

CHAPTER – I

INTRODUCTION

1.0 AN OVERVIEW

An ethnic conflict in North East has become one of the most challenging and widespread in postcolonial India. Ethnic conflict may include the conflict between the state and ethnic groups, insurgent groups, inter-ethnic and intra-ethnic conflicts. Several thousands of people have been uprooted within their country by conflicts and human rights violations. An equal number or more are displaced as a result of natural disasters, infrastructure projects and are forced to flee their homes and livelihoods; these internally displaced persons are often the most forgotten and neglected people around the world (Hussain, 2000).

The problem of internally displaced persons (IDPs) is a global, national, regional, and sub-regional phenomenon. As Secretary- General Kofi Anan has noted, ‘internal displacement is the great tragedy of our times’. The internally displaced persons are the largest ‘at risk’ populations in the world and has emerged as one of the most pressing humanitarian, human rights, political and security issues facing the man kind today (Barman, 2009). The concept of IDPs is unique due to its political, social, and humanitarian complexity and the conflicting nature of discourses on its protections. The circumstances that produced internal displacement were comparable to those that produce refugees and many of the needs of IDPs and of refugees are mutually exclusive and similar. While refugees, having crossed an international border are protected by International Humanitarian Law (IHL) and International Human Rights Law (IHRL) and it is the obligations on the part of the state to act accordingly and reduce their sufferings. IDPs, in contrast, are forced to rely on the protection and care of the states. Internal displacement is thus often conceived as domestic issue; yet alongside the gross violation of human rights that occurs when IDPs needs are unprotected (Rao, 2013).

Displacement is one of the major issues in the present day world having various backgrounds and features in accordance with its origin, geo-political context, and reason for displacement etc. Conflict is one of the major causes for human made disaster and involuntary evacuations of people in and around the continents. Whether they are ethnic based conflict, caste based conflict, conflict for political reasons, displacement has been a major problem caused even without an expected outcome in most of the contexts.

People trapped in situations of internal displacement face various barriers in their enjoyment of rights that may threaten their immediate safety, security and denial of equal access to entitlements. In many situations of internal displacement, IDPs have shared several protections risks with other groups, but the fact remains that internal displacement commonly exposes to additional discrimination and human rights violations directly resulting from their being uprooted. It is important to highlight displacement as an important ‘indicator of potential vulnerability’ for governments, national and international agencies assessing the situations of populations affected by armed conflicts and situations of generalized violence, or developing human rights monitoring frameworks.

The United Nations define internally displaced persons as “*persons or group of persons who have been forced or obliged to flee or to leave their homes or habitual residence in particular as a result of or in order to avoid armed conflict, situation of generalized violence, violation of human rights or natural or human made disasters and who have not crossed an internationally recognized border*” (OHCHR, 2014).

Unlike refugees, IDPs have not crossed an internally recognized state border; rather seek refuge in another part of their country. Refugee status entitles individuals to certain rights and international protection, while being an IDP is not a legal status because internally displaced persons are still under the jurisdiction of their own state and may not claim any rights additional to those shared by refugees. There are not legal obligations on states to protect IDPs (Beswick & Jackson, 2011). There are massive institutional differences in the major agencies dealing with different categories of displaced people. UNHCR, for instances, is not supposed to provide direct assistance to IDPs, but lobby and advocate for rights to be met, but under international law, states are obliged to protect refugees. IDPs on the other hand, even if they flee their homes for the

same reasons as refugees, are to be protected by their own nation, often the violator of rights in the first place (Mehta & Napier-Moore, 2010).

Among the state of North East, internal displacement is very high in Assam in general and Bodoland Territorial Council (BTC) in particular. It is mainly the conflict induced displacement which has caused a major displacement of population. Assam has witnessed various types of conflict induced IDPs since independence which has displaced tens of thousands of people and the issue of human rights and other concerns seems to be not sufficiently addressed (Hussain, Internally Displaced Persons in North East India, 2006). Armed conflict or ethnic violence has continued to cause internal displacement in North East in general and Assam in particular thus causing different aspect of human rights violations. It is very difficult to estimates the total number of displaced persons in India as there is no central government agency responsible for monitoring the number of people displaced and returning and humanitarian and human rights agencies have limited access to them. In addition to this there is no UN agency that has an overall overview of the situation, and NGOs and civil society organizations (CSOs) have generally focused on specific displacement situations in India rather than on the overall situations.

The assumption that because internally displaced people were within the borders of their countries and their governments would protect them was proving erroneous. However, displaced persons are often in need of special protection, because the government responsible for protecting them is sometimes unwilling or unable to do so, or may itself be the cause of displacement. By and large, these groups of people remain outside the public 'consciousness' or 'imagination' experiencing a high degree of alienation, marginalization, and exclusion from the larger society (Hussain, Internally Displaced Persons in India's North East, 2006). Therefore, the question of human rights, care, protection, security and justice for the internally displaced persons should be properly addressed.

1.1 OPERATIONAL DEFINITIONS AND CONCEPTUAL FRAMEWORK

The definitions and conceptual understanding of the term used in the present study were being discussed in this sub-section.

1.1.1 UNDERSTANDING CONFLICT

According to the Compact English Oxford Dictionary Thesaurus & Word Power Guide, conflict is defined as ‘a serious disagreement, a long lasting armed struggle, a lack of agreement between opinions, principles etc. (Soanes, Spooner, & Hawker, 2006). It can also be defined as ‘a struggle or contest between people with opposing groups, ideas, beliefs, goals or values. It may also be understood as ‘struggle over values and claims to scarce status, power and resources’.

Conflict is an active state of disagreement between people with opposing opinions, principles and practices manifested in different forms like grievances, dispute, etc. Grievances are initial state of conflict in which individuals or groups are prevented to be unjust and provides grounds for resentment or complaints. This condition potentially erupts into conflict. When this stage turns into conflict antagonism, is caused by clash of cultural, political, social, natural and economic interests between individual and groups. Conflict may be with or without weapon. Without weapon conflict helps to gradual development of society but with weapon conflict calls disagreement, violence, eruption and grievances in the society (Panthee, 2007) which results population displacement at the greater extent.

Again when individuals, communities, national, international or regional actors harbour ideas, desires and wants which due to miscommunications, misperception or otherwise stands opposed to the idea, desires and wants of their counterpart, leaving no room for further communications or compromise, the under stated situations may give

birth to a series of unpleasant and many a times violent chains of actions and reactions. Such a phenomenon or event can also be regarded as conflict (OKDISCD, 2008).

The above mention meaning leaves us with an impression that conflict is omnipresent and occurs at the individual, community, national, international as well as regional levels. Thus we see that conflict forms a part and parcel of social relations, as such they are necessary for positive social change. As mention earlier there are different ways of expressing conflict; conflict can be expressed through acts of violence and at times it may be non-violent too. It depends on the choice of the parties of choosing non-violent conflict or a violent one (OKDISCD, 2008).

1.1.2 UNDERSTANDING INTERNALLY DISPLACED PERSONS (IDPs)

In general understanding, a person or a group of person who moved away from home or place of habitual residence due to violence, ethnic conflict, civil war, environmental impact, natural disaster, etc. but remained within the state boundary of their territory are termed as internally displaced persons. However the definition and conceptualization of internal displacement or internally displacement persons has not seen universal agreement nor there have been any legal definition of who constitutes an 'internally displaced persons' in international law. But ever since the plight of internally displaced people has come to the attention of international theory and practice, it has become necessary to define who can be regarded as internally displaced. Since there is no universal recognized definition of IDPs, considerable efforts to develop a convincing definition have been made by the United Nations since 1970s.

The United Nations officially first dealt with IDPs in 1972, but did not define who exactly would be considered to be internally displaced persons. Even though the need for terminological clarification was recognized even then, it was until 1989 that the first two precise definitions were suggested by the UN Secretary General. The Secretary General's definitions includes as causes of internal displacement next to individual

persecution, generalized violence, armed conflicts, internal upheavals or similar events seriously disturbing the public order (Geissler, 1999).

Francis Deng, who was nominated as the Special Representative of the Secretary General on the human rights issue related to internally displaced persons by the Commission on Human Rights in 1992, further refined existing definitions. In 1998 he submitted a set of 'Guiding Principles on Internal Displacement' to the 54th Session of the Human Rights Commission, which had been underdevelopment, in cooperation with a team of international legal experts since 1994. The revised definition which was included in the Principles 1 defines internally displaced persons as:

Persons or group of persons who have been forced or obliged to flee or to leave their homes or place of habitual residence, in particular or as a result of or in order to avoid the affects 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 borders (Geissler, 1999).

Thus Francis Deng has been instrumental in drawing international attention to the plight of conflict induced displaced people. His work has contributed to the improvement of governmental policies and United Nations responses to conflict induced internally displacees. The set of international norms developed by him and his legal team, '*The United Nations Guiding Principles on Internal Displacement*' may not be international binding law but are based on international human rights and humanitarian law (Pettersson, 2002).

In the present study internally displaced persons (IDPs) means those persons who were displaced due to the backdrop of conflict since 1996 to 2014 in Kokrajhar district of Bodoland Territorial Council currently languishing in different relief camps as well as those displaced persons who have not been able to return home even after receiving compensation from the government authority.

1.1.3 UNDERSTANDING HUMAN RIGHTS

Human are the most rational beings of all social animals. Every individual by virtue of being a human irrespective of whatever his/her nationality, place of residence, colour, sex, religion, language or any other status possess certain fundamental and inalienable rights which can be commonly known as human rights. Therefore, human rights are those rights which are entitlements to every individual simply by virtue of being human. Human rights are not gifted by any government nor is it legislated by any parliament, it is the birth right and are inherent in all the individuals without any discriminations. Human rights being inborn and inherent, therefore human beings cannot live without them.

Human rights are essential for all the individuals as they are consonant with ones freedom and dignity and are conducive to physical, moral, social and spiritual welfare. They are also necessary as these rights create an environment in which individual can developed their full potential and leads a productive and creative lives. Human rights being the most significance to human beings are also sometimes regarded as fundamental rights, basic rights, inherent rights, natural rights, and inborn or birth rights (Agarwal, 2014).

The adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly on 10th of December, 1948 was an epoch making history in the protection of human rights of the individuals at the international forum. The UDHR for the first time sets out that, fundamental human rights to be universally protected as part of the common standard of achievements for all the people in all nations. The UDHR has altogether contains 30 Articles covering civil, political, economic and social rights of the individual. Some of the important rights included in the declaration are:

- a) All humans are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (Article – 1).

- b) Everyone is entitled to all the rights and freedoms set forth in this declaration without distinction of any kind, such as race, sex, colour, religion, language, political or other opinion, national or social origin, property, birth or other status (Article – 2).
- c) Right to life, liberty and security of persons (Article – 3).
- d) Everybody has right to be recognized everywhere before law (Article – 6).
- e) All are equal before law and equal protection without any discrimination (Article – 7).
- f) Right to privacy, family, home or correspondence and protection from law in case of interference in such matters (Article – 12).
- g) Right to marry and form a family (Article – 16).
- h) Right to own property and right against deprivation of property (Article – 17 (1) & (2)).
- i) Right to social security (Article – 22).
- j) Right to work and free choice of employment and equal pay for equal work (Article – 23 (1) & (2)).
- k) Right to standard of living and health including food, clothing, housing and medical care for himself and his family (Article – 25).
- l) Right to education (Article – 26) (UNO, 2015).

These are some of the important human rights contained in the Articles of UDHR which is very much crucial for all the human beings which has to be realized without any discrimination.

1.1.4 FUNDAMENTAL RIGHTS UNDER INDIAN CONSTITUTION AND UNIVERSAL DECLARATION

The Part III of the Indian Constitution has incorporated the idea of basic and fundamental rights borrowed from different declaration and from various constitutions of the leading liberal democracies of the world. Notable among them are the French Declaration of the Rights of Man, the Bill of Rights of the U.S. Constitution, the Irish

Constitution of 1935, and the Universal Declaration of Human Rights have greatly influenced the idea of incorporating basic rights for the people of India to ensure fullest development of their personalities. The Fundamental Rights regarded as the Bill of Rights of the Indian citizens are universal and are applicable to all the citizens of India irrespective of distinction of sex, gender, caste, colour, creed and religion (Ghosh, 2012).

India being the signatory to the UDHR was greatly influenced by the declaration and a number of fundamental rights that were guaranteed to the citizens of India in Part III of the constitution were similar which were incorporated in the Universal Declaration of Human Rights. Some of the important fundamental rights guaranteed under India Constitution in resemblance with the Universal Declaration can be shown in the following table:

Table No: 1.1 Rights under Indian Constitution & UDHR

Name of Rights	Rights under UDHR	Rights under Indian Constitution
Equality before law	Article 7	Article 14
Prohibition of discrimination	Article 7	Article 15 (1)
Equality of opportunity	Article 21 (2)	Article 16 (1)
Freedom of speech and expression	Article 19	Article 19 (1, a)
Freedom of peaceful assembly	Article 20 (1)	Article 19 (1, b)

Right to form associations or unions	Article 23 (4)	Article 19 (1, c)
Freedom of movements within the border	Article 13 (1)	Article 19 (1, d)
Protection in respect of conviction for offences	Article 11 (2)	Article 20 (1)
Protection of life and personal liberty	Article 3	Article 21
Protection of slavery and forced labour	Article 4	Article 23
Freedom of conscience and religion	Article 18	Article 25 (1)
Right to Constitutional remedies	Article 8	Article 32

Comparative rights incorporated in UDHR & Indian Constitution.

Thus the above table shows that the rights under the Universal Declaration of Human Rights have greatly provided the basis for the India's guarantees for human rights for its citizens.

However, internally displaced persons have to compromise all sort of human rights in their livelihood and are forced to flee from their homes or habitual residence due to violations of these rights either by the state or non-state actors. They are also entitled to the most basic human rights such as right to life, security, housing, clothing, fooding, medical care and education etc. But gross injustice prevail in our society when it comes to the realization of human rights by the IDPs as those basic rights can hardly be enjoyed by the internally displaced peoples.

1.2 REFUGEES AND INTERNALLY DISPLACED PERSONS

Ever since the problem of internally displaced persons has come to the attention of international community there has been considerable debate on whether IDPs would be considered and equated legally with that of the refugee for the protection mechanism under international law. Both refugees and IDPs were displaced and are forced to flee from their habitual residence and are equally vulnerable to multiple human rights violations, such as armed attacks, torture, rape, disappearance and loss of property etc. However, internally displaced persons did not find the same place with that of refugees under international law in terms of protection mechanisms and enjoying various rights.

Article 1 of the Refugee Convention of 1951 defined refugee as; *“a person who owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country, or who not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, unwilling to return to it”* (UNHCR, 2010).

Besides, in addition to the above universal definition of refugee several other regional definitions have also evolved. Like in 1969, the Organization of African Unity (OAU) formally recognized the need for an expanded definition of refugee within the African context. The OAU Convention which had 42 signatories as of 1993, have repeated the definition of UNHCR by adding that -

“the term ‘refugee’ shall also apply to every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality”.

Likewise, in 1984, ten Central American states signed the Cartagena Declaration on Refugee, which in non-binding language, extended the definition of refugee beyond the definition of 1951 convention to includes, 'person who have fled their country because their lives, safety, or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed the public order' (Robinson, 2003).

Like refugees, IDPs were also the victim of civil wars, internal conflicts, communal violence, forced displacement, massive violations of human rights and unending miseries; lacking food, shelter, clothing, security, basic health care and education. Unable to find places of safety their vulnerability increased, they often suffer persistent violations of fundamental human rights and their needs often go unmet. Unlike refugee where there is an international mandate for protection under the UNHCR to address the specific needs, IDPs needs largely depends on the general provisions of human rights law and humanitarian law and through ad hoc operational measures and mechanism (Bandyopadhyay & Subedi, 2012).

What distinguishes between refugee and IDPs is the term 'recognized state border', as IDPs remains within the territorial boundary of their respective country therefore does not qualify international protection like refugees who have crossed international boundary and get legal international protection. Further, refugee status entitles individuals to certain legal rights and international protections while being an IDP is not a legal status because IDPs are still under the jurisdiction of their own government and may not claim any rights additional to those shared by their compatriots (Vincent, 2000). Thus millions of vulnerable people were left out by the definition of refugee simply because those persons displaced for the same reason but have not crossed an international border. However IDPs are also in need of special protection, as very often the government responsible for protecting them is unwilling or unable to do so or may itself be the cause of displacement.

Despite the differences between the refugee and IDPs in legal and of entitlement to aid from the international humanitarian community, the causes of displacement and the experience of being displaced are often similar for both. Much like the refugees IDPs often feel like strangers in their place of refuge where the local population may be

from different ethnic or religious groups and may also speak different languages. In addition to this, IDPs may not feel welcomed despite sharing the same citizenship by the host population. Thus several human rights activists have advocated protecting of IDPs in the line of protecting the refugees, because both the categories of people often find themselves in the same material conditions.

1.3 INTERNALLY DISPLACED PERSONS AND HUMAN SECURITY

The concept of human security has become one of the most important tools of governance in the modern world especially after the publication of the first United Nations Development Programme Report (UNDP) in 1990. The publication of the Human Development Report in 1994 with special focus on Human Security has entirely changed the security definitions in the global context. The concept of security for too long been interpreted narrowly: as security of territory from external aggression, or as protection of national interests in foreign policy or as global security from the threat of a nuclear holocaust. However, the legitimate concern for ordinary people, where security symbolized protection from the threat of diseases, hunger, unemployment, crime, social unrest, political repression, and environmental hazards. Thus according to UNDP, ‘human security is child who did not die, a diseases that did not spread, a job that was not cut, an ethnic tension that did not explode in violence, a dissident who was not silenced. Human security in not concerned with weapons – it is concerned with human life and dignity’ (UNDP, 1994).

However, the definition of human security can hardly be applied to the conflict induced internally displaced persons, where they have to face all the threats and insecurity mention in the definitions. The emphasis of human security for the IDPs is not on what people might wish to gain but on retaining what they already have and protecting them from destitution. Today internally displaced people constitute one of the important categories of insecure people in North East India in General and Assam in particular. The IDPs are the largest ‘at risk’ population in the world and has emerged as

one of the most pressing humanitarian, human rights, political and security issues facing the man kind today. They are generally in desperate straits as they are forcibly separated from their homes, communities, and livelihoods, and soft targets for physical assault, forced recruitment and sexual abuse (Barman S. , 2009). The question of human security, human rights, care, protection, and justice for the internally displaced is not properly addressed in our country with no national or state policy to deal with the crisis. Thus IDPs constitute one of the most neglected and often forgotten lots in our country.

1.4 STATEMENT OF THE PROBLEM

The Bodoland Territorial Council (BTC) in particular and the state of Assam in general has witnessed large number of population displacement due to different types of conflict since 1980s. Identity based autonomy movements and an inter-ethnic movement in Assam is the main reason that has led to conflict and population displacement. Many works dealing with Development Induced Displacement has been done so far in Assam but little work has been done on Conflict Induced Displacement and its human rights issues in regional wise.

The state of Assam has witnessed a separate statehood movement in the year 1987 led by All Bodo Student Union (ABSU) and other allied organizations. Since then the district of Kokrajhar in Assam's Bodoland Territorial Council has become the centre of attention because of its obvious reasons of conflict, population displacement and human rights abuses. The Kokrajhar become the centre of Bodoland Movement during that period and was followed by inter-community conflict at regular interval which has displaced large number of population. A few scholars has devoted their study on the socio-economic life of the displaced people in the region, however detailed study on their resultant human rights violations and issues including the role and policy of the state in protecting the displaced persons found to be inadequate. Therefore, the present study has been carried out to study the plight of internally displaced persons in an attempt to fill up the existing research gap.

1.5 OBJECTIVES OF THE STUDY

The objectives of the present study are given as follows:

- a) To study the history of conflict and population displacement in Bodoland Territorial Council
- b) To study the protection mechanism of Internally Displaced Persons.
- c) To study the human right of the Internally Displaced Persons in Kokrajhar District of Bodoland Territorial Council.
- d) To examine the Response and Rehabilitation Policies of the State towards dealing with IDPs.

1.6 SCOPE AND DELIMITATION OF THE STUDY

Conflict induced internal displacement has become one of the major problem in Kokrajhar district. There are insufficient industries and resources in the district and IDPs has caused additional burden, which has not been adequately managed by the concerned authorities. Conflict induced IDPs is one of the most researched areas globally, nationally but least researched in regional wise especially Kokrajhar. There has been no study of underlying causes of conflict – induced internal displacement and its consequences on human rights issues with regards to the livelihood issues of the IDPs. Among the few researches done so far, were based almost on estimates and other impact assessment. Therefore, there is a vital need of the study focusing on actual conditions of IDPs and their recurring human rights issues.

The main aim of this study is to bring out the situation of the displaced people to an academic forefront and understanding and to assist the concerned authorities in regard to develop more effective policies and programmes and their implementation. This study visualizes the actual situations of internal displacement in BTC with the

causes that led people to be internally displaced and identifies the major problems that the displaced persons have been facing continued problem in managing human rights in the present place. It will provide the field-based information pertaining to the consequences of internal displacement. Further, this study will contribute to draw attention of the state authorities to formulate proper policies and programmes so as to enhance human rights of the displaced people and fulfilling responsibilities as per the need of IDPs.

However, although there are number of displaced people and relief camps in other districts of Bodoland Territorial Council, the present study is delimited to the conflict induced IDPs of the then undivided Kokrajhar district of which some parts of the present Chirang district is also included especially Sidli Block. The present study is confined and restricted to the conflict-induced IDPs who have been displaced during 1996 to 2014 and not as a result of any other factors such as natural / environmental induced displacement or development induced displacement as well as IDPs in other districts of BTC and of Assam were not included in this study. There may be number of research material and studies done on IDPs in BTC area based on different analysis and assumptions, but the present study wishes to focus only on two districts of BTC, it may not be the representative of all IDP communities in the region but this study could be the starting point to develop and expand an analytical framework that could identify potential human rights issues within IDP communities.

1.7 HYPOTHESES

The following hypotheses have been formulated in order to test the validity of the research study:

Hypothesis – I

- a) Displaced persons are facing lot of problems due to lack of National/State policy towards conflict induced internally displaced persons.

Hypothesis – II

- b) Protracted conflict among communities living in Bodoland Territorial Council has aggravated the plight of internally displaced persons.

1.8 RESEARCH METHODOLOGY

The present study is analytical one based on the primary and secondary sources. The methodology used in the present research study has been discussed in this section given as follows.

1.8.1 STUDY AREA AND SAMPLE SIZE

The proposed study area will cover the areas of the then undivided district of Kokrajhar focusing on five blocks, namely; Sidli block (now under Chirang district), Gossaigaon block, Kachugaon block, Dotma block and Kokrajhar block all four under Kokrajhar district. The word *undivided Kokrajhar* is mention because some northern parts of the present Chirang district was the part of Kokrajhar district till it was curved out in the year 2003 as a result of the BTC Accord. The district was chosen as the area of study because many of the conflicts were originated from the district and still displaced people were living in the relief camps on a permanent and semi-permanent basis. The study period covers the base year from 1996 to 2014 as the district over that period has witnessed number of conflicts and conflict-induced internal displacement.

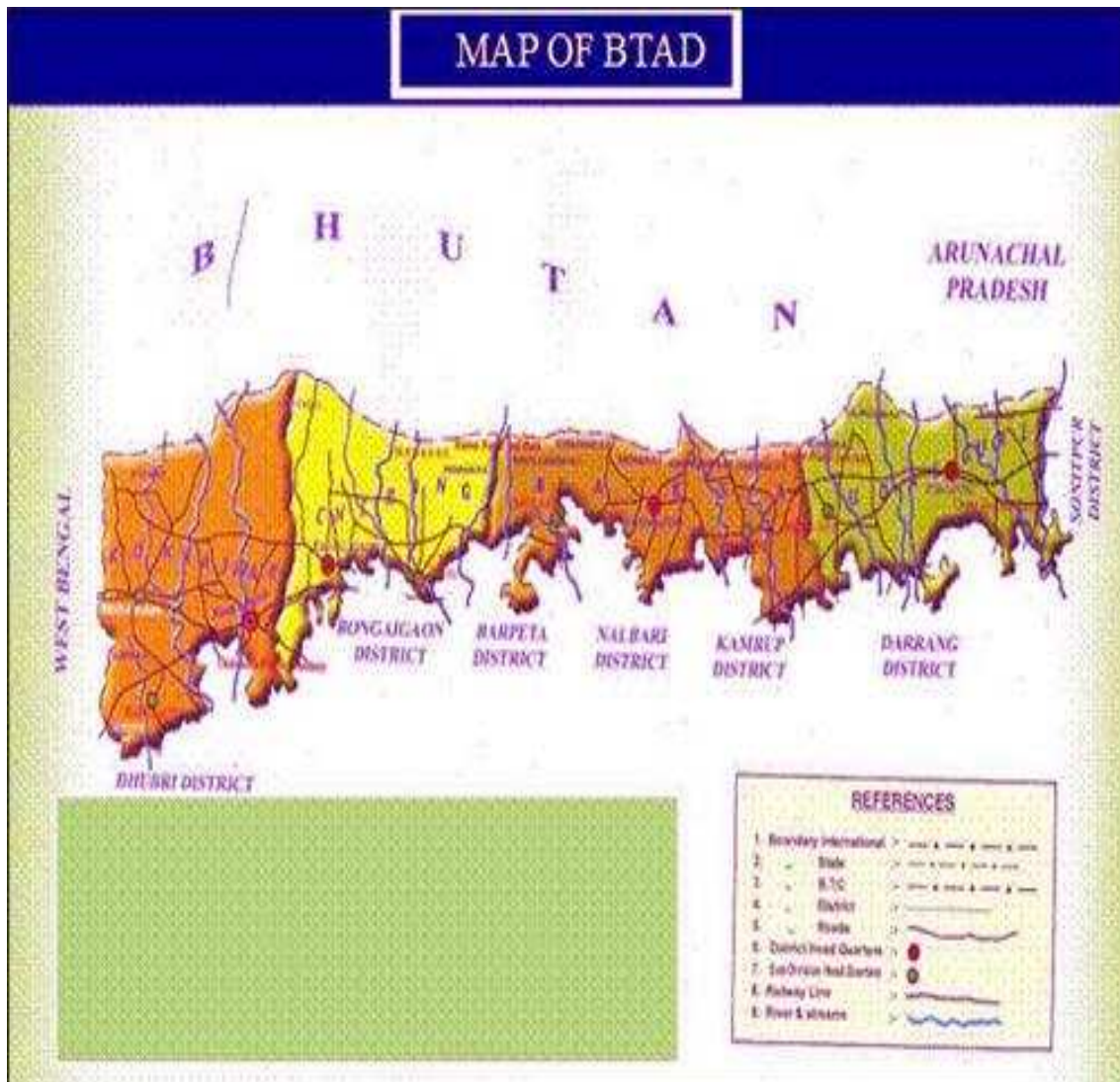
As per the estimates given by North East Research & Social Work Networking (NERSWN), a Kokrajhar based local NGO as on December, 2015 there are at present twelve thousand conflict-induced displaced people still living in various relief camps in the district of Kokrajhar. However as per the official records there exist no such camps

as they have been given compensation and were supposed to return to their respective village. Further the figure may even goes higher than the mention above figure if we take into account the displaced persons living in the state of relief camp since 1996 on a permanent state in many parts of the district in the abandoned government buildings and offices. The sample individual unit will also cover those persons who have been living in such places and camps since 1996.

The total of 300 sample units has been proposed for the study. Each block will cover 60 individual sample units which will represent all the conflict induced displaced persons in the block of the district (i.e. $60 \times 5 = 300$). The displaced community under study will includes Bodos, Santhals and Muslims. These communities were taken into considerations for the study as they have been still living in a state of temporary, semi-permanent and permanent camps in the proposed study area. The representation of equal number of male and female sample units for the study has also been taken into consideration by adopting stratified random sampling method. Out of 60 individual sample unit in each block 30 male and 30 female between the ages of 20 to 65 years of age has been proposed. Further among the 30 male sample units 10 from Bodo community, 10 from Santhal community and 10 from Muslim community were proposed. Similarly among the 30 female sample unit 10 were from Bodo community, 10 from Santhal community and 10 from Muslim community will be pick up and similar method will also be applied to all the blocks.

The information collected by the researcher includes the affected people, NGOs, religious leaders, political leaders, student organizations, village headman, chairman of Village Council Development Committee (VCDC), through one to one interview and through focused group discussion (FGD) based on structured and semi-structured questionnaire. Another option taken for collecting the information is through supply of questionnaire via mail.

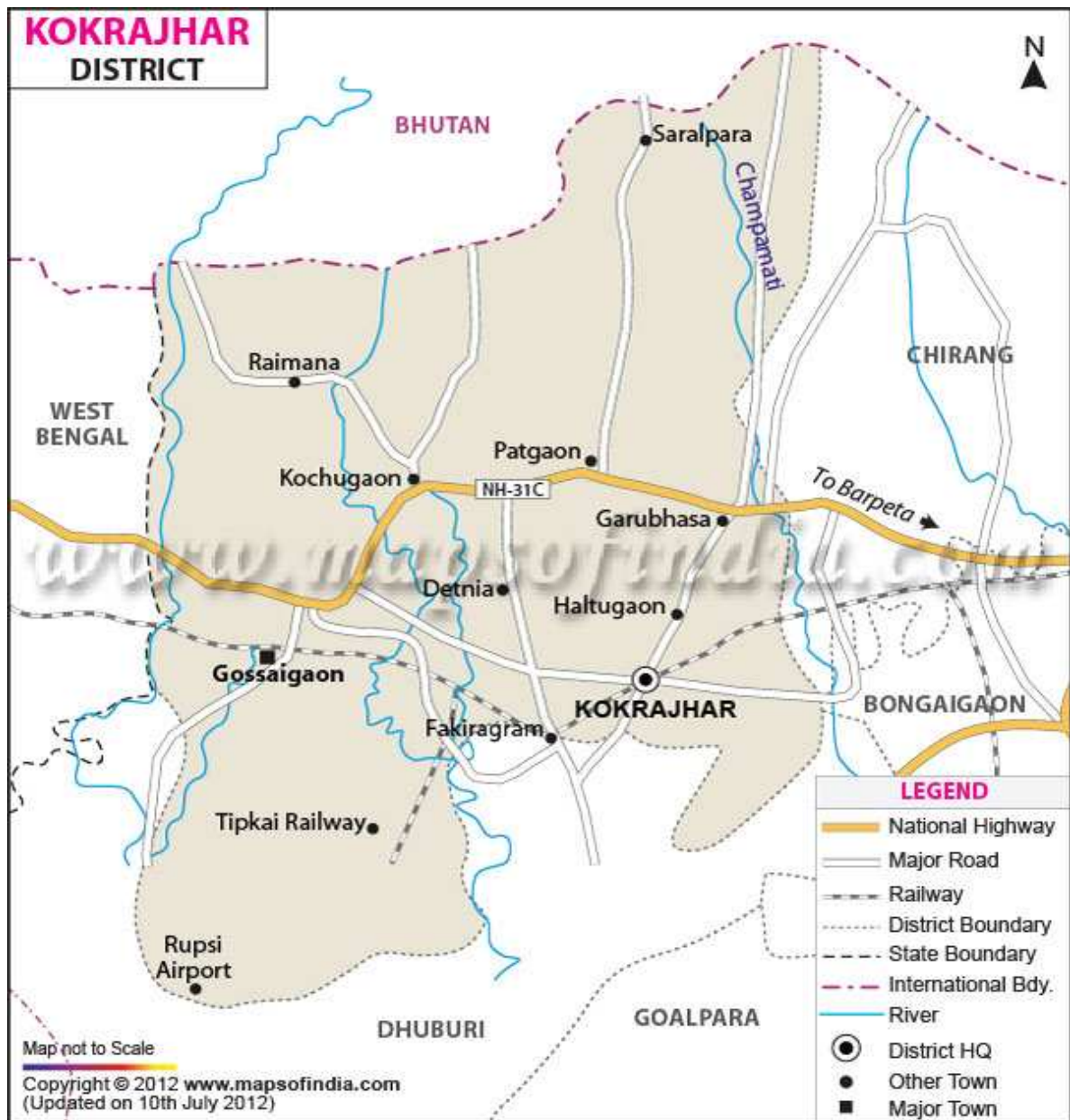
Map: 01: Map of Bodoland Territorial Council



Map Source: assamonline.in

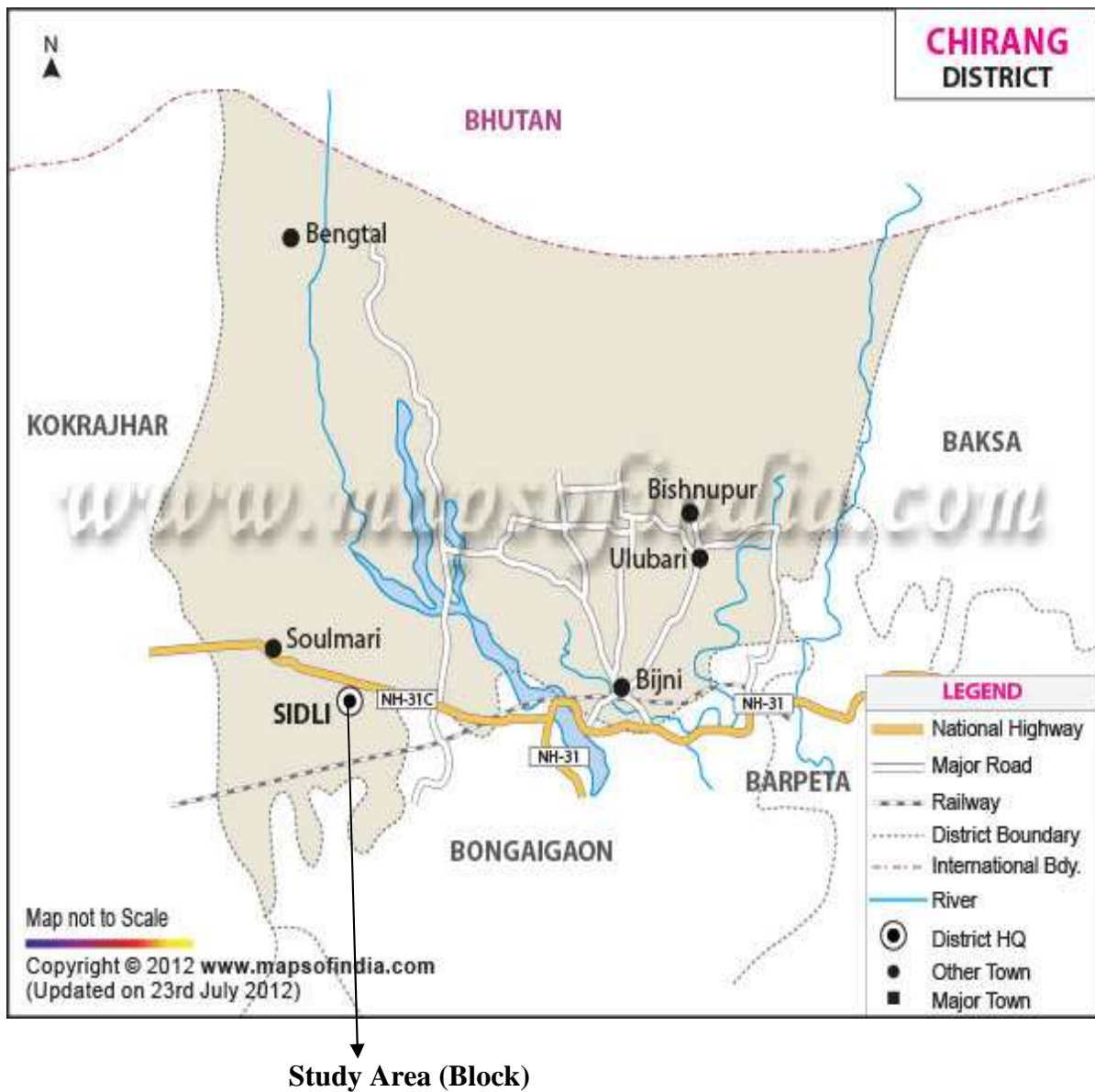
Map of Bodoland Territorial Council Showing Four Districts.

Map 02: Map of Kokrajhar District



Map of Kokrajhar district showing study area of Kokrajhar, Gossaigaon, Kachugaon and Dotma Blocks respectively.

Map 03: Map of Chirang District



Map of Chirang district showing Sidli Block taken as one of the study area.

1.8.2 DESIGN OF THE QUESTIONNAIRE

The questionnaire has been designed taking into consideration of the objectives of the research study and is divided into different parts as shown in Annexure – I; which is divided into 6 (six) sections and Annexure – I (II) which has 8 questions as given below:

Annexure – I:

- a) Section – 1: General Background Information of the Respondent: It covers total of 7 questions.
- b) Section – 2: Displacement Characteristics of the Respondents: In this section there are 5 questions relating to the displacement characteristics of the displaced people such as when, how and why etc. were being asked.
- c) Section – 3: Relief and Humanitarian Assurances: This section is related to the relief and humanitarian assurances provided to the displaced persons and has total of 5 questions.
- d) Section – 4: Health and Sanitation: The section 4 covers the questions related to the facilities on health & sanitation and problems faced by the displaced inmates in the camps including shelter, health, drinking water etc. It has a total of 9 questions.
- e) Section – 5: Income and Economic Status of the Respondents: In this section income of family members, source of income, share of property etc. were covered having 4 questions.
- f) Section – 6: Resettlement and Rehabilitation: The last section covers an area of resettlement and rehabilitation programme of the government towards IDPs, which includes amount of compensation received by the respondents, support from other sources etc. which has 9 questions.

Annexure – I (II): The Annexure- I (II) has a total of eight questions relating to plan, policies and role of NGOs in protecting the rights of IDPs especially meant for educated respondents and social organizations.

1.8.3 TECHNIQUES OF DATA COLLECTION

While collecting the data from both primary and secondary sources different methods of data collection techniques have been used. The data from primary sources includes field visits and official documents while secondary sources will includes published and unpublished documents. The main techniques of used in the collection of data are given below.

1.8.3.1 INTERVIEW/SPOT SURVEY

While collecting the information from the primary sources, all the proposed study area; i.e. 4 blocks in Kokrajhar district and one block in Chirang district of Bodoland Territorial Council (BTC) have been visited and the data has been collected personally.

1.8.3.2 SURVEY OF VARIOUS SOURCES

Other than primary sources of data collection which includes interviews and field visits various other methods has also been explored which includes government reports & documents, district official records, other publication of National as well as Assam government, books, journals, magazines, articles, news papers, working papers, published and unpublished works of various authors, etc.

1.8.4 TIME FRAME AND STAGES OF DATA COLLECTION

The data collected from the primary sources has been done in a phased manner. The proposed field survey includes one block in Chirang district and four blocks in Kokrajhar district of Bodoland Territorial Council, Assam. The time frame and the stages of data collection from the field survey have been shown as below.

- a) Sidli Block under Chirang district : July 2014
- b) Kachugaon & Gossaigaon block under Kokrajhar district : December 2014
- c) Kokrajhar & Dotma block under Kokrajhar district : July 2015

1.8.5 TECHNIQUES OF DATA ANALYSIS

The data information collected from the primary sources such as field survey and interviews will analyzed and presented in frequency tables. The whole data will be processed and analyzed and will be presented through various statistical means such as tabulation and graphical presentation. Tabulation technique is adopted to depict the clear picture of the data collected for the study. Some of the analyzed data will be represented with the help of graphical representation which will includes; bar diagram, pie diagram, line graph etc.

1.8.5.1 CITATION ADOPTED

There are various methods and styles of citation and references available for the adoption of research study references. The present research study proposed to adopt citation style of American Psychological Association (APA) 6th edition 2010, while making text and reference citation in the entire course of the study. The citation will be

applicable to all types of information resources whatever have been consulted and referred for various aspects and sections of the study.

1.9 ORGANIZATION OF THE CHAPTER

The proposed research study has been arranged in various chapters for easy analysis and understanding. The present study will includes total of six chapters as shown below.

CHAPTER – I: INTRODUCTION

The first chapter of the study will have an introduction part which will cover description on the following: An Overview – Theoretical Framework – Understanding Conflict, Understanding Internally Displaced Persons (IDPs) – Understanding Human Rights – Refugees and IDPs – Human Rights Protection of IDPs – International and National Human Rights Law – IDPs and Human Security – Statement of the Problem – Objectives of the Study – Scope of the Study – Hypotheses – Research Methodology – Study area and Sample Size – Design of the Questionnaire – Techniques of Data Collection – Techniques of Data Analysis – Citation Style Adopted – Chapterization and Conclusion.

CHAPTER – II: REVIEW OF LITERATURE

The second chapter will have an area of literature review which will cover: Introduction – Purpose of the Review – Scope of the Review – Methodology used for the Review – Review of selected Literature – Literature Review related to Conflict

Induced Internally Displaced Persons in Global Context – Literature Review related to Conflict Induced Internally Displaced Persons in South Asian Context – Literature Review related to Conflict Induced Internally Displaced Persons in Indian Context – Literature Review related to Conflict Induced Internally Displaced Persons in North East Context – Literature Review related to Conflict Induced Internally Displaced Persons in Assam & Bodoland Territorial Council Region – Conclusion.

CHAPTER – III: BACKGROUND OF CONFLICT PROFILE AND POPULATION DISPLACEMENT IN BTC, ASSAM

This part of the chapter will consist of an: Introduction – Background Information of Bodoland Territorial Council (BTC) – Geographical Profile of BTC – Demography – Literature – Education Scenario – Population Displacement during Bodoland Movement (1987 - 2003) – Conflict and Population Displacement after the Formation of Bodoland Territorial Council – Conclusion.

CHAPTER – IV: PROTECTION OF CONFLICT INDUCED INTERNALLY DISPLACED PERSONS: A GLOBAL AND NATIONAL PERSPECTIVE

In this chapter the protection mechanism of the internally displaced persons were discussed both at global and national context. The chapter will have an: Introduction – Protection of IDPs through International Law – International Human Rights Law (IHRL) – International Humanitarian Law (IHL) – International Criminal Law (ICL) – Other Specialized Body Working for IDPs Protection – International Committee of the Red Cross (ICRC) – Special Rapporteur on the Human Rights of IDPs – Inter-Parliamentary Union (IPU) – International Organization for Migration

(IOM) – The Inter-Agency Standing Committee (IASC) – The United Nations Development Programme (UNDP) – Development of Guiding Principles on Internal Displacement – Guiding Principles on Internal Displacement – Application of Guiding Principles at National and Regional Level – Internal Displacement and National Policy in India: Legal Framework – National Policy on Resettlement and Rehabilitation 2003 – The Draft National Policy on Resettlement and Rehabilitation 2006 - National Resettlement and Rehabilitation Policy 2007 – Land Acquisition Resettlement and Rehabilitation Act 2013 – Conclusion.

CHAPTER – V: DATA ANALYSIS AND DISCUSSION

The chapter will consist of an: Introduction – Sampling Profile – Displacement Characteristics – Basic Facilities and Humanitarian Assurances during Displacement Period – Health and Sanitation Facilities – Income and Economic Status – Resettlement and Rehabilitation – Role of Non Governmental Organizations and Civil Societies in BTC in Dealing with IDP Protection – Conclusion.

CHAPTER – VI: SUMMARY AND CONCLUSION

The last chapter of the study will have the concluding part which consists of an: Introduction – Major Findings of the Study – Achievements of Objectives – Testing of Hypotheses – Suggestions – Limitations of the Study – Scope for Further Study – Conclusion.

1.10 CONCLUSION

Although conflict induced internally displaced persons are facing severe human rights crisis everywhere in the world today but little attention has been paid by the respective sovereign states in addressing the plight of the displacees. Respective states for that matter have always ignored the presence of conflict induced internally displaced persons in their territory which further is a cause of concern while dealing with the rights of the displaced persons. The present research is an attempt to study the plight of the internally displaced persons who are displaced as a result of conflict in the district of Kokrajhar in Bodoland Territorial Council of Assam, India.

REFERENCES

- Agarwal, H. (2014). *Human Rights*. Allahabad: Central Law Publication.
- Bandyopadhyay, R., & Subedi, S. (2012). *Human Rights of the Internally Displaced Persons: Law and Practice*. New Delhi: Paragon International Publishers.
- Barman, S. (2009). Conflict-Induced Internal Displacees and their Security: A Case Study of Lower Assam. In A. R. Dutta, *Human Security in North East India: Issues and Policies* (pp. 219-220). Guwahati: Anwasha.
- Beswick, D., & Jackson, P. (2011). *Conflict, Security and Development: An Introduction*. New York: Routledge.
- Geissler, N. (1999). The International Protection of Internally Displaced Persons. *International Journal of Refugee Law* , 451-478.
- Ghosh, P. (2012). *Indian Government and Politics*. New Delhi: PHI Learning Pvt. Limited.
- Hussain, M. (2006). Internally Displaced Persons in North East India. *EPW* , 611-640.
- Hussain, M. (2000). State, Identity Movements and Internal Displacements in North East India. *EPW* , 4519-4523.
- Mehta, L., & Napier-Moore, R. (2010). *Citizenship and Displacement*. UK: Institute of Development Studies.
- OHCHR. (2014). Retrieved January 12, 2014, from OHCHR Web site: www.ohchr.org
- OKDISCD. (2008). *An Initiative for Peaceful Co-existence: A Look into the Conflict Profile in the Bodo Heartland and capacity Building Needs Among the Displaced People in BTC*. New Delhi: National Foundation for India.
- Panthee, T. (2007). *The Socio-Economic Impact of Internal Displacement due to Armed Conflict: A Study of Western Nepal*. Kathmandu, Nepal: Social Inclusion Research Fund Secretariat.

- Pettersson, B. (2002). Development Induced Displacement: Internal Affair or International Human Rights Issues? *FMR* , 16-19.
- Rao, T. (2013, July 15). *E-International Relations Students*. Retrieved January 12, 2014, from <https://www.e-ir.info/2013/07/15/protecting-internally-displaced-persons-in-india/>
- Robinson, W. C. (2003, May 1). Risk and Rights: The Causes, Consequences and Challenges of Development-Induced Displacement. Whashington DC, USA.
- Soanes, C., Spooner, A., & Hawker, S. (2006). *Compact Oxford Dictionary, Thesaurus, and Wordpower Guide*. New York: Oxford University Press.
- UNDP. (1994). *Human Development Report 1994*. New York: OUP.
- UNHCR. (2010, December). Convention and Protocol Relating to the Status of the Refugees. Geneva, Switzerland. Retrieved from UNHCR.
- UNO. (2015). *United Nations Organization*. Retrieved October 2, 2018, from www.un.org
- Vincent, M. (2000). IDPs: Rights and Status. *Forced Migration Review* , 29-30.