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## A BRIEF OUTLINE OF THE FORMATION OF TIWA AUTONOMOUS COUNCIL OF ASSAM AND AN ANALYSIS OF ITS SUCCESS OR FAILURE

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### **ABSTRACT:**

In a diverse and multi-ethnic country like India, the emergence of demand for autonomy by smaller ethnic communities is an obvious and natural phenomenon. Assam is one of the states of India where numerous different tribes reside with their distinct culture, history and way of life. Though after independence some special provisions were incorporated in the constitution for the governance of tribal communities to ensure their development, protection of their culture and identity but their social and political aspirations is still not properly addressed. Tiwa or Lalung is one such tribe of Assam which has raised the demand of political autonomy and struggled for long to secure it. Responding to their demand the Government constituted the Tiwa Autonomous Council ensuring self rule in areas where they are dominant. The following paper is a study of the same and an analysis of its success or failure and the way forward.

Tiwa, otherwise known as Lalung is one of the major tribes of Assam. The Tiwas (Lalungs) have predominantly been inhabiting both in plains and hill areas of Assam and Meghalaya. They belong to the Tibeto- Burman family of great Bodo race and speak Sino-Tibetan language. They are majority in Morigaon district and certain parts of Nagaon, Kamrup, Karbi Anglong districts of Assam and East Khasi hills in Ribhoi district of Meghalaya state. Certain Tiwa villages are also found in Dhemaji, Lakhimpur, Jorhat and Tinsukia districts of Assam.

According to the 2011 Government Census report the number of Tiwa population is 200915, excluding Meghalaya. They are 109530 in number in Morigaon district while in Nagaon district they contribute 58511 to the population. Tiwa population in Kamrup district (M) is 7318, while in Karbi Anglong and Dima Hasao districts is 18251. In other districts except Dhemaji, Tiwa population is negligible. According to district

wise distribution of Tiwa population as per 2011 census report, the lowest number of Tiwa populated district in Assam is Karimganj where there is only one Tiwa individual found enumerated.

Now, let us discuss the Tiwa Autonomous Council which was constituted on 13<sup>th</sup> of April, 1995. According to Lalung (Tiwa) Accord signed between the government of Assam and Autonomous Lalung District Demand Committee and its associate organizations, both the parties agreed to include revenue villages in Tiwa dominated areas of Assam having more than 51% tribal population. The government constituted a general council as the Apex body of the Autonomous Council and there would be certain village councils to be constituted under the Tiwa Autonomous Council. For the social, economic, educational and cultural upliftment of the Lalungs living in scheduled tribe dominated areas of Assam, administrative and financial powers may be delegated in order to exercise direct responsibility and authority in regard to their development and local problems.

The general council shall have the executive powers in relation to the council area. To execute all the functions there would be an executive body from among the general council. The government endorsed altogether thirty four subjects under its powers and functions. The most formidable subjects among them are land revenue, education, social welfare, PNRD, handloom and textile industry, cottage industry, agriculture, animal husbandry, public health, engineering etc. Similarly the village councils are also endorsed with twenty nine subjects under their executive functions.

On the conclusion of the Accord an interim body of the council was formed by the governor of Assam on the line of the Rabha and Mishing Autonomous Councils by an ordinance in 1995 effective from July 27 vide notification number TAD/ST/276/94/55 and the council is expected to look after the additional duties of the village councils till the same are constituted under the aforesaid ordinance. However, the village councils were not constituted later on. Accordingly a twenty eight members interim body of Lalung Autonomous Council under the leadership of Mr. Narayan Radu Kakati was sworn in by the Upper Assam Commissioner, Bhaskar Mushahary in a function at Nellie on 27<sup>th</sup> of July 1995. Since that time onwards till 2010 the interim body of the council took rein of executing the functions of Tiwa(Lalung) Autonomous Council. However, from time to time in this period the interim body had been changed with the change of government at Dispur. Though the Accord provide the term of the interim body for six months, no election was held for a long period. It is always lamented that in this period of fifteen years gap of election, the Lalung council was made vulnerable for the members of the Lalung Council to extract money by unfair means. The people saw rampant corruption in the interim body of the council.

### **A SHORT BACKGROUND OF THE FORMATION OF LALUNG AUTONOMOUS COUNCIL(LAC)**

Now, let us go back prior to the Constitution of Lalung(Tiwa) Autonomous Council. It was Lalung Durbar(Assam and Meghalaya) first to raise the demand for an Autonomous Hill district council under the provision of Six Schedule of the Indian Constitution. Lalung Durbar was established in 1967 almost contemporary to Plains Tribal Council of Assam (PTCA), which demanded Udayachal on the northern bank of the Brahmaputra. It is to be noted that during that period of time Lushai hills, United Khasi Jayantia and Garo hills were within the boundary of Assam. These areas were artificially amalgamated with Assam by the British colonial power. The tribals of those areas demanded separation from Assam. The then newly elected Prime Minister, Indira Gandhi observing the situation proposed to recognize Assam on federal basis, instead of further separation of Assam. Under the spirit of such proposal of the Prime minister several tribal organizations, hills and plains came out to welcome the proposal. Lalung Durbar also warmly welcomed the proposal expecting a separate Lalung hill district. But this move of prime minister was vehemently opposed by All Assam Students' Union and Asom Sahitya Sabha by having a Assam bandh call on 12<sup>th</sup> February 1967. The proposal was not implemented but the Lusai hills and Khasi, Jayantia and Garo hills gradually went away from Assam boundary to form themselves separate entities.

Lalung Durbar was highly inspired by the formation of Karbi Anglong and N.C. Hill district councils. So it demanded creation of a Lalung hill district comprising certain plain areas of undivided Nagaon district and Ribhoi district of Meghalaya State. The founder President of the Durbar was Hemaram Bordoloi while its Secretary was Indrasing Dewri.

Following the Lalung Durbar, the Tiwa Sanmilan, an organization of educated Lalungs mostly from C.P.I background was established in 1971, having the objective of socio-economic upliftment of the Tiwas(Lalungs). In the early period of Tiwa Sanmilan upto 1988, it had no political demand. But in the Dhemaji Conference, they resolved to demand for an Autonomous Council for the Lalungs(Tiwas).

It should be noted that these organizations- Lalung Durbar and Tiwa Sanmilan did not conceive the idea of mass agitations against the ruling government. Their demands were confined to submitting memorandums to ministers and holding conference and a few meetings.

But the most promising movement for autonomy was launched by the All Tiwa Students' Union founded in 1989 and its associate organizations like All Tiwa Women Association, Autonomy Demand struggling Forum etc. Mention should be made that All Assam Tribal Students Union led by Ronuj Pegu, Tulshi Bordoloi and Sabyasachi Rabha demanded federal reorganization of Assam by granting autonomy to Mishings, Tiwas and Rabhas. Similarly a strong Bodo Movement under the leadership of Upendra Nath Brahma for a separate Bodoland created congenial atmosphere for tribal movement in Assam.

Autonomous State Demand Committee (ASDC) demanded an Autonomous State within Assam comprising Karbi Anglong and N.C Hill districts. More or less all these movements took place during AGP government in Assam. AGP was installed in power in 1985, after Assam Accord. But the AGP could not tackle the tribal problems. In 1991 AGP was replaced by Congress(I) Government. Hiteswar Saikia, the Chief Minister of Assam took initiative to consult the central government for the solution of Bodo problem in the northern bank of the Brahmaputra. Accordingly the central government appointed a Three Member Expert Committee to study the the Bodo problem in 1991. In their visit to Assam, All Tiwa Students' Union took opportunity to submit a memorandum to Bhupinder Singh, leader of the Three Member Expert Committee on 4<sup>th</sup> September, for a separate Autonomous District Council. The three Member Expert Committee submitted a report as to the legislative, administrative and financial powers that may be given to the Autonomous structures conceived for the areas of northern bank of Brahmaputra in Assam. That committee suggested three tier structure: a) village council b) regional council c) Apex council. They also reported the existence of Lalungs in the Southern Bank of Assam.

Thus, the episode of Autonomy in Assam began with formation of Bodoland Autonomous Council(BAC) in 1993. Subsequently Rabha, Mishing and Tiwa Autonomous Councils were created under a State Act. However, All Tiwa Students' Union and its associate organizations were absent from signing the Lalung Accord alleging that the Accord did not provide constitutional legality and boundary of the council. They again started their agitational programmes with the demand of inclusion of Tiwa Autonomous Council under Sixth Schedule provision of Indian Constitution and demarcation of boundary.

In this period of agitations, a new concept of Core Area and Satellite area developed for Autonomous Councils. Under this concept Tiwa Students Union came to conclude a Memorandum of Understanding with the state government led by Asom Gana Parishad which assumed power in Assam for the second time in 2001. This MOU increased some financial powers and some structural changes of the council took place. The nomenclature of the Lalung Autonomous Council was also brought into change naming it Tiwa Autonomous Council, but the issue of constitutional legality remained unsolved.

Since the formation of the Tiwa Autonomous Council, there has been amendment to the act for four times. It was amended in 1996, 1997, 2001 and 2005. The most important amendment made by the state government was transferring the land revenue power to the council. The following provision has been inserted in the Act provided no allotment of land shall be made in the council area without the recommendation of the executive council. But unfortunately no office memorandum was made by the government for transferring the land revenue power to the council.

So, the council could not make allotment of a single plot of land to any institution or individual.

### **PRESENT POSITION OF THE TIWA COUNCIL**

The Tiwa Autonomous Council bears a total population amounting to 418471. The total tribal population in the council is 2887138, while the scheduled castes are 45534 and others are 85799. Total revenue villages (part and full) included in the Council are 422 in number. In the Core area there are 267 revenue villages while 155 are in the Satellite areas. It covered parts of the four districts- Morigaon, Nagaon, Kamrup and Hojai and nine Assembly constituencies- Morigaon, Jagiroad, Laharighat, Raha, Nagaon Sadar, Batadraba, Brahampur, Lamding and Dispur.

The Tiwa Autonomous Council was constituted for the upliftment of the Tiwa people. The government allocated funds to these tribal councils extracting the fund of tribal sub plan provided by the central government. No central fund is directly provided to them, because of which councils like Rabha, Mishing and Tiwa have no constitutional legality. Central government is not responsible to these Autonomous councils. Tiwa Autonomous Council has to submit some schemes of development to the State government for the budget allocated fund. Tiwa council is not provided the power of making budget. Land revenue power which was an objective to protect the Tiwas from illegal transfer of land to non tribals is still not handed over to the council. So, it cannot collect revenue from land for their own fund. According to the Accord education department including Adult, Primary and Higher Secondary level is endorsed to the power of the council but not a single Tiwa language school is seen established in Council areas till now. The authority for appointment of teachers is in the hands of the State government. This is due to the absent of proper policy of the government. Markets and fairs, ghats and ferries which maybe source of revenue for the council is conflicting to Gaon Panchayat as Panchayat system exists in the council area. Panchayat is given more power in collecting fees from market and fairs etc. and Panchayat system is constitutional unlike the council. Thus, the Tiwa Council is totally dependent on State government fund. In has no other income source of its own.

Tribal societies especially in India are at different level of development so far as their life style is concerned. Most of them are no longer isolated, rather exposed to many forces. Tiwas are particularly being exploited by the more advanced communities and in extreme cases they have been dislodged from their own habitats. Economic backwardness, unequal distribution of capital have provided the Tiwas with poor life. So, it was justifiable to grant autonomy to them but not for name sake. We cannot assess the success and failure of the Tiwa Autonomous council unless it has been granted total power of autonomy.

On the basis of what have been analyzed I have certain observations relating to Tiwa Autonomous Council. The Tiwas are not given real autonomy with necessary

legislative, executive and financial powers. The government is yet to have a wise policy for the promotion of the interest of the Tiwa people. To have a good policy is the first step to be followed by its sincere and timely implementation.

### **SUGGESTIONS**

- Tiwa Autonomous Council should be brought under constitutional legality. To ensure constitutional guarantee to it, the government has to make amendment of the sixth schedule of the constitution.
- Land and revenue, educational and cultural and other powers should be given to them so that they can control and enjoy everything under their own fate.
- All the expenditures of all the councils should be brought under the Audit of Comptroller and Auditor General (CAG).
- Government of India is under compulsion to follow the indigenous tribal policy as undertaken by the United Nations for the protection of indigenous people.

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