

Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>

Country/ entity	India Assam
Region	Asia and Pacific Asia and Pacific
Agreement name	Memorandum of Understanding
Date	1 Apr 1995
Agreement status	Multiparty signed/agreed
Interim arrangement	Yes
Agreement/ conflict level	Intrastate/intrastate conflict (India-Adivasi Conflicts (1955 -) (Northeast India))
Stage	Framework/substantive - partial
Conflict nature	Government/territory
Peace process	India-Assam agreement
Parties	Sd/-(DHOROM SING TERON) CHAIRMAN, ASDC Sd/-(ROBINDRA RONGPI) PRESIDENT, KARBI STUDENTS' ASSOCIATION (KSA) Sd/-(PRAKANTO W ARISA) PRESIDENT, NORTH CACHAR HILLS STUDENT'S FEDERATION (NCHSF) Sd/-(JOITHON LONGMAILAI), PRESIDENT, DIMASA STUDENT'S UNION (DSU) Sd/-(HOLIRAM TERANG) SPOKESMAN, ASDC Sd/-(JAYANTA RONGPI) SPOKESMAN, ASDC Sd/-(HITESH SWAR SAIKIA) CHIEF MINISTER OF ASSAM
Third parties	In the Presence of (SHRI S. B. CHAVAN) HON'BLE UNION HOME MINISTER.
Description	This agreement provides for reforming parts of the constitution in order to grant greater devolved executive and legislative powers to the Karbi Anglong Autonomous Council and the North Cachar Hills Autonomous Council.

**Agreement
document** [IN_950401_Memorandum of Understanding.pdf](#)  | [Download PDF](#)

Groups

Children/ youth	No specific mention.
Disabled persons	No specific mention.
Elderly/age	No specific mention.
Migrant workers	No specific mention.
Racial/ ethnic/ national group	No specific mention.
Religious groups	No specific mention.
Indigenous people	No specific mention.
Other groups	No specific mention.
Refugees/ displaced persons	No specific mention.
Social class	No specific mention.

Gender

Women, girls and gender	No specific mention.
-------------------------------	----------------------

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/ secession No specific mention.

Accession/ unification No specific mention.

Border delimitation No specific mention.

Cross-border provision No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution Governance→Constitution→Constitutional reform/making

Page 6, 3. (v)

Action will be initiated for necessary amendment of the Sixth Schedule to provide for exercise of discretionary powers by the Governor of Assam in respect of matters specifically indicated or entrusted to the Councils in the manner provided for the paragraph 20-BB of the Sixth Schedule of the Constitution. However, the present formulation in paragraph 20-BB may be modified to provide that in addition to the Council of Ministers, the Governor shall consult the District Council by omitting the words "and if he thinks it necessary". Additional provisions viz. paragraph 2 (6), 2 (6A) excluding the first proviso thereunder, 8 (4) and 10 (3) may also be brought within the purview of para 20-BB.

Page 6, 3. (vi)

Para 14 (2) of the Sixth Schedule be modified by omitting the words "with the recommendations of the Governor with respect thereto".

Page 6, 3. (vii)

The State Government would propose to the Central Government to examine the feasibility of bringing paragraphs 4 (3), 4 (5), 12 (l) (b) and 17 of the Sixth Schedule within the purview of paragraph 20-BB.

Power sharing

Political
power
sharing

No specific mention.

Territorial
power
sharing

Power sharing→Territorial power sharing→Autonomous regions

Page 2-3, 3. (i)

Following initiation of a dialogue by Chief Minister, Assam in January 1992 with the leaders of the Hill Tribals, a series discussions have been held by the Union Home Minister. The following understanding has been reached : -
The Autonomous District Councils of Karbi Anglong and the North Cachar Hills District will be renamed as KARBI ANGLONG AUTONOMOUS COUNCIL AND THE NORTH CACHAR HILLS AUTONOMOUS COUNCIL;

Page 3, 3. (ii)

The jurisdiction of the two Councils for the exercise of executive powers will extend to the subjects/departments listed in Annexure-I. A resolution to this effect will also be passed by the State Legislature. To the above extend, the executive powers of the State will stand delegated to the above Councils;

Page 3-5, 3. (iv)

Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule;

(a) Industries, subject to the provisions of entries 7 and 52 of List I of Seventh Schedule;

(b) Communications, that is to say roads, bridges, ferries and other means of communication not specified in List I: municipal tramways, ropeways, inland waterways and traffic thereon subject to the provisions of List I and List III with regard to such waterways; vehicles other than mechanically propelled vehicles;

(c) Preservation, Protection and improvement of stock and prevention of animal diseases;

veterinary training and practice; and Cattle Pounds;

(d) Primary and Secondary Education;

(e) Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases;

(f) Fisheries;

(g) Water, that is to say water supplied, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I;

(h) Social security and social insurance, employment and unemployment;

(i) Flood control schemes for protection of villages, paddy fields, markets, town etc. (not of technical nature);

(j) Theaters and dramatic performances, cinemas subject to the provisions of entry 60 of List I; Sports, entertainments and amusements;

(k) Public Health and sanitation, hospitals and dispensaries;

(l) Minor irrigation;

(m) Trade and Commerce in, and the production, supply and distribution of Foodstuffs, Cattlefodder, raw cotton and raw jute; and

(n) Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national importance.

Additional, the feasibility of inclusion of "alienation of land" in Clause (a) of Sub-para (l) of para 3 of the Sixth Schedule will be examined. The laws relating to List III of the Seventh Schedule of the Constitution enacted by the Councils shall be reserved for consideration and approval of the President.

Economic power sharing	Power sharing→Economic power sharing→Sharing of resources Page 3, 3. (iii) The State Government will, before the beginning of the financial year, give an indication to the Councils of the overall financial allocations for them. The Councils will, thereafter, prepare and pass their own budget and forward it to the State Government for being included in the overall State budget. Ordinarily, no change will be made in the budget as proposed by the Councils. However, if for any reasons it becomes necessary to do so, the Councils would be consulted and would be explained the reasons for change;
Military power sharing	No specific mention.

Human rights and equality

Human rights/RoL general	No specific mention.
Bill of rights/similar	No specific mention.
Treaty incorporation	No specific mention.
Civil and political rights	No specific mention.
Socio-economic rights	No specific mention.

Rights related issues

Citizenship	No specific mention.
-------------	----------------------

Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/ access	No specific mention.
Protection measures	Rights related issues→Protection measures→Other Page 3-5, 3. (iv) Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule; (c) Preservation, Protection and improvement of stock and prevention of animal diseases; veterinary training and practice; and Cattle Pounds; (e) Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases; (i) Flood control schemes for protection of villages, paddy fields, markets, town etc. (not of technical nature);
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

Socio-economic reconstruction

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business	<p>Page 3-5, 3. (iv) Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule; (a) Industries, subject to the provisions of entries 7 and 52 of List I of Seventh Schedule;...(m) Trade and Commerce in, and the production, supply and distribution of Foodstuffs, Cattlefodder, raw cotton and raw jute;...</p> <p>Page 10, Annexure-I, DEPARTMENT FOR ENTRUSTMENT TO THE N.C. HILLS & KARBI ANGLONG AUTONOMOUS DISTRICT COUNCILS UNDER PARA 5 (2) OF SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA 1. Industry.</p>
Taxation	<p>Socio-economic reconstruction→Taxation→Power to tax Page 11, Annexure-I, DEPARTMENT FOR ENTRUSTMENT TO THE N.C. HILLS & KARBI ANGLONG AUTONOMOUS DISTRICT COUNCILS UNDER PARA 5 (2) OF SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA ... 29. Excise. 30. Finance including Sales Tax on purchase of good other than Newspapers, Excise, Professional Tax.</p>
Banks	No specific mention.

Land, property and environment

Land reform/ rights	<p>Land, property and environment→Land reform/rights→Land reform and management Page 11, Annexure-I, DEPARTMENT FOR ENTRUSTMENT TO THE N.C. HILLS & KARBI ANGLONG AUTONOMOUS DISTRICT COUNCILS UNDER PARA 5 (2) OF SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA ...24. Land Reforms.</p> <p>Land, property and environment→Land reform/rights→Other land rights Page 5, 3. (iv) ...Additional, the feasibility of inclusion of "alienation of land" in Clause (a) of Sub-para (I) of para 3 of the Sixth Schedule will be examined. The laws relating to List III of the Seventh Schedule of the Constitution enacted by the Councils shall be reserved for consideration and approval of the President.</p>
Pastoralist/ nomadism rights	No specific mention.

Cultural heritage	<p>Land, property and environment→Cultural heritage→Tangible</p> <p>Page 5, 3. (iv)</p> <p>Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule;</p> <p>...(n) Libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under law made by Parliament to be of national important...</p> <p>Land, property and environment→Cultural heritage→Promotion</p> <p>Page 10-11, Annexure-I, DEPARTMENT FOR ENTRUSTMENT TO THE N.C. HILLS & KARBI ANGLONG AUTONOMOUS DISTRICT COUNCILS UNDER PARA 5 (2) OF SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA</p> <p>...8. Cultural Affairs.</p>
Environment	<p>Page 3-5, 3. (iv)</p> <p>Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule;</p> <p>...(i) Flood control schemes for protection of villages, paddy fields, markets, town etc. (not of technical nature);...</p> <p>Page 10-11, Annexure-I, DEPARTMENT FOR ENTRUSTMENT TO THE N.C. HILLS & KARBI ANGLONG AUTONOMOUS DISTRICT COUNCILS UNDER PARA 5 (2) OF SIXTH SCHEDULE TO THE CONSTITUTION OF INDIA</p> <p>...18. Flood Control Department.</p>
Water or riparian rights or access	<p>Page 3-5, 3. (iv)</p> <p>Action will be urgently initiated for amendment of Para (1) of the Sixth Schedule for transferring legislative powers to the Councils in respect of the following subjects, in addition to powers already available to them under the Sixth Schedule;</p> <p>...(f) Fisheries;...(g) Water, that is to say water supplied, irrigation and canals, drainage and embankments, water storage and water power subject to the provisions of entry 56 of List I;...(1) Minor irrigation;</p>

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.

Police	<p>Page 7, 3. (viii)</p> <p>While law and order will continue to be the responsibility of the State Government, it would, however, evolve a mechanism for consultation with the C.E.M. of the Council concerned regarding the posting of senior Police and law and order Officers i.e. the Superintendent of Police and below the Deputy Commissioner and below in the area of the Councils. Similarly, the State Government will also evolve a mechanism for associating the C.E.M. of the Council concerned in the performance appraisal/recording of Confidential Report in respect of the above-mentioned Officers in accordance with the procedure being followed by the State Government.</p>
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/ rebel and opposition group forces	No specific mention.
Withdrawal of foreign forces	No specific mention.
Corruption	No specific mention.
Crime/ organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation No specific mention.

Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism No specific mention.

Related cases No specific mention.

Source <http://artassam.nic.in/Hills%20Areas%20Deptt/Memorandum%20of%20Understanding.pdf>
