor. Quality education is doubtful and skill education are also not being given properly.

School education has become a formal phenomenon, earlier it was informal in nature. Modern education system gives emphasis on formal education. Therefore, school plays an important role in the domain of development. In this respect, there are certain pre-requisites in formal education system such as various components like modern infrastructural facilities, healthy teacher student relations and so on.

Parents, especially mothers, also play an important role to promote Children's Rights specially the 'Right to Education.' Family is the cradle of society where the child learns many things to be a social being. Therefore, parents' role is also an important part for the overall development of their wards. In the following section, the focus will be on teacher-specific role in educating the primary level students and the role of the parents, especially mothers, to ensure a smooth running of this system.

Children are bound to develop their potential for learning within four walls. So, qualified and trained teachers are required to involve the children in various activities. Their meaningful experiences will serve to regulate a child's behaviour outside the home environment.

School, a modern institution, serves to enable a child to fit in a professionally managed world. It is further supposed to filter out or counter experiences which are not

conducive to the child's development. That is why, a willing teacher who gets specialized training serve the mission and the vision of the Sarva Shiksha Abhiyan (SSA).

According to SSA, regular communication with the parents (mothers) and guardians are to be maintained by school authority. For this, each and every school is to form a Mata-Sikshak (Mother-Teacher) Committee. The task of this committee is to keep contact regularly with the parents, especially with the mothers so that the parents would be able to know the progress of their off-springs. Besides this, they also become aware of their children's weak points, drawbacks etc. and take necessary actions to improve the drawbacks of children.

The aim of the SSA is to bring the children in school and develop their learning skills. But the children from the lower economic background usually may not be able to understand the meaning of the lesson that are given at school. So, it becomes difficult for the student to comprehend the meaning of the text and the explanation given by the teacher. As a result, they become back benchers. This problem can easily be solved by arranging frequent meetings of mothers and teachers.

Woman is backbone of a family and nation. The due share of happiness in society cannot be ensured successfully until and unless women are enjoys equally with man. In this regard, the women should not feel that they are being ignored from every acts of system and families, which are being done for the development of individual. In the field of education also women should not be ignored at any cost.

As per as education is concern, the BSS has many claims in respect to the equal development of education with so call Assamese medium schools of Assam. There are many cases of violations of educational rights. These are,

i) Huge anomalies in Bodo medium question papers of HSLC Examination, 2012. The BSS claimed that such anomalies deprive the students getting from expected good marks and strongly felt it intended discrimination made by the SEBA to Bodo medium candidates.<sup>65</sup>

ii) Proper implementation of the "The Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006" for Bodo and other tribe of Assam. Bodo people have been dwelling in different forest areas of Assam since long. To

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<sup>65</sup> Memorandum submitted to the Chairman, SEBA, Assam by BSS. Vide memorandum bearing no. BSS/73/93/12/802, dated-5.4.2012. Published in 'The Bodo' Mouthpiece, BSS, 38<sup>th</sup> Issue, 2013. p. 284.

provide education to their children through mother tongue, they have established educational institutions of various categories i.e. LP, ME and Secondary etc. in those forest areas. But, these educational institutions have been deprived of provincialization due to non-receipt of land allotment in the name of institutions though as per the Chapter II clause 3(2) of the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 of India, they are entitled to receive land allotment. Thereby injustice have been done to the Bodo Tribal people of Assam by violating said Act, which is also contrary to the Rights of Children to Free and Compulsory Education Act, 2009 (R.T.E. Act 2009).<sup>66</sup>

iii) The Member Secretary of Empowered Committee of TET made advertisement on 11<sup>th</sup> September, 2012 for conducting of TET examination of Assam for appointment of 4500 teachers of secondary schools. In the said advertisement, nothing has found about the posts of candidates for reserve categories.<sup>67</sup> Again, on 22<sup>nd</sup> September, 2012 the Mission Director, SSA advertised for TET Examination to fill up some posts under 6<sup>th</sup> Schedule area without specifying the exact number of vacancies and provisions of vacancies for candidates of reserved categories. Besides, in BTAD area, no earmark is seen indicated for Bodo Medium.<sup>68</sup>

In order to know the satisfactory level of respondents, the four options i.e. a) Satisfied, b) Less satisfied, c) Not satisfied and d) No idea was given in questionnaire. The following table shows the perception of respondents on education.

**Table 4.24**  
**Perception on Education**

Sl. No.	District	Satisfied		Less satisfied		Not satisfied		No idea	
		Male	Female	Male	Female	Male	Female	Male	Female
1	Kokrajhar	23	27	34	26	23	24	20	23
2	Chirang	24	19	30	32	27	31	19	18
3	Baksa	22	20	29	32	28	26	21	22
4	Udaguri	20	27	37	28	24	25	19	20
<b>5</b>	<b>BTAD</b>	<b>89</b>	<b>93</b>	<b>130</b>	<b>118</b>	<b>102</b>	<b>106</b>	<b>79</b>	<b>83</b>

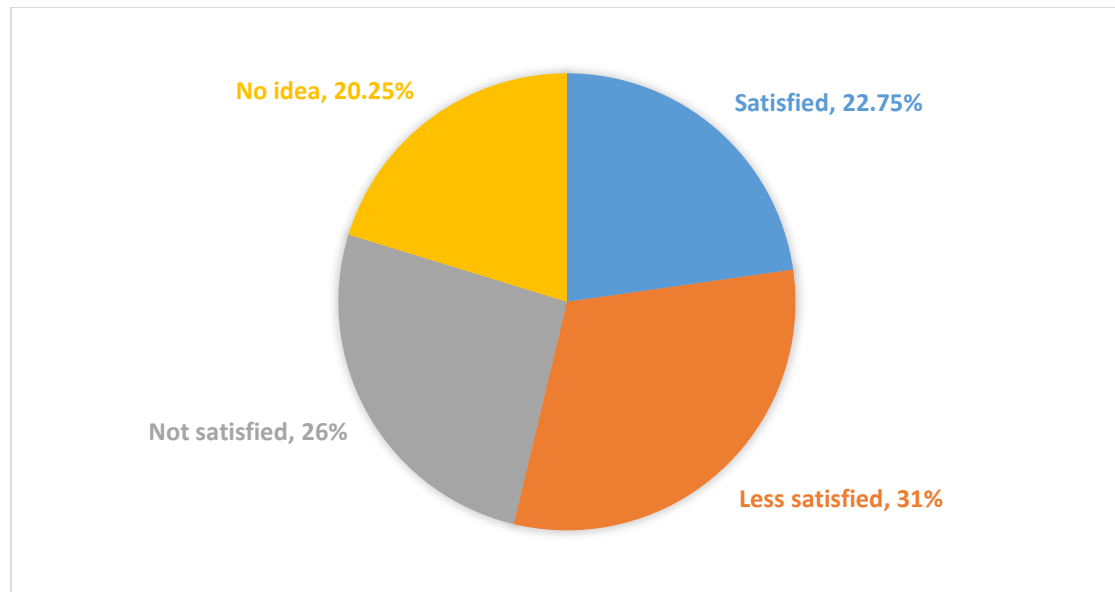
Source: - Field survey.

<sup>66</sup> Memorandum submitted to Dr. Manmohan Singh, Hon'ble Prime Minister of India by BSS and its allied organisation on 12<sup>th</sup> April 2012. Published in 'The Bodo' Mouthpiece, BSS, 38<sup>th</sup> Issue, 2013. Pp.287-289.

<sup>67</sup> Memorandum submitted to the Chief Secretary, Govt. of Assam by BSS. Vide memorandum bearing no. BSS/14/93/12/903, dt.-18.10.2012. Published in 'The Bodo' Mouthpiece BSS, 38<sup>th</sup> Issue 2013. p. 325.

<sup>68</sup> Ibid.



**Figure 4.14 Perception on Education**

Source: - Field survey.

### **Findings:**

As findings, the study on perception of people on education in BTAD reveals that 22.75% people responded satisfied, 31% people responded less satisfied, 26% people responded not satisfied and 20.25% people don't have idea.

There are so many education related problems can be found in the context of Bodo Community. These are - lack of teachers, irregular of teachers in duties, lack of class rooms, lack of ceiling provision, lack of toilet and sanitation facilities, lack of desk, benches, chairs and tables, lack of text books, irregular supply of uniforms and school bags, irregular release of money and materials for Mid-Day Meal schemes and irregular payment of cook.

The human rights that are being violated in the context of education are:

- i) Equality of opportunity. The provision are mention in Article 2 of UDHR and Article 16 of Indian Constitution.
- ii) Right to have all level and forms of education. The provisions are mention in Article 14 (1), (2) & (3) of UNDRIP and Article 21 (A) of Indian Constitution.

**4.2.2.8 Women concern issue:** - The crime against the women is worldwide concern issue and more in the country like India. The women are weaker in terms of physical strength, but they are not inferior in mental strength and capacities to deal with any kind of issues in comparison with male counterpart. Women of Assam in general and

BTAD area in particular were being targeted of sexual violence by the Central Security Forces and the state police. They are molested, physically assaulted and raped.

The series of conflict that has been taking place in 2008, 2012 and 2014 have resulted thousands of people displacement from their own home and village. As a result, the victim people faced immense hardship in relief camp in their basic needs. Hence, many young girls from the region went outside of home in search of job and faced from the problems like torture and assault.

Some of the violence incident or atrocities happened against women in BTAD area are given below,

i) On 31<sup>st</sup> December of 2003 and 1<sup>st</sup> January of 2004, 5 (five) Bodo women including 60 year old lady were gang raped by the Jawans of the 8<sup>th</sup> Kumaon regiment at Ultapani village under Bishmuri outpost in Kokrajhar district. During a night raid in the village, the Jawans barged into the houses in groups of two or three and raped the women.<sup>69</sup>

ii) On the night of 10<sup>th</sup> March 2004, troops of Gorkha Regiment molested 7 (seven) women of Saraguri village under Runikhata outpost of Chirang district. The name of victims are Mulasi Basumatary, Minati Daimary, Dable Basumatary, Hapang Basumatary, Damanti Basumatary, Subhashi Narzary and Dukushree Basumatary.<sup>70</sup>

iii) On 9<sup>th</sup> January 2005, one housemaid of 12 years Bodo girl was raped by Rajendra Mushahary, former Minister of Assam belong to AGP Political Party at Gossaigaon in Kokrajhar town.<sup>71</sup>

iv) On 23<sup>rd</sup> December 2005, eight Bodo girls of Gossaigaon College who had boarded the 4056 Up Brahmaputra Mail were molested by personnel of Indian Reserve Battalion of Haryana in Kokrajhar district. In this connection and on the same day, three Boro people namely Thomas Basumatary, Ramen Moshahary and Raju Basumatary were shot dead, when protested against the incident at Salakati Railway Station, Kokrajhar.<sup>72</sup>

v) On 29<sup>th</sup> March 2014, an indigenous Bodo girl was gang raped and killed by Bangladeshi Muslim migrants in Chirang district.

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<sup>69</sup> Chakma, Suhas (2005), India Human Rights Report, 2005, Pp. 24-25

<sup>70</sup> Ibid

<sup>71</sup> Former Minister Arrested for Rape, The Telegraph, 10<sup>th</sup> January 2005.

<sup>72</sup> 4 Killed in firing at Salakati – IRB personnel molest College Girls in Train, The Sentinel, 24<sup>th</sup> December 2005.

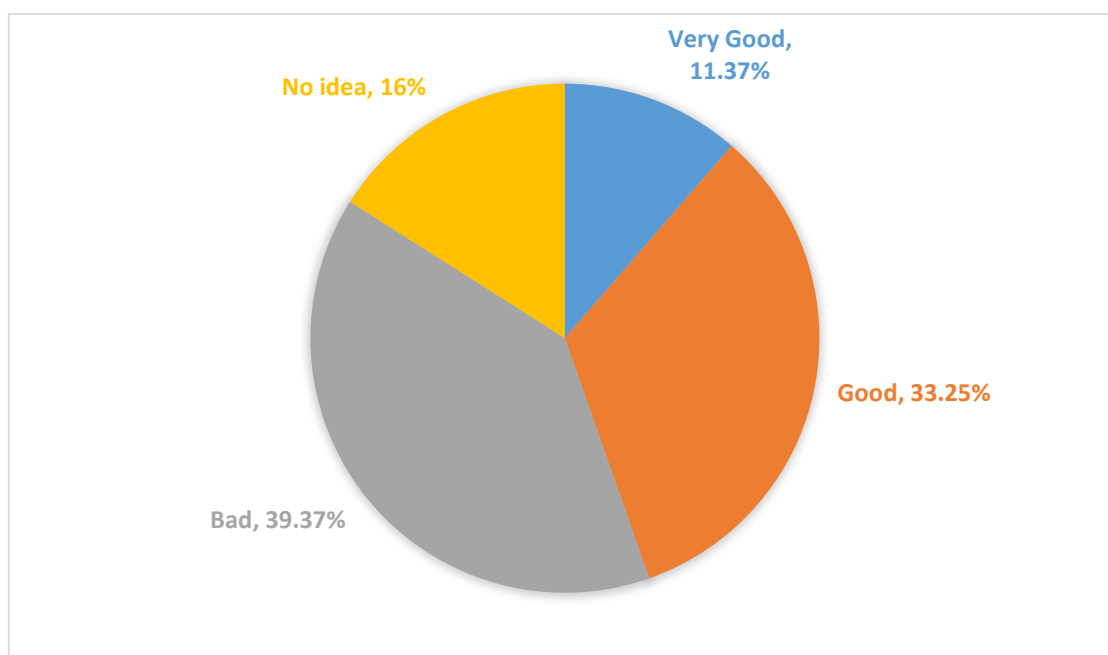
In order to know the status of Bodo women, four options i.e. a) Very Good b) Good c) Not Good and d) No idea were given to respondents. Accordingly, following is the response,

**Table 4.25**  
**Status of Bodo women**

Districts	Very Good		Good		Bad		No idea	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	12	10	32	36	38	37	18	17
Chirang	14	11	27	36	44	39	15	14
Baksa	10	13	35	35	39	37	16	15
Udalguri	12	9	29	36	40	41	19	14
<b>BTAD</b>	<b>48</b>	<b>43</b>	<b>123</b>	<b>143</b>	<b>161</b>	<b>154</b>	<b>68</b>	<b>60</b>

Source: - Field survey.

**Figure 4.15 Status of Bodo women**



Source: - Field survey.

### **Findings:**

The study reveals that especially women and children suffers miserably in the situation like ethnic conflicts, operation against militant groups conducted by government security forces and natural calamities.

The human rights that are being violated against women are,

i) Right to life, liberty and security of person. The protective provisions are mention in Article 3 of UDHR, Article 7 (1) & (2) of UNDRIP and Article 21 of Indian Constitution.

ii) Equality in dignity, rights and before the law. The provision is mentioned in Article 1 of UDHR and Article 14 of Indian Constitution.

iii) No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment. The provision is mention in Article 5 of UDHR.

### **4.2.3 Economic Sector**

Economic growth alone is not enough until and unless economic condition of every section of people are improved by reducing poverty. The equality in terms of economy in Indian society is a big challenge, since there is big gap between have and have not. Rich people are becoming richer and poor are going to poorer. India being a socialist country has every responsibility to uplift all sections of people by providing every basic needs. Accordingly, government is doing. Provision of free houses, free ration, free toilet facility, job card facility to BPL are example in this regard.

Economic right include right to work, equal pay for equal work, and right to an adequate standard of living including food, clothing and housing. As per as right to work in BTAD area is concern, most of the people are roaming around in search of job. This is an area, where we do not find industries except BRPL at Bongaigaon and NTPC at Salakati. Lack of industries is the main cause for the engagement of educated youth in work.

**4.2.3.1 Poverty and unemployment:** - Poverty reduction is major goal of many international organizations like United Nations and World Bank. It is an issue of national agenda for India. The World Bank estimated that 1.29 billion people were living in absolute poverty in 2008. Of these, about 400 million people in absolute poverty lived in India. Poverty tends to have a disproportionately severe effect on the indigenous people. They tend to be among the poorest of the poor, the most vulnerable and the most deprived groups of society. The indigenous Bodo people of BTAD area is also not free from this sort of problems.

It is obvious that are being seen in human nature is that we human always look for getting the work done by investing less amount of money for the sake of more benefit. Such mentality are being seen in BTAD areas also. The flow of cheap labour is hampering

a lot on local unemployed youth in getting engagement for work. Contractors and owners of establishments look for cheap labor for their benefit. Hence, ignoring the local people, labours are being brought from the place like Barpeta, Dhubri, West Bengal and Bihar. People who comes for work are mainly from Muslim community, rest are Bengalis and Biharis. But as per labour law of the land is concern, a labour must be paid his or her minimum wages directed by the government. The EPF and ESIC are also mandatory that employer must provide to employee. But such laws are not followed by owners, which is violations of government law and one kind of suppression on the poor working class people.

As per as the creation of posts, filling up of lying vacant posts and employment in BTAD area is concern, BTC authority is fully dependent on the Govt. of Assam. Before implementation of any decision, BTC authority has to take administrative and financial approval from the Govt. of Assam. Hence, BTC authority has been suffering in many aspects since its inception. Though BTC authority wants to fulfil the posts lying vacant, but unfortunately it is not happening due to ignoring and negligence of Dispur.

The Government of Assam has failed to implement the job reservations policies for the Scheduled Tribes and Scheduled Castes in the state. According to the estimate made by All Assam Scheduled Caste and Tribes Unemployed Association, the backlog posts in various departments and categories reportedly went up to 55, 000 in the state as in March 2007.<sup>73</sup> On 28<sup>th</sup> February 2007, Minister for Welfare for Backward Classes and Plain Tribes (WBC & PT) Ms. P. R. Brahma stated in the state Assembly that there were 17,404 backlog against the reserve posts for the SC and ST in the state Government offices, despite filling up a vacancy of 1,000 backlog posts in 2006. She informed to the house that the state Government intended to fill 5,000 backlog posts in 2007.<sup>74</sup> The All Assam Tribal Sangha (AATS) also accused the state government of Assam for not following the 100 point Roster Programme as provided in the Reservation of Vacancies in the Services and Posts (RVSP) Act, 1978 and the Rules 1983.<sup>75</sup>

In order to know the observation and view of respondents on the status of poverty and unemployment of Bodo community in BTAD, four options i.e. a)

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<sup>73</sup> SC/ST body calls Assam bandh on March 22 over backlog of posts, The Assam Tribune, 16 March 2007.

<sup>74</sup> Statutory provisions for SC, ST remain elusive, The Assam Tribune, 2 March 2007.

<sup>75</sup> Govt. has violated SC/ST job reservation rules, says tribes' body, The Sentinel, 9 November 2007.

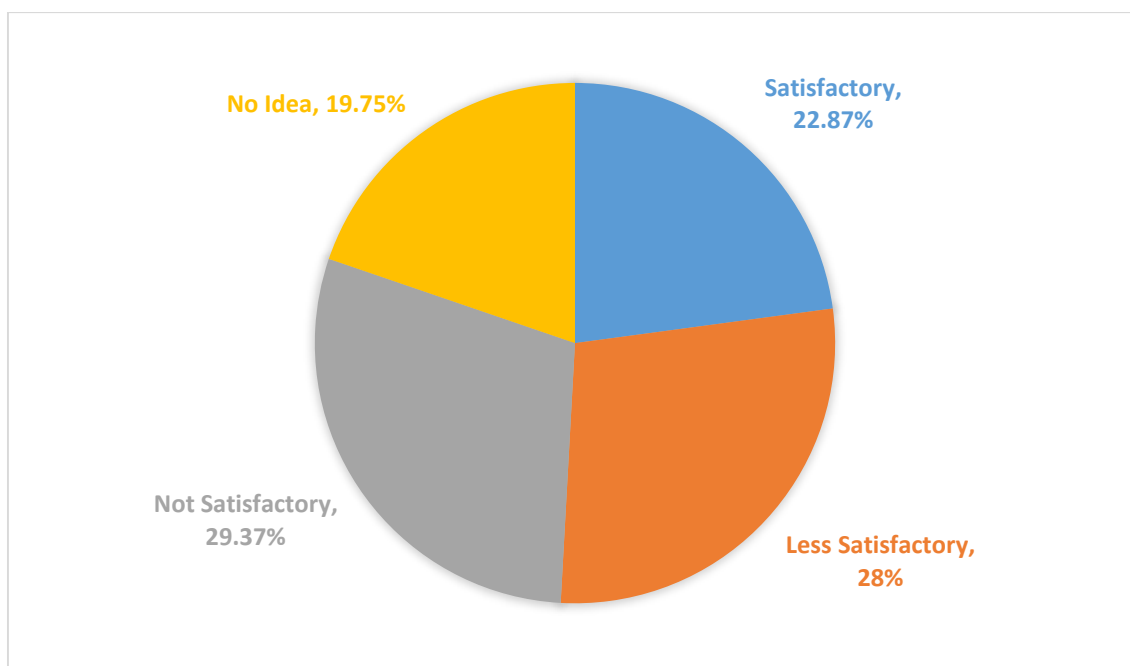
Satisfactory, b) Less satisfactory, c) Not satisfactory and d) No idea were given. In this connection, following is the response,

**Table 4.26**  
**Status of Bodo Community in respect to Poverty and Unemployment**

Districts	Satisfactory		Less satisfactory		Not satisfactory		No idea	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	23	20	29	29	36	32	12	19
Chirang	26	22	32	27	27	28	15	23
Baksa	22	24	30	23	27	29	21	24
Udalguri	21	25	27	27	29	27	23	21
BTAD	92	91	118	106	119	116	71	87

Source: - Field survey.

**Figure 4.16 Status of Bodo Community in respect to Poverty and Unemployment**



Source: - Field survey.

### **Findings:**

As per as status on the Bodo community in respect to the poverty and unemployment is concern, the study reveals that 22.8% percent of people responded satisfactory, 28% are responded less satisfactory, 29.37% are responded not satisfactory and 19.75% of people don't have idea.

The reasons for acute problem of poverty and unemployment are - not adoption of modern cultivation method by farmers, illiteracy, lack of awareness, lack of skill education and lack of industries.

The human rights that are being violated for poverty and unemployment are,

i) Equality of opportunity. The provision are mention in Article 2 of UDHR and Article 16 of Indian Constitution.

ii) Everyone has right to work, free choice of employment, equal pay for equal work, just & favourable remuneration, protection against unemployment and right to form & join trade unions. The provision is mention in Article 23 (1), (2), (3) & (4) of UDHR.

**4.2.3.2 Bonded and child labor:** - Bonded labor is a system in which a person has to provide labour service in order to pay off debts from the concern individual owner or establishment. Boded labour also known as debt slavery and debt bondage. This method of using labour service is the most common method of enslavement in modern days. Bonded labour basically characterized by a long-term relationship between employer and employee, and it is usually solidified through a loan, is embedded intricately in India's socio-economic culture. A culture that is product of class relations, a colonial history, and persistent poverty among many citizens.<sup>76</sup> This is a specific form of forced labor in which compulsion into servitude is arise from debt.

The practice of bonded labour is also prevalent in BTAD area. But, this is being seen in Bodo society for poverty. In such system both child and adult are involve. Especially Bodo people are financially poor and most of them do not save their hard earn money to bank. Therefore, at the time of health problem if arises and need of big amount, either they have to sell their property or to get debt from rich people of village. Especially daily wage earner and farmers are suffer from such sort of problem. Sometimes, poor parents even offer the labour service of their children to get monetary help for family. In such situation, their children are bound to give labour service.

The bonded labour is called 'Bwinai' in Bodo language. The male servant is called 'Dhana Bwinai' and female servant is called 'Ruati Bwinai.' The child labour on the other hand is called 'Laokar Bwinai' for male child and 'Bokali Bwinai' for female child. In modern age, the term bonded i.e. Bwinai in Bodo are not being used. But, the

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<sup>76</sup> Finn, Devin, Bonded Labour in India. In 'Human Rights and Human Welfare, p. 6.

system of giving service as Dhana, Ruati, Laokar and Bokali still exist. In most of the cases, parents of servant use to take advance money at the time of need for family from owners or person who is in need of servant. While taking money in advance verbal agreement is being made to each other. Accordingly, agreement are being followed by both the parties.

The govt. of India and concern state govt. notified Minimum wages for Workers engaged in different work place. Their entitled wages also different on the basis of the nature of work. But, when loan are being taken in advance, no such minimum wage act is followed, which is unfortunate part to the poor section of people.

The illiterate and poor Bodo people are also not aware about interpretation of the Supreme Court of India on bonded labour as the payment of wages that are below the prevailing market wage or the legal minimum wage. As a response to complaints of human right violation, the court relies on Public Interest Law (PIL) whereby citizens are able to petition India's court if they feel and belief their rights, or the rights of their fellow citizens are being denied.

In order to know the prevailing of Bonded and Child Labour from and among the Bodo community, the three options i.e. a) Prevailing, b) Not prevailing and c) No idea were given to respondents. The following is the response,

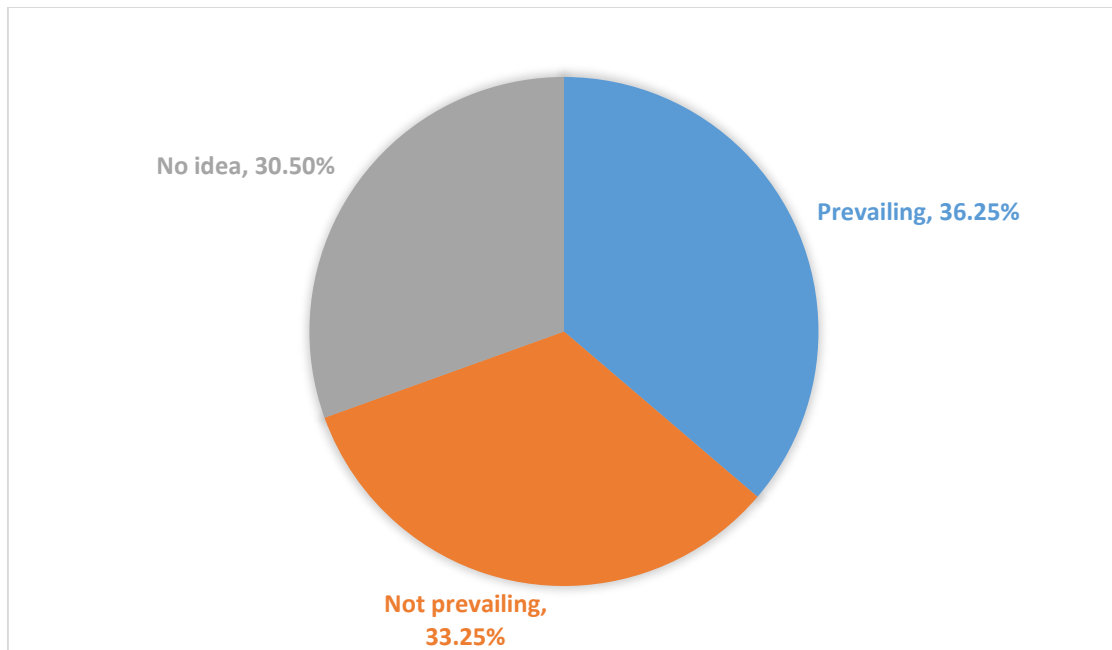
**Table 4.27**  
**Status on Bonded and Child Labour**

Districts	Prevailing		Not prevailing		No idea	
	Male	Female	Male	Female	Male	Female
Kokrajhar	35	38	35	34	30	28
Chirang	37	36	34	33	29	31
Baksa	38	37	30	36	32	27
Udalguri	34	35	32	32	34	33
<b>BTAD</b>	<b>144</b>	<b>146</b>	<b>131</b>	<b>135</b>	<b>125</b>	<b>119</b>

*Source: - Field survey.*



**Figure 4.17 Status on Bonded and Child Labour**



*Source: - Field survey.*

**Findings:**

The findings on status of bonded and child labour reveals that some 36.25% of people responded prevailing, 33.25% responded as not prevailing and 30.50% of responded no idea.

The human rights that are being violated for bonded and child labour are,

- i) Equality before law. The provisions are mention in Article 6 of UDHR and Article 14 of Indian Constitution.
- ii) Equality of opportunity. The provisions are mention in Article 1 & 2 of UDHR and Article 16 of Indian Constitution.
- iii) Right to education. The provisions are mention in Article 26 (1) & (2) of UDHR and Article 21 (A) of Indian Constitution.
- iv) Right to life, liberty and security of person. The provisions are mention in Article 3 of UDHR, Article 7 (1) of UNDRIP and Article 21 of Indian Constitution.
- v) Prohibition of Child Labor. The provisions are mention in Article 24 of Indian Constitution.
- vi) Everyone has right to work, free choice of employment, equal pay for equal work, just & favourable remuneration, protection against unemployment and right

to form & join trade unions. The provisions are mention in Article 23 (1), (2), (3) & (4) of UDHR.

**4.2.3.3 Human Trafficking:** - India is considered as one of the most traffic prone country in South Asian region of the world. Assam is one of the most vulnerable states in case of internal trafficking of women in India. The highly supply zone of trafficked women within nation is big metropolitan cities like Mumbai, Bangalore, Delhi, Noida, Goa, Kolkata, Chennai, Hyderabad and many others, outside of the nation are Middle East, Unites States and Europe. The various forms of trafficking are being seen in India is sex, organ and labor. In this regard, Gathia's<sup>77</sup> view is "trafficking of women and girl in India is associated with the structural vulnerability, low employment prospects, patriarchal culture, low level of education, feminization of poverty, migration, gender discrimination, marginalization of women and cultural factors such as dowry issues, child marriage and devadasi system."

The four districts of BTAD have the large numbers of trafficking cases reported by Govt. reports and many NGOs. Especially, some remote areas situated in the Bhutan border of Kokrajhar, Chirang and Baksa district have such large numbers of cases. Kokrajhar on the other hand is one of the trafficking hub known as the 6<sup>th</sup> highest trafficking zone of the Assam, where highest numbers of trafficking are taking place.<sup>78</sup> One of the most active NGO that has been working for combating of cross border human trafficking of North East region in general and BTAD in particular since 2004 is NEDAN Foundation of Kokrajhar district.<sup>79</sup> The other networking partner of said foundation are Assam State Commission for Child Rights (ASCPCR) of Assam Government, CID headquarter located at Guwahati, Social Welfare Department, Labour Department, UNICEF Guwahati based field office and BTC administration. The annual reports of 2014-15 of said NGOs reveal that some 754 girls have rescued from different places from the hands of traffickers.<sup>80</sup>

According to the Annual Report of NEDAN, it is difficult to obtain accurate statistics of human trafficking but researchers estimate that more than 80% of trafficking

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<sup>77</sup> Gathia, Joseph (2003), *Asia me Deih Vyapar: Dasta ka Aadhunik Mayajal*. Delhi: Concepts Publishing Company Pvt. Ltd. P. 34.

<sup>78</sup> Annual Report (March 2014 to April 2015) of NEDAN Foundation. Kokrajhar: NEDAN Foundation. p. 1

<sup>79</sup> Ibid

<sup>80</sup> Ibid

victims are female.<sup>81</sup> Over 50% of human trafficking victims are children.<sup>82</sup> Human trafficking is business of human, where group of people who are being trafficked are forced for slavery and work for sex. The BTAD region have various problems, for which human trafficking are taking place. Those problems are IDP due to conflict and natural calamities, poverty, unemployment and forced migration. Ethnic conflict related IDP is one of the significant factors especially among Adivasis and Bodos.

NEDAN Foundation is involved in direct intervention of rescuing children and girls from exploitative situations. The following table shows the year wise number of trafficked children and adults being directly rescued and restored to families since 2004 to 2014.

**Table 4.28**  
**Numbers of person rescued and restored to family**

Sl. No.	Year	Persons rescued and restored
1	2004	200
2	2005	67
3	2006	70
4	2007	68
5	2008	62
6	2009	65
7	2010	62
8	2011	46
9	2012	41
10	2013	26
11	2014	47

*Source: - Annual Report of NEDAN Foundation, March 2014 – April 2015.*

### **Findings:**

The study reveals that most of the school dropout youth go out of home with the dream to get good job or engagement with good wages. Most of respondents claim that there are some local ‘Dewanis’ (Broker), they only take innocent villagers to cities by promising to give job. But most of them have to suffer from various problems like low wages, shelter and food. Many victims have seen returning to home, who have complains of not satisfied with job and wages. In such situation, especially the women forced to involve in illegal activities or being forced work as servant. The most heart touching reasons are poverty, illiteracy and unemployment.

<sup>81</sup> Annual Report 2007 of NEDAN Foundation. Kokrajhar: NEDAN Foundation. p. 8

<sup>82</sup> Ibid

The human rights that are being violated due to human trafficking are:

i) Right to education. The provisions are mention in Article 26 (1) & (2) of UDHR and Article 21 (A) of Indian Constitution.

ii) Right to life, liberty and security of person. The provisions are mention in Article 3 of UDHR, Article 7 (1) of UNDRIP and Article 21 of Indian Constitution.

iii) Prohibition of Child Labor. The provisions are mention in Article 24 of Indian Constitution.

iv) Everyone has right to work, free choice of employment, equal pay for equal work, just & favourable remuneration, protection against unemployment and right to form & join trade unions. The provisions are mention in Article 23 (1), (2), (3) & (4) of UDHR.

#### **4.2.4 Environmental Sector**

Towards the latter half of 20<sup>th</sup> Century, there is increase in concern over the negative impact of the Global Environmental Change (GEC). The lowering of environmental qualities is taking place due to adverse changes brought in by human activities in the basic structure of the components of the environment, which lead to adverse effect on all biological communities in general and human society in particular. The major forms of environmental degradation are water pollution, scarcity of water, air pollution, increase in temperature (term as global warming), solid and hazardous wastes including radiation, soil erosion, degradation of soil quality, loss of thick forest, depletion of raw materials and energy sources. The changes of resources from renewable to non-renewable, permanently extinct or unusable of resources are also being seen due to environmental degradation. The environment insecurity leads to demographic changes, which may greatly effect towards social instability, local tensions and political conflicts. The world community has been trying since long to protect the environmental degradation that are threatening to the survival of human kind.

Every individuals of the world must have the information in following given three areas, so that environmental degradation can be protected. First, people must know on the need of biodiversity conservation, the need to lead more sustainable life styles, and the need to use resources more equitably. Second, there is need to change the way in which we view our own environment, using a practical approach base on observation and self - learning. Third, people must conscious in their action for daily life to protect any kind of harm to our environment or should trigger pro-environmental action.

ILO C 169 in Article 7 states that “Government shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.”<sup>83</sup> In this regard, government of Assam and BTC has been trying to improve the environmental degradation through various means.

Environmental rights are an extension and part of the basic human rights that mankind requires and deserves for healthy survival in this universe. In addition to having the right to food, clean water, suitable shelter and education, having a safe and sustainable environment is paramount since all other rights are dependent on it. All human being are dependent on the environment in which we live and lead the life. A safe, clean, healthy and sustainable environment is integral to the full enjoyment of a wide range of human rights, including the right to life, health, food, water and sanitation. Therefore, environmental right can be considered as part and parcel of human rights, and prime duty of every individual is to ensure sustainability of resources that we are getting from mother earth in every aspects of our life.

**4.2.4.1 Deforestation:** - Forest provides several ecologically, economically and social perspective functions to life viz. water supplies, soil conservation, nutrient cycling, species and genetic diversity, and greenhouses gases regulations.<sup>84</sup> Forest multifunctional assets provides variety of resources that enables various bases for livelihood.<sup>85</sup> These are key components of the natural resources base and are capable of providing a wide range of environmental, economic, social and cultural services that enhances the capabilities, assets and activities for means of living.<sup>86</sup>

Assam in general and BTAD in particular are very rich in forest and wildlife. The total reserve forest area of BTAD is approximately 3234 Sq. Km.<sup>87</sup> The BTAD has number of reserve forest areas like Kachugaon, Haltugaon, Porbotjhoira, Chirang, Baksa, Dhansri, Wildlife and Social Forestry Division of Kokrajhar, and Manas National Park. Some of the most popular national park and wildlife sanctuaries are Manas National Park,

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<sup>83</sup> Bijoy, C. R., S. Gopalkrishnan and Shomona Khanna (2010), *India and the Rights of Indigenous Peoples*. Thailand: AIPP, p. 89.

<sup>84</sup> Rao, K. S. and R. Pand (2000), Land use dynamics and landscape change pattern in a typical micro watershed in the mid elevation zone of central Himalay, India. *Agric. Ecosystm. Environ.*, 86: 113-124.

<sup>85</sup> Zewedie, R. (2002), *Access to forest resources and forest based livelihoods in Highland Kafa, Ethiopia: A resource management perspective*. Doctoral thesis, University of Huddersfield.

<sup>86</sup> Narzary, G. S. (2013), *Detecting Forest Cover Changes of Kokrajhar District Using Remote Sensing and GIST Techniques*. In *IOSR Journal of Environmental Science, Toxicology and Food Technology (IOSR-JESTFT)*. Volume 3, Issue I (January to February 2013), p. 43.

<sup>87</sup><http://wptbc.assam.gov.in>

Orang Rajiv Gandhi National Park, Chakrashila Wildlife Sanctuaries and Barnadi Wildlife Sanctuaries.

The following given **table 4.29** shows the total area in Hectare under forest in BTAD as on 31<sup>st</sup> March 2015.

**Table 4.29**  
**Area under Forest in BTAD**

Name of forest division	Reserve forest	Proposed reserve forest	Protected area network	Total forest (Excluding Un-class state forest)
Haltugaon Division	64, 876.92	2,949.00	-	67, 825.12
Kachugaon Division	82, 199.00	213.357	-	82, 412.357
Chirang Division	55, 398.00	-	-	57, 398.00
Baksa Forest Division	13, 495.299	981.75	-	14, 477.049
Dhansri Forest Division	17, 270.945	5103.00	-	24,995.758
Parbatjhora Forest Division	26, 706.83	17,732.91	-	44,439.74
Wildlife Division Kokrajhar	-	-	4558.00	4558.00
Manas National Park	-	-	50,000.00	50,000.00
<b>Grand Total</b>	<b>2,61,946.194</b>	<b>26,980.017</b>	<b>57,179.813</b>	<b>3,46,106.024</b>

*Source: - CHD, Forest, BTC, Kokrajhar.*

Deforestation is refers to the activities of human being of clearing or destroying the thick forest or trees on a larger extent without any replacements. Deforestation is one of the serious challenge in BTAD area as per environmental degradation is concern. The people are involve in deforestation for new settlement, expansion of agricultural land, sale the precious wood, plants rubber and tea. The shrinkage of rainforest area due to deforestation affected into various ways on forest dwellers and wild animals. It is known to every conscious people that the destruction of rainforest may lead to climate changes and same is happening in BTAD area. These are desiccation of fertile soil, increasing of temperature (globally term as global warming), moist humid region changes to desert and soil erosion.

The wild animals have been facing impending danger due to the unabated destruction of forest. There have been wide spread reports of herds of wild elephants coming into places of human habitation in search of food, and damaging paddy field and

properties, trampling huts and even killing people. Lack of food in their natural habitat must have driven the pachyderms to human locality. As a result, frequent man - elephant conflict also being take place.

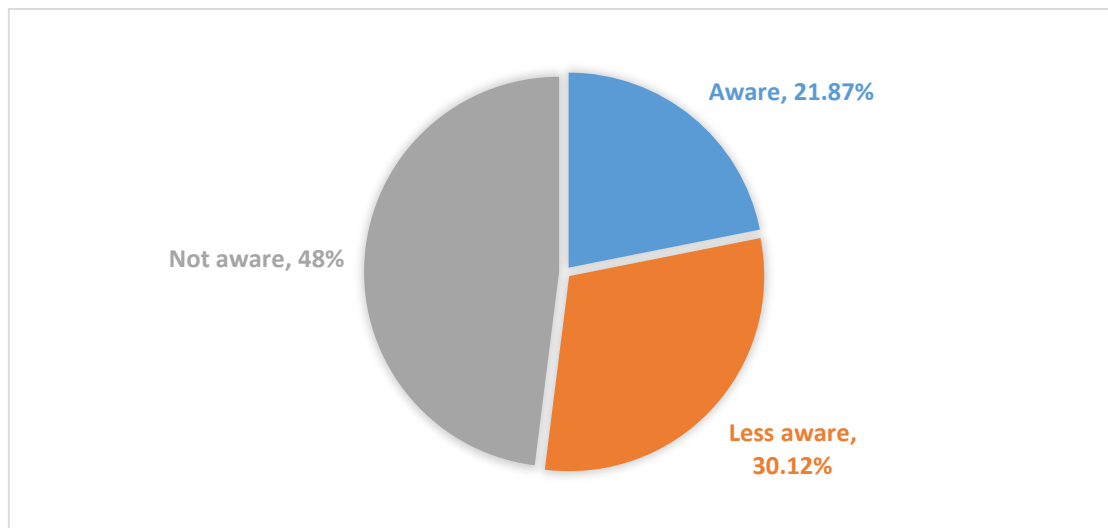
Most of the people living nearby forest areas are not aware about the forest and sustainable utility of forest resources especially plants. The query that were given to respondents were about awareness regarding environmental degradation. Three options a) Aware, b) Less Aware and c) Not aware were given to respondents. The following is the result of it,

**Table 4.30**  
**Response of awareness on Environmental degradation**

Sl. No.	District	Aware		Less aware		Not aware	
		Male	Female	Male	Female	Male	Female
1	Kokrajhar	25	15	35	25	40	60
2	Chirang	24	15	30	26	46	59
3	Baksa	30	16	31	27	39	57
4	Udalguri	31	19	40	27	29	54
<b>5</b>	<b>BTAD</b>	<b>110</b>	<b>65</b>	<b>136</b>	<b>105</b>	<b>154</b>	<b>230</b>

Source: - Field survey.

**Figure 4.18 Response of awareness on Environmental degradation**



Source: - Field survey.

### **Findings:**

The finding reveals that 21.87% of respondents are aware, 30.12% are less aware and 48% are not aware about environmental degradation in their respective areas. The **table 4.30** shows that male of every four districts are more aware than female. People of

Baksa district both male and female have seen comparatively more aware. The people of Chirang district on the other hand are less aware.

The causes of deforestation are - illiteracy, poverty, new settlement due to migration both by tribal and non-tribal, need and expansion of agricultural land, easy source of earning, lack of knowledge on importance of forest, and necessity of wood for household works.

Due to deforestation the human rights that are being violated are:

i) Right to conserve and protect of the environment and productive capacity of their lands. States should establish and implement assistance programme in this regard. The provision is mention in Article 29 (1) of UNDRIP.

ii) The state should protect and improve the environment, and safeguard the forest and wild life of the Country. The provision is mention in Part IV, Article 48 (A) of Indian Constitution.

**4.2.4.2 Flood and soil erosion:** - The two natural calamities flood and soil erosion are two sides of same coin. As we are aware that almost 6 months of the year are monsoon in Assam, and especially low land areas are being covered by water in most of the monsoon season. Heavy rain fall in upper side of BTAD especially Bhutan can straight way affect to low land areas and villages near to rivers or surrounded by rivers through various 22 numbers of tributaries and 34 numbers of sub-tributaries rivers. The main rivers are Sankosh, Gurufela, Gangia, Longa, Hel, Gaurang, Champa, Aie, Beki, Manas, Puthimari, Kaldia, Puhumara, Dhansiri, Nanoi, Kalandi, Baranadi, Rowta, Pagala and Ranganadi.

Floods can change past, present and future of the people by its strong forces. Floods can no longer be looked upon as a seasonal problem. Because, the issue of erosion due to flood brings with its dimensions of huge loss of livelihoods and identities every year. Floods have to be considered and understood as important issue by a government because of its ramifications on the ecology, as well as on the socio-economic and political aspects of the state.

The following **table 4.31** shows district wise area affected and value of damaged by flood in hectares of two years i.e. 2006 and 2007 of BTAD.



**Table 4.31**  
**District wise flood damage report**

Sl. No.	District	Area affected (in thousand hectares)		Total value of damage (in hectares)	
		2006	2007	2006	2007
1	Kokrajhar	1.90	3.00	38.00	60.00
2	Chirang	0.60	0.965	12.00	19.30
3	Baksa	1.53	2.75	30.00	35.00
4	Udalguri	0.84	1.50	16.80	30.00
<b>5</b>	<b>BTAD</b>	<b>4.87</b>	<b>8.215</b>	<b>96.80</b>	<b>144.30</b>

Sources: - *Statistical Profile of BTC, 2009.*

Again, the following is the statistics of affect of damages caused by floods in BTAD since 2011 to 2014.

**Table 4.32**  
**Statistics on effect of damages caused by floods in BTAD**

Area	Year			
	2011	2012	2013	2014
Affected area (in hectares)	3400	1840	1825	2700

Source: - *CHD, Water Resource Department.*

The shown data in following **table 4.33** is the numbers of village affected by erosion in 2007 of four districts in BTAD.

**Table 4.33**  
**The Extent of Damage caused by Erosions in 2007**

Sl. No.	Name of District	Nos. of village affected
1	Kokrajhar	107
2	Chirang	19
3	Baksa	404
4	Udalguri	41
<b>5</b>	<b>BTAD</b>	<b>571</b>

Source: - *Statistical Hand Book, Assam 2009.*

To know the very status of flood and soil erosion, and initiatives of concern department in BTAD area, four options i.e. a) Satisfactory b) Less Satisfactory c) Not satisfactory and d) No idea were given to respondents. In this regard, following is the response,

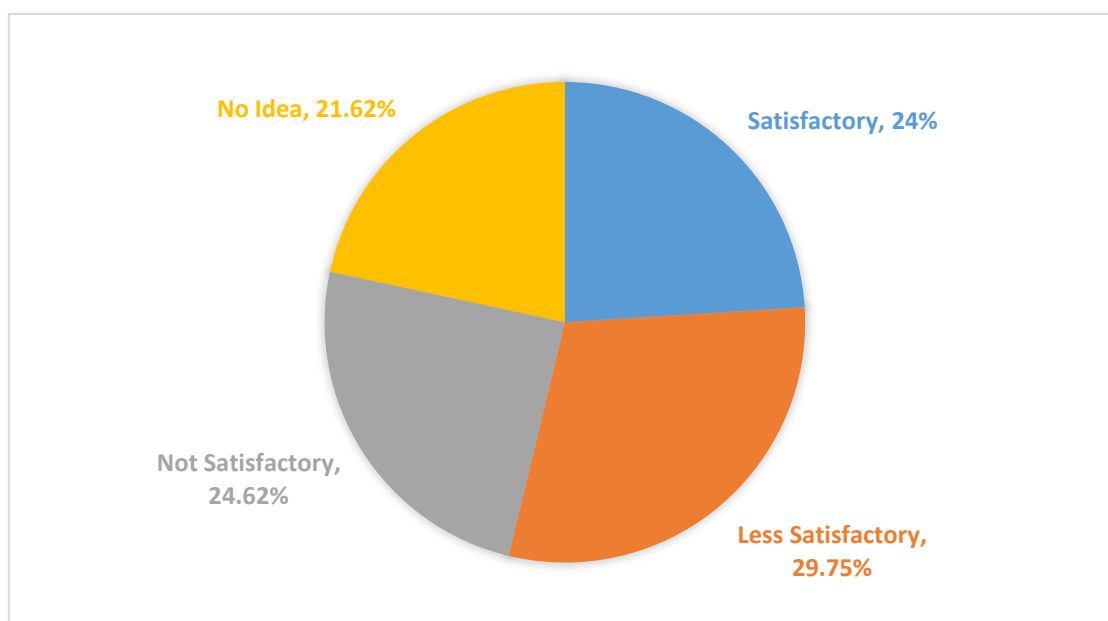
Table 4.34

## Status of Flood and soil erosion, and initiative of concern department

Districts	Satisfactory		Less Satisfactory		Not Satisfactory		No Idea	
	Male	Female	Male	Female	Male	Female	Male	Female
Kokrajhar	26	28	31	27	21	24	22	21
Chirang	25	19	30	30	25	31	20	20
Baksa	23	21	28	31	24	24	25	24
Udalguri	22	28	35	26	23	25	20	21
<b>BTAD</b>	<b>96</b>	<b>96</b>	<b>124</b>	<b>114</b>	<b>93</b>	<b>104</b>	<b>87</b>	<b>86</b>

Source: - Field survey.

Figure 4.19 Status of Flood and soil erosion, and initiative of concern department



Source: - Field survey.

### **Findings:**

The findings reveal that 24% of respondents are satisfactory, 29.75% are less satisfactory, 24.62% are not satisfactory and 21.62% are don't have idea in respect to status of flood and soil erosion, and initiative taken by concern department to protect.

The flood and soil erosion problem is very significant in low land areas of BTAD especially villages near to rivers and surrounded by rivers. Every year flood and soil erosion problems are very common and being seen though it is more or less in number.

The human rights of victims that are being violated for flood and soil erosion are:

i) Right of everyone to standard of living adequate for him and his family. The provisions is mention in Article 25 (1) of UDHR and Article 39 (a) & Article 47 of Indian Constitution.

ii) Right to education. The provisions are mention in Article 26 (1) & (2) of UDHR and Article 21 (A) of Indian Constitution.

iii) Right to life, liberty and security of person. The provisions are mention in Article 3 of UDHR, Article 7 (1) of UNDRIP and Article 21 of Indian Constitution.

### **4.3 Conclusion**

The above data analysis and discussion reveals that indigenous Bodo Community of BTAD has been facing some sort of human rights violations in four areas or sectors i.e. governance & administration, social, economic and environment in numerous way. It is to be admitted that these violations are not equal in every aspects. These are more and less in numbers depending on different issues. However, the fundamental rights of citizens of nation should not be violated, and more specifically since Bodo community is ST in administrative system of India in general and Assam in particular entitled for special importance in protection and preservation of language, literature and culture under the aegis of national provision of constitution and international law as mentioned in UDHR and UNDRIP.

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