



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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MUKHERJEE: It is the 23rd of July. My name is Rohan Mukherjee. I am with Mr. Rajiv Bora, the home commissioner for the government of Assam. Mr. Bora, if I could just ask you to briefly introduce yourself, provide a little professional background and a short account of your involvement in the reform efforts in Assam?

BORA: *Thank you, Rohan. Presently, I am Commissioner and Secretary of the Home and Political Departments. I am also looking after border areas and passport departments. In this capacity I deal essentially with the maintenance of law and order, also with the counterinsurgency operations and management of various kinds of conflicts: ethnic, communal, linguistic, economic, and social. Apart from that, I am also dealing with human rights issues and with the issue of citizenship, and what we have here in Assam as a foreigners' problem. I also deal with passports and applications for visa extensions. Apart from that, I deal with border areas, both interstate as well as international. In Assam we have border disputes with the neighboring states of Arunachal and Nagaland, and also with Meghalaya and Mizoram. So my department attends to these disputes. Moreover, it also deals with development issues relating to the interstate border areas. So that very broadly sums up what my duties are in this post.*

MUKHERJEE: Which year did you come into this post?

BORA: *I joined this post in 2005.*

MUKHERJEE: Before that you were?

BORA: *Before that, I was Commissioner and Secretary of Finance. That was from 1998 to 2003. In that position I was dealing with state finances, both the revenue as well as the expenditure management sides, and also taxation. While I was in finance, I was very deeply involved with fiscal reforms. Until that, I dealt with tax reforms—in fact, it was during my tenure in the finance department that the government went in for a value-added tax system and also computerized the tax collection system. It also computerized the treasuries during that time. Apart from that, we drew up a very comprehensive medium-term fiscal reforms program entailing reforms entailing many measures relating to expenditure control and management, revenue collections and taxation, and also debt management. So it is quite comprehensive. We also initiated steps for financial assistance from the Asian Development Bank to support these reforms.*

MUKHERJEE: In your position in the home department, when you came into this position in 2005, what were the major issues and challenges that were facing the government at that time with regard to law and order, counterinsurgency, etc.?

BORA: *Assam essentially is confronted with two major problems. First and foremost is the foreigners' issue. Secondly, we are affected also by insurgency and terrorism. So both these problems have been here, and Assam has been facing these problems for a long time. The foreigners' problem came to the fore with the launching of the Assam Agitation in the late '70s. This was followed by the ULFA (United Liberation Front of Asom) insurgency from the late '80s. When the ULFA insurgency started, we found that some of the other smaller, sub-national groups, some other tribal groups also started their own insurgencies, namely in the North Cachar Hills and Karbi Anglong and in the Bodo areas. As a result, most parts of Assam—except for the Barak Valley, that is in southern Assam—were affected by insurgency. Today also it is largely insurgency-affected, although the situation has improved considerably.*

MUKHERJEE: Could you explain what exactly the foreigner problem is?

BORA: *The foreigners' problem in Assam essentially stems from the migration of people from the former East Bengal (subsequently East Pakistan and now presently Bangladesh) to Assam and to the northeast through Assam. Because of their immigration to Assam—and subsequently, after 1971, their infiltration—the population balance, the demographic balance has altered significantly in many of the lower Assam districts which are adjacent or close to Bangladesh. These districts are Dhubri, Goalpara, Barpeta, then Mangaldoi, Nagaon, Karimgangj, Hailakandi, Cachar. So a number of districts have been quite seriously affected by the movement of people from across the borders. It all started in the beginning of the 20th century, but it has continued even during the post-independence period in the 1950s, '60s, and very substantially even after the Bangladesh Liberation War in 1971.*

As a result of that, a result of this influx and the change in demographic balance, the indigenous people of this area, the state of Assam, started to feel threatened. They feared losing their own identity and they feared that they would lose political and economic power to the immigrants. As a result of that, there was an agitation against these immigrants, who are generally known as foreigners here. But of course, as per the Assam Accord and the subsequent amendment to the Citizenship Act, all those who came to Assam on or before March 24th, 1971 are entitled to be citizens.

As things stand today, there is—I would say for the first time—very broad consensus on this issue cutting across political parties, cutting across different communities and ethnic groups. Everybody has agreed that all those who have come after 1971—that is, after 24th March 1971—should be detected and deported. That is a direct outcome of the foreigners' agitation which took place in the late '70s and early '80s and came to an end in 1985 with the signing of the Assam Accord.

As a matter of fact, when the ULFA insurgency was at its height in the late 1980s and early '90s, the Bodo insurgency also started up at the same time. There was a Bodo movement, and that was largely accompanied by an insurgency of Bodo militants. That went on for practically the entire 1990s.

Fortunately, at least one of the major groups of the Bodo insurgents, namely the BLT (Bodoland Liberation Tigers), agreed to a ceasefire and then subsequently arrived at a settlement with the government of India and government of Assam in 2003. As per that settlement, all their cadres surrendered their arms and then came back to the mainstream. In return, the government decided to withdraw criminal cases against them and rehabilitated the cadres and leaders in various ways including by providing them financial assistance.

Many of the ex-BLT leaders formed a political party of their own and contested the BTC elections, the Bodoland Territorial Council elections. They succeeded in winning those elections in 2005, whereby they were able to come to power in the BTC. So to a large extent their political aspirations were also met. As a matter of fact, the BTC itself was an outcome of the settlement between the government of India, the government of Assam, and the BLT and those involved in the Bodo movement. So the BTC was created, and as a very special case the government of India agreed to confer Sixth Schedule status to the BTC, as a result of which the BTC enjoys a high degree of autonomy. They have legislative and executive

powers in respect of some 40 subjects ranging from agriculture and industry to rural development, and so on and so forth.

I think apart from law and order, which includes police, and the state finances, most subjects have been transferred to the BTC. So today they are in power with the BTC—and then subsequently we had the state assembly elections in 2006, which they also contested. The BPF, Bodoland People's Front, contested the elections, and they were able to win all the seats from the BTC area.

As a result of that they were able to join, or rather form a coalition government with the Congress at the state level. Today three of their leaders are in the state cabinet. So that has been a good case of conflict resolution with major Bodo group. But then, on the other hand, we have another group from amongst the Bodos, namely the NDFB, National Democratic Front of Bodoland, with whom we have today a ceasefire agreement. Similarly we have ceasefire agreements with two other major tribal groups, namely DHD, Dima Halim Daoga, and the UPDS, the United People's Democratic Solidarity, which is a Karbi group.

We also have ceasefire pacts with two Adivasi groups by the name of Birsas Commando Force (BCF) and the Adivasi Cobra Militant Force.

MUKHERJEE: Sir, in your own capacity as Commissioner and Secretary of the Home Department, were you involved in any of these initiatives to negotiate ceasefire agreements with these groups?

BORA: *I have not been directly involved with the negotiation of ceasefire agreements with any of these groups, but I have been involved with the monitoring and implementation of the ceasefire agreements. The last ceasefire agreement which was signed was with the NDFB, and that was just before I joined this department. In the joint monitoring group, we see how the ceasefire is being enforced, whether the militant groups under ceasefire are adhering to the ceasefire ground rules, whether there have been any violations in the ceasefire, and then we try to address these issues.*

In particular, we try to address the complaints which are lodged by the people that belong to that area or by the police themselves, whatever complaints they may have against these groups. These may relate to various things such as extortion and violent activities perpetrated by the cadres.

MUKHERJEE: So has the settlement with the Bodos resulted in other ethnic communities also demanding similar councils and similar settlements?

BORA: *Yes. Today we have the Rabhas. The Rabhas are in the south bank of Assam to the west of Guwahati, that's in Goalpara District. They have an autonomous council, but that is not a Sixth Schedule one; it is a council which has been set up by an act of the state legislature. Similarly we have the Missing Autonomous Council, which is in upper Assam in the districts of Lakhimpur and Dhemaji, and we also have the Lalung Autonomous Council; that's in the district of Marigaon, adjacent to Nagaon. All these councils are now demanding more powers and Sixth Schedule status. So that is an issue which the state governments today are grappling with.*

MUKHERJEE: So in granting this status to these various communities, this is a fairly bold move to decentralize a lot of authority from the state government down to these councils. Did the government have trouble in building support for this kind of a move?

BORA: *Yes, there was a problem. For example, in the case of the BTC, the Bodos in that area amount to only 30-35% of the population. The rest of the population is non-Bodo. They may be Assamese, they may be Bengali, they may be Adivasi, they may be Nepalis, they may belong to other communities there. So there was resistance to the creation of this council, especially a Sixth Schedule council, by these communities. But eventually they were also brought on board, and I understand that the Bodos played a major role in addressing their fears, their apprehensions.*

MUKHERJEE: Of course all this happened before you came into this department around 2005.

BORA: Yes.

MUKHERJEE: So when you came in, could you talk about the kind of institution building and institutional reform that you engaged in since 2005?

BORA: *Well, to again go back to those two major issues which we are confronted with today, namely foreigners and insurgencies—very broadly speaking, I can say that as far as the foreigner thing is concerned, we have put in place some measures which will help prevent infiltration. Consequently, we have put a lot of stress on the construction of border fence along the Indo-Bangladesh border. A border fence along with a border road. So the land border with Bangladesh is being fenced. That is one of the initiatives which this government has taken.*

Apart from that, while the BSF did guard the border from before—the Border Security Force, which is a central force—we have been insisting that the number of BSF outposts along the border be increased. Fortunately, the government of India has acceded to that request, and as a result, the number of border outposts has also been significantly increased, and they will increase further in the months to come.

Apart from the state government side, we have put in place a second line of defense, manned by the state police, to detect and to push back foreigners who may come across the border. Then there are a whole lot of measures relating to policing of the border areas, including the riverine areas, because we are setting up a number of police stations in the riverine and Char areas. By Char we mean these riverine islands. We put up a number of police stations there. We will be equipping those police stations with boats and other kinds of equipment to deal with these problems.

We have also set up Foreigners' Tribunals. As a matter of fact, we had tribunals which went by the name of IMDT—Illegal Migrants Determination Tribunals—before 2005, but these were struck down by the courts. So subsequently we followed this up with tribunals which go by the name of Foreigners' Tribunals. These have been set up under the Foreigners' Act. So today we have 36 Foreigners' Tribunals which have been set up with the mandate of determining if a person is a foreigner or not. So as soon as somebody who is suspected to be a foreigner is rounded up by the police, they're produced before the tribunal, and the tribunal in turn decides after going through the evidence and whatever documents the person may produce, whether he is a foreigner or not.

We have put in place a judicial system of detecting foreigners. Moreover, we have also recently set up detention centers. These were not there before. These detention centers have been put in place because at times we do have problems in deporting the foreigners because of non-acceptance by the Bangladeshi

government. So in that case they are to be kept in detention centers which are not exactly jails, but all the same something similar. They will have their own rules and procedures to run them.

Very broadly, these are initiatives that we're taking at this point. But by far the single, bigger, most important step that we are taking in this regard is the creation of a National Register of Citizens, known popularly as the NRC. Now, this is going to be quite a complicated process, but the state government has decided to take this up in order to resolve this problem of foreigners once and for all. This is again a measure that is supported by all political parties and all ethnic groups.

Presently, we have prepared the modalities for the preparation of this NRC and other such details which we have submitted to the government of India. Since citizenship is a central government subject, the government of India will have to approve that scheme. Once that is approved, then we will start the process of preparing a national register of citizens, which will be the first time that such an exercise will have been conducted anywhere in the country.

Now as regards insurgency and general law and order—among other things, we have enacted a Police Act which came into force in 2007. This was the first time that the state of Assam had a police act of its own. As per the provisions of the act, we have set up a Police Accountability Commission which will address complaints relating to the conduct of policemen. We have also set up a State Security Commission which will assist the government in various matters related to evaluation of performance of policemen, render advice on law and order security measures, and also assist the government in the selection of top officials, including the DGP, and so on and so forth.

We also have a State Recruitment Board as per the provisions of the act. Now the government has also decided to set up a Police Commissionerate for the city of Guwahati.

These are some of the important initiatives which originate with the act. Apart from that, we have taken several measures to augment infrastructure, especially by setting up new police stations and police outposts in disturbed areas, like the North Cachar Hills, Karbi Anglong, and the upper Assam districts of Tinsukia, Sivasagar, and also Guwahati itself. I also mentioned the Char and riverine areas.

We have also taken steps to fill up many of the vacant posts. At one point in time, because of the poor financial condition of the state government, there was a ban on recruitment. Now, because the financial position has improved, the recruitment processes again resumed about two years back. So we have taken some very decisive steps to increase the strength of the police force by filling up all the vacant posts. In addition to that, we have created new posts especially for the four BTC districts which were carved out as a result of the creation of the BTC. We have also created an additional police district in Karbi Anglong, and apart from that we have created a number of police battalions. We have about 26 or 27 armed police battalions here in the state, out of which about I think five or six have been created in the last few years.

Augmentation of the strength of the police force along with infrastructure development is definitely going to help.

Another initiative that we have taken is to modernize the police force by providing the police with the latest weapons and communication equipment, and also by upgrading the fire service and equipment to be provided to the home guard, and so on and so forth. We have also taken steps to provide vehicles to each and every police station, and generally a lot of stress has been put on improving the mobility of the force. So with new communication equipment, with newer vehicles, with new weapons, the police force is getting better equipped to deal with insurgency.

MUKHERJEE: So with regard to the Police Act, was exactly was the objective of the legislation? Was it to promote accountability or efficiency, or what was the purpose?

BORA: *It was largely legislated with the objective of improving accountability, and also to ensure that the police acted in a certain manner. That there were no police excesses—to curb police excesses. To ensure at the same time greater security of tenure to certain key police positions, namely the DGP (Director-General Police) and the SPs (Superintendent of Police) of districts and OCs (Officer in Charge) of the police stations. These positions were given a minimum tenure of one year. Quite a few measures I don't really remember, but this is a copy of the act; if you like I can give you one and you can have a look at it.*

There is a chapter on what is expected of the police, starting from coordination with the district magistrate. Yes, as I was telling you, apart from setting up the Police Accountability Commission and State Security Commission, we set up a Police Establishment Board. The Police Establishment Board is provided for in the act. Essentially, this Police Establishment Board will look into complaints filed by police officers themselves against their superiors. They will also recommend a panel of names of suitable officers for certain positions in the police.

We have a chapter on the role, function, duties, and responsibilities that the police have.

MUKHERJEE: One of the things that has been reported in the media about the government is that they've been able to reduce the number of police excesses. Since 2001, what used to be called the secret killings and things like that have actually declined. What institutional steps were taken to make that happen? How was the government able to control the excesses of the police?

BORA: *Well, when there were any reports of any excesses, an inquiry would be set up. An inquiry, sometimes a judicial inquiry, sometimes an administrative inquiry conducted by a very senior official. We have been very clear on this point. The government has taken certain remedial measures. Today we have told the police very clearly that human rights and dealing with situations as per the law is very important to the government. As a result of that, I think things have improved very considerably.*

We also have set up a State Human Rights Commission which looks into all kinds of cases relating to violations of human rights. That has also helped in bringing about a better appreciation of the need to uphold human rights.

MUKHERJEE: Would you say it is more a question of getting the incentives right in the system, or is it a question of changing attitudes among the police officers, or maybe both?

BORA: *It would be both to a large extent. Incentives to the extent that those who have performed well, those who have delivered, have been rewarded with better postings. We have this system of evaluation of performances of police officers.*

So those who have done well, who have been effective officers and at the same time have not in any way violated human rights—have not been known to indulge in excesses—they have usually been given better positions.

MUKHERJEE: In terms of changing attitudes for the longer term, is there any effort to inculcate a different sensibility?

BORA: *Among other things what we have put in place today—and we're still doing that—is more frequent training for the police officers. The attitude of police officers themselves has to a large extent been influenced by this act which has come in place, and also subsequent actions taken by the government to enforce provisions of the act and make its priorities very clear to the rank and file of the police.*

MUKHERJEE: Sir, are there any other initiatives, successful initiatives that you would like to talk about?

BORA: *We have had to deal with a number of conflicts between different tribes. For instance, in 2005 there was a conflict between the Karbis and the Dimasas, as a result of which about a hundred-odd lives were lost from both these communities. Today, for instance, we also have an ethnic conflict going on in the North Cachar Hills between the Dimasas and the Zeme Nagas.*

In between, it was not exactly a conflict, but Hindi-speaking people living in certain pockets in Assam were targeted by the ULFA (United Liberation Front of Assam) and one or two other insurgent groups such as KLNLF (Karbi Longri N.C. Hills National Liberation Front).

As a result of that, today I think the government and the police force, because of the experience it has gathered, is in a better position to deal with these conflicts. But these measures would essentially relate to conflict management. This conflict management has to thereafter move on to conflict resolution mode in order to really bring about peace and to normalize the situation.

Now the state government in this regard is gaining experience in this regard, because these are things that keep happening from time to time. So far we have, I think, gained good experience in managing conflicts, but as far as resolving conflicts is concerned—that is not so easy because of various factors. This arises mainly because of its very nature, the conflicting demands of various population groups and communities, because to accede to certain demands, one particular community may get certain benefits, but that would be at the cost of another community. So that is one of the major problems that we're facing today. But we are trying to bring the communities together and at least assist them by preparing them to live together once again peacefully, so that their own needs are accommodated without in any way harming others.

MUKHERJEE: So the Bodo agreement seems to be a good example of an initiative, I believe, where despite there being only 30-35% Bodos and so many other communities, everyone was brought on board. Could you talk a little bit more about how exactly they were brought on board? Because when there are so many competing interests, a good reform initiative tends to be slowed down or scuttled often. But at the same time it is important to carry everyone along and make sure that the settlement takes care of everybody's needs. So how is the balance actually struck in that case?

- BORA:** *Well I was not here at that point in time, but all I can say is that the Bodo experiment is still a new experiment. It was created in 2003; it is still evolving. A lot depends upon how the people in power in the BTC really address this issue.*
- For some time, we did have agitation there—but eventually, I believe, there were assurances from the BLT side, from the Bodo leaders' side, that all the concerns, all the aspirations of the non-Bodo people would be met. It was a long process, a long and continuing process of dialogue between the Bodo leaders and the leaders of the non-Bodos. As far as I know, that's how things were dealt with.*
- MUKHERJEE:** On the foreigners' problem, you mentioned the creation of the National Register of Citizens. Now that there is a large immigrant population in Assam, it is likely that there wouldn't be that much public support for this kind of... I mean, those sections of the population that do stand to lose from this would surely be against such a move. Has your department taken any steps to build up that public support to let this happen?
- BORA:** *There was a lot of, again, discussions at the political level and also at the administrative level regarding the preparation of this register. The community, as we all know, which will stand to be affected to a relatively greater extent would be the immigrant Muslim community.*
- For instance, last year, a judgment of the high court, where they had pointed out one or two cases of foreigners who had been detected again coming back to the state, engendered a very sharp reaction by some of the student bodies in Upper Assam, who went about rounding up anybody who looked like an immigrant. They rounded them up arbitrarily and deposited them at the police station. So that had a predictable reaction in Lower Assam, where the immigrant community is present in larger numbers.*
- Consequently, last year we experienced a communal flareup in the districts of Udalguri and Darrang, which resulted in, say, sixty-odd people getting killed. It was a very serious instance of communal violence. So now, because—let me just come back to this, because this immigrant community realizes that the only way to resolve this issue is to come up with the NRC, and they also realized that today Assam is so crowded that there is no room for new immigrants. There is hardly land available, and opportunities for employment are getting limited. It will be in their interest to come around and agree to this. I don't think anybody really opposed the Assam Accord as such when it was signed in 1985. So in a way their stand is quite consistent with that.*
- MUKHERJEE:** Has there been any kind of regular dialogue between the immigrant community and the government? Has there been any institutional mechanism by which...?
- BORA:** *What we did, when we were preparing the NRC, the modalities, we did have discussions, formal discussions with all the political parties. So they were consulted, and they have agreed to the provisions of the proposed modalities. This has been discussed at various levels.*
- I think in the assembly also we have discussed this several times, and all parties have voiced similar demands of preparing the NRC.*
- MUKHERJEE:** Now as an administrative task, that surely will require a lot of manpower and resources.
- BORA:** *Yes, it will.*

MUKHERJEE: Are you gearing up towards that, or is the department already prepared?

BORA: *We are waiting for the modalities to be cleared by the government of India. When they do that, then it will become clear about what measures have to be taken to undertake this exercise, and based on that we will prepare ourselves. But that's—everybody is mentally prepared.*

MUKHERJEE: So we've spoken a little bit about some of the successful initiatives that you've undertaken, and I was wondering if there has ever been any instance where you've tried to initiate a step or a reform and it hasn't been as successful, and why do you think that was?

BORA: *Well, Assam, as you know, is a very heterogeneous society. I think we discussed this a little earlier—if we deal with a particular issue or a particular community in a certain manner, which ends up in their receiving some benefits or certain sections of people receiving certain benefits, then we have a situation where others may follow suit. The case of a certain community getting a council may prompt some others to demand similar councils and threaten to take path of agitation if necessary to secure this kind of concession.*

But we also have cases of individuals. For instance, when extremists do surrender, we have a surrender scheme available for them. Under that package, a certain amount of financial assistance is provided for them, along with training for a particular occupation or for a particular scheme. Let's say somebody might be interested in setting up a fishery. So he is imparted training regarding everything to do with fisheries. Along with that training, he is given some financial assistance and also technical assistance.

We had over the years many, many surrenders. There are some sections who are questioning whether all the surrenders have been genuine or not, whether the scheme of surrender and rehabilitation itself may have spawned insurgency in certain areas—encouraged unemployed youths to join the ranks of these insurgent groups and then subsequently seek a rehabilitation package. By that time, some damage would have been done.

Another thing to note is that here it is very difficult to come to a meaningful settlement. Assam earlier was a composite state, and because of various factors we had some tribal societies moving away from the mainstream and demanding their own state, so consequently we had the state of Nagaland being created in '63, then Meghalaya and Mizoram in 1971, and Arunachal around 1972.

Now there are areas where some communities nurture the ambition of having some territory of their own and maybe a state of their own, but it is not possible to agree to this for various reasons, including the fact that now practically every part of the state is populated by various population groups, which makes it very heterogeneous. Acceding to the demands of one means that some other group gets affected. So arriving at settlements is a very, very difficult and very, very long-drawn process. Moreover, both the state and central governments have made it clear that there will be no further division of the state. Today we have a situation where we are in ceasefire with a number of groups. But coming to a meaningful settlement with these groups will not be easy.

We have been talking with them for a long time. They have whittled down their demands. They have become more realistic, but still there is a gap between what possibly can be given practically and what they want. So the problem of the

aspirations of these different communities is—their unrealistic aspirations—is making it very difficult to come to such a settlement. Moreover, when we do have this kind of discussion with the insurgent groups for settlement, we have to also keep in mind their own community. After all, a handful of insurgents, maybe 300 or 400 in number, may not be taken to be the representatives of the entire community at large. There may be other groups, maybe other splinter insurgent groups to begin with, and apart from that they have their own civil society groups such as their own student organizations, their own elected bodies and so on and so forth, all of whom have to be taken on board.

After all, we would like to address the problem of the community as a whole and make the settlement a broad-based and acceptable one. This is a very difficult and time-consuming process. By the time you achieve progress with one particular community or one particular group, you may find that conditions have changed elsewhere, something else has come up. The policy of ceasefires, while it has definitely benefited the region by bringing peace and also getting a large number of youths to distance themselves from the path of violence, it is a fact that except for the BTC we have not been able to come to a settlement so far because of all the problems that I have cited.

MUKHERJEE: Would it be fair to say that the government is still working on coming up with a good working model on settlements?

BORA: *Yes, there is no particular single model which would be applicable in the state. Each area, each district, each community has its own special problems, its own particular special needs, all of which have to be addressed separately.*

MUKHERJEE: All right, I think that brings us to the end. Just on a concluding note, as you know, we're trying to develop a resource for leaders in other parts of the world who are involved in state building and institutional reform—so, keeping that in mind, is there anything you'd like to add from your experience to our discussion so far, something I may have neglected to ask you?

BORA: *At this stage there is nothing much more for me to say. As I said, whatever I have stated has been stated in an off-hand manner. I have not quite prepared myself for this interview. As of now, this is what I have to say. If there's something further, I can always get back to you on this.*

MUKHERJEE: Thank you.