





ANNEXURE – I

QUESTIONNAIRE**CONFLICT INDUCED INTERNALLY DISPLACED PERSONS AND THE ISSUE OF HUMAN RIGHTS IN BODOLAND TERRITORIAL COUNCIL, ASSAM****A. Background Information:**

1. Name of Respondent:
2. Sex:
3. Age:
4. Marital Status:
5. Caste:
6. Qualification:
 - a) Literate, b) Illiterate, c) HSLC Passed, c) HSSLC Passed, d) Graduate, e) Post Graduate
7. Address :
 - a) Past Address:

Village: VCDC:

District: Block:
 - b) Present Address:

Village: VCDC:

District: Block:

B. Displacement Characteristics:

8. When did you leave (displaced) from your habitual residence?
 - a) 1996, b) 1998, c) 2012, d) 2014.
9. What was the reason for your displacement?
 - a) Property Damaged, b) Fear of Retaliation, c) Others
10. How many times you have been displaced from your habitant?
.....
11. Do you want to go back to your own place? Yes / No

12. If no why?

- a) Situation not conducive, b) Land was occupied by others, c) Forest dweller,
d) Others.

C. Facilities & Humanitarian Assistance During Displacement:

13. Are you satisfied with the accommodation provided by the administration? Yes / No

14. If No why?

- a) Insecure, b) Overcrowded, c) Lack of Basic/Sanitation Facility, d)
Others.

15. Do you get ration/essential commodities like rice, lentils (dal), salt, kerosene etc,
from the administration? Yes / No.

16. If Yes! Are you happy with the quantity of the ration/essential commodities
provided to you and your family by the administration? Yes / No

17. If No Why?

- a) Inadequate, b) Irregular, c) Both

D. Health and Sanitation Facilities:

18. Did the administration provide you safe drinking water facilities? Yes / No

19. If Yes! What kind of facilities provided for drinking water?

- a) Tube Well, b) Well, c) Water Supply by Pipe, d) Others.

20. Do you feel the facilities provided by the administration are adequate? Yes / No

21. Did the administration provide you latrine facilities? Yes / No

22. If No! Where do you go for Latrine? Please
Specify.....

23. If Yes! Is it adequate? Yes / No

24. Do you have any access to health/medical facilities?

Yes / No

25. Does your family got vaccination? Yes / No

26. Do you suffered from any kind water related of diseases in the camp? Yes / No

E. Income/Economic Status:

27. Please specify your annual family income:

- a) Below 10000.00

- b) 10001.00 to 30000.00
- c) 30001.00 to 50000.00
- d) 50001.00 to 100000.00
- e) 100001.00 and above

28. What is your main source of income?

- a) Agriculture, b) Business, c) Service, d) Daily wage, e) Others

29. Total land held (family) including agricultural land in bighas:

- a) Before Displacement..... b) After Displacement

30. Do you receive any share from the property left at original place? Yes / No

F. Resettlement and Rehabilitation:

31. Do you receive/d any monetary compensation from the government authority?
Yes/No

32. If Yes, how much?

33. Do the compensation received sufficient to resettle your family? Yes / No

34. What do you expect from the government in terms of resettlement & rehabilitation?

- a) Monetary b) Alternate Land c) Original Land d) Government Job

35. Do you receive/d any support from the development agencies/NGOs/CSOs/Others?
Yes / No.

36. If Yes, what kind of support?

- a) Relief Materials b) Advocacy & Training c) Both (a & b) d) Others

38. Do you think that the government authority has done enough in resettlement & rehabilitation programme of the IDPs in BTC area? Yes / No

39. Do you agree that protracted (prolonged) conflict among communities has aggravated the rights of IDPs in BTC area? Agree / Disagree

.....XXXXXXXXXX.....

ANNEXURE – I (II)

QUESTIONNAIRE FOR Ph.D. PROGRAMME

DEPARTMENT OF POLITICAL SCIENCE, BODOLAND UNIVERSITY

**“CONFLICT INDUCED INTERNALLY DISPLACED PERSONS AND THE ISSUE OF
HUMAN RIGHTS IN BODOLAND TERRITORIAL COUNCIL, ASSAM”**

To,

.....
.....

Subject: Questionnaire for PhD Programme (Academic Purpose only).

Dear Sir/Madam,

In reference to the subject cited above I would like to take the opportunity to state before you that I am doing Ph.D. on the topic *“Conflict Induced Internally Displaced Persons And The Issue Of Human Rights In Bodoland Territorial Council, Assam”* under the supervision of Dr. Jyotiraj Pathak, Associate Professor of Political Science, Bodoland University, Kokrajhar, BTC, Assam, India. As part of the qualitative data collection on the issue of government policy towards conflict induced IDPs on resettlement & rehabilitation programme of IDPs in BTC region, some questions have been prepared.

In this regard, I would like to request you/your organization to kindly spare few minutes to share ideas and comments on the given questionnaire via email given below. Please feel free to comments your personal/organizational views on the matter. All the information will be used for academic analysis only and will be strictly kept confidential.

Yours faithfully

(Jhanin Mushahary)
Assistant Professor & Ph.D. Scholar
Department of Political Science
Bodoland University
Mail: jhanin14@gmail.com

ANNEXURE – I (PART-II)

QUESTIONNAIRE FOR Ph.D. PROGRAMME

DEPARTMENT OF POLITICAL SCIENCE, BODOLAND UNIVERSITY

“CONFLICT INDUCED INTERNALLY DISPLACED PERSONS AND THE ISSUE OF HUMAN RIGHTS IN BODOLAND TERRITORIAL COUNCIL, ASSAM”

1. Lack of National/State Law is responsible for the weak response by the state towards IDPs in its resettlement and rehabilitation Policy. Comments.
.....
2. Do you think that the government needs to be more proactive in bringing legislation to protect conflict induced internally displaced persons in India?
.....
3. “Non transfer of the Department of Relief and Rehabilitation to BTC authority has aggravated the resettlement & rehabilitation programme of IDPs in BTC region”. Your comments.....
4. Do you think that more collaborative engagement needs to be done between NGOs/Civil Society Organizations and the Government in protecting the rights of IDPs?
.....
5. In the absence of any National/State policy towards conflict induced IDPs, do you think that the role played by NGOs/CSOs is crucial in protecting the rights of IDPs?
.....
6. “Conflict induced IDPs were the easy victims/targets of human trafficking in BTC region”. Your assessment:
.....
7. Do you think that protracted conflict in BTC has aggravated the rights of IDPs?
.....
8. Your suggestions and comments on improving the rights of IDPs in BTC region:
.....

.....XXXXXXXXXX.....

ANNEXURE – II (A) MAP OF INDIA SHOWING ASSAM



Map Source: [mapsofworld.com](http://www.mapsofworld.com)

ANNEXURE – II (B)
MAP OF ASSAM SHOWING FOUR DISTRICTS OF BTC



Map Source: assampanchayat.gov.in

ANNEXURE – III

AUTONOMOUS COUNCILS UNDER SIXTH SCHEDULE IN NORTH EAST INDIA

The Sixth Schedule to the Constitution of India provides for special provision for the administrations of hills tribal areas of the North Eastern States of Assam, Meghalaya, Mizoram and Tripura. Under the provisions of the 6th schedule these tribal areas are to be administered as autonomous district council which will function under the executive authority of the state concerned but has power of certain legislative and judicial functions. The existence of autonomous councils with enhanced autonomy and powers to administer such areas makes it different from the arrangements provided for the other tribal areas of the country under the 5th Schedule.

The autonomous councils under the provisions of the Sixth Schedule of India are:

A. Assam:

- a) Dima Hasao Autonomous District Council
- b) Karbi Anglong Autonomous District Council
- c) Bodoland Territorial Council

B. Meghalaya:

- a) Kashi Hills Autonomous District Council
- b) Jaintia Hills Autonomous District Council
- c) Garo Hills Autonomous District Council

C. Mizoram:

- a) Chakma Autonomous District Council
- b) Lai Autonomous District Council
- c) Mara Autonomous District Council

D. Tripura:

- a) Tripura Tribal Areas Autonomous District Council

The creation of the Bodoland Territorial Council under the modified form of Sixth Schedule was the outcome of MOS (2003) signed by three parties – GOI, Government of Assam and Bodo Liberation Tigers on 10 February, 2003. It has four districts of Kokrajhar, Chirang, Baksa and Udalguri covering an area of 8822 sq. km which is 11 % of Assam land area. 46 Members of Legislative Council has been formed to look after the development works in BTC of which 6 members are nominated by the Governor of Assam from the unrepresented communities. The BTC has altogether 40 subjects entrusted for all round development of the region.

ANNEXURE – IV

UNITED NATIONS GUIDING PRINCIPLES ON INTERNAL DISPLACEMENT – 1998

INTRODUCTION - SCOPE AND PURPOSE

1. These Guiding Principles address the specific needs of internally displaced persons worldwide. They identify rights and guarantees relevant to the protection of persons from forced displacement and to their protection and assistance during displacement as well as during return or resettlement and reintegration.
2. For the purposes of these Principles, internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border.
3. These Principles reflect and are consistent with international human rights law and international humanitarian law. They provide guidance to:
 - (a) The Representative of the Secretary-General on internally displaced persons in carrying out his mandate;
 - (b) States when faced with the phenomenon of internal displacement;
 - (c) All other authorities, groups and persons in their relations with internally displaced persons; and
 - (d) Intergovernmental and non-governmental organizations when addressing internal displacement.
4. These Guiding Principles should be disseminated and applied as widely as possible.

SECTION I - GENERAL PRINCIPLES

Principle 1

1. Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment of any rights and freedoms on the ground that they are internally displaced.
2. These Principles are without prejudice to individual criminal responsibility under international law, in particular relating to genocide, crimes against humanity and war crimes.

Principle 2

1. These Principles shall be observed by all authorities, groups and persons irrespective of their legal status and applied without any adverse distinction. The observance of these Principles shall not affect the legal status of any authorities, groups or persons involved.
2. These Principles shall not be interpreted as restricting, modifying or impairing the provisions of any international human rights or international humanitarian law instrument or rights granted to persons under domestic law. In particular, these Principles are without prejudice to the right to seek and enjoy asylum in other countries.

Principle 3

1. National authorities have the primary duty and responsibility to provide protection and humanitarian assistance to internally displaced persons within their jurisdiction.
2. Internally displaced persons have the right to request and to receive protection and humanitarian assistance from these authorities. They shall not be persecuted or punished for making such a request.

Principle 4

1. These Principles shall be applied without discrimination of any kind, such as race, colour, sex, language, religion or belief, political or other opinion, national, ethnic or social origin, legal or social status, age, disability, property, birth, or on any other similar criteria.
2. Certain internally displaced persons, such as children, especially unaccompanied minors, expectant mothers, mothers with young children, female heads of household, persons with disabilities and elderly persons, shall be entitled to protection and assistance required by their condition and to treatment which takes into account their special needs.

**SECTION II - PRINCIPLES RELATING TO PROTECTION FROM
DISPLACEMENT****Principle 5**

All authorities and international actors shall respect and ensure respect for their obligations under international law, including human rights and humanitarian law, in all circumstances, so as to prevent and avoid conditions that might lead to displacement of persons.

Principle 6

1. Every human being shall have the right to be protected against being arbitrarily displaced from his or her home or place of habitual residence.
2. The prohibition of arbitrary displacement includes displacement:
 - (a) When it is based on policies of apartheid, "ethnic cleansing" or similar practices aimed at/or resulting in altering the ethnic, religious or racial composition of the affected population;
 - (b) In situations of armed conflict, unless the security of the civilians involved or imperative military reasons so demand;

- (c) In cases of large-scale development projects, which are not justified by compelling and overriding public interests;
 - (d) In cases of disasters, unless the safety and health of those affected requires their evacuation; and
 - (e) When it is used as a collective punishment.
3. Displacement shall last no longer than required by the circumstances.

Principle 7

1. Prior to any decision requiring the displacement of persons, the authorities concerned shall ensure that all feasible alternatives are explored in order to avoid displacement altogether. Where no alternatives exist, all measures shall be taken to minimize displacement and its adverse effects.
2. The authorities undertaking such displacement shall ensure, to the greatest practicable extent, that proper accommodation is provided to the displaced persons, that such displacements are effected in satisfactory conditions of safety, nutrition, health and hygiene, and that members of the same family are not separated.
3. If displacement occurs in situations other than during the emergency stages of armed conflicts and disasters, the following guarantees shall be complied with:
 - (a) A specific decision shall be taken by a State authority empowered by law to order such measures;
 - (b) Adequate measures shall be taken to guarantee to those to be displaced full information on the reasons and procedures for their displacement and, where applicable, on compensation and relocation;
 - (c) The free and informed consent of those to be displaced shall be sought;
 - (d) The authorities concerned shall endeavour to involve those affected, particularly women, in the planning and management of their relocation;
 - (e) Law enforcement measures, where required, shall be carried out by competent legal authorities; and
 - (f) The right to an effective remedy, including the review of such decisions by appropriate judicial authorities, shall be respected.

Principle 8

Displacement shall not be carried out in a manner that violates the rights to life, dignity, liberty and security of those affected.

Principle 9

States are under a particular obligation to protect against the displacement of indigenous peoples, minorities, peasants, pastoralists and other groups with a special dependency on and attachment to their lands.

SECTION III - PRINCIPLES RELATING TO PROTECTION DURING DISPLACEMENT

Principle 10

1. Every human being has the inherent right to life which shall be protected by law. No one shall be arbitrarily deprived of his or her life. Internally displaced persons shall be protected in particular against:

- (a) Genocide;
- (b) Murder;
- (c) Summary or arbitrary executions; and
- (d) Enforced disappearances, including abduction or unacknowledged detention, threatening or resulting in death. Threats and incitement to commit any of the foregoing acts shall be prohibited.

2. Attacks or other acts of violence against internally displaced persons who do not or no longer participate in hostilities are prohibited in all circumstances. Internally displaced persons shall be protected, in particular, against:

- (a) Direct or indiscriminate attacks or other acts of violence, including the creation of areas wherein attacks on civilians are permitted;
- (b) Starvation as a method of combat;
- (c) Their use to shield military objectives from attack or to shield, favour or impede military operations;
- (d) Attacks against their camps or settlements; and
- (e) The use of anti-personnel landmines.

Principle 11

1. Every human being has the right to dignity and physical, mental and moral integrity.

2. Internally displaced persons, whether or not their liberty has been restricted, shall be protected in particular against:

- (a) Rape, mutilation, torture, cruel, inhuman or degrading treatment or punishment, and other outrages upon personal dignity, such as acts of gender-specific violence, forced prostitution and any form of indecent assault;
- (b) Slavery or any contemporary form of slavery, such as sale into marriage, sexual exploitation, or forced labour of children; and
- (c) Acts of violence intended to spread terror among internally displaced persons. Threats and incitement to commit any of the foregoing acts shall be prohibited.

Principle 12

1. Every human being has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.

2. To give effect to this right for internally displaced persons, they shall not be interned in or confined to a camp. If in exceptional circumstances such internment or confinement is absolutely necessary, it shall not last longer than required by the circumstances.
3. Internally displaced persons shall be protected from discriminatory arrest and detention as a result of their displacement.
4. In no case shall internally displaced persons be taken hostage.

Principle 13

1. In no circumstances shall displaced children be recruited nor be required or permitted to take part in hostilities.
2. Internally displaced persons shall be protected against discriminatory practices of recruitment into any armed forces or groups as a result of their displacement. In particular any cruel, inhuman or degrading practices that compel compliance or punish non-compliance with recruitment are prohibited in all circumstances.

Principle 14

1. Every internally displaced person has the right to liberty of movement and freedom to choose his or her residence.
2. In particular, internally displaced persons have the right to move freely in and out of camps or other settlements.

Principle 15

Internally displaced persons have:

- (a) The right to seek safety in another part of the country;
- (b) The right to leave their country;
- (c) The right to seek asylum in another country; and
- (d) The right to be protected against forcible return to or resettlement in any place where their life, safety, liberty and/or health would be at risk.

Principle 16

1. All internally displaced persons have the right to know the fate and whereabouts of missing relatives.
2. The authorities concerned shall endeavour to establish the fate and whereabouts of internally displaced persons reported missing, and cooperate with relevant international organizations engaged in this task. They shall inform the next of kin on the progress of the investigation and notify them of any result.
3. The authorities concerned shall endeavour to collect and identify the mortal remains of those deceased, prevent their despoliation or mutilation, and facilitate the return of those remains to the next of kin or dispose of them respectfully.
4. Grave sites of internally displaced persons should be protected and respected in all circumstances. Internally displaced persons should have the right of access to the grave sites of their deceased relatives.

Principle 17

1. Every human being has the right to respect of his or her family life.
2. To give effect to this right for internally displaced persons, family members who wish to remain together shall be allowed to do so.
3. Families which are separated by displacement should be reunited as quickly as possible. All appropriate steps shall be taken to expedite the reunion of such families, particularly when children are involved. The responsible authorities shall facilitate inquiries made by family members and encourage and cooperate with the work of humanitarian organizations engaged in the task of family reunification.
4. Members of internally displaced families whose personal liberty has been restricted by internment or confinement in camps shall have the right to remain together.

Principle 18

1. All internally displaced persons have the right to an adequate standard of living.
2. At the minimum, regardless of the circumstances, and without discrimination, competent authorities shall provide internally displaced persons with and ensure safe access to:
 - (a) Essential food and potable water;
 - (b) Basic shelter and housing;
 - (c) Appropriate clothing; and
 - (d) Essential medical services and sanitation.
3. Special efforts should be made to ensure the full participation of women in the planning and distribution of these basic supplies.

Principle 19

1. All wounded and sick internally displaced persons as well as those with disabilities shall receive to the fullest extent practicable and with the least possible delay, the medical care and attention they require, without distinction on any grounds other than medical ones. When necessary, internally displaced persons shall have access to psychological and social services.
2. Special attention should be paid to the health needs of women, including access to female health care providers and services, such as reproductive health care, as well as appropriate counseling for victims of sexual and other abuses.
3. Special attention should also be given to the prevention of contagious and infectious diseases, including AIDS, among internally displaced persons.

Principle 20

1. Every human being has the right to recognition everywhere as a person before the law.
2. To give effect to this right for internally displaced persons, the authorities concerned shall issue to them all documents necessary for the enjoyment and exercise of their legal rights, such as passports, personal identification documents, birth certificates and marriage certificates. In particular, the authorities shall facilitate the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing

unreasonable conditions, such as requiring the return to one's area of habitual residence in order to obtain these or other required documents.

3. Women and men shall have equal rights to obtain such necessary documents and shall have the right to have such documentation issued in their own names.

Principle 21

1. No one shall be arbitrarily deprived of property and possessions.

2. The property and possessions of internally displaced persons shall in all circumstances be protected, in particular, against the following acts:

(a) Pillage;

(b) Direct or indiscriminate attacks or other acts of violence;

(c) Being used to shield military operations or objectives;

(d) Being made the object of reprisal; and

(e) Being destroyed or appropriated as a form of collective punishment.

3. Property and possessions left behind by internally displaced persons should be protected against destruction and arbitrary and illegal appropriation, occupation or use.

Principle 22

1. Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights:

(a) The rights to freedom of thought, conscience, religion or belief, opinion and expression;

(b) The right to seek freely opportunities for employment and to participate in economic activities;

(c) The right to associate freely and participate equally in community affairs;

(d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right; and

(e) The right to communicate in a language they understand.

Principle 23

1. Every human being has the right to education.

2. To give effect to this right for internally displaced persons, the authorities concerned shall ensure that such persons, in particular displaced children, receive education which shall be free and compulsory at the primary level. Education should respect their cultural identity, language and religion.

3. Special efforts should be made to ensure the full and equal participation of women and girls in educational programmes.

4. Education and training facilities shall be made available to internally displaced persons, in particular adolescents and women, whether or not living in camps, as soon as conditions permit.

SECTION IV - PRINCIPLES RELATING TO HUMANITARIAN ASSISTANCE

Principle 24

1. All humanitarian assistance shall be carried out in accordance with the principles of humanity and impartiality and without discrimination.
2. Humanitarian assistance to internally displaced persons shall not be diverted, in particular for political or military reasons.

Principle 25

1. The primary duty and responsibility for providing humanitarian assistance to internally displaced persons lies with national authorities.
2. International humanitarian organizations and other appropriate actors have the right to offer their services in support of the internally displaced. Such an offer shall not be regarded as an unfriendly act or interference in a State's internal affairs and shall be considered in good faith. Consent thereto shall not be arbitrarily withheld, particularly when authorities concerned are unable or unwilling to provide the required humanitarian assistance.
3. All authorities concerned shall grant and facilitate the free passage of humanitarian assistance and grant persons engaged in the provision of such assistance rapid and unimpeded access to the internally displaced.

Principle 26

Persons engaged in humanitarian assistance, their transport and supplies shall be respected and protected. They shall not be the object of attack or other acts of violence.

Principle 27

1. International humanitarian organizations and other appropriate actors when providing assistance should give due regard to the protection needs and human rights of internally displaced persons and take appropriate measures in this regard. In so doing, these organizations and actors should respect relevant international standards and codes of conduct.
2. The preceding paragraph is without prejudice to the protection responsibilities of international organizations mandated for this purpose, whose services may be offered or requested by States.

SECTION V. PRINCIPLES RELATING TO RETURN, RESETTLEMENT AND REINTEGRATION

Principle 28

1. Competent authorities have the primary duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily, in safety and with dignity, to their homes or places of habitual residence, or to

resettle voluntarily in another part of the country. Such authorities shall endeavour to facilitate the reintegration of returned or resettled internally displaced persons.

2. Special efforts should be made to ensure the full participation of internally displaced persons in the planning and management of their return or resettlement and reintegration.

Principle 29

1. Internally displaced persons who have returned to their homes or places of habitual residence or who have resettled in another part of the country shall not be discriminated against as a result of their having been displaced. They shall have the right to participate fully and equally in public affairs at all levels and have equal access to public services.

2. Competent authorities have the duty and responsibility to assist returned and/or resettled internally displaced persons to recover, to the extent possible, their property and possessions which they left behind or were dispossessed of upon their displacement. When recovery of such property and possessions is not possible, competent authorities shall provide or assist these persons in obtaining appropriate compensation or another form of just reparation.

Principle 30

All authorities concerned shall grant and facilitate for international humanitarian organizations and other appropriate actors, in the exercise of their respective mandates, rapid and unimpeded access to internally displaced persons to assist in their return or resettlement and reintegration.
