

**Territorial Autonomy and Asymmetrical Federalism
in India: A Study of Bodoland Territorial Region**

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DECLARATION

I, **Nabanita Devi**, hereby declare that the research work embodied in the dissertation titled "**Territorial Autonomy and Asymmetrical Federalism in India: A Study of Bodoland Territorial Region**" submitted to Sikkim University for the award of Master of Philosophy is my original work and it has not been submitted earlier to this or any other University for any degree.


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CERTIFICATE

This is to certify that dissertation titled “**Territorial Autonomy and Asymmetrical Federalism in India: A Study of Bodoland Territorial Region**” submitted to the Sikkim University for partial fulfillment of the degree of Master of Philosophy in the Department of Political Science, embodies the result of bonafide research work carried out by Ms Nabanita Devi under my guidance and supervision. No part of the thesis has been submitted earlier to this or any other university for any degree.

All the assistance and help received during the course of investigation have been duly acknowledged by her.

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Abstract

The federal system helps to accommodate ethnic diversity in multicultural and divided states, where secessionist and ethnic movements sometime increases the question of demand for autonomy and self-rule. Therefore, in multi-ethnic states, the recognition of ethnic diversity only can be done by adopting federal system which provides some institutional principles in the form of territorialisation. Many states are multi-ethnic and pluralistic in nature. In those states, broad and deep-rooted diversity is clearly visible. The people of that states sometime engaged in violence and ethnic conflict for their safeguard and preservation of culture and identity. Hence, this deep-rooted diversity led the occurrence of ethnic violence and movement in a state. As a result, the adoptions of asymmetrical federalism can be recommended as the best solution of recognition of ethnic diversity and resolving such ethnic violence and movements within a particular state. This is true about many multicultural states like Canada, Russia, Spain and Sri Lanka where asymmetric federal arrangements have been adopted for accommodation of diversity. Many scholars argue that the asymmetric federalism not only helps to accommodate ethnic diversity in a state, it also successful in decreasing and resolving ethnic dispute in states. India also has plenty of examples for accommodating ethnic diversity and resolving ethnic conflict by adopting asymmetric federal arrangements where ethnically diverse community can have better governance for their protection and

preservation of ethnic identity. In India, the Constitution includes asymmetric sub-state arrangements to support the special governance needs of India's diversity. The provision of the Sixth Schedule under the constitution of India is one such important arrangement for accommodating ethnic diversity in India's Northeast region. The emergence of autonomy demand in India has provoked a renewed debate among the social scientist in contemporary societies and states. Diversity in religion, language, ethnicity among the different people and communities helps to emerge self-determination or autonomy demand in the form of sub-nationalism in which several states and regions pursued self-determination and secessionist movements for the creation of independent nation states. Northeast is no exception to it. In the Northeast, the subject of autonomy has long been a source of discussion and contention. As a result, in Northeast India, the desire for autonomy has a long history, and the founding of the Autonomous District Council is a key product of this autonomy movement in the region. Therefore, to accommodate ethnic diversity and autonomy demand in the Northeast region, the Indian Constitution adopted asymmetric federal features which grant some special treatments to some regions through territorial autonomy provisions where they can have shared and separate governance to develop and administer themselves. Hence, focusing on the asymmetric federal arrangements, the main focus of this research was to learn more about the Bodoland Territorial Council's prevailing conditions and autonomous status of how much political, administrative, financial and legislative autonomy does the council has, as well as to ascertain whether or not Bodoland has territorial autonomy as defined by the Sixth Schedule. Additionally, the study looks at how the asymmetric federalism with territorial autonomy solution helps to accommodate ethnic diversity and has contributed to

(un)successful government in the Bodoland Territorial Region (BTC). The present study of asymmetric federalism and territorial autonomy: a case of Bodoland is carried out to understand the present situation and the autonomous status of BTC. This study is based on the combination of both qualitative and quantitative methodology. Under the qualitative methodology, data was collected through in-depth interview whereas in quantitative methodology, data were collected through interview schedule. By employing both methods, a field work was conducted to know the autonomous status of BTC region. Therefore, this study finds that though BTC was formed under the provisions Sixth Schedule, but the findings shows that it enjoys limited autonomy because it was established under the provisions of 'Amended Sixth Schedule'. Moreover, all the provisions of the Sixth Schedule have not been implemented in BTC. Though there are several autonomous councils established under the provisions of the Sixth Schedule, the research did not look at the other Assam Autonomous Councils. It is only focused on the Bodoland Territorial Council which is the limitation of the present study.

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Nabanita Devi

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Abbreviations

AAPTL	All Assam Plains Tribal League
ABSU	All Bodo Student Union
ADC	Autonomous District Council
APHLC	All Party Hill Leaders Conference
BAC	Bodoland Autonomous Council
BLT	Bodoland Liberation Tiger
BPAC	Bodo People Action Committee
BSS	Bodo Sahitya Sabha
BTAD	Bodoland Territorial Area District
BTC	Bodoland Territorial Council
BTR	Bodoland Territorial Region
CADC	Chakma Autonomous District Council
CADC	Chandel Autonomous District Council,
CADC	Churachandpur Autonomous District Council,
CPI	Communist Party of India
DAC	Deori Autonomous Council
DC	Deputy Commissioner
EM	Executive Member
DHDAC	Dima Hasao District Autonomous Council
GHADC	Garo Hills Autonomous District Council

J&K	Jammu & Kashmir
JHADC	Jaintia Hills Autonomous District Council
KAAC	Karbi Anglong Autonomous Council
KHADC	Khasi Hills Autonomous District Council
LAC	Lalung (TIWA) Autonomous Council
LADC	Lai Autonomous District Council
MAC	Mising Autonomous Council
MADC	Mara Autonomous District Council
MCLA	Member of Council Legislative Assembly
MLA	Member of Legislative Assembly
MNADC	Manipur North Autonomous District Council
MoS	Memorandum of Settlement
NDFB	National Democratic Front of Bodoland
PTCA	Plains Tribal Council of Assam
RHAC	Rabha Hasong Autonomous Council
SC	Scheduled Caste
SHADC	Sadar Hills Autonomous District Council
SKAC	Sonowal Kachari Autonomous Council
SP	Superintendent of Police
ST	Scheduled Tribes
STADC	Senapati Tamenglong Autonomous District Council
TKHAC	Thengal Kochari Hill Autonomous Council
TTAADC	Tripura Tribal Areas Autonomous District Council

UADC	Ukhrul Autonomous District Council
VCDC	Village Council Development Committee

Chapter 1

Introduction

Introduction

In contemporary multicultural democracies and divided societies, the revival of secessionist and ethnic movements highlights the question of demanding autonomy and self-rule almost all over the world. The recent trend of recognising the principle that ethnic diversity in a state must be recognised and granted practical solution, usually through some forms of institutional aspects. In multi-ethnic states, this aspect can be achieved by adopting a federal system, which helps a state for recognition and accommodation of ethnic diversity through some institutional principles (Fessa, 2016). Every community from local to national, big to small starts thinking consciously and wants recognition in every sphere of life and society which made them think about self-determination or self-recognition to protect and preserve their identity (Hausing, 2016). This thinking comes up with the big question in the demand for autonomy. The idea of claiming autonomy is the burning concept of all democratic federations from the past to now. Democracy and federalism proceeds together and the demand for autonomy is the byproduct of democracy and federalism. Democracy provides federal structure to the country, which grants autonomous status to its states in which states can enjoy some forms of autonomy in the development process. Therefore, it seems that the concept of autonomy, democracy, and federalism is correlated and reflects the true function of democracy in a country (Lobo, Sahu & Shah, 2014). Federalism is an important form of democracy. After the end of the Second World War, several countries in Asia and Africa gained independence from colonial powers and embraced the federalist idea. This led to the rise of federalism as

a crucial component of nation-building. Such as India, Sri Lanka, Nigeria, Malaysia, Mali, East Africa, Ethiopia, Eritrea, Congo Republic, and Central Africa. In some countries the system of federalism failed and in some others, federalism is balancing and in these countries the demand for autonomy started because of federal setup (Rothchild, 1966 cited in Adegehe, 2009). The demand for self-government or self-determination or autonomy is not only limited to a particular state but it is seen in the various country's federation where demand is mounting mainly due to the federal set up of that country. Due to this, regional and internal tensions arise within the states over the implementation of affirmative action programmes, the need for particular types of representation, the establishment of power-sharing arrangements, and the integration of minorities (Ghai, 2000). Today's states are mostly multilingual, multiethnic, and multicultural. In those states ethnic and cultural identity is one of the most widely debated issues. Because of the diversity in culture, language, ethnicity, etc., it is seen many times the movement is ongoing in that state for ethnic and cultural identity. The citizens of those states engage in secession and violent conflict for demanding autonomy and self-rule for the governance and development of their region. This demand mainly includes territorial forms of demand. Therefore, in a multicultural federalism territorial autonomy is important to prevent ethnic conflict. Territorial autonomy can be used as conflict management in divided societies (Rothchild & Hartzell, 1990). Territorial autonomy is that which is bounded within a region. Territorial autonomy refers to an important tool to defeat conflict and represent ethnic minorities. It grants various economic, political, and cultural powers that allow a particular region to govern itself within the borders of a larger country. Territorial autonomy is prevalent in all democratic countries, although it is uncommon in non-democratic systems. Therefore, it is conceivable to claim that the necessity for

state autonomy is only because of the federal system. However, due to the asymmetric or unequal federal structure, the desire for autonomy was mostly implemented. Asymmetric federalism refers to a federal system based on uneven and unequal authorities and powers between the Union and its constituent states in the political, administrative, and financial realms. Asymmetrical federalism means that type of federation that grants special status to some federal units in a country (Saxena, 2018). It has different meanings and concepts. Asymmetric federalism is useful for conflict mitigation and peace building for a particular state or region. Asymmetrical arrangements can help for claiming autonomy demand and self-determination (Saxena, 2018). It means greater autonomy and shared and negotiated rules in a particular region (Hausing, 2016). Asymmetric Federalism helps in managing multiculturalism and diversity and it is useful for a particular territory that is different from another. It also helps to counter secessionist movements and resolve conflicts in a particular country. For example, in countries like- Canada, Russia, Iraq, Spain, etc. among these countries the demand for territorial autonomy started due to the asymmetric federal structures and policies of the states. In Canada, various provinces were seeking more autonomy from Canada. Such as in Alberta, Quebec, Ontario they seek independence from Canada because of the asymmetric federal structure of the Canadian Democracy (Lacovino, 2010). In Russia, autonomous Okrug, Oblast, and Krai demanded separate autonomous regions because of the asymmetric federal setup in Russia (Bowring, 2010). A similar case happened in Iraq also where Iraqi Kurdistan enjoys a separate region within Iraq. In Spain, there are different levels of autonomy granted to Catalonia, Basque Country, etc. (O'Leary, 2010). In another country, like Yugoslavia where autonomy failed because of the breakdown of the federal setup of the country. From this viewpoint, it appears that wherever federalism

exists, there is a demand for autonomy in that nation. India is not an exception. In India, federalism and the idea of autonomy are intertwined. To understand the issue of demand for autonomy in India, it is necessary to understand the nature of Indian federalism. 'Article one of the Indian Constitution describes that India is a Union of States' (Jain, 2000). Instead of federalism, it is the union of the states. The following are some of the thinkers who shared their perspectives on the nature of India's constitution: "Indian Constitution is quasi-federal", according to K.C Wheare (Wheare, 1963). The majority of scholars believe that India is an example of asymmetric federalism. According to Rekha Saxena (2012), India is marked by political and constitutional asymmetries. The Indian federal system makes particular provisions for some areas and territories, revealing India's asymmetrical characteristics. For example, Article 370 of India's Constitution provides the state of Jammu & Kashmir exceptional autonomy (now it is abrogated and becomes Union Territory of India). Other Indian states are granted special status under Articles 371 and 371(A-J). Besides these asymmetries at the state level, some sub-state asymmetries in the Indian Constitution provide special kind autonomy to some territories called the Union Territories (UTs). Asymmetrical arrangements under Fifth and Sixth Schedules of the Constitution of India for the administration of Tribal areas. Therefore, it can be said that the provisions of the Constitution of India, which grant special treatment to some federal units, reveal the asymmetric arrangement in the Indian federal system (Saxena, 2018). As a result of asymmetric arrangements, several parts of India demand self-rule and full autonomy. India has preserved some forms of regional territorial autonomy in its Constitution for a few districts and regions at the sub-state-level as the Fifth and Sixth schedule (Benedikter, 2009).

According to article 241 of the Constitution, the management and control of Scheduled Areas and Scheduled Tribes residing in any state other than the States of Assam, Meghalaya, Tripura, and Mizoram are covered by the Fifth Schedule. According to Article 244 of the Constitution, the Sixth Schedule of the Constitution governs the Assam, Meghalaya, Tripura, and Mizoram, four northeastern state's tribal territories (Tuolor, 2013). The fundamental goals of these provisions are to protect the distinctive customs of tribal peoples, stop non-tribal people from taking advantage of them economically, and to provide them the freedom to grow and govern themselves. Although limited in its scope, the legislative councils of the autonomous districts established by the Sixth Schedule are based on very elaborate legislation and safeguarded by the Union government. To avoid severe separatist movements and claims, as well as the further splintering of the states—especially in the Northeast of the country the people of that region were entrusted with giving enough autonomy. As a result, Territorial Autonomous Councils were created in various regions in Assam under the Sixth Schedule provisions. The Bodoland Territorial Council (present Bodoland Territorial Region) was established in 2003 through Bodoland Territorial Council (BTC) accord to safeguard the culture and democratic values of the Bodo tribes in Assam. Despite having such an autonomous council, autonomy demands are recurring in the region. This phenomenon appeals to the intensive research on the region Therefore, this research focuses on territorial autonomy demands through the lens of asymmetric federal arrangements in Bodoland Territorial Autonomous Council (present Bodoland Territorial Region) and how it enjoys territorial autonomy under the provision of the asymmetrical federalism.

Statement of the Problem

Scholars of federalism and territorial politics in multinational democracies have long sought to understand why, how, and when the state (centre) accommodates territorial diversity. It has been argued that the translation of the self-rule and shared rule attributes of federalism into tangible institutional arrangements goes a long way in terms of accommodating ethnic diversity within the context of geographically concentrated ethnic groups. This is particularly true in multinational democracies like India where some sub-national units are roughly congruent with ethnic boundaries, thereby enabling ethnic communities to manage their own affairs. This type of arrangement is increasingly suggested as a mechanism to accommodate deep-rooted diversity in societies that have faced intensified conflict. In India, the Constitution includes asymmetric sub-state arrangements to support the special governance needs of India's diversity. The provision of the Sixth Schedule under the constitution of India is one such important arrangement for accommodating ethnic diversity in India's Northeast borderlands. The emergence of autonomy demand in the India has provoked a renewed debate among the social scientist in contemporary societies and states. Diversity in religion, language, ethnicity among the different people and communities helps to emerge self-determination or autonomy demand in the form of sub-nationalism in which several states and regions pursued self-determination and secessionist movements for the creation of independent nation states. In many countries, the idea of nationalism and creation of nation-states emerged from colonial powers which later paved the way for sub-nationalist movements within the nation state. India has a long history of nationalist and sub-nationalist movements within itself (Kourvetaris, 1996). Nationalism evoked in India through the Indian National Movements, which helped to combat British colonialism, and it later contributed to

shape the nationalism process in India. The Indian Nationalist movements or freedom struggle was not only helped to combat British colonialism and developed nationality formation process, but also helped to awaken some big and small nationalities and ethnic groups which manifested themselves with agitation and movements for recognition of their respective ethnic identity and seek separateness from their parent nationality. These movements are termed as sub-nationalism or regionalism (Nag, 1993). India is a multiethnic place. It experiences sub-national demand from various parts of the country. Northeast India is one of the examples regarding the demand for territorial autonomy. Northeast India is the heart of many ethnic and religious communities. Autonomy demands are common in the region because many tribal and ethnic communities are living and they form many sub-national entities. Sub-nationalism is one of the important causes for the demand of territorial autonomy. Sub-nationalism occurs in multinational and pluralistic states where many ethnic, religious groups are living and they express their aspiration of self-determination. Therefore, to accommodate cultural and ethnic diversity, India adopted asymmetric federal arrangements in the Constitution. Asymmetric federal arrangement is the most important provision to meet the challenges related to sub-nationalism in India. Scholars like Rekha Saxena (2018), Alfred Stepan, Juan Linz & Yogendra Yadav (2011), Will Kymlicka (2005), who support asymmetric federalism helps to accommodate cultural diversity in a multicultural country like India. Assam also has long history of sub-nationalism in the state. There are various tribal and ethnic communities are living in Assam. Assamese sub-nationalism is the main reason behind the autonomy assertion. The theme of asserting autonomy and formation of regional nationalism (sub-nationalism) in Assam is related to the British era (Baruah, 1999). During the time of British colonisation, Assam was dominated by the other

communities in culture, language. As a reaction to this domination, Assamese sub-nationalism grew and led to the occurrence of the Assam Movement that later helped to establish dominant Assamese sub-nationalism (Baruah, 1999). Though various communities are living there in Assam such as Bodo, Mising, Karbi, Garo, Rabha, Nepali, Bengali, Santhali, etc, and these communities seek division of Assam and claim for a separate homeland. The Bodo tribe is one of the most significant among them. The Bodos are Assam's largest plains tribe. As the largest plain tribes, they demand their separate state and assert cultural differences from the Assamese 'mainstream' community (Baruah, 2001). Therefore, on this backdrop, this study is made an attempt to understand autonomy demand in Bodoland and the degree of autonomy in the sphere of political, administrative, financial, and legislative that the Bodoland Territorial Region as territorial autonomy enjoys in Assam. Besides, the study also examines how the asymmetric federalism with territorial autonomy solution helps to accommodate ethnic diversity and have contributed to (un)successful governance in Bodoland Territorial Region.

Review of Literature

Many scholars have made their contributions in a particular field of study in different perspectives. We find many pieces of literature in autonomy and asymmetric federalism, but most often as a separate study. This section, therefore, presents the review of both theoretical and empirical literature, which underpins the study. It also provides a critique of the reviewed literature and the emergent research gaps, which the study sought to address. From the reviewed and collected literature, a framework for the research is presented in the next section.

Autonomy and asymmetric federalism are an integral part of the democratic federation. Asymmetric federalism is based on the unequal division of power between

the union, states, and some other unit of the federation in a multi-ethnic country. It provides some special treatment to some regions where to accommodate cultural pluralism. It helps to accommodate cultural and religious diversity in a country and helps to mitigate autonomy demand and gives territorialisation. Therefore, it can be said that asymmetric federal arrangements are important to conflict management and help to accommodate cultural diversity in multinational federalism. In this regard, Ronald L Watts (2005) in his article “A Comparative Study on Asymmetry in Federations” presents conceptual views on asymmetric federalism. He discusses the concept of asymmetric federalism and its two types “de jure asymmetry and de facto asymmetry” and compares these types of asymmetric systems with different examples (Watts, 1998). In this article, the author mainly focuses on the de jure asymmetry system within the different and decentralised political systems. The author again makes a clear-cut distinction of de jure asymmetry in different countries of the world. Lastly, the authors give many examples regarding successes of adopting asymmetrical arrangements developed to accommodate political diversity in a country like Belgium, Germany, India, Malaysia, Spain, etc. in these countries, the asymmetric federal arrangements help to accommodate cultural diversity. Similarly, the authors give other examples regarding unsuccessful federation of how disintegration took place in such federations due to the asymmetric arrangements like Yugoslavia, West Indies Rhodesia and Nyasaland, Nigeria, etc. In a similar vein, Stefan Wolff (2010) in his book chapter “Cases of Asymmetrical Territorial Autonomy” investigates the notion of territorial autonomy and how it might be used to manage conflict and resolve self-determination issues. Stefan Wolf argues that territorial autonomy is used as a effective conflict resolution approach in management of ethnic conflict in multicultural democracy. Therefore, territorial autonomy is used as a prescribed

model of governance in those countries which are struggling in management of cultural and other forms of diversity in their respective states. According to the author, asymmetrical autonomy solutions are being attempted in most ethnic disputes in multicultural society that are undergoing active settlement efforts. The author emphasised the history of territorial autonomy solution in management of ethnic conflicts in nine European countries: Denmark, Belgium, Finland, Italy, Portugal, Spain, Switzerland, the United Kingdom, and Yugoslavia (Wolff, 2010). In these nine countries in pre-1990 Europe included forms of territorial autonomy solution established to resolve self-determination conflicts. In some of these countries autonomies failed to manage ethnic dispute. However, in some it was successful in managing ethnic disputes. The author finds that asymmetric autonomy arrangements help a country to accommodate ethnic diversity. To support his argument, the author studied two cases of the Aaland Islands and South Tyrol which adopted and developed territorial autonomy arrangements in their regions to manage ethnic conflict and in these two autonomous regions is successful in settlement of self-determination conflict within their region. The author concludes by saying that asymmetric territorial autonomy arrangements help to accommodate ethnic diversity in a multicultural state. Another scholar Will Kymlicka favours “multinational federalism”, claiming that it provides a viable alternative to secession for national minorities and makes secession a more feasible option than federalism. In his paper, Will Kymlicka (2005) explains how federalism is a important for integrating ethnocultural plurality in multinational nations and how it might give an alternate answer for cultural variety and pluralism. The author of this paper first differentiates two types of cultural plurality: ‘polyethnic’ and ‘multinational’, and then explores whether federalism is an acceptable answer to these types of cultural pluralism

(Kymlicka, 2005). The author explores federalism once more, concluding that it is mainly irrelevant to the accommodation of polyethnicity, although it may be significant to the accommodation of multinational pluralism. It emphasises a number of aspects of how federalism and federal policies are acceptable for multinational governments once again. Finally, the author states that where federalism is created to satisfy ethnocultural groups, it may not be a long-term solution, but rather a stepping stone to independence. In "Ethnicity and Autonomy: A Framework for Analysis," Yash Ghai (2000) examines the link between ethnicity and autonomy. It also looks at how autonomy is used to manage conflict in both the locally and internationally domains. It also emphasises that autonomy is based on three principles: minority rights, indigenous rights, and self-determination. It also emphasises that autonomy is based on three principles: minority rights, indigenous rights, and self-determination. This article focuses on autonomy and its link to federalism, as well as how the demand for autonomy began in a federal state, such as Canada, India, Spain, Sri Lanka, and Cyprus (Ghai, 2000). These writers believe that in order to integrate cultural and religious variety in a multinational state, asymmetric federalism should be used to control conflict and secessionism.

Symmetrical federalism is a federal arrangement in which the union and federal entities have an equal share of authority. It is a federal government in which every state is treated equally and has the same powers and jurisdictions. In contrast to asymmetric federalism, this federal system was a traditional kind of federalism. Traditionally, symmetry has been seen as a fundamental mechanism in federalism (Tarlton, 1965). Furthermore, symmetry was connected with classical or traditional federal structures. Symmetrisation was a mechanism for dealing with differences in the federal state. Though it is a traditional form of federalism, many authors support

symmetric federalism. Charles Tarlton (1965) coined the term “asymmetric federalism” and expressed his disapproval of it, claiming that it is prone to secessionism. Asymmetric federal provisions, he says, help increasing secessionist and separatist movements (Tarlton, 1965). In his paper “Symmetry and Asymmetry as Elements of Federalism: A Theoretical Speculation,” Charles Tarlton (1965) favours symmetrical arrangements over asymmetrical ones, claiming that there would be no distinctions of power and authority among the states in symmetric federalism. Each state should be concerned with the same types of challenges and the development of the same types of prospects. The state would have the same relationship with the federal government under a symmetrical federal system. In every situation, the power balance between the federal and state governments is the same. According to Tarlton, symmetric arrangements are the only way for a state to work harmoniously in the federal system, and in this symmetric system, states and regions have general to common traits. By contrasting the symmetry and asymmetry federal systems, the author asserts that the presence of asymmetrical federalism is the primary cause of the federation's failure. Asymmetric federalism was defined by Tarlton as the federal state's ‘secession-potential,’ where conflict was ultimately decided by the elements composing the federal union's common aims, ambitions, and expectations (Tarlton, 1965). In contrast to Tarlton's view, John Mc Garry provides a different view regarding asymmetric federalism and said that asymmetrical federalism arrangements do not lead to secession. In his article “Asymmetry in Federations, Federacies, and the Unitary Governments,” John McGarry (2007) argues for asymmetrical autonomy in plurinational states by demonstrating the limits of symmetrical autonomy. He looks at how an asymmetrical federation is usually defined as a state in which all parts have constitutionally guaranteed autonomy, but at

least one part has a higher, usually different level of autonomy than the other, and discuss about how symmetrical federalism, unlike asymmetric federalism, has problems granting autonomy and accommodating cultural diversity. The author concludes by outlining some perspectives on the potential importance of asymmetry in federalism and federation, which might have a big impact on the present problems in Cyprus, Sri Lanka, and Iraq (Garry, 2007).

The federal system of India possesses a number of asymmetrical arrangements in its Constitution. The Indian Constitution assigns significant federal provisions to several states and region to accommodate cultural diversity. Many ethnic groups and tribal people call India home. They differ from one another in terms of culture, religion, and ethnicity. As a result, there is variation in culture and language, and such groups sometimes feel inferior to others, and they desire self-rule and autonomy and to develop their ethnic identity in order to be equal to others . As a result, the Indian Constitution established various asymmetric provisions in order to suit such requests. The majority of scholars believe that India is an example of asymmetric federalism. In their book “Crafting State-Nation: India and Other Multinational Democracies,” scholars such as Alfred Stepan, Juan J. Linz, and Yogendra Yadav (2011) promote asymmetric federalism over symmetrical federalism, arguing that democracies with asymmetrical federalism are better able to accommodate socio-cultural and multinational diversity within a single state than the symmetrical federalism. According to them, India is an important example of asymmetric federalism, which views asymmetry as a beneficial feature of a federal system in a multinational society that gives an essential platform for various types of autonomy to distinct populations. They of the view that India’s asymmetric federal structure is not only help to accommodate ethnic diversity but also promote positive identification in states

political institutions (Stepan, Linz, & Yadav, 2011). In a similar vein another scholar, Rekha Saxena (2018), wrote “Asymmetrical Federalism in India: Promoting Secession or Accommodating Diversity”?advocates asymmetric federal elements for a multicultural country like India, emphasising that asymmetrical federalism is a useful method for accommodating multiple groups while still preserving the country’s integrity. She investigates how India might be described as asymmetric federalism, with differing special treatment in different sections of the country, in her essay. Finally, she stated that India’s asymmetrical federal laws and institutions have decreased the separatist potential of an enormously varied nation by allowing various groups to participate in the country’s government (Saxena, 2018). Rekha Saxena (2012) in her article “Is India a Case of Asymmetrical Federalism”?highlights the key factors for how India is an asymmetrical federal state. She tries to reflect some example, which possesses India’s asymmetric aspects in its states and union territories and territorial autonomies in India (Saxena, 2012). In opposition to their viewpoint, Louise Tillin (2007) wrote an article titled “United in Diversity?” The article “Asymmetry in Indian Federalism” highlighted on the asymmetric nature of Indian federalism. He defends Indian federalism as an asymmetrical form, claiming that due to its size and variety, India is an example of a constitutional asymmetrical federation. The insertion of Article 370 of the Indian constitution, which guarantees special autonomy to the state of Jammu and Kashmir, as well as various additional arrangements for new states in India’s northeast and some tribal areas, etc., has given India’s federal constitution an asymmetrical presence. Tillin, on the other hand, distinguishes symmetrical and asymmetric federal structures in India, claiming that some articles of the Indian Constitution demonstrate symmetrical aspects, such as India’s linguistic reorganisation, which included the Tamil example (Tillin, 2007). He

however, said that India's northeastern states are an example of asymmetrical federalism. In his paper "Asymmetric Federalism and the Question of Democratic Justice in India", another researcher, Kham Khan Suang Hausing (2014), discusses the crucial elements of asymmetric federal arrangements that give different constitutional powers and legitimacy to particular areas of the federation. He primarily focuses on asymmetric aspects from the perspective of northeast India, with a particular focus on Nagaland's special status under Article 371A of India's Constitution. The article is divided into five parts. First and foremost, he emphasises the debate over asymmetric federal institutions in northeast India under the omnibus Article 371 and the Sixth Schedule, as well as how Article 371A (Nagaland) is a reluctant offshoot of the Sixth Schedule's failure and how they rejected the autonomy of the Sixth Schedule (Hausing, 2014).

Northeast part of India also highlights different level of asymmetrical arrangements because of its broad diversity. It is a home to many ethnic and tribal groups (Gogoi, 2018). However, the ethnic differences between those tribes are so great that conflict has erupted in the region as a result of this diversity. As a result, the northeast has seen a slew of ethnic and violent movements, all of which are simply demands for separate statehood and territorial autonomy in order to protect, preserve, and safeguard their identity and democratic tradition, as well as to have equal participation in the development and administration of tribal people who feel inferior to the non-tribal majority population. Therefore, to maintain and preserve their identity and cultural diversity, as well as to help them safeguard their identity to some extent some forms of provisions in the Indian Constitution have been provided and guaranteed for the general development of ethnic and tribal populations in the Northeast area. The Sixth Schedule is the most important of these clauses. The

purpose of the Sixth Schedule is to provide an administrative framework that may protect the tribal people of Northeast India's cultures and ways of life. It also allows people to participate in local politics and grant autonomy in the administration of affairs. Hence, Autonomous District Council was established in the four Northeastern states of Assam, Meghalaya, Mizoram and Tripura. There are 10 Autonomous District Councils established in these four States. One of the important among them is Bodoland Territorial Council. There is a dearth of literature available on the history of the Bodoland Movement and how the Bodoland Territorial Council came into being. A scholar like Subhas Talukdar (2020) in his article "Role of Bodoland Peoples" Front in Bodoland Territorial Council (BTC) & Assam" highlights the history of Bodo's and how the Bodoland Movement started in the post-independent period. In his article Subhas Talukdar (2020) stated that Bodos are the oldest and largest tribes and are from Mongoloid group of people. By focusing on the Bodoland Movement he discusses the role of the All Bodo Student Union (1968) and Bodo Sahitya Sabha (1952). The authors also focus on the Autonomous Council Bodoland Territorial Council established under the Sixth Schedule provision and how the politics of BTAD started after its formation. Moreover, the author concludes with the role of the Bodoland People's Front in the autonomy and politics of Bodoland after BTC formation (Talukdar, 2020). In a similar vein, another scholar Topu Choudhary (2015) in his article "Bodoland Movement: A Study" examines the history of the Bodoland Movement and how the movement helped the people to grow seeds for socio-economic, and cultural change. The author also highlights the role of ABSU, NDFB, and BLT and he discusses the first Bodo Accord to BTC Accord and after the formation of BTC under the provisions of the Sixth Schedule can be able to fulfil the aspirations of Bodos or not. At last, the author focuses on how BLT negotiated with

the governance and another militant group NDFB announced a ceasefire to bring peace to the region (Choudhary, 2015). Similarly, another scholar, Nipan Haloi (2015) in his article “Ethnic conflict in North East India: A case of Assam with special reference to B.T.A.D.” discusses how ethnic strife in the post-independence era has influenced the northeast and the state of Assam in his paper. The Northeast area and Assam are home to a diverse range of tribes. Ethnic strife and separatist movements are taking place in the region to retain their distinct culture and identity. The author highlighted the Bodoland Movement and its history by focusing on ethnic and separatist activities in Assam and other northeastern states. The author emphasises how the ferocious Bodoland Movement began and influenced the inhabitants of the region once more (Haloi, 2015).

The aforementioned literature encompasses a good amount of knowledge about territorial autonomy and asymmetric federal policies. These kinds of literature are important to understand the demand for autonomy in a federal country. There are a number of research done that highlight the key points of the history of the Bodoland Movement, how the Bodoland Territorial Council was established and its functioning, and the socio-economic, and infrastructural development in the Bodoland area. However, a lot of literature deals with the demand for territorial autonomy and asymmetric federalism in Bodoland but that literature is not enough to understand the recurring issue of autonomy demand in the region. Therefore, this study re-examines the issue of autonomy demand concerning asymmetric federalism with special reference to Bodoland and whether the Bodoland region helps to accommodate ethnic diversity in the region or not and whether the autonomous governance of the BTR region can satisfy the other communities residing in the region through successful governance or not.

Autonomy and Asymmetric Federalism: Theoretical Framework

The study focuses on two theories upon which the study is anchored. These include the traditional federal theory and contemporary federal theory. Today most countries are increasing towards multinational and pluralistic. In multinational and pluralist democracies the diversity is an inalienable aspect. Diversity is the hallmark of multinational federalism. In such a federation the balance between unity and diversity is more tenuous because of ethno cultural distinctions. Therefore, to accommodate such distinction, federalism in such multinational states provides self-government and autonomy to some groups to develop and administer. The component countries in most multinational states are likely to seek some sort of political autonomy or territorial sovereignty in order to secure the full and unfettered development of their cultures and to advance the interests of their people (Kymlicka, 2005). The multinational state system experience constitutional asymmetries where autonomy demands from numerous sub-national bodies are prevalent, resulting in constitutional imbalances. They claim some self-government powers. One possible mechanism for recognising claims and territorialisation of those claims to self-government is federalism. Therefore, federalism can provide territorialisation to some groups in a multinational state. Federalism is one conceivable technique for recognising claims to self-government. As a result, in a multinational state, federalism might grant territorialisation to some communities. Because federalism is a key characteristic of democracy, it offers the country a federal structure that grants autonomous status to its states and other territories, allowing them to participate in the development process with some autonomy that symbolises decentralisation. Moreover, federalism in India is mainly an asymmetric type of federation. Asymmetrical aspects used in the constitution of the federation are not relatively new. However asymmetric federal

aspects are started to be applied in the formulation of federal policies that permits the governments to work with and grants separate and special status to some different states and territories on matters of specific concerns. Asymmetric federalism is useful for conflict mitigation and peace-building for a particular state or region. It means greater autonomy and shared and negotiated rules in a particular region (Hausing, 2016). Many nations across the world, including Canada, Russia, Iraq, Spain, and others, have asymmetrical characteristics in their constitution. The asymmetrical federal structures and state policies in these nations gave rise to the desire for territorial autonomy. From this point, it appears that when asymmetric federalism exists, there is a yearning for autonomy in that nation. This study is an attempt on the federal theory and it focuses on the debate of this theory on the aspects of territorial autonomy and asymmetric federalism. To study the territorial autonomy in a country, it is necessary to study the nature of federalism and its aspects in that country. Federalism is an important form of government that combines central government with federal units. Federalism is a dynamic notion and it involves the idea of federalism that is dynamic rather than of a static design. Traditionally, federal theory treats symmetry as an important mechanism (Tarlton 1965) Moreover, the traditional federal theory was associated with symmetry, mono-national entities, and their processes of nation-building. Symmetrisation was a mechanism for dealing with differences in the federal state. The traditional federal theory is based primarily on a mono-national federal system, unlike contemporary federalism (Sahadzic, 2020). Traditional federalism has paid no attention to the diverse identities in the clarification of differences among sub-national entities (Sahadzic, 2020). However, the contemporary federal theory is different from the traditional one. It mainly focuses on constitutional asymmetry as an important part of the federal state. The contemporary

federal theory is based on multinational federalism where there are territorially based differences based on linguistic, religious, cultural, ethnic, and other identities, in which various groups with one or more distinct identities demand autonomy based on the differences they have.

Some scholars support federal theory and debate over asymmetric aspects and territorial arrangements and secessionist demands. Charles Tarlton (1965) coined the word 'asymmetric federalism' and gave a negative view and said it is prone to secessionism. He believes asymmetric federal provisions are dismissive in increasing the secessionist and separatist movement (Saxena, 2012). Alfred Stepan, Juan Linz, and Yogendra Yadav (2011) provide a positive view of asymmetric federal democracy and argued that democracies with asymmetrical federal features are more useful than that of symmetrical federalism to adopt socio-cultural and multinational diversity within a single state (Burg & Chernyha, 2013). Taylor, Gagnon, and Gibb give more or less similar views to Stepan, Linz, and Yadav of asymmetric federalism. They said that the constitutional asymmetric arrangements are necessary for the protection and preservation of minority and community rights and culture in the context of politics of recognition (Saxena, 2012). Despite the fact that this research begins with a comparison of traditional and modern federal theory, it quickly turns its attention from traditional to contemporary federal theory. The traditional federal theory is founded on mono-nationalism, and it supports symmetrical connections as an essential integrative aspect of the states, as shown in the prior discourse. As a result, the traditional characteristics of federalism are unlikely to meet (at least not successfully) the contemporary issues of claims to autonomy in multicultural states where people of many tribes and cultures coexist (Sahadzic, 2020). Constitutional asymmetries are utilised in multicultural societies as a technique for accommodating

diversity and maintaining the country's integrity. From this perspective, modern federal theories are more significant than old federal theories in the analysis of territorial autonomy demand in asymmetric federal structures. The majority of scholars support asymmetric federal structures because they serve to accommodate cultural differences and provide a useful instrument for shared governance.

Rationale and Scope of the Study

Multilingual, multi-ethnic, multi-cultural society thrives in India, where people of many ethnicities and tribes coexist. Despite the fact that the populace are diverse, the country adheres to the idea of oneness. Despite this, though there is diversity among the citizens, it follows the principle of unity. India's ethnic struggle for ethnic and cultural identity continues, leading to demands for autonomy in various sections of the country (Acharya, 1988). As a result, the Indian Constitution incorporated specific measures of territorial autonomy for various regions within the asymmetric federal arrangement to safeguard and accommodate varied communities and ethnic groups, as well as to maintain and strengthen the integrity of country. It is no different in Northeast India. Various ethnic minorities and tribes in the Northeast desire territorial autonomy in order to maintain their cultural identity and democratic traditions. As a result, the Indian Constitution provides different forms of territorial autonomy in the form of the Autonomous District Council under the norms of the sixth schedule. Therefore, this study traces the contextual background of federalism and ethnic diversity in India. It also focuses on territorial autonomy and asymmetric federal arrangements in India, with a particular focus on the northeast and Assam. The major focus of this research is based on the reasons underlying the demand for territorial autonomy in the Bodoland Territorial Region, under the asymmetric federal arrangements. Despite the fact that Assam has a number of Autonomous Councils

established under the provisions of the Sixth Schedule, the research did not look at the other Assam Autonomous Councils. The study's limitation is that it only looks at the Bodoland Territorial Region and its autonomous status.

Objectives of the Study

The broad objective of the study is to increase the understanding of the territorial autonomy and asymmetric federalism. Specific objectives will be:

- To discuss the contextual background of Indian federalism and ethnic diversity in post- independent India.
- To explore a contemporary assessment of asymmetric federalism and territorial autonomy in India's Northeast context.
- To examine how the territorial autonomy solution, implicit in asymmetric federalism, has contributed to (un) successful governance of multi-ethnic and divided societies.

Research Questions

The study aims to contribute to the current debate by investigating the following questions:

- What are the changing nature and substance of Indian federalism and ethnic diversity in post-independent India?
- What is the contemporary status of territorial autonomy in Northeast India?
- How the provisions of territorial autonomy under asymmetric federal arrangements have contributed to (un)successful governance of multi-ethnic societies?

Research Methodology

The study questions are designed to provide an overview of how asymmetric federalism accommodates territorial autonomy in Northeast India, as well as the degree of autonomy enjoyed by the Bodoland Territorial Council (BTC) as an autonomous council in Assam. It is, therefore, suitable to utilize the combination of qualitative and quantitative methodology. Data was collected through in-depth interviews as a part of the qualitative methodology, which focused on the reasons for the demand for more autonomy in the BTR and the degree of autonomy that the Bodoland Territorial Council (BTC) has as a territorial autonomous council under the Sixth Schedule. This helped us to a better understanding of the study's main finding. The use of qualitative methodology is justified because it has presented an in-depth explanation of asymmetric federalism and territorial autonomy in the Bodoland Territorial Region. In quantitative methodology, data is collected by using survey method, which focuses on autonomous status of Bodoland Territorial Region under asymmetric federal arrangement.

Research Design

The Research design is the blueprint for data collection, measurement, and analysis, which helps to develop a strategy for obtaining answers to research questions (Cooper & Schindler, 2006). The research design, according to Bryman and Bell (2007), is a strategy or framework for data collecting and analysis that exposes the type of research. As a result, research design is a blueprint for how the study will be conducted through. In order to discover, analyse, and define the link between asymmetric federalism and territorial autonomy in the Bodoland Territorial Region, this study used both descriptive survey research design and exploratory research design. A descriptive study is one that is carried out with the goal of providing the

researcher with a profile or describing significant features of the phenomena of interest from the perspective of an individual, an organisation, or another entity (Bryman & Bell, 2007; Sekaran, 2009). As a result, a descriptive research design is employed to describe the variables of asymmetric federalism and territorial autonomy. An exploratory research design is used to study an issue that isn't well defined and to better comprehend the current problem. As a result, the exploratory research design is used to better understand Bodoland's autonomous status, including how much political, administrative, legislative, and financial autonomy the Bodoland Territorial Council has, It also considers whether or not the provisions of asymmetric federal arrangements have contributed to successful governance in the region.

Data Collection Instruments

Data collection, according to Burns and Grove (2003), is the system of collecting information by employing methods such as interviews, participant observations, focus group discussion, narratives, and case studies. For the purposes of this study, a survey schedule is being employed as a data collection instrument since it is simple to evaluate, administer, and time and money efficient. The schedule is administered to local politicians and common people in the area. Closed-ended questions were utilised in the interview schedule because respondents were only allowed to direct their replies without more explanation, whereas open-ended questions were used to get respondent's opinions on the variables being studied. In addition to the interview schedule, the researcher uses in-depth interviews as a data collecting technique. The purpose of the in-depth interviews is to acquire detailed narrative accounts of interactions with council members and government officials.

Population and Sampling

This research initially suggested selecting sample from the four districts of Kokrajhar, Udalguri, Baksa, and Chirang of Bodoland Territorial Region. However, due to time constraints, this was not possible while doing a field study. As a result, this study was limited to the two districts of BTR such as Udalguri and Baksa. As this study initially proposed to conduct in-depth interviews only from elected councilors who are directly connected to the BTC, however this was not feasible due to some time constraints and the councilor's unavailability. As a result, 23 in-depth interviews were conducted with MLAs, Ex-MLAs, MCLAs, Ems, and leaders of student organisations who are directly or indirectly affiliated to the Council. As a result, purposive sampling was used to choose participants for an in-depth interview in order to learn and comprehend the primary phenomena, which is useful in understanding the nature and causes of demand for more autonomy in the Bodoland Territorial Region. Purposive sampling (Saunders et al, 2009) is regarded as appropriate to be used for this research. To conduct quantitative research, the study initially proposed a sample size of 115 participants from the general population and government officials from research sites (i.e. Bodoland Territorial Region). This could not happen during the field work, as previously indicated, due to a lack of time and other Covid-19 regulations. As a consequence, only 70 respondents from the two BTR districts were able to be interviewed for this study. Therefore, stratified random sampling is used to select participants for the interview schedule. Because stratification enables the researcher to select which categories (or strata) should be included in the sample (Jupp, 2006). Stratification is based on variables like gender, age, occupation, educational qualifications, language and ethnicity.

The researcher used descriptive statistics tabulated in percentages to describe

the categories formed from the data. The data is tabulated to permit interpretation. Qualitative data collected (through the in-depth interview) is coded and analysed.

Organisation of the Study

The study is organised into five chapters.

Chapter 1: Introduction: The first chapter includes a general introduction and history of the research area, the scope of the study, review of literature, theoretical framework, objectives and questions of research, and methodology.

Chapter 2: Federalism and Ethnic Diversity in post-independent India: This second chapter delves into the contextual background of federalism and ethnic diversity in post- independent India. The chapter also discusses the option of centralised versus decentralised states in the backdrop of federalism that dominated the political discourse of Indian states beginning from the early days of independence.

Chapter 3: Asymmetric Federalism and Territorial Autonomy in India: The third chapter provides the contemporary assessment of territorial autonomy and asymmetric federalism in Northeast India with special reference to the Bodoland Territorial Region. The chapter also analyses the autonomy provisions as prescriptions for constitutional design to deal with the challenges of ethnic diversity in Bodoland Territorial Region.

Chapter 4: Governing through Territorial Autonomy: Case of Bodoland Territorial Region: This chapter discusses whether asymmetric federalism helps to accommodate ethnic diversity in Bodoland Territorial Region or not. It also investigates the degree of autonomy such as how much political, administrative, financial and legislative autonomy that Bodoland Territorial Council enjoys as a territorial autonomy and also investigate its present status and lesson from the field.

Chapter 5: Findings, Conclusion and Recommendations: This last chapter is devoted to a summary of the chapters, findings, conclusion, and recommendations.

Chapter 2

Federalism and Ethnic Diversity in Post-independent India

Introduction

Ethnic heterogeneity is one of the most important characteristics of many countries of the world. More than 90 per cent of the total countries are ethnically different and plural in character (Gurr, 1993 cited in Fessa, 2016). Ethnic Diversity is the defining feature of almost all countries in which states are having different tribes, communities and the populace who possess different ethnic cultures and languages are often seen as having engaged in demand for ethnically separate states for their recognition (Fessa, 2016). This form of demand and recognition and territorialisation of this demand into ethnically based territories (states) usually gives rise to ethnic conflict. This is the urgent problem of multiethnic states in contemporary times. Most major conflicts of these states are internal to the country and revolve around to redesign of the state in the form of sub-national movements. One of the most popular, a way forward, suitable devices for conflict management is autonomy (Ghai, 2000). In multicultural states, autonomy used as a strategy for managing conflict. In recent years, it has been viewed as a solution for ethnic diversity in a country. Autonomy is that mechanism of self-government which is possible in multicultural federalism. Federalism is one of the important features of democracy. It is the only possible mechanism that helps to provide territorialisation to some groups in multiethnic states. In most multiethnic states, federalism is used to accommodate cultural diversity. An ethnically diverse country like India also has a long history of federalism, ethnicity, and autonomy demand throughout the colonial era. India is a multi-ethnic society where ethnic groups are geographically concentrated. In a divided society (like India),

the politics of accommodation and recognition ask the question of how a state can use institutional design to accommodate ethnic diversity. This is the question that this chapter tries to answer. It also examines the history of federalism and its implementation in multi-ethnic nations across the world, with a particular focus on India. It examines whether incorporating institutional principles in a federal set-up helps us respond effectively to ethnic demands and construct a state that belongs to everyone who lives there (Fessa, 2016). As a result, it's critical to comprehend India's federalism history and how the federal system deals with ethnic diversity.

Meaning and the Concept of Federalism

Before delving into the history of the notion of federalism, it is critical to first define the term federation. Understanding the definition of the term 'federation' generally means to open up a window into the many types of federal governments. The word 'federation' originated from the Latin word 'fedus,' which means 'treaty' or 'agreement' (Ghose, 2020). Therefore, a federation is a political system adopted or created by a treaty or agreement amongst its member parts. Federalism, which refers to an important and intrinsic kind of democracy, is the most common concept in government and governance debate. The term 'federalism' refers to the fundamental principles that govern a country's political structure. Within the context of the Constitution, it is the form of government and political system that is subjected to judicial clarification and a carefully established procedure of change (Saxena, 2011). The term 'federalism' in the contemporary time used as a legal distribution and division of power among the several branches of government. It is the most powerful political institution in the world, granting judicial, executive, and legislative powers to various federations, regions, and provinces in exchange for their growth as self-governing entities with equal liberty and justice. Federalism is a shared political

system that every country in the entire world is attempting to achieve. This approach (federalism) provides a boost to failing centralised nations, causing them to become decentralised (Lobo, Sahu & Shah, 2014). Currently, about 25 nations throughout the world have some kind of federalism in their political systems (Watts, 1996). Federalism has a far longer history.

The Debate over the Concept of Federalism

Many scholars have enrolled on the debate on the concept of federalism and have provided distinctive knowledge in the study of federalism. Federalism does not have a single definition or meaning; rather, scholars of the federal political system have provided several meanings and definitions. Federalism is a broad subject of study among researchers of modern politics and government. The United States Constitution of 1787 is regarded as the first state to establish a federal form of government in the modern era. Following this, numerous nations, such as the Swiss Confederation (1848), Canada (1867), and Australia (1900), accepted the trend and began to use federal arrangements in their political systems. After the fall of European colonies during the post-World War II period, several countries in Africa, Asia, and Latin America adopted federalism as a key feature of nation-building. The growing popularity of federalism can be seen in many scholarly debates from past to modern times. From the classical to the modern era the concept of federalism has been debated time to time. The notion of federalism has been contested throughout history, from the ancient to the modern age. Federalism is not a new concept. In truth, it dates back to the Greek city-states, and federal systems have existed in various forms across the world. It would be incomplete without a discussion of the ideas that have given origin to the notion of federalism, namely, the Classical theory of federalism and the Modern theory of federalism (Rath, 1978). The classical theory of federalism is one of

the oldest forms of federalism, as it is based on the study of the constitutions and government systems of four classical federations: the Swiss Confederation (1848), Canada (1867), Australia (1900), and the United States of America (1778). This traditional type of federalism enunciated a written and rigid constitution, as well as an independent judiciary, in which the general and regional governments exercise power and authority. Dicey, Harrison Moore, Jethrow Brown, Bryce, and Robert Garran were notable proponents of the classical theory of federalism. Robert Garran, a renowned Australian scholar, described federalism as ‘a type of government in which sovereignty or political authority is shared between the central and local governments, such that each is independent of the other within its own area’ (Garran, 1929 quoted in Rath, 1978). Another scholar who supported the classical concept of federalism in his book ‘American Common Wealth’ termed the Federal and the State Government ‘like two types of machinery operating in a vast factory, their rotating wheels appear to be jumbled up, and their bands cross, yet each set is doing its own job without interfering with or hindering the other.,’ wrote (Grodzios, 1967, cited in Rath, 1978). Similarly, K.C. Wheare, a strong proponent of federalism, presented a classic definition of federalism to determine whether a constitution is federal or not: If a Government system is primarily characterised by a division of power between the general and regional authorities, if the general and regional authorities in their own field they coordinate with each other but autonomous from each other, then it is called federal government (Wheare, 1963). The classical concept of federalism was developed in the 19th century and described in legal terms, distinguishing a federation from a confederation, a federal polity from a unitary state, where the constituent governments exercise and enjoy powers and jurisdictions with the consent of the central government. This federalism was in favour of the idea of independent

government, dual federalism and two levels of government. However, the challenges of the twentieth century had made the classical concept of federalism an obsolete one. Many scholars had criticised the classical theory of federalism on the ground of legal formalism. Scholars like N.G.S. Kini, William S. Livingston and some students of modern federalism raised the further question on the use of the term 'independence' and prefer the words like 'potentiality and individuality', 'co-ordinate and autonomy' instead of 'independence' for describing the relationship between regional and general government (Rath, 1978).

After several challenges to the classical idea of federalism in the twentieth century, the sociological theory of federalism arose. The earliest proponent of sociological theory is William S. Livingston. In his paper 'A Note on the Nature of Federalism' and later in his book, he discussed his thoughts on the notion of federalism. 'Federalism and Constitutional Change' lamented that a federal society should include provisions of diversity because society is divided on the basis of religious, race, nationality, language, ethnicity, and other lines, and these differences must be territorially concentrated in order to form federal arrangements (Livingston, 1956). In a similar line, another scholar Aaron Wildavsky (1967) supported William S. Livingston's idea of federalism. Aaron Wildavsky distinguished between social and structural federalism and attempted to illustrate the Commonwealth of Australia's federal status. The perspectives of Livingston and Wildavsky were not free from criticism. Many researchers discussed the various flaws in sociological theory and proposed a new theory with some amended principles. The Multiple-factor Theory of Federalism is the name given to this theory of federalism. In the writings of Karl Deutch and K.C. Wheare, this idea attempted to explain the origins of contemporary federalism by emphasising on the formation of separate regional and federal

governments. But it could not able to acquire much attention and similarly, another theory of federalism called the Political theory of federalism gave birth. The Political theory of Federalism was able to gain attention in the writings of William H. Riker. In his book 'Federalism: Origin, Operation and Significance' he put forwarded the concept of federalism which talks about the origin of the traditional federal system in the USA, Switzerland, Canada and Australia. At the same, this theory of federalism not only explained about the traditional or older federalism but also explained the formation and process of neo federations from the early days of the Second World War such as in India, Pakistan, Malaysia, and Nigeria etc. The long-running dispute over the notion of federalism will continue until new theories emerge among scholars of federalism. As time passes new challenges are faced by the countries and simultaneously new scholars have raised their heads toward modern federalism which can be more effective in explaining the present system of government with some effective solutions and problems faced by the present century. Many researchers began to investigate alternative ideas and develop their own theories in order to explain how the contemporary federal system differs from the old one in a variety of ways. Scholars such as Daniel J. Elazar (1991) and Ronald L. Watts (1998) argued that the conventional definition of federalism should be abandoned in favour of the contemporary one. They supported cooperation and interdependence between federal and state governments and supported the system of the federal government where different communities thrive and they demand self-rule and shared -rules for their development and administration.

Apart from that, many scholars hold up the broad concept of a federal model called 'coming together' and 'holding together'. Scholars like Alfred Stepan identified three types of federations: coming together, holding together and putting

together federations. Coming together federation is when some provincial units voluntarily come together by an agreement and formed a strong federation (Ghose, 2020). The US federation is a suitable example of a 'coming together' federation. William Ricker, one of the influential contributors in the debate on the concept of federalism, is in favour of coming together federation based on his analysis of the older federation of the USA. By asserting the US model of the federation, Ricker stated that federations have resulted through political bargains among the independent states and these are formed by an agreement among the leaders of the independent states for mutual gains. This type of federation is termed a 'coming together' federation by Alfred Stepan (Ghose, 2020). However, this type of federation is less popular in the present scenario as it lacks the potential to describe the emerging concept of the federation in the newly independent states which are multi-ethnic and plural. Therefore, another type of federation is favoured by Alfred Stepan and several other scholars which can be suitable and explain the condition of multiethnic states where different communities and ethnic groups are living. And this type of federation is called as 'Holding Together' federation (Ghose, 2020). This model of federalism is applicable in the geographically vast and culturally diverse state which grants autonomy to its provinces for administrative convenience and for representing the regional interests. Such federations are formed through the devolution of power from the centre to the constituent units and are most popular in the unitary states. Countries like, India, Malaysia, Nigeria, Ethiopia etc. are an example of holding together federalism. This study is limited only to India. Indian federal model is the sweetest example of holding together federalism. Therefore, the federal process and its evolution in India are discussed in the next part of this chapter.

Federalism in India

The nature of federalism and the federal structure of India is unique and distinctive. The evolution and structure of federalism in India have a long history in themselves. The changing dimension over the decades makes the federal arrangements in India different from other countries' federations. The uniqueness lies in the heart of the constitution of India when Article 1 of the Constitution reads India, that is Bharat, shall be a Union of States. There is no use of the word union instead of federal reflects a unique distinctive nature of the Indian Constitution. Though the word 'Federation' is missing in the spirit of the constitution, the Indian constitution has some provisions which depict its federal structure itself in the heart of the constitution. The long-standing debate over the unitary and federal structure of India has been able to attract scholars of modern federalism. Some scholars are not in favour of India as a federal country but the unitary one. Among them, some support the mixture of both federation unitary systems in India. Some of the thinkers who presented their views on the nature of the constitution of India like K.C. Wheare described the Indian Constitution as being 'quasi-federal,' (Wheare, 1963) while Thakurda Bhargava described it as being 'Unitary cum Federal' (Constituent Assembly Debate, vol. 7, col. 683). Dr B. R. Ambedkar described the Indian Constitution as being 'both federal and unitary.' He said that it functions as a unitary constitution in times of peace and as a federal constitution during times of war or crisis (Babar, 2017). Both H. V. Kamath and Arun Guha have noted that the constitution is similar to a 'hybrid constitution,' in that it is a federal constitution but it has started from the top, not the bottom (Constituent Assembly Debate vol.7 col 728, col. 689 cited in Singh 2009). A. V. Dicey also supported both the system of the federation and unitary in India and opines that a federal state can be better understood by comparing it with the unitary State.

India is characterised by both unitary and federal features in the Constitution. Therefore, to understand the nature and structure of the Indian federal system, it is very necessary to understand the history and evolution process of federalism. The fundamental political question on the evolution of the concept of federalism has lain at the heart of India's freedom movement and post-independence nation-building. But it can't be denied that the federal process started not only after the post-independence but it started many decades before. Hence, in the next section federal process and history behind its formation is discussed which is categorised under the pre-independence and post-independence period.

Federalism in the Pre-independence Period

The process of evolution of federal polity in India emerged a long time ago. India has been ruled by foreign rulers for thousands of years under the French, Portuguese, Dutchs, Shaka, Hunas, Kushans, Mughals and Britishers (Kumar, 2018). Hence, the historical policies and legacies of the government and administration of India were influenced by the theories and practices of those foreign rulers. Through, it was governed by the absolute monarch or feudal rulers in pre-independent India. Indian political system and its constitutional framework have been the most debated political text in the post-independent period. Because of the rapidly changing socio-political context, the concept of federalism or federation has been the most disputed issue from pre-independence to the present age. In India, federalism is an evolutionary process that has resulted in the transformation of power from a highly centralised to a decentralised political structure. To comprehend the origins and processes of federalism, it is necessary to trace the history of decentralisation and the establishment of federal policies and legacies in India during British rule. The history of the federal concept may be traced back to the formation of the Constitution during

the Regulating Act of 1773. From 1773 to 1833 many acts were passed by the British government which helped to shape centralisation process in India. In 1833 a fully centralised mechanism for all legislative, administrative, and financial matters was established by the 'Charter Act,' which was passed in 1833. Most crucially, the provinces lost all authority, which increased the level of centralisation in the administrative process.

From 1773 until 1857, the British Parliament drafted and approved various charters and acts to manage and regulate the EICs control in India, providing a constitutional foundation for India's administration and demonstrating a more centralised character of government (Chandra, Mukherjee & Mukherjee, 2008). However, the process of decentralisation first began during the 'Sipoy Mutiny' of 1857. The people of India revolted against the EIC's authority in 1857, and they wanted to be independent from colonial power. The 'Sipoy Mutiny' was the name given to this uprising (Chandra, Mukherjee & Mukherjee, 2008). In order to decentralise the British government in India, the British Parliament introduced three further acts between 1858 and 1909 that amended, reorganised, and modified the Indian constitutional structure. British India's decentralised legislative structure was established by the 'Indian Council Act' of 1861. This Act conferred legislative power upon the Provincial Government. The Indian Councils Act of 1892 made it necessary for the legislative process to be decentralised in India as well. The decentralisation trend started with Lord Mayo's resolution in 1871 (Kumar, 2012). Lord Ripon's 1882 resolution was yet another crucial milestone in the decentralisation trend. After seventeen years after establishing the Indian Council Act of 1892, the British government took another move toward constitutional reforms in British India in 1909, to continue the divide-and-rule strategy and meet the rising aspirations of the Indian

people (Agarwal & Bhatnagar, 2016). Later, between 1917 and 1935, several Acts of the Government of India played extremely significant and vital roles in incorporating federal arrangements, concepts, and structure into the Indian government and administration. The government of India acts of 1919 and 1935 serve as the cornerstone of the country's current federal structure. For the first time, state and central matters were divided for legislative, budgetary, and administrative purposes by the Government of India Act 1919. The act indicated the first significant step in the constitutional change of a unitary system of British governance and provided the groundwork for the federal system in India. This measure marked a significant beginning of decentralisation in practice (Kumar, 2018). It is because of this act of 1919, that the process of decentralisation had grown the seeds of federalism. After the Government of India Act 1919, several reports and acts were released to incorporate federal principles and legacies into the Indian system of government. Important among them were - Nehru Report 1928, Jinnah's 14-Point Formula 1929, Simon Commission 1930, the Government of India Act 1935, Cripps Mission 1942, Cabinet Mission Report 1947 and Indian Independence Act 1947. The Nehru Report of 1928 was one of the primary initiatives taken by Indian nationalists to amend the country's constitution. This committee formed to provide a report on constitutional reforms in India. Motilal Nehru served as the group's chairman. The Nehru Report's suggestion to implement federal policies in India was, however, rejected by the British government (Schoenfeld, 1959). Following the publication of the Nehru Report, the Muslim League, led by Muhammad Ali Jinnah, issued a 14-point formula for modifying the communal solution outlined in the Nehru Report in March 1929 (Rao, 1966). Jinnah rejected and expressed their dissatisfaction with the Nehru Report proposal for a strong Centre and in 1929, in his Fourteen Points, the major points of

this Formula was to secure the rights of Muslims over all other Indian communities. The British Government also rejected this 14-Points Formula (Adeney, 2007). Moreover, the failure of the Muslim League led to the formulation of the Simon Commission in 1930. The Simon Commission presented a detailed report of the Indian problem and suggested that the ultimate Constitution of India must be federal. This Commission viewed that federation must be established in India. Initially, it was rejected several times but it ultimately submitted its report in June 1930 (Ghai, 2014). This Commission recommended on the following grounds- the Commission recommended regarding the provinces that Dyarchy should be abolished from the provinces. While the Governor should be given specific powers in the Provinces, etc., the Central Government should refrain from meddling in the legislative and administrative issues of the Provinces. The Central Legislative Assembly should be renamed the 'Federal Assembly,' according to this Commission's recommendation about the Central Government. The Governor-General Council members who are located in the Lower House, along with other members who have been nominated, should make up the formal members of the Federal Assembly. India's federal system was vehemently urged by the Simon Commission. This commission demanded federalism that would be suitable for the people of India taking into account the size and population of India. India's Ultimate Federation was envisioned by the Simon Commission. A federal legislature, federal executive, and federal finance were all suggested by this commission as being crucial (Simon Commission Report). The British Government accepted the Report, nevertheless, and opted to move through with the Round Table Conference to explore the matter of India's potential future constitutional reform. The Round Table Conference made decisions about the Commission's Report, and the British Parliament adopted the Government of India

Act as a result of these decisions. British India had a unitary system of government up to 1935. The first law that was able to plant the seeds of federalism in India's current constitution was the Government of India Act of 1935. The Act introduced and legalised the term 'Federation' for the first time. The Indian federation and constitutional structure underwent some significant modifications as a result of the Government of India Act of 1935. A strategy for the creation of the All India Federation was developed by this act (Agarwal & Bhatnagar, 2016). Several other changes were made to meet the need for federal arrangements during this act of 1935. However, India did not receive 'Dominion status' by the Government of India Act of 1935 (Schoenfeld, 1959). As a result, the Indian leaders pushed for a Constitution that was created entirely by the Indian people. The British Government denied this request. Because of this, Sir Stafford Cripps led the Cripps Mission, which advocated for an elected Constituent Assembly of the Indian people to create the Constitution of India. Additionally, it was suggested that there should be a single Indian Union made up of all Indian States and provinces. However, the Muslim League and Congress, two of India's major political parties, refused to adopt the recommendations made by this Mission (Kumar, 2018).

The plan was created in 1946 by Sir Stafford Cripps, Lord Pethick Lawrence, and Mr. A.V. Alexander as part of a mission known as the Cabal Mission with the goal of resolving the nation's present issues. The Commission delivered what was referred to as the 'Cabinet Mission Plan' on May 16, 1946. This Mission advocated the formation of a Constituent Assembly to write a new constitution for the newly independent India. As a consequence, the Constituent Assembly's first session began on May 16th, 1946, and elections for the assembly were held in July of the same year (Ghai, 2014). Following that, Lord Mountbatten was appointed Governor-General of

India by the British government to resolve the problems there. He created the plan for the country's division into India and Pakistan, and the British government and the two most important political parties in India both endorsed it. As a result, on August 15, 1947, the Indian Independence Act 1947 was passed, establishing a Dominion of India and a Dominion of Pakistan. This is how the idea of federalism and its organisational structure developed in pre-independence India. To comprehend how the federalist system was implemented into the Indian constitution, the Constituent Assembly debate and discussion are addressed in more detail in the next section.

Constituent Assembly Debate on Federalism

The federal process and its practices are not of new origin. It has a long history behind its origin in the Indian Constitutional system. There are several incidents and events that have taken place which help to form the federal process in India. One of the important events among these is the Constituent Assembly Debate. The policies and structures of the Indian Constitution have undergone decades of change. In order to determine whether a federal and unitary government would be appropriate for a big and varied country like India and its governance system, the Constituent Assembly was founded in 1946 as part of the Cabinet Mission Plan (Malik, 2019). It was established to draft a new constitution for independent India. As a result, the Constituent Assembly was founded in July 1946, and its sessions started in December of the same year. It is, therefore, crucial to discuss the Constituent Assembly debate on the federal process in India, the foundation upon which the federal policies were incorporated into the Constitution, in order to fully understand the post-independence constitutional formation and reforms and their contribution to federal stability in India. Therefore, it is very necessary to discuss the Constituent Assembly debate on the federal process in India, and on what basis the federal policies were incorporated

in the Constitution. This debate helps us in comprehending India's political structure and its federal and unitary features. It will also assist us in determining if the federal structure of India and its states is indeed decentralised or centralised (Naik & Kumar, 2016). The phrases 'federal' and 'union' were heavily debated in the Constituent Assembly before to the adoption of the Constitution. In the Constituent Assembly debate and the discussions were ongoing regarding the framing and drafting of the Constitution. The debate and the discussions happened between the Union Constitution Committee headed by Jawaharlal Nehru and The Drafting Committee, led by Dr. Ambedkar. The majority of Assembly members supported the federal structure, while some opposed it. Many of the members favoured a powerful centre for India. Among these were G.L. Mehta and T.T. Krishnamachari, who both preferred a strong centre. Suresh Chandra Majumdar and KM Munshi both favoured the strong centre for India. Despite these supporters, the strong centre was opposed by many members. The federation was opposed by certain members of the Constituent Assembly, who supported a unitary state. They included people like Brajeshwar Prasad and Sardar K.M. Panikkar. As a consequence, a federation with a powerful Center received overwhelming support in the Constituent Assembly. (Constituent Assembly Debate, v- 11). Even though the phrase used in Article 1 was Union and the word 'federal' was never included in the Preamble or any other provision. But Dr Ambedkar, the head of the drafting committee, defined the Constitution proposed to be federal when he submitted the draft to the Constituent Assembly. Several members in the Assembly agreed that a unitary system was not only undesirable but also impractical in light of the external circumstances as well as the size of the nation and its variety of parts (Constituent Assembly Debate, v- 11). As a result, a lot of the members were in favour of a federation with the powerful centre in India. As

suggested by Ambedkar, the word 'union' was eventually inserted into the Indian Constitution. The constitution includes several particular clauses that demonstrate the federal nature of India even if the word 'federal' is not included in the Constitution of India.

Centralise Vs Decentralise Debate

The federal system in India is unique in its origin. The system of federalism emerged when India acquired freedom from the British in 1947. On January 26, 1950, India adopted a new Constitution in response to the need and demand for the people of the nation. After enacting the Constitution, India adopted Parliamentary Democracy. Therefore, federalism is an important feature of democracy implemented in the Constitution of India. One of the important provisions of the federal Constitution is the division of powers between the Centre and States. This provision must provide for adjustment in the area of conflict that happens between the Centre and States. India is no exception to it. One of the effective features of Indian federalism is the division of powers between the Centre and States. But the division of powers between the Centre and States is not the same. In that case, it is seen that the domination of the Centre over the States power (Jacob, 1968). Therefore, this study mainly focuses on the federal debate over the centralised nature of the Indian Parliament and the Centre's intervention in the affairs of state with regard to the distribution of powers between the Centre and States in India.

The Constitution of India offers a detailed system for the division of power between the Union and States. As per this provision, there are three lists which divided powers between the Union and States under the seventh schedule of the Constitution. Union List, State List and Concurrent List and Residuary Powers which divided powers between the Centre and States. The Centre has excessive control over

the Union List and States over the State List and both the Centre and State can exercise any matters which are incorporated in the Concurrent List. Residuary Powers are in the hand of the Centre. But on the ground, we can observe that the functioning of this division in the last six decades manifested the dominance of the Centre. Some examples of the centre intervention in the distribution of powers between the Union and the States are provided in the Constitution itself in a very detailed manner. Therefore, to understand the centralised nature of the Indian Parliament, it is essential to know about some constitutional provisions that reflect the centralised nature of the Indian Constitution. Some of the important constitutional provisions are discussed in a detailed manner below:

Firstly, the provision of the Seventh Schedule of the Constitution of India reflects over centralised nature of the Indian Union. As per this provision, there are three lists which divided powers between the Union and States under the seventh schedule of the Constitution. Union List, State List and Concurrent List and Residuary Powers which divided powers between the Centre and States. The Centre has excessive control over the Union List and States over the State List and both the Centre and State can exercise any matters which are incorporated in the Concurrent List. Residuary Powers are in the hand of the Centre. But on the ground, it can be observed that the functioning of this division in the last six decades manifested the dominance of the Centre.

Second, the Union Parliament can have stronger power to alter the areas, boundaries, and names of any states under the provisions of articles 3 and 4 of the Indian Constitution. The Union is therefore unaffected by the state under the Indian federal system, while the states are. This clause so demonstrates the Union's dominance over the Indian states.

Third, as stated in articles 200 and 201 of the Indian Constitution, some state legislature-passed laws may be reserved by governors for the consideration of the President of India. It has been determined that a governor cannot legally take this step. Such state measures must have the president's approval. This aspect reflects the centre's dominance over the state (Rajashekara, 1997).

Fourth, the supremacy of the union parliament can be visible in some legislative matters of the states. Under the provision of articles 248 and 249 of the constitution of India. Parliament also has exclusive powers over the State Legislature concerning the Concurrent list under Article 248 of the Indian Constitution. Any conflict happens on the subject of the Concurrent List between the Union Parliament and State Legislature; in that case, Parliament can legislate on matters of State Legislature. This aspect shows the superior position of the Union Parliament. Although the centre can exercise and have excessive power on the subject of Union List on the ground, the centre can also make laws on a state matter. Union Parliament of India can use some powers over the state list. There are various provisions that allow the Parliament to make laws pertaining to state matters. For example, under Article 249 of the Indian Constitution, the Rajya Sabha can adopt a resolution by 2/3 majority, designating a state subjects as one of national concern for a period of one year (Rajashekara, 1997).

Fifth, under articles 250, 251, 252, and 253 of the Constitution of India, Parliament can legislate with respect to any matters in the State List. Union parliament has excessive control of the state's matters while implementing any treaty, or agreement on state's affairs.

Sixth, Articles 352, 356, and 360 show the union's considerable power. The President may change the federal system into a unitary system in times of emergency

in accordance with the provisions of these articles. The Union Parliament has the authority to enact legislation for the entire or any portion of the Indian territory with regard to any of the things listed in the State List when a declaration of a national emergency under Article 352 is in effect. Additionally, Article 353(a) gives the Union government the authority to order any state on how to use the executive power during the emergency period.

Clause (3) of this article 360 gives the Union government the power to direct any state to observe the norms of financial matters and on those matters the President can have full power while the proclamation of financial emergency (Rajashekara, 1997). According to Article 360 of the Indian Constitution, the President may halt both grants-in-aid to the States and the division of revenue between the Union and the States until a financial emergency is declared. When there is a financial crisis, States only have the authority over things that have funds available under the States List; the Centre is in charge of everything else.

Seventh, Part XI, Chapter 2 of the Constitution of India describes the administrative relations between the Union and States. In the area of administrative relations, the Constitution of India shows a well-defined favour for the Centre (Pal, 1984). There are some provisions under the Constitution which reveal the superiority of the Union. Under articles 256, 257, and 263 the Union has excessive control over the states. The executive power of the states must be exerted in a way that does not interfere with the executive power of the Union, according to Article 257 of the Constitution. A State may get instructions from the Union if they are esteemed essential for this purpose by the Indian government. The executive powers of all states must be exercised by the Parliament, according to Article 256 of the Indian Constitution. The Union's coordinating capabilities are described in Article 263. The

President may create an Inter-State Council in each state to safeguard collaboration across all states (Rajashekara, 1997).

Eighth, under article 312 of the Constitution of India (Rajashekara, 1997), the Parliament may enact legislation establishing All-India Services based on the Council of State's suggestion. According to Article 312 of the Constitution, the Rajya Sabha has the authority to establish a new All India Service or terminate an existing All India Service by enacting a resolution with the approval of 2/3 of the members.

Ninth, part XII of the Constitution of India lays down the provisions for the Financial Relations between the Union and States. But on the ground, in this sphere Centre's superiority is also observable (Pal, 1984). The provision of articles 268, 269, 270, 272, and 273 shows the affluent position of the Union government and the mendicant position of the states.

Tenth, there are no constitutional amendment powers granted to the Indian states. In cases where states are unable to launch a formal initiative or actively participate in the process of constitutional revisions, Article 368 grants Parliament unrestricted amendment power.

A particular Unitarian spirit can be seen in the Center's dominance over the States in terms of legislative, administrative, and financial ties. The way India's federal system operates is a result of the country's excessive centralisation. Due to the over centralization of the federal government, several Indian States demand more state autonomy. Conflict occurs frequently in India as a result of the Union's centralised structure. It is clear from the above explanation that the Federal and Parliamentary system has some forms of domination over its states and unites by the Union. But it is undeniable that India's federal structure has become less centralised (Singh & Verney, 2003). Even though there are constitutional provisions which

reflect the more centralised nature of Indian Federalism, hence over time, states are demanding power and autonomy against the centralised nature of Indian federalism. Many states and many political parties, from time to time, demanded state autonomy such as the state should have more power and autonomy vis-à-vis the central government (Chaudhary & Das, 1990). The brief discussions regarding the demand for state autonomy against the over-centralised nature of Indian federalism are discussed in the next section.

Asymmetric Federal Arrangements under Indian Constitution

The nature of Indian federalism is a debatable concept since the time of independence. Article one of the Constitution of India itself says that India is a union of states. The word 'federal' is not used in the Indian Constitution. Though there is no single word written about federalism in the Constitution of India, it cannot be denied that the Constitution of India has some special provisions which reflect its federal nature in the spirit of the Constitution. Indian federal structure can gain popularity in many scholarly debates. The scholars of modern federalism accept that India has an asymmetric federal structure in its constitution. Therefore, Asymmetric federalism is a debatable concept in India in recent times among the scholars of federalism. India is the heart of many ethnic and tribal communities. India has a deep-rooted diversity among the regions, states and communities that possesses distinct and unique traditions, customs, beliefs, language etc. Because of this diversity, it is seen that the regions and states have grown through much violence and ethnic movements in the different parts of the country to protect and preserve their distinct identity. Therefore, to accommodate such ethnic diversity and disparities, India adopted asymmetric federal arrangements in its constitution by providing some special provisions to its state and region. Many scholars are argued that India has an asymmetric federal

structure in its Constitution. The scholars like Stepan, Linz, and Yadav (2011), Rao & Singh (2005) Rekha Saxena (2012), Ronald L Watts (2005), and Kham Khan Hausing (2014) supported India's asymmetric federalism can settle the ethnic conflict by accommodating cultural and linguistic diversity in India. For example, the different parts and regions of India have shown their constitutional and political asymmetries mainly in the Northeast region of India. There are about 200 ethnic groupings in the Northeast region, which covers 10 per cent of India's geographical area and has a population of 45 million people. This broad and distinct diversity helps the people to demand their own separate region to preserve and protect their distinct culture. The first example of asymmetric federal arrangements in the Indian Constitution can be seen in the states of Jammu & Kashmir. Jammu & Kashmir was one of the princely states which became independent state on 17 November 1952. This was the first example of India's federal system which had different powers and jurisdictions from the rest of the Indian states. This aspect is made under the constitutional provision in Part XXI and article 370 of the constitution of India (Saxena, 2018). Jammu and Kashmir was given some unique protections under Article 370 of the Indian Constitution, which remained controversial, until it was abolished. Under the provision, the Parliament cannot control the administration of the state. The Constitution of India grants some special treatment to some states and regions under the provision of Articles 371 and 371 (A-J) and grants special statuses to some other states of India. Besides these provisions, at the state level, some special provisions are also granted to some sub-state in the Indian Constitution which provides a special kind of autonomy to some territories called the Union Territories (UTs). Power and autonomy under the Fifth and Sixth Schedules of the Constitution of India for the

administration of Tribal areas are also suitable examples of asymmetric federal arrangements in the Constitution (Saxena, 2018).

Northeast India's states have shown their ethnic disparities in the different parts of the region. North-East India is home to numerous diverse communities. It is located strategically on the border of Bhutan, China, Myanmar, and Bangladesh. North East India is a region that consists of eight states namely Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura, and Sikkim. It is a land-locked area and it shares its land through a narrow, 27-kilometre corridor with mainland India through North Bengal (Gogoi, 2018). The people of this region have different castes, classes, races, languages, religions, etc. As a result, various ethnic, linguistic, and religious groups demand their separate identity and they are opting for identity movements, autonomy movements, secessionist movements, etc. (Borkotoki, 2017). Because of this, the various communities demanded autonomy for their respective community to develop their culture and democratic values within the region. Hence, the issue of autonomy started among the diverse communities in Northeast India. The issue of autonomy has always been a topic of debate and controversy in the Northeast region. Therefore, the demand for the autonomy movement has a long history in Northeast India and the formation of the Autonomous District Council is the major outcome of this autonomy movement in the region. Thus, having in mind these aspects, the state like Assam, Tripura, Meghalaya, and Mizoram consisting of the tribal areas and technically different from the other areas have come under the provisions of the Sixth Schedule. The Sixth Schedule contains special provisions for the administration of tribal areas in the four northern states of Assam, Meghalaya, Tripura, and Mizoram. There are 10 Autonomous District Councils which are located in these four states (Action aid India, 2016). These are

Assam: Bodoland Territorial Council (BTC), Karbi Anglong Autonomous Council (KAAC), and Dima Hasao District Autonomous Council (DHDAC). Meghalaya: Khasi Hills Autonomous District Council (KHADC), Garo Hills Autonomous District Council (GHADC), and Jaintia Hills Autonomous District Council (JHADC). Tripura: Tripura Tribal Areas Autonomous District Council (TTAADC). Mizoram: Chakma Autonomous District Council (CADC), Mara Autonomous District Council (MADC) and Lai Autonomous District Council (LADC) (Action aid India, 2016). These are the Autonomous Councils under the Sixth Schedule of the Constitution of India. Therefore, to accommodate ethnic diversity in the Northeast region, the Indian Constitution adopted asymmetric federal features which grant some special treatments to some regions through territorial autonomy solution where they can have shared and separate governance to develop and administer themselves. Therefore, The Bodoland Territorial Region and its level of autonomy in the political, administrative, budgetary, and legislative spheres that it enjoys as a territorial autonomy region in Assam are the major subjects of the research. Additionally, the study looks at how the asymmetric federalism with territorial autonomy solution helps to accommodate ethnic diversity and has contributed to (un)successful government in the Bodoland Territorial Region.

Conclusion

From the above discussion, it can be clear that the theory and practice of India's federal system have created a debatable and controversial issue among the scholars of federalism and politics. With changing circumstances and times, new theories and concepts are becoming popular among the scholars of federalism. However, it is seen that though there is no mention of the word federal in the constitution of India, India has some provisions in its constitution which reflect its asymmetric federal character

and are adopted to meet the ethnic diversity challenges in the country. From this point of view, this study mainly focuses on the Northeast region where ethnically diverse communities are living. Therefore, the study mainly delves into whether asymmetric federal arrangements help to accommodate ethnic diversity in the Bodoland region or not. Thus, this aspect is discussed in the next chapter.

Chapter 3

Asymmetric Federalism and Territorial Autonomy in India

Introduction

Federalism, autonomy, and ethnicity are all controversial and volatile issues in a multi-ethnic state. The question of federalism, autonomy and ethnicity is central to many conflicts in today's world. Many disputes in today's globe revolve on issues of federalism, autonomy, and ethnicity. Most newly independent Asian and African states were undemocratic and ethnocratic in the beginning, as is well known. Following their independence from colonial rule, the newly independent states embarked on a process of nation-building and democratisation. The majority of today's states are multi-ethnic, multi-lingual, and multi-cultural, with ethnic and cultural identity being one of the most hotly debated issues. Ethnic tensions and conflicts are occurring in those states as a result of their multi-ethnic, multi-cultural and multi-lingual nature. As a result of their broad diversity and distinctiveness, ethnic communities living in those states needs separateness and self-determination to preserve and protect their identity and culture, from the rest of the population within their respective states. Hence, this feeling of separateness and self-determination has become booster dose in increasing ethnic tensions and conflicts in many states in form aggressive nationalism and sub-nationalism. Hence, the concept of sub-nationalism popularised and strengthens the theoretical and practical aspects of self-determination and demand for autonomy in multi-ethnic states in recent years. Therefore, federalism is a used as an important tool or instrument for resolving ethnic conflict in states (Saxena, 2018). It is not only offers an institutional framework for distributing and sharing political power, but it also permits and allows ethnic communities

participation in the decision-making process. As a result, this chapter seeks to answer several questions, such as how the concept of federalism offers autonomous provisions to a multiethnic country in general, and India in particular, for constitutional principles to work with ethnic diversity challenges in multicultural democratic and divided societies like India. It also looks at the relationship between autonomy, federalism, and ethnicity.

Autonomy: Concepts and Forms

Autonomy is defined as the absence of the center's involvement in the realm of the states. Significantly, it means that the states will have additional political, administrative, and financial powers within the framework of the constitution (Singh, 2009). Autonomy is defined as the demand for authority in a certain territory, as well as the freedom of self-rule and self-determination. Autonomy in a federal setup refers to the Centre's non-interference in the realm of the States, but it does not imply the State's independence or sovereignty. The right to self-government or self-rule is known as autonomy (Lindley, 1986). Decentralisation is synonymous with autonomy (Ghai, 2000). Autonomy means the ability to rule oneself (Garest, 2013). Territorial and non-territorial autonomies are the two types of autonomies. Personal, cultural, administrative, financial, and functional autonomy are examples of non-territorial autonomies. Territorial autonomy is defined as autonomy that is limited inside an area. Personal autonomy refers to the individual's assurance of certain fundamental rights. Such autonomy entails the exercise of freedom of association as a general right in a person's numerous dimensions as a member of a minority group, in which they engaged in various cultural and other activities. Basic human rights and civic freedoms are implied by this autonomy. Cultural autonomy refers to the extension of rights to a certain cultural or linguistic community. Unlike personal autonomy which

grants autonomy to all members of society, cultural autonomy is extended to a community. Individuals are allowed rights depending on their membership in a particular group, which distinguishes cultural autonomy from personal autonomy. Cultural autonomies are non-territorial in that their authority over particular subject issues extends beyond the whole state's territory. India is an example of cultural autonomy since it is a country with different languages and religions, and there is widespread desire for minority culture protection. In India, cultural autonomy is essential. (Char, 1946). Functional autonomy, on the other hand, refers to an institution's autonomy. Decentralisation of control over a single functional subject matter in a semi-distinct geographic region is referred to as functional autonomy. This autonomy allows the organisation to properly carry out its tasks. However, this sort of autonomy lacks geographical continuity. In India, functional autonomy is exemplified by autonomy in the Reserve Bank, other institutions, and so on (Tkacik, 2008). Administrative autonomy refers to a set of functional autonomy that includes schools, government, and courts. Administrative autonomy comes with minimal regulatory authority but no legislative authority. Administrative autonomy refers to a public organisation's power to choose and convert its own preferences into authoritative action. Legislative autonomy refers to the ability to make laws on one's own (Tkacik, 2008). Legislative autonomy necessitates the election of a locally elected legislative body with some independent legislative authority, a locally elected chief executive, and an independent local judiciary, with the autonomy focusing on specific areas of local competence (Tkacik, 2008). Here are a few examples of non-territorial autonomy. However, territorial autonomy is the study's foundation and this study is primarily focused on that notion. As a result, the link between federalism and autonomy is examined in the next section.

Federalism, Autonomy and Ethnicity

Federalism is an important form of democracy. After the fall of European colonies during the post-World War II period, several Asian and African nations gained independence from colonial powers and adopted the federal idea. India, Sri Lanka, Nigeria, Malaysia, Mali, East Africa, Ethiopia, Eritrea, the Congo Republic, and Central Africa are only a few examples. Some of these federations collapsed, while others are balancing federalism, and demand and desire for autonomy has risen in these nations as a result of the federal structure (Rothchild, 1966 cited in Adegehe, 2009). The demand for self-government, self-determination, or autonomy is not limited to a single state; it can be seen in various country's federation, where demand is mounting primarily due to the strong or powerful nature of the Centre in the affairs of the states; the role, structures, and policies of the states regarding social justice, and so on. As a result of these factors, domestic and internal conflicts have erupted within the states to claim affirmative policies, to demand special treatment, and so on. So, autonomy is used as a tool for resolving disputes in states where demand is increasing due to these reasons (Ghai, 2000). Federalism is an essential and intrinsic form of democracy under which states and some subdivisions have independent power and authority. Despite the fact that federalism and autonomy are linked, there are some contentious and controversial issues related to the relationship between the federalism and autonomy. A number of scholars identify the unclear nature of the concepts of autonomy and federalism. Some scholars believe it has a complicated relationship with federalism, while others believe they are fundamentally different. Several scholars have claimed that the concepts of autonomism and federalism are fundamentally different. Scholars like Markku Suksi (2011), Thomas Benediktar (2007) have argued that the concept of autonomy and federalism is different from

each other. The concept of autonomy should not be muddled with the subsection of federalism. They said that there is possibility to appeal a boundary between federalism and autonomy. Jaime Lluich (2011), in contrast to their opinion, supported the link between federalism and autonomy. He claims that, although having a lot of anti-federalist views, autonomy ideology makes and draws support from broad federal ideas (Lluich, 2011). Aside from that, several scholars seem to agree on the link between federalism and autonomy. Daniel Elazar, Ronald Watts, Yash Ghai, John McGarry, Brendan O'Leary, and Michael Burgess were among the scholars who advocated the link between federalism and self-rule (autonomy) under multi-level government. According to them, federalism is a system of governance that advocates a multilevel political structure that includes elements of shared-rule and territorial self-rule. Federalism is built on the idea of balancing unity with diversity in order to accommodate, protect, and promote diverse identities and regions within a wider political union (Elazar, 1987). Yash Ghai, like Elazar, believes that autonomy has a complex connection with federalism. He claims that asymmetric federalism distinguishes ethnic autonomy from classical federalism, but that asymmetric federalism has a significant link with autonomy (regional autonomy) and self-government in multinational states. The notion of federalism, like regional autonomy, is defined by constitutionally enshrined autonomy (Ghai, 2000). Though there are a lot of researchers who are in favour and against the link between autonomy and federalism, it is reasonable to assert that autonomy can be demanded in both federalist and non-federalist states, but there are other scholars who join the concept of autonomy demand leads to secessionism in a multinational federal state. Scholars such as Will Kymlicka (1998) advocate for a fundamentally new understanding of federalism and urge for a distinct state in a multinational federation where many

ethnic and minority groups coexist. Federalism may not be a feasible option to remove secession in multiethnic states, but it does provide the possibility of making secession a more realistic alternative to federalism (Kymlicka, 1998).

Classical federalism, also known as traditional federalism, refers to a federal system in which all divisions have equal authority and representation. It focuses primarily on a symmetrical federalism structure. That is why a classical or traditional kind of federalism does not appeal to autonomy demand, because it treats all units equally. Scholars such as Yash Ghai (2000) and Jamie Llach (2011) have argued that the classical notion of federalism has nothing to do with autonomy. Modern or contemporary federalism, on the other hand, differs from classical or traditional federalism. It is increasingly focusing on the asymmetric aspect of federalism, in which each unit in a federal state has unique and distinct authority and representation. These contemporary federal states emphasised asymmetric nature of federalism. The contemporary or modern federalism is based on multinational federalism where there are territorially based differences based on linguistic, religious, cultural, ethnic, and other identities, in which various groups with one or more distinct identities demand autonomy based on the differences they have (Stepan, 2004). That is why a contemporary or modern model of federalism can be appealed to autonomy demand, because contemporary federalism treats asymmetry as an important part of the federal states. Scholars like Stefan Wolf, JohnMc Garry, Bredan O’Leary, and Michael Burgess supported the relationship contemporary federalism that is asymmetrical federalism does have important relationship with territorial autonomy demand in multicultural federal states where different ethnic communities are thriving. The above discussion that has just taken place makes it very clear that asymmetrical

federalism in multicultural countries significantly impact on the demand for territorial autonomy.

Asymmetric federalism and Territorial Autonomy

In contemporary multicultural democracies and divided societies, there have been numerous settlements of autonomy demand and ethnic disputes over the last few decades. In most of these conflicts, the asymmetric territorial autonomy has been used as an important mechanism of settlement. The adoption of asymmetric federal arrangement is being used for the recognition of ethnic diversity which provides practical expression through some forms of territorial institutional practices. As a result, studying the theory and application of the asymmetric federal system becomes important in addressing the subject of territorial autonomy demand in a multiethnic state.

Territorial Autonomy can be defined as a means to internal power-sharing aimed to preserve the cultural and ethnic variety while respecting the unity of a state. It consists in permanently transferring a certain amount of power suitable for those purposed to a certain territory, giving its population the possibility of self-government and leaving only residual responsibilities to the central state (Benedikter, 2009). As a general rule, autonomous territories possess no international character and are not treated as states for international law. Territorial Autonomy is a special device designed to accommodate a particular part of the state if its population differs from the majority population of that state. Territorial autonomy is seen as an internal power-sharing mechanism which helps preserving cultural and ethnic diversity to maintain the integrity of a country. It entails certain degree of authority to a specific region, allowing its people to exercise self-governance, and leaving only residual responsibility to the central government (Benedikter, 2009). Autonomous areas, in

general, lack an international character and are not regarded as states under international law. Territorial autonomy is a specific mechanism meant to accommodate a section of a state whose population differs from the majority of the state's population. Territorial autonomy is a necessary tool for resolving conflicts and representing ethnic minorities. Territorial autonomy confers economic, political, and cultural powers to an area inside a bigger country's borders, allowing it to govern itself. According to According to Joachim Heintze (2000) territorial autonomy is that section or geographical unit of a state which empowered to govern itself in some matters by adopting laws and statutes, but without creating a state of its own (Ghai, 2000). According to Yash Ghai (2000) territorial autonomy is a tool or method which helps to allow ethnic or other groups claiming a separate identity to have their own separate region and to permit them to direct control over domain of the special subjects conferred to them for share governance (Barter, 2018). Therefore, it can be said that territorial autonomy provides separateness and self-administration to the particular region within a concerned territory. It also means the demand for power for representation and development of people within that region. Territorial Autonomy also refers to the decentralisation of power e.g. in a huge democratic country, it is impossible for the national and state government to look into the matters of the grass-root level for their development. Therefore, the real autonomy in a democracy is one which brings the government down to its citizens and encourages the grass root level democracy.

Asymmetrical federalism is an idea that has been around for a long time. However, the phrase has lately begun to be used in constitutional text to refer to the creation of federal policy in the states. Asymmetrical federalism is a complex style of federalism that grants special and crucial status to specific federalised entities under

the constitution. Asymmetric federalism refers to a federal system built on uneven powers and relationships between the Union and its constituent states in the political, administrative, and financial realms. Asymmetrical federalism is a kind of federation in which some federal entities in a country have unique status (Saxena, 2018). It encompasses a variety of meanings and notions. For a certain state or region, asymmetric federalism is beneficial for conflict resolution and peace building. Asymmetrical arrangements can promote the demand for autonomy and self-determination (Saxena, 2018). In a specific territory, it entails more autonomy and shared and negotiated regulations (Hausing, 2016). Therefore, asymmetric federalism is a very operative tool to safeguard territorially concentrated sections living in the multiethnic state, it also helps in managing ethnic conflict by providing some autonomy in territorially based communities and also helps for accommodating cultural and linguistic diversity in a particular country (Belser, 2018). Many nations throughout the world, including Belgium, Germany, Canada, Russia, Spain, and India, have asymmetrical characteristics (Watts, 2005). In these countries, asymmetric federal arrangements implemented to settle ethnic dispute for demand of territorial power.

Asymmetric Territorial Autonomy: Comparative Perspective

There have been a slew of self-determination and ethnic conflict settlements during the last two decades. As a result, asymmetric autonomy arrangements are being utilised as a method in the countries to settle ethnic disputes. During the twentieth century, the importance of asymmetric territorial autonomy as a conflict-prevention and conflict-resolution arrangement has grown, it is because of the rise of nationalism and the realisation that give inspiration for the demand of self-determination that need to be taken seriously and granted institutional expression (Wolff et al., 2010). In

democratic politics, asymmetrical Federal arrangements and their achievement as a conflict resolution approach have become increasingly important in the management of ethnic or other forms of cultural diversity, and it is frequently arranged as a governance model for countries struggling with diversity management. There are several examples across the world through asymmetric federal arrangements that help to accommodate ethnic diversity by resolving ethnic conflicts in such states. Like Russian Federation, Russia had a profound example of having asymmetric federal arrangement for ethnic conflicts within its territory. Russia is commonly selected by the scholars as a case of consideration while studying federalism. Scholar JohnMc Garry said that Russia has an asymmetrical federation in the initial stage after the disintegration of the Soviet Union. Though there is a long history of different degrees of autonomy in Russia, its form of asymmetric federal arrangements has helped Russia to maintain its territorial integrity in the country. There are several example of territorial autonomy demand in Russia where different provinces seeking autonomy from their home states based on their cultural diversity. In Russia, autonomous Okrug, Oblast, and Krai demanded separate autonomous regions because of the asymmetric federal setup in Russia (Browing, 2010). A similar incident occurred in Canada as well. Various provinces in Canada desired more autonomy from the federal government. Because of Canada's asymmetric federal system, several provinces, such as Alberta, Quebec, and Ontario, are seeking independence from the country (Lacovino, 2010). Canada is the motherland of numerous ethnic groups, and it is home to a diverse range of ethnic populations. Because the Quebec province of Canada has varied power and autonomy than the other provinces, Canada has asymmetric federal structures. As a result, the federation has encountered several problems and crises, and its federal mechanisms have been successful in responding

to conflict in Canada and its provinces (Watts, 2000). Similarly Spain has a good example of ethnic conflict settlement through asymmetric territorial autonomy. Among many important examples and experiments in ethnic conflict settlement, Spain's has been one of the most successful in the settlement of ethnic conflict through asymmetric territorial arrangements. Different levels of autonomy have been granted to Catalonia and the Basque Country in Spain, demonstrating the country's asymmetric federal structures (Conversi, 2000).

Despite this, several nations have developed asymmetric federal solutions to address ethnic challenges in their federal structures. It is not an exception in India. India has also chosen an asymmetric federal system to accommodate ethnic diversity or to resolve ethnic conflict in various sections of the country. The following portion of this chapter discusses why India has adopted an asymmetric federal arrangement and how it helps to accommodate ethnic diversity.

Asymmetric Federalism in India

Asymmetric federalism is a debatable concept in India in recent times among the scholars of federalism. Asymmetric federalism is a type of federalism in which some units of a federation have distinct forms and statuses. The concept of asymmetric federalism is not new in the discourse of federalism. It was used in the classical federation also, but the term has been able to gain much popularity in recent times because of the increasing nature of multinational and ethno-cultural states since the twentieth century.

Multilingual, multi-ethnic, and multi-cultural cultures abound in India, and ethnic and cultural identity is one of the most hotly debated topics across the country. As a secular country, India has a diversity of religious beliefs. The motto "All religions are equal" is followed by the vast population of India (Acharya, 1988). India

is home to four main global religions: Buddhism, Hinduism, Jainism, and Sikhism. It also contains the world's third-biggest Muslim population, following only Indonesia and Pakistan. The country's population of 1.02 billion people speaks five different languages. The Eighth Schedule of India's Constitution lists 22 scheduled languages, each of which is spoken by more than ten thousand people. The framework of this diversity helps people for the recognition of cultural and distinct diversity and allows certain ethnic groups to have their self-rule and governance through territorialisation. India is frequently mentioned in recent comparative federalism literature as a successful federal democracy with a plethora of asymmetric traits. India is frequently portrayed as a federal democracy that brings together a varied range of socio-cultural groups and interests under the fundamental principle of unity in diversity (Saxena, 2018).

India also has a controversial debate on whether the country is asymmetrical in nature or not. There is a lot of disagreement among federalism scholars over whether India should be classified as an asymmetric federal country or not. Scholars such as Taylor and Gagnon believe that asymmetrical constitutions are only important for the preservation of community or minority rights in the context of identity politics of recognition in multinational countries, but not in multicultural states (Saxena 2012). Stepan, Linz, and Yadav (2011) support India's asymmetric federal arrangements, claiming that the asymmetric federal framework helps India to accommodate many cultures while maintaining positive identity. Rao and Singh (2005) stated that India's asymmetric federal system has a wide range of asymmetric aspects to meet the different negotiating powers of the Indian Union's states (Saxena, 2018). According to Ronald L. Watts (2005), India is divided into two types of asymmetric federal features: political and constitutional asymmetry. He said that India is an excellent

example of how to accommodate diversity, particularly by giving and establishing small states with unique powers and authority (Watts, 2005). While the 1956 restructuring of states reduced the degree of de jure asymmetry among member states, he claims that the later emergence of a number of extremely minor states increased the degree of de jure imbalance (cited in Saxena, 2018). Another scholar Rekha Saxena (2012) who supported India's asymmetric federalism is able to settle ethnic conflict by accommodating cultural and linguistic diversity in India. Asymmetrical federalism, she claimed, is an excellent method for accommodating diverse groups while also enhancing the country's integrity. Another researcher, Kham Khan Hausing (2014), believes that asymmetric federal systems can help in India's diversity accommodation. As a result, India's constitution reflects its asymmetric federal structure, which is reflected in its abundance of asymmetric elements.

De Facto and De Jure Asymmetry in Indian Constitution

India is characterised by both political and constitutional asymmetry. One of the important examples regarding the political asymmetry (de facto) in India is reflected in the states where the states are represented in both the house of parliament on the basis of their size, population, geographic location etc. For example from its size, population and geographical location, the state of Uttar Pradesh is the largest among the states in India. Therefore, due its vast territory and population it has 31 seats in Rajya Sabha. On the other hand some of the Indian states of Northeast (like Meghalaya, Mizoram, Manipur, Sikkim) and Pondicherry, Goa have just one seat each in the Rajya Sabha because of their size and population. These aspects reflect Political or De facto asymmetry in Indian Constitution. India is also called constitutional or de jure asymmetry because, the constitution of India provides differential treatments to the states and its sub units respectively. Some Indian states

are having different power and jurisdiction as compared to other states which reflects its constitutional asymmetrical features. For example, the state of Jammu & Kashmir, Nagaland, and Mizoram have some special positions and powers than others states in India. Among which the state of Jammu and Kashmir initially had a constitution of its own adopted in 1957 which was recruited by the Constituent Assembly of the State. Under the Instrument of Accession, the State of Jammun and Kashmir surrendered only three subjects- defence, external affairs and communication to the Dominion of India under article 370. The ability of the Parliament to create legislation for the state of Jammu & Kashmir was confined by this article to foreign affairs, defence, and communications. But on 31st October 2019, the article 370 was abrogated and the state of Jammu and Kashmir is divided into two Union Territories, the Union Territory of Jammu and Kashmir and the Union Territory of Ladakh. Another example which reflects India has constitutional asymmetries in India is articles 371 A and G of the Indian Constitution grant special status to some other states of India where states Nagaland and Mizoram have special provisions than the other states (Saxena, et al., 2018). For any legislation relating to religious and customary laws and customs, the administration of civil and criminal justice that influence Naga and Mizo customary laws, and the acquisition and transfer of land resources, in these matters the Parliament of India requires the permission of the legislatures of those two states to make any laws.

Sub- State Asymmetric Arrangements in India

Apart from the political and constitutional asymmetries that offer unique status to some states at the state level, the Indian Constitution has several sub-state asymmetries that grant special autonomy to specific regions known as Union Territories (UTs). The Union Territories are a specific type of federating entity under

the Indian Constitution that demonstrates the country's asymmetric federal features (UTs). There are 9 Union Territories in India such as- Andaman and Nicobar, Chandigarh, Daman and Diu, Dadar and Nagar Haveli, Delhi, Jammu and Kashmir, Ladakh, Lakshadweep and Puducherry. Out of these 9 Union Territories, two UTs of Jammu and Kashmir and Ladakh created on 31 October 2019. The rest of the seven UTs were created at different times throughout history. They were created for a variety of purposes. Due to cultural differences, inter-state conflicts, and other factors, these places were either too tiny to be states or too difficult to unite with a nearby state. All these Union territories are directly administered and governed by the state. Out of the 9 union territories, two of them have state legislature. These asymmetries in sub-state level also reflect its asymmetrical features (Saxena, 2012).

Asymmetries under Fifth and Sixth Schedule of the Constitution of India

Asymmetrical arrangements are for the governance of tribal lands under the Fifth and Sixth Schedules of the Indian Constitution. The Constitution's Fifth Schedule designates some places inside existing States for particular consideration. The 5th and 6th schedules of India's Constitution safeguard various types of regional territorial autonomy for a few districts and areas at the sub-state level (Benedikter, 2009). According to article 241, the Fifth Schedule of the Constitution deals with the administration and control of Scheduled Areas and Scheduled Tribes inhabiting in any state other than Assam, Meghalaya, Tripura, and Mizoram. Article 244 of the Constitution says that the Sixth Schedule governs tribal territory administration in the four northeastern states of Assam, Meghalaya, Tripura, and Mizoram (Tuolor, 2013). The Sixth Schedule contains detailed provisions for 'Autonomous District Councils' (ADC) in districts dominated by tribal peoples (Tuolor, 2013). The fundamental goals of these clauses are to maintain tribal peoples' different cultures, to prevent non-tribal

peoples from exploiting them economically, and to allow them to grow and manage themselves. As a result, the provisions of the Indian Constitution that offer preferential treatment to specific federal entities reflect the asymmetric nature of the Indian federal system (Saxena, 2018).

The northeastern region of India, like the rest of the country, has asymmetric federal traits. In the northeastern region of India, there are eight states, each of which has varying levels of power autonomy under the Indian Constitution. The four northern states of Meghalaya, Assam, Tripura, and Mizoram have specific provisions under the Constitution's 6th schedule. Despite these states, some have some type of protection, like as Arunachal Pradesh, Manipur, and other states that have some form of protection for their tribal identity. Ethnically, linguistically, culturally, spiritually, and mentally, the northeast area is varied (Gopalakrishna, 1991 Verghese, 2004 cited in Gogoi, 2018). But the ethnic disparities among these three groups of people become so diverse that because of this diversity several times conflicts took place in the region. As a result, the northeast region is witnessed ethnic assertions with different patterns and forms. Therefore, the demands for recognition of their identities, separate statehood, and autonomy adopted by the people are mostly shaped because of their specific ethnicity (Gogoi, 2018). These demands or assertions mainly include territorial forms of demand. The demand for territorial autonomy mainly can be seen in the Northeast part of India. The various states in the North East demanded territorial autonomy in their region, like Assam, Manipur, Mizoram, Arunachal Pradesh, and Meghalaya, within these states we can observe autonomy and separate statehood demand from the ethnically distinct community for their development and preservation of their identities in the form of sub-nationalism (Barua, 2009). Among those autonomy demands, the demand for Bodoland is focused on in this study.

Therefore, the autonomy and statehood demand for Bodoland Territorial Region is being studied through the concept of asymmetric federalism. So, in the next chapter whether asymmetric federal arrangements helps to accommodate ethnic diversity in the BTR region or not is discussed in the next chapter of this study.

Chapter 4

Governing Through Territorial Autonomy: Case of Bodoland

Territorial Region

Introduction

The northeastern Indian states have gone through several stages of their historical and political development. The northeast is divided and alienated from the rest of India due to the distinctness and diversity of several features such as race, culture, religion, language, and geographical position. Because of this separateness and distinctiveness, most of the northeast states have experienced a diverse range of political experiences from colonial rule, modern political development, and socio-political awareness and movement which have contributed to their present condition in the state of affairs (Pachau, 2014).

Since the early days of independence, the Northeast Indian region has been ethnically, linguistically, culturally, spiritually, and psychologically varied. Northeast India is seen as estranged and divided from earlier periods as a result of British administration systems that formed an exclusive geographical barrier between ethnically diverse groups in northeast India (Gogoi, 2018). Balveer Arora (1995) has rightly explained that ‘The historical and cultural intricacies of the northeastern areas, combined with their shaky economic and physical ties to the rest of India, further heighten the trends towards alienation’ (Arora, 1995). Because of this alienation and their distinctiveness in ethnicity, culture, religion, language, geographical condition, economic disparities, lack of communication, historical experience, and cultural and economic deprivation helps to grow and develop a seed of self-consciousness among the different communities of the region to bring about a change in the socio-political

arrangement of the system led to the demand for different homeland or self-determination or autonomy in the form of sub-nationalism in the different parts of northeast India (Pachua, 2014).

The Northeast region of India has seen a lot of ethnic movements in terms of political, cultural, and social harmony since independence. Ethnic strife, bloodshed, and political secession have erupted in various sections of the region as a result of the growing aspirations of tribal people and various ethnic groupings. Demands for autonomy can be seen in several sections of the Northeast. These demands have primarily arisen in the region because many tribal and ethnic communities reside there, and they have formed numerous sub-national entities to improve the living conditions of tribal peoples in northeastern regions and provide better facilities for the development of their culture and way of life. Sub-nationalism is one of the important causes for the demand for territorial autonomy in a multinational and pluralistic state where many ethnic, and religious groups are living and they express their aspiration for self-determination. Therefore, to deal with the question of sub-nationalism in a multinational state like India, many scholars suggested that asymmetric federalism can be the best solution which might protect historically constituted cultural-territorial identities by providing constitutionally guaranteed autonomy rights for some territorial units (Baruah, 2001). As a result, practically all of the northeastern states and regions have suffered sub-national aspirations in the form of territorial autonomy. Mizoram, Arunachal Pradesh, Meghalaya, Tripura, and other states are examples. As a result of the extensive diversity enclosed in the region into primarily three key groups, the Hill tribes, Plains tribes, and Plains people, Assam has also undergone diverse sub-national demands from time to time. However, ethnic differences between these three groups of people have become so great that conflict has erupted in the

region multiple times as a result of this diversity and distinctiveness (Gogoi, 2018). Therefore, numerous tribes fought for their autonomy. The Bodo, the Karbi, the Dimasa, the Misings, the Tiwa, the Deori, and other ethnic groups of Assam have all claimed self-rule and autonomy (Baruah, 2001). As a result, they created several movements calling for the preservation of their language and culture, which they saw as a representation of their separate community's identity. The Bodoland movement in Assam is one of these autonomy movements. The Bodoland movement advocates for the Bodos to have their own state in order to preserve their political, linguistic, and cultural identities. After the long-standing demand for their separate statehood, the Bodoland Territorial Council was formed in 2003 under the provision of the amended Sixth Schedule for the administration and development of the tribal people belonging to the region (Choudhary, 2015). Hence, this chapter attempts to understand autonomy demand in Bodoland Territorial Region. It also focuses on the degree of autonomy in the sphere of political, administrative, financial, and legislative that the BTR as territorial autonomy enjoys in Assam. Moreover, this chapter examines whether the concept of asymmetric federalism which grants territorial autonomy solution in the Bodoland Territorial Region can practically help to accommodate ethnic diversity with better (un)successful governance in the region or not.

Bodoland: District Profile

After a long and arduous struggle, the All Bodo Students Union (ABSU), the Bodoland Liberation Tigers (BLT), the Government of India (GoI), and the Government of Assam signed a Memorandum of Settlement (MoS) on February 10, 2003, which gave the Bodoland Movement a boost (Memorandum of Settlement). As a result, in 2003, the Bodoland Territorial Area District was formed, with an autonomous self-governing body known as the Bodoland Territorial Council (BTC) in

charge of the region's governance. However, on January 27, 2020, a new Bodo agreement was signed, and the region's name was changed from Bodoland Territorial Area District to Bodoland Territorial Region. The Bodoland Territorial Region, sometimes known as Bodoland, is an autonomous territory of Assam that was established in 2003. It has an autonomous council known as the Bodoland Territorial Council, which is a district council established for the administration of that region and formed to preserve the region's identity, socioeconomic development, language, culture, and education, as well as provide better facilities to the people who live there. This autonomous council at present covers the four districts of Assam, namely Kokrajhar, Udalguri, Baksa, and Chirang. Bodoland or the present BTR region is known as the gateway to the North Eastern Region of India. It was formed in 2003 by carving out some areas of eight districts of Assam namely Kokrajhar, Bongaigaon, Dhuburi Nalbari, Barpeta, Kamrup, Darang, and Sonitpur (Basumatary, 2018).

It is an autonomous administrative council established under the provisions of India's Constitution's Sixth Schedule. Bodoland is 9688 square kilometers in size (Council, 2021). The Bodoland Territorial Region (BTR) was recently defined as the territory under the supervision and jurisdiction of Bodoland Territorial Councils (Initially is it called Bodoland Territorial Area District, BTAD). The BTC's geographical boundaries are in the North-Western section of Assam, between $26^{\circ}7'12''\text{N}$ and $26^{\circ}47'50''\text{N}$ latitude and $89^{\circ}47'40''\text{E}$ and $92^{\circ}18'30''\text{E}$ longitude (Rao, Ravichandran, & Behera, 2015). Bodoland is situated on the northern banks of the river Brahmaputra and the southern foothills of Bhutan and Arunachal Pradesh. The area of BTR is governed by the Bodoland Territorial Council. This BTR area is separated from the eight districts of Kokrajhar, Bongaigaon, Dhuburi Nalbari, Barpeta, Kamrup, Darang, and Sonitpur. From these eight districts, the four districts

Kokrajhar, Baksa, Chirang and Udalguri are included and together formed the Bodoland Territorial Area District in the state of Assam. Presently Kokrajhar is headquartered or performed as the capital of the Bodoland Territorial Region. The region is bordered by some states of India, and Bhutan and Arunachal to the north, Sonitpur district to the east, it shares a snaky boundary with Dhubri, Bongaigaon, Barpeta, Nalbari, Kamrup, Darrang to the south and it also shares a boundary with Sankosh River and West Bengal to the west (Brahma, 2018). District wise area of Bodoland Territorial Region is shown in Table 4.1 below:

Table 4.1: Total area of BTR (District Wise)

SL No	Name of the District	Total Area in Square Kilometer
1	Kokrajhar	3296
2	Baksa	2457
3	Udalguri	2012
4	Chirang	1923
	Total	9688

Source: Census 2011

Table 4.1 shows the district wise total area of the Bodoland Territorial Region district-wise. As per the census of India 2011, the total area of Korajhar is 3296 sq. km. Udalguri has a 2012 sq. km. Baksa has 2457 sq. km and Chirang has 1923 sq. km. Among these districts, Kokrajhar is the largest and Chirang is the smallest area under the BTR region.

Population

According to the 2011 census of India, there are around 31.51 lakh people living in BTC. Out of this, there are 105572 ST populations and 175632 SC populations. The territories of Bodoland are inhabited by several tribal peoples. Rabhas and Garos, who make up 90 per cent of the overall tribal population, also live in this region among these tribal populations. In a sizable portion of BTR, there are also the other communities descended from Bodo tribes such the Ransbanhis and Sarania. Santhal

and other tribes are among those that reside in the BTR region. Other tribes including Santhal are living in the BTR area as well. Moreover, despite these tribal communities, other general communities like Bengali, Assamese, Nepalis (Gorkhas), Muslims, Biharis, Adivasis, Santals, Kochs, Rajbongshis, and the Scheduled Caste people are also found in a certain percentage in the areas. Table 4.2 shows details about the population of BTR in different districts-

Table 4.2: Population Pattern and Area of Bodoland Territorial Area District

Sl. No	Name of the District	Total Population	Scheduled Caste	Scheduled Tribes	Other Communities
1	Kokrajhar	887142	29570	278665	578907
2	Baksa	950075	73083	331007	545985
3	Udalguri	831668	37844	267372	526452
4	Chirang	482162	35135	178688	268339
5	Total	3151047	175632	1055732	1919683

Source: Census 2011

Table 4.2 shows the district wise population of the BTAD area. The four districts of Bodoland Territorial Council, Scheduled Caste, Scheduled Tribes, and Other Communities residing in these areas are clearly shown in table 4.2. As per the 2011 Census, Kokrajhar has a total population of 887142 or 8.87 lakhs. Out of which 3.34 per cent is SC population, 31.41 per cent is ST population and other communities are 65.25 per cent found in the district of Kokrajhar. Udalguri has a total population of 831668 or 8.32 lakhs. Among these, 4.55 per cent is the SC population, 32.14 per cent is the ST population and in other communities, 63.31 per cent are residing in Udalguri. Baksa has the highest population among the four districts of BTC. It has 950075 or 9.50 lakhs. Out of which 7.69 per cent is SC, 34.84 per cent is ST and in other communities, 57.47 per cent live in the Baksa district. Another district Chirang

has the smallest population in the BTR region. It has 482162 or 4.82 lakhs of the total population. Among which 7.28 per cent is the SC population, 37.05 per cent is the ST population and other communities are 55.67 per cent found in the Chirang district. Therefore, the total population of BTC is 3151047 04 31.5 lakhs. Out of which 5.57 per cent are SC population, 33.50 per cent are ST and 60.92 per cent of other communities are residing in BTC.

District wise Sub-division, Blocks, and villages of Bodoland Territorial Region

As per the Government Notification, No.GAG (B) 137/2002/Pt/117- The Assam Gazette, dated 30th October 2003, the Governor of Assam consented to compose and constitute the new sub-division and districts to the Bodoland Territorial Council and also provided reorganisation to include villages in BTR. Thus, four districts with nine sub-divisions have been constituted under the administration of BTC. Each of the districts is under the jurisdiction of one Deputy Commissioner and Superintendent of Police (Assam Gazette No. 228, 30th October 2003, MOS cited in Basumatary, 2009). After the formation of BTC, the number of villages and development blocks was constituted under the administration of the BTC government. Sub-divisions, blocks, and villages that are under the administration of BTC are shown in Table 4.3:

Table 4.3: Sub-divisions, Headquarters, Blocks and Villages of BTC

SL. No	Districts	Sub-division	Headquarters	Number of Blocks	Number of Villages
1	Kokrajhar	Kokrajhar Gossaingaon Parbatijhora Mushalpur	Kokrajhar Mushalpur	11 10	1068 690
2	Baksa	Tamulpur(Now New District)			

		Salbari			
3	Udalguri	Udalguri	Udalguri	11	800
		Bhergaon			
4	Chirang	Kajalgaon	Kajalgaon	5	508
		Bijni			
5	Total	10	4	37	3066

Source: Census 2011

Table 4.3 shows sub-divisions, headquarters, blocks, and villages of a particular district of Bodoland Territorial Council. There are ten sub-divisions in BTC, out of which Kokrajhar has three, Udalguri has two, Baksa has three and Chirang has two sub-divisions respectively. There are a total of 37 blocks in Bodoland Territorial Region. Kokrajhar and Udalguri have the same number of blocks in their jurisdiction. Baksa and Chirang have ten and five blocks respectively. There are a total of 3066 villages in the whole BTR area. There are 1068, 800, 690, and 508 under the jurisdiction of Kokrajhar, Udalguri, Baksa, and Chirang as per the 2011 census. This is the district profile of the Bodoland Territorial Region which is run under the Bodoland Territorial Council's jurisdiction.

Background of the Bodoland Movement

In today's nation-state structure, ethnicity and identity are inevitable realities. Almost every country on the planet, from big to the small, has seen ethnic conflict at some point. Ethnic strife and bloodshed have been regarded as unavoidable challenges in Indian politics for millennia from the time of British colonisation, several Indian states saw widespread ethnic and cultural violence and unrest, as the people of India had varied cultures, traditions, ethnicities, and so on. In terms of cultural and ethnic strife, Assam is an inescapable state (Basumatary, 2018). Since the post-independence era, Assam has been witnessed to a variety of tribal and identity movements. The

tribal people gained political consciousness as a result of such identification and tribal activities, which eventually aided the growth of separatist movements. The Bodoland movement is one of the most significant identity and cultural movements among them (Kalita, 2019). Before delving into the history of the Bodoland Movement, it is critical to first comprehend the history of Bodo tribe.

History of Bodos as a Plain Tribe

The Bodos are one of Assam's ancient tribes. In Assam's pre-colonial history, they are known as Kacharis and are regarded aborigines of the Brahmaputra Valley. In the book 'The Kacharis', Sidney Endle (1911) stated that the Bodos, also known as kacharis, were split into two groups: northern and southern, with various subgroups distributed across the Assam (Endle, 1975). They are Tibeto-Burman and Indo-Mongoloid ethnic groups who migrated centuries ago from southwest China to North East India via Tibet and Bhutan (Borah, 2019). They are a historically marginalised Assamese group. According to Ajay Roy, the Bodos and the current Kham tribes of Tibet have certain physiognomic and temperamental characteristics (Barborah, 2005). According to G.A. Grierson, Bodos are one of the branches of the Assamese-Burmese branch of the Tibeto-Burmese subfamily of the Tibeto-Chinese family language (Baruah, 2001). It is believed that the Bodos are the early settlers of Assam. Presently, Bodos are regarded as the largest plains tribe of Assam and reside in the northern parts of the Brahmaputra Valley. They are found in Kokrajhar, Udalguri, Chirang, Baksa, Darrang, Sonitpur, Kamrup, Nalbari, Barpeta, and Dhubri and are scattered among other places of Assam (Basumatary, 2009). Initially, the group of Rabhas, Garos, Sonowals, Tiwas, Dimasas, Hajongs, Hajong Kacharis, Lalungs, deoris, Dimasas, Barmans, Tipperah or Tripuris, Chutias and Moran Kacharis, Koch, Xaroniyas were the part of this whole Bodo race. But, time and again, all these groups

lost their identity as Bodo and started assimilating with the Assamese group. All these groups do not currently speak the Bodo language as they had completely lost their identity as Bodo and adopted the Assamese language and Assamised themselves. As Sidney Endle (1975) cited that now several Assamese speaking distinct groups like Rabhas, Garos, Lalungs, Sonowals, etc. were all members of the Kachari or Bada race of a single subnational formation (Endle, 1975). Because of the unequal and dominant assimilation into the Assamese group and to seek differentiation in culture, language and ethnicity, and identity from the dominant subnational formation of ethnic Assamese, the rigorous Bodoland Movement was started on the northern bank of Brahmaputra (Baruah, 2001). Therefore, the historical background of the Bodoland Movement is discussed in the next section of this chapter.

Bodo Ethnic Movement: A Historical Narrative

Bodos are one of the important plain tribes of Assam. They considered themselves a part of the great indigenous people of Assam. They started the movement to preserve their distinct culture as they feel it was neglected, exploited, and discriminated against by the dominant non-tribal people. Therefore, they started a mass movement by demanding a separate homeland to preserve and protect their distinct identity. This movement was known as the Bodoland Movement in the history of Assam.

Assam has always been home to a diverse range of ethnic groups. The region is home to a variety of religious, linguistic, and cultural ethnic groups. It is home to three primary ethnic groups: hill tribes, Plains tribes, and non-tribal peoples. Their languages, religions, and cultures are all vastly different. Because of their distinct culture and religion, the tribal people of Assam have developed a sense of discrimination and unfairness, which has become a threat to their identity from non-tribal people. The various other tribes in Assam have been against the Assamese high

caste hegemony as they feel they are dominated by them. Because of the hegemony, tribal people have been concerned about their identity, which has resulted in a sharpening of rivalry and conflict among tribes in the form of ethnic movement. Bodoland Movement is one such movement within the Assam. Now, the questions arise that why the plain tribe Bodo, developed a sense of differentiation and separateness or autonomy to create their separate homeland different from the whole Assamese community. As an answer to this complicated question, there are many factors behind the urge among the Bodo People for differentiation and autonomy from Assamese (Borah, 2019). As already mentioned above, one of the factors for demanding separateness and differentiation by Bodo from the mainstream Assamese community is the dominant Assamese sub- national formation where different tribes lost their language and identity as they grow and inhabited Assamese culture. Another factor for demanding a separate homeland for Bodos within Assam is the creation of new states on a linguistic basis such as Nagaland for Nagas, Meghalaya for Garo, Khasi and Jaintiya tribes, Mizoram for Mizos, and Manipur for Manipuris as these states are dominated by the tribal people and all these regions once upon a time were the part of greater Assam. This aspect also contributed to the impetuous desire among the Bodo tribes. Another factor that contributed to the formation of yearning and eagerness in the Bodo people's thoughts was their cultural distinctiveness, which they felt they had lost due of the supremacy of the Assamese language and culture. These are the key elements that aided in the growth of seeds among the Bodo tribe to construct a separate state for their development and protection, which they believed was being denied by the mainstream Assamese society (Baruah, 2001). Simultaneously, they began to seek and claim their new administrative entities with varied degrees of autonomy, as they became more aware

of their identity and right to maintain and safeguard their culture and manage and govern their affairs. Hence, in this background, the Bodos started their autonomy movement as a plain tribe of Assam. Bodo movement is one of the oldest movements in India. It was started primarily to promote and administer the Bodo people, as well as to provide them with political autonomy, cultural and linguistic preservation, and rapid socioeconomic development. The Bodoland Movement, centred in Assam and Northeast India, is one of the oldest unresolved movements. Its origins may be traced back to the post-colonial and geopolitical state formation in Northeast India. As a result, the Bodo movement has taken a variety of forms, all of which are leading to the demand for an independent state (Mochahari, 2013).

To understand the genesis of the movement of Bodos whether, for a separate homeland or greater autonomy, it is necessary to understand its historical background. Historically, the demand for self-rule and autonomy by the plain tribe of Assam was started during the colonial period or in 1928 when several Bodo tribe leaders submitted a memorandum to Simon Commission in the name of Kachari Yuba Sanmilan. This Sanmilan represented the plain tribe of Assam. The memorandum contained several demands such as to preserve integrity and independence, protect and preserve their distinct identity and culture, and creation of Administrative Units within tribal areas to develop and administer themselves (Basumatry, 2018). Following that, from 1932 until 1952, the Bodo people continued to seek political power and rights in order to preserve and protect their identity. After the foundation of a 'All Assam Plains Tribals League (AAPTL) in Roha in 1933, led by Rupnath Brahma and Bhimbor Deuri, and a few other educated Bodo leaders, the Bodo's quest for political power became more visible. They began calling for a separate electorate and five seats for Plain Tribal representatives (Basumatary S. , 2018). As a result,

certain political organisations, such as the Bodo Sahitya Sabha (BSS) in 1952 and the Plains Tribal Council of Assam (PTCA), have called for a separate homeland to safeguard and preserve their culture and way of life. Only after the formation of the Plain Tribal Councils of Assam (PTCA) on May 20, 1967, did the autonomy movement of Bodos get its momentum. This political organisation sent a memorandum to India's President, requesting a distinct political system for Assam's plain tribes people. They fought vehemently for 'Udayachal' in the shape of a Union Territory in Assam's Bodo-dominated region. They recommended including tribal-dominated plain regions of Goalpara, Darrang, Kamrup, Lakhimpur, and Sibsagar districts in the Udayachal Union Territory (Sarma, 2017). As well, in the same year, another organisation led by Upendra Nath Brahma, called All Bodo Student Union, supported the quest for a separate state for the Bodos in order to maintain their linguistic, cultural, social, economic, and political identities.

The Emergence of the All Bodo Student Union (ABSU)

Bodo movement in Assam can be traced back to 1967 in the form of the Plains Tribal Council of Assam, which raised the voice for a separate homeland for Bodos, but it was only after the formation of the All Bodo Student Union (ABSU) that the Bodo Movement and their demands for separation get momentum. Therefore, it can be said that the Bodoland Movement had grown the seeds after the formation of the All Bodo Student Union. The inability or the failure of the PTCA Movement from the mainstream of Bodo politics in 1967 laid the groundwork for the foundation of the All Bodo Student's Union (ABSU). However, once Upendra Nath Brahma was chosen president of the ABSU at the Darrang Conference in 1986, the movement gained a foothold among Bodos people of Assam. ABSU began the Bodo Movement with the motto 'Divide Assam 50-50,' in 1987. This Movement helps to gather millions of

people because of its democratic nature led by Upendra Nath Brahma or 'Bodofa' (Talukdar, 2020). They demanded a separate state for the Bodos in order to fulfil their goal for a separate Bodoland and to protect and maintain their language, culture, socioeconomic status, and political identities. Simultaneously, the Bodo People Action Committee (BPAC), also known as the 'Umbrella Organisation' was established to bring all segments of the Bodo people together in support of the struggle. Following that, ABSU and BPAC jointly commenced to launch an agitation for the settlement of Bodo issues (Choudhary, 2015). They began the movement by holding a big rally at Judge's Field in Guwahati on June 12, 1987 (Assam). They coined the slogan 'Divide Assam Fifty-Fifty' for this rally (Choudhary, 2015). Following that, ABSU and BPAC continued the movement and adopted the path of violence to achieve their demand for an independent state and self-rule. The government used a hard hand to try to control the vast Bodo movement, but it was unable to do so. According to M. Hussain, the Bodo movement, like the Assam Movement, was effective in mobilising people by using cultural and historical symbols and social networks to gather people in the movement (Hussain, 1993).

First Bodo Accord of 1993 and Autonomy

The first Bodo Accord was the product of the crucial Bodoland movement, which was able to bring Bodo people from all around Assam together. This movement went through a violent turn. As a result, a series of talks were arranged between the government and Bodo militant organisations in order to suppress the movement. After a protracted series of bipartite and tripartite discussions between the Government of India, the Government of Assam, and the leaders of ABSU and BPAC, the groundwork for a lasting settlement to the six-year-old Bodo movement in Assam was formed. On the 20th February 1993, as a result of this negotiation, the Memorandum

of Settlement (MOS) popularly known as the Bodoland Accord was signed to control the mass movement. Accordingly, the Bodoland Autonomous Council was formed in 1993. In 1993, the Bodoland Autonomous Council was established. On 5 April 1993, the Assam State Assembly passed the Bodoland Autonomous Council Bill (BAC Bill), which was later adopted as the Bodoland Autonomous Council Act, 1993. Within the state of Assam, the Bodoland Autonomous Council was founded. The Bodo region was given complete autonomy by the Council in terms of development and administration. It was established within the framework of India's constitution. The 1993 Accord suggested the formation of an elected Bodo Autonomous Council (BAC). Between the rivers Sankosh and Pasnoi, the Council included contiguous geographical territories. Only regions with a tribal population of 50 per cent or more were included in the BAC area (Memorandum of Settlement, 1993). BAC is a General Council established by an act of the State Assembly of Assam. The council consists of 40 members. There were 40 elected members out of which 30 seats set aside for Scheduled Tribes. Over 37 subjects, it gave functional autonomy. The BAC was also given functional authority over a total of 37 subjects under the Act. The Bodoland Autonomous Council enumerated a detailed structure of powers and functions which were provided by the Act. The BAC, however, did not satisfy the Bodo leaders (George, 1994). However, because of the weak financial powers and the state government's overwhelming dominance over most of the transferred topics, the BAC was never able to execute the Act's limited autonomy (Nath, 2003). Due to its dominance and lack of autonomy, BAC was unable to meet the aspirations of the Bodos. Rather, it helped to evolve two opposing ideologies among two groups of Bodos. The Bodo Security Force, also known as the National Democratic Front of Bodoland, was founded in 1994 by Ranjan Daimary, and the Bodoland Liberation

Tiger Force was founded by Hagrama Mahilary (1995). There was a huge disagreement in the ideologies between these two groups. The Ranjan Daimary led group NDFB demanded sovereignty, while the Hagrama Mahilary led group BLT was stuck on establishing a separate state (Das, 2017). But it has to be noted that both the groups rejected the formation of the Bodoland Autonomous Council (BAC) and continued the movement forward in the form of ethnic cleansing. They continued with violence like staging, picketing, bombing killing of the layman, etc. A large number of people were killed including women and children. Therefore, to harness the movement, the Government of India negotiated with them in 2003. Later on, the second Bodo Accord was signed between the Government of India and the Government of Assam, and the Bodoland Liberation Tigers Force and created Bodoland Territorial Council under the Sixth Schedule of the constitution by the 87th amendment Act (The Constitution Amendment Act) of 2003. Therefore, the Bodoland Territorial Council was formed in 2003 (Haloi, 2015).

Second Bodo Accord 2003 and Formation of Bodoland Territorial Council

Due to the failure of the First Bodo Accord and Bodoland Autonomous Council (BAC) of 1993, a new Bodo Accord was signed on February 10, 2003, between the central government, the BLT, and the state government which was popularly known as Second Bodo Accord. This Accord led to the creation of a 'Bodoland Territorial Council' (BTC) (Baro, 2017). It was created under the modified provisions of the Sixth Schedule of the Constitution. The creation of the Bodoland Territorial Council is the decisive result of the signing of the historic Memorandum of Settlement (MoS) between the Government of India and the Government of Assam on one hand and the Bodoland Liberation Tigers on the other (Das, 2017). Bodoland Territorial Council was an autonomous self-governing body within the State of Assam. It provides

constitutional protection under the Sixth Schedule of the Constitution of India. To fulfill economic, educational, and linguistic aspirations, preserve and protect the socio-cultural and ethnic identity of the Bodo people, and accelerate the infrastructure development in the region, the Bodoland Territorial Council was established (Basumatary, 2018). Thus, BTC has 8790 sq. km of the total geographical area. It is comprised of four districts of Assam namely Kokrajhar, Chirang, Baksha, and Udalguri which is known as the Bodoland Territorial Area District (BTAD) and runs under the jurisdiction of the Bodoland Territorial Council.

Bodoland Territorial Council is a self-governing district council of Assam. It is governed by the provisions of the Sixth Schedule. The Assam Governor has the authority to reorganise and reorganise the district council. The Bodoland Territorial Council (BTC) was established as a self-governing organisation to administrate the people belonging to the region. The Bodoland Territorial Council's principal goals and objectives are to improve the Bodo People's socioeconomic situation, preserve their culture and ethnic identity, and promote democratic ideals. The Government of Assam has tasked 40 subjects with proposing BTC in order to improve the socioeconomic status of the BTC region. It has executive, legislative, and financial authority over these 40 and has the capacity to enact legislation. The Government of India provides and grants some development projects to develop and administer the BTC. The BTC has power over 10 main socio-political spheres; hence the Constitution of India's Sixth Schedule includes specific provisions for it. For example: land, forests except reserved one, for agricultural purposes they can use any canal or watercourse, any form of shifting cultivation, the establishment of village and town committees, all matters relating to village and town administration, the appointment of headmen for villages and towns, inheritance of property, conducting

marriages and divorces, and other social customs are among these. To enact legislation in these areas, however, the Governor of Assam must provide his consent. The Governor can also disband the council on the advice of a committee he appoints to report on its operations (Nath, 2003). As a result, it may be claimed that BTC wields special authority over some issues and must occasionally rely on the state.

Bodoland Territorial Council and Autonomy

The Bodoland Territorial Council is one of the Autonomous District Councils of Northeast India established on 10 February 2003 under the provision of the amended Sixth Schedule. It was established for the protection, preservation, and conservation of the people of that area. It is mainly evolved to fulfill economic, educational, and linguistic aspirations and the preservation of land rights, and the socio-cultural and ethnic identity of the tribal people of that area. It is the largest District Council among the other District Councils of North East India because of its vast territory.

Composition of Bodoland Territorial Council

The Administrative structure of Bodoland Territorial Autonomous Districts (Now BTR) is run by the Bodoland Territorial Council. The administration of BTC has consisted of 10 Subdivisions, 25 Development Blocks, 19 Revenue circles, 415 VCDC (Village Council Development Committee), and 3068 villages within the boundary of the Bodoland Territorial Area District. The number of constituencies in each District Council depends on the number of elective seats provided for each of the Council. There are 46 seats in the Legislature of BTC, 30 seats are reserved for Scheduled Tribes, five (5) seats are open for non-tribal communities and another five (5) seats are applicable for all communities, and the rest of the seats are nominated by the Governor of Assam. There is one executive council which is consisted of 14 members along with the Chief and Deputy Chief of BTC (Das, 2017).

Power and Function of Bodoland Territorial Council

BTC has powers in respect of subjects transferred and entrusted to it. The BTC has executive, administrative and financial powers in respect of subjects transferred to it. There are 40 subjects to be transferred by the Government of Assam to BTC. Bodoland Territorial Council has the power to make laws with respect to these 40 subjects, these are:

1.Public Health Engineering	2.Soil Conservation	3.Sports and Youth Welfare	4.Urban Development	5.Tribal Research Institute
6.Animal Husbandry and Veterinary	7.Small Cottage and Rural Industry	8.Panchayat and Rural Development	9.Handloom and Textile	10.Health and Family Welfare
11.Agriculture	12.Forests	13.PWD	14.Sericulture	15.Education
16.Cultural Affairs	17.Co-operation	18.Fisheries	19.Irrigation	20.Social Welfare
21.Food Control	22.Library Service	23.Land & Revenue	24.Tourism	25.Transport
26.Market & fairs	27.Statics	28.Food & Civil Supply	29.Labour & Employment	30.Library Service
31.Weights and Measures	32.Museum and Archeology	33.Publicity and Public Relation	34.Printing and Stationary	35.Cine mas and Theatre
36.Municipal Corporation	37.Welfare of Plain Tribes & Backward classes	38.Intoxicating liquors, opium and derivatives	39.Registration of Birth and Deaths	40.Relief and Rehabilitation

The present study of asymmetric federalism and territorial autonomy: a case of Bodoland is carried out to understand the present situation and the autonomous status of Bodoland Territorial Region. The study is based on a qualitative and quantitative methodology. Under the qualitative and quantitative methodology, an attempt has

been made to understand the opinion of the people based on the data collection through in-depth interviews and interview schedules. Data is based on the variables like gender, age, educational qualifications, language, and ethnicity. Under the qualitative methodology, an in-depth interview is used to gather information about the autonomous status of the Bodoland Territorial Region. It is very helpful to know how much political, administrative, financial, and legislative autonomy BTC enjoys as a territorial autonomous body. Under the quantitative methodology, the interview schedule is being used as a method of data collection. The interview schedule is based on the respondents using variables like gender, age, educational qualifications, language, ethnicity, etc. Therefore, an attempt is made to understand whether the asymmetric federalism helps to accommodate ethnic diversity in the Bodoland region or not and whether the autonomous governance of the BTR region can satisfy the other communities residing in the region through successful governance or not. Overall this chapter tries to understand the asymmetric federal arrangement and its impact on the BTR region.

Composition of the sample size

The study initially proposed 115 sample sizes for the interview schedule and 23 sample size for in-depth interviews. But this could not happen in the field study because of the worldwide Covid-19 pandemic and the unavailability of the respondents. Therefore, this study only managed to take 70 respondents by using the interview schedule method and 23 respondents including elected councilors for in-depth interviews. Though the study proposed to take interviews from all the four districts of the Bodoland Territorial Region, due to the lack of time, the researcher only managed to take interviews from only two districts Udalguri and Baksa.

Respondents include- MLAs, Ex-MLAs, MCLAs, Ems, leaders of the student organisation, teachers from the BTR area, and common citizens.

Sample composition based on gender

The total sample population from the interview schedule and in-depth interviews is 93. Out of these 20 respondents are female whereas 50 respondents are male. But out of the 93 respondents, 23 respondents were taken in-depth interview which was based only on those respondents which are directly connected to the political process of the BTC such as MLAs, Ex-MLAs, MCLAs, Ems where most of the respondents are male because of the less availability of the female politicians.

Table 4.4: Composition of sample on the basis of gender

Gender	Number	Percentage
Male	73	78.49
Female	20	21.51
Total	93	100

Source: Field work April 2022

Composition of the age of the respondents

The age composition of the respondents was specific because the interviews were taken only from those respondents who were directly or indirectly related to the politics and activities of the Bodoland Territorial Council, Student Organisation. But, it cannot be denied that the other common people were also included in the sample for efficient results. Prominence has been given to the age group above 25. But, the maximum number of respondents is from the age of 30 to 55. Table 4.5 shows the classification of the respondents:

Table 4.5: Classification of respondents on the basis of age

Age	Male	Female	Total	Male	Female	Total
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group				Percentage	Percentage	Percentage
25-34	20	5	25	27.39	25	26.89
35-44	28	6	34	38.35	30	36.56
45-54	12	8	20	16.43	40	21.50
55-64	8	1	9	10.95	5	9.68
65-74	5	0	5	6.84	0	5.37
and above						
Total	73	20	93	78.49	21.51	100

Source: Field work April 2022

Educational Qualification of the Respondents

The total number of respondents is 93. Out of these 93 respondents, ten respondents have a Master's Degree qualification. Thirty-five respondents have graduate-level qualifications. Twenty-five respondents have 12th standard qualification and 13 of them have 10th standard qualification and the rest of others have no formal education.

Table 4.6: Classification of the respondents on the basis of educational qualifications

Educational Qualification	Male	Female	Total	Male	Female	Total
				Percentage	Percentage	
Illiterate	7	3	10	9.58	15	10.75
Matriculation	6	2	8	8.21	10	8.60
High Secondary	25	5	30	34.24	25	32.26
Graduation	28	7	35	38.35	35	37.64
Post Graduation	7	3	10	9.58	15	10.75
Total	73	20	93	78.49	21.51	100

Source: Field work April 2022

Table 4.6 shows the classification of the respondents based on educational qualification: out of the total female respondents, 15 per cent of female respondents did not have any formal education. 10 per cent of females are 10th standard pass. Out of the total respondents, 25 per cent of total female respondents are 12th standard pass and 35 per cent and 15 per cent of female respondents have qualifications up to the graduates and post-graduates level. Out of these total male respondents, 9.59 per cent have no formal education. 8.21 and 34.24 per cent of male respondents are 10th and 12th standard pass. 38.36 per cent and 9.59 per cent of the total male respondents are graduate and post-graduate.

Respondent's Sample Based on Language

The total respondents are divided into different categories based on language such as Bodo, Assamese, Nepali (Gorkha), Koch Rajbangsi, Santhali. The Bodo communities were targeted prominently as the research is mainly based on the autonomous status of the Bodoland. Therefore, they were targeted to understand their opinion regarding the autonomous status of how they are enjoying autonomy as per the provision of the Sixth Schedule. Similarly, other communities were also given prominence to understand the successful governance in the region and whether asymmetric federal solutions help to accommodate ethnic diversity in the region.

4.7: Classification of the sample on the basis of language

Language of the respondents	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Bodo	35	12	47	47.95	60	50.54
Nepali	15	4	19	20.55	20	20.43
Assamese	10	4	14	13.69	20	15.05
Rajbangsi	6	-	6	8.29	-	6.46

Santhali	7	-	7	9.59	-	7.52
Total	73	20	93			100

Source: Field Work April 2022

Table 4.7 demonstrates that respondent's sample on the basis of language: among the 23 respondents, who were interviewed through the in-depth interview methods were MLAs, Ex-MLAs, MCLAs, Ems, and local politicians who are directly related to the activities of the Bodoland Territorial Council. These respondents were from different communities such as 12 respondents from Bodo communities, 4 from Assamese communities and rest are from Koch Rajbangsi and Santhals from whom views were taken through the semi-structured mode of questionnaires.

Autonomy in Bodoland Territorial Council under the Sixth Schedule

The Sixth Schedule encloses the administration of tribal areas of the four northern states of Assam, Meghalaya, Tripura, and Mizoram. The Sixth Schedule was established to administer, safeguard, and preserve the socio-economic condition and ethnic identity of hill tribes of the North-East region. For the administration of tribal areas in the Northeast region, the Sixth Schedule was incorporated into the Constitution under the provision of Articles 244(2) and 275(1) of the Constitution of India (Gupta, 2017). It allows for the creation of an autonomous structure for the tribal areas under Part X of the Indian constitution. The main objectives behind the formation of the Sixth Schedule were to maintain the distinct customs, socio-economic and political culture of the tribal people of the northeast and guarantee autonomy to them and protect and preserve their identities, to prevent and protect the people of the hills tribe's economic and social exploitation by more advanced people of the plains and to allow tribal people to administer and develop themselves according to their genius and ability (Gassah, 2021). Initially, the provisions of the

Sixth Schedule were only applicable for the administration of Hill Tribes of Assam, Meghalaya, Tripura, and Mizoram. Hence, different Hill Autonomous Councils were established in these four states under the provision of the Sixth Schedule. Likewise, Garo Hills Autonomous District Council, Jaintia Hills Autonomous District Council, Khasi Hills Autonomous District Council, North Cachar Hills Autonomous Council, Chakma Autonomous Council, Lai Autonomous Council, Mara Autonomous Council, etc. (India, 2016). The Sixth Schedule did not provide any provisions for the administration of plain tribes of any of those four States till 2003.

Table 4.8: Classification of the respondent’s opinion on the autonomy of the Bodoland Territorial Region under the provision of Sixth Schedule

Response	Male	Female	Total	Male Percenta ge	Female Percenta ge	Total Percent age
Strongly Disagree	5	1	6	6.85	5	6.45
Disagree	15	2	17	20.55	10	18.28
Agree	21	3	24	28.76	15	25.80
Strongly Agree	22	7	29	30.14	35	31.19
No Response	10	7	17	13.70	35	18.28
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.8 indicates that interviews were conducted to know whether all the provisions of the Sixth Schedule are implemented in the Bodoland Territorial Council and how much autonomy the Bodoland Territorial Council enjoys under the Sixth Schedule. Out of the total respondents, 31.19 per cent of respondents strongly agreed that Bodoland Territorial Council does not enjoy autonomy under the provision of the Sixth Schedule. However, all the provisions of the Sixth Schedule are not implemented in BTC. But in 2003, the Government of India made Constitutional

Amendment which is known as the 87th Constitutional Amendment. This Amendment made some changes in the Sixth Schedule. The amendment made some conditions for plain tribes to be included in the Sixth Schedule. Therefore, Bodoland Territorial Council as a plain tribe council was formed under the jurisdiction of the Sixth Schedule. As a result, all of the provisions of the Sixth Schedule that apply to hill tribes do not completely apply to the BTC. For example, the Sixth Schedule's paragraph 1(2) on Autonomous Regions does not entirely apply to BTC. According to the paragraph 10 of the Sixth Schedule that the power of the district council to make regulations for the control of money lending and trading by non-tribals does not apply to BTC (Memorandum of Settlement, 2003). From this perspective, the Sixth Schedule currently applies in part to the Bodoland Territorial Region. This raises the question of whether or not the BTC is granted autonomy under the Sixth Schedule. BTC is established under the provision of the 'Amended Sixth Schedule' so majority of interviewees agreed that the BTC does not have autonomy under the provision of the Sixth Schedule. They thought that the 40 subjects given to BTC's jurisdiction had executive, administrative, and financial powers over those transferred subjects but that they must remain completely reliant on the State Government. As a result, some respondents disagree that BTC has complete authority under the Sixth Schedule's provisions. One of the interviewee among those says:

The Constitution of India's Sixth Schedule was genuinely created for the tribal region's social, economic, and political development and upliftment. The non-tribal region and plain tribes were exempted from the provisions of the Sixth Schedule. It was only applicable to hill tribes. The structure of the Sixth Schedule was altered by the 87th Constitutional Amendment Act of 2003. The provision for the establishment of the Autonomous District Council was extended to the plains tribes as well by this amendment. The Sixth Schedule's clauses and paragraphs

were changed as a result of this alteration. The Bodoland Territorial Council was established under this law. Because of the change to the Sixth Schedule, BTC is known as an 'Amended Autonomous Council.' They, like other Assam Hills Autonomous Councils covered by the Sixth Schedule, such as North Cachar Hills and Karbi Anglong, have full access to the Sixth Schedule's provisions. Only tribal peoples have political rights in the election of these Hill Councils, and non-tribal people do not have land rights. Only tribal peoples enjoy the political rights viz land rights are not given to the non-tribal people. That means the other people outside the region cannot purchase land within these Councils. However, the Sixth Schedule of the BTC contains clauses that are opposed to other autonomous hill councils. Because it is governed by the 'Amended Sixth Schedule,' it has fewer authorities than other Hill Councils. Non-tribal individuals can also use the facilities at BTC. They have some political rights as tribal people. In BTC, tribal people have a somehow 75 per cent reservation while other communities have a 15 per cent reservation. In comparison to other District Councils, the powers and functions assigned under the Sixth Schedule are likewise limited in BTC. It is completely reliant on the government of the state. For these reasons, I believe BTC has some power, although it isn't fully utilised under the Sixth Schedule.

In a similar vein, another interviewee agreed that Bodoland Territorial Council does not enjoy sufficient autonomy under the provision of the Sixth Schedule said that:

BTC has responsibility for subjects that have been transferred and entrusted to it. In regards to issues transferred to it, the BTC has executive, administrative, and financial powers. The Government of Assam intends to transfer 40 subjects to BTC. The Bodoland Territorial Council has the right to implement laws on these 40 subjects. But, Bodoland Territorial Council does not enjoy sufficient power and autonomy over those 40 subjects. To date, the council only exercises powers over the 39 subjects. 1 subject has not been implemented yet for instance: 'Relief and

Rehabilitation'. Furthermore, because, the Bodoland Territorial Council was constituted under the provision of the Amended Sixth Schedule in 2003. This means the amendment was made to do some changes in Sixth Schedule to be extended to the plains tribe. Hence, all the provisions of the Sixth Schedule are not implemented in BTC. All the paragraphs of the Sixth Schedule are not applicable in BTC. Para 1(2) and Para 10 of the Sixth Schedule do not apply to BTC. Though Para 8 of the Sixth Schedule applies to BTC regarding power and authority to assess and collect land revenue and impose taxes in the BTC region, on the ground, it would not be possible without the assent of the Governor. All the regulations related to land revenue and tax imposition shall have been submitted to the governor and they won't be effective until assented by him. So, it is visible that the council does not enjoy sufficient powers and autonomy under the provision of the Sixth Schedule.

In contrast to his viewpoint, another respondent stated that Bodoland Territorial Council enjoys powers and autonomy as per the Sixth Schedule. A 76-year-old interviewee stated that-

The Bodoland Territorial Council exercises powers and functions as per the provisions of the Sixth Schedule. Under the amended sixth schedule whatever powers and functions are granted to the council they can exercise powers. As compared to previous times, the Council is now granted excessive powers and functions to govern the territory. Some people agreed that the council does not enjoy autonomy as compared to other hill councils as all of them got constituted under the provision of the Sixth Schedule, but in other hill councils, the majority of the population is Schedule Tribes. That's why the voice of the majority will be the command of the people of that region. But, the case of BTR is different. Initially, Sixth Schedule was only applicable to the hill tribes but for the first time the provision of the Sixth Schedule was extended to the plains tribes, and

Bodoland Territorial Council was formed. The majority in the BTR region is from the non-tribe other communities as compared to Scheduled Tribes. That is why BTR has less autonomy and powers, different from other autonomous councils under the provision of the Sixth Schedule.

Political Autonomy of Bodoland Territorial Council

The Bodoland Territorial Council, an autonomous council, is a product of India's Constitution's Sixth Schedule. It's an autonomous body that has the authority to act independently of the State Legislature. BTC was established to safeguard tribal people's unique customs, traditions, socioeconomic culture, and political culture, as well as to ensure tribal people's autonomy and equal participation in political life with others. As a result of these factors, BTC was formed. The Bodoland Territorial Council was established on February 10, 2003, within the spirit of the Sixth Schedule, to carry out the provisions contained therein (Memorandum of Settlement, 2003). It grants some provisions to the self-governing institutions in the form of an Autonomous District Council that exercises executive, financial and legislative powers under tribal laws. As an Autonomous body, it has autonomy in some affairs and is free from state regulations. It exercises some forms of political, administrative, and financial powers that represent its autonomous status. In terms of political autonomy, the Bodoland Territorial Council has can exercise powers within the territory.

Table 4.9: Classifications of the respondent's opinion on the political autonomy in Bodoland Territorial Council

Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Yes	45	13	58	61.65	65	62.37

No	25	4	29	34.24	20	31.18
No Response	3	3	6	4.11	15	6.45
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.9 indicates that interviews were conducted to find out how much political autonomy the Bodoland Territorial Council enjoys under the provisions of the Sixth Schedule. The political autonomy of the council is based on the people's participation on the political processes of the council. The region is divided into 40 constituencies in which the people of that region can take part in the election process. About the political autonomy in the region, the questions are asked, although the majority of respondents said that the Bodoland Territorial Council has sufficient political autonomy, some disagreed. The Council is constituted of 46 members, with 30 seats allocated for Scheduled Tribes communities, five seats for non-tribal communities, five seats available to all communities, and the remaining six seats nominated by the Governor of Assam among the unrepresented communities from Bodoland Territorial Region. Out of the total respondents, 62.37 per cent agreed that the Bodoland Territorial Council has adequate political autonomy, while 31.18 per cent believed that the BTC does not have adequate political autonomy under the provisions of the Sixth Schedule. According to another interviewee who is 46 years old opined that:

Because of its wide territory, BTC has greater political autonomy than other Autonomous Councils. Because the region is geographically extensive, it enjoys a higher level of territorial autonomy, as well as a higher number of Constituencies. When the BTC was created in 2003, people began to have political rights. But it was only in 2005 that the constituencies were distributed to forty in the BTAD area. Thirty seats were set aside for ST members, five seats for non-tribal members, and

the other five seats were open to all. However, it was discovered that as much as 95 per cent of the political reservation was taken by Bodo tribes. Wherever it was seen, the five seats that were open to everybody, most of the seats also were dominated or seized by the Bodo Tribes. Although, it cannot be denied that there are some constituencies where the candidate from other communities also contest election. But all those are not happening in the ground. From a different perspective, we may say that it has enough political rights. BTC was formed not simply to help in the development of the Bodo tribes prosper, but also to help the all-around development of the region as a whole. There are several General Constituencies that are only relevant to and accessible to other communities. However, we can witness the domination of Bodo representatives in those general constituencies as well. Majbat Constituency, Tamulpur Constituency, and Paneri Constituency, for example, where we can observe the dominance of the Bodo representatives. By weighing all of the pros and cons of BTC, we discover pros more than cons. For example, the BTC has forty MCLA seats in the state assembly, with twelve MLAs representing the four districts. BTC has two constituencies in Lok Sabha and Rajya Sabha, and twenty-four Vidhan Sabha constituencies. So, when all of these factors are considered, the political autonomy of the people of BTC is more than adequate.

In a similar vein another 58 year old interviewee, former All Assam Student Union Activist, from Udalguri District stated that:

Though the BTC was constituted particularly to fulfill the aspirations of Bodo people relating to their cultural identity, language, education, and economic development, similarly it was also established for the all-around development of tribal people along with non-tribal residing in the region. But when we see the ground reality, we observed that the political participation in the region is mostly dominated by the Bodos. There are 40 constituencies where the 30 seats were reserved for Scheduled Tribes, 5 seats were reserved for the non-tribal member, 5

seats are open for all, and rests are nominated by the Government of Assam. Out of these 30 seats, all the seats are dominated by Bodo representatives. In 5 open seats, we can observe the dominance of Bodo representatives. Therefore, it can be said that the political autonomy or political power in the region is mostly exercised by the Bodo community.

In contrast to his viewpoint, another respondent stated that political autonomy for the Bodo people in BTC is insufficient. They require more representation in order to grow. A 55 year old interviewee said that:

Though the BTC was established in 2003 to manage and promote the region's tribal people, we can see on the ground that non-tribals gain more than tribals. The autonomy offered by the Sixth Schedule is insufficient to ensure BTC's overall development. To develop and administer ourselves, we require more representation. The political clout we have in BTC is insufficient to meet the aspirations of the Bodo tribes. So, we need more political participation.

Administrative Autonomy of Bodoland Territorial Council

Administrative autonomy generally means regulatory powers far away from legislative powers (Tkacik, 2008). Administrative power of a state is measured on the basis of education, administration for appointments in certain matters and overall administration of a state. As like, under the provision of the Sixth Schedule, the Bodoland Territorial Council was formed. It granted some forms of autonomy under the provisions of the Sixth Schedule. BTC has been entrusted with the development of 40 subjects. It has authority over the 40 subjects in terms of political, administrative, and financial matters (Memorandum of Settlement, 2003). A maximum number of respondents recognised that the Council does not exercise full administrative powers.

Table 4.10: Classification of the respondent’s opinion on the administrative autonomy in Bodoland Territorial Council

Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Yes	19	4	23	26.03	20	24.73
No	50	14	64	68.49	70	68.82
No Response	4	2	6	5.48	10	6.45
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.10 shows that how much administrative power the Bodoland Territorial Council has. Administrative power of BTC is based on 40 subjects transferred to it. Questions were asked to measure administrative power of the council. Questions are based on whether the council can make all appointments in accordance with the regulations granted to the council whether the council can make first, second, third and fourth grade appointments or not. Although the majority of respondents said the Bodoland Territorial Council does not have adequate administrative autonomy, some disagreed. Out of the total respondents, 68.82 per cent of the total agreed that Bodoland Territorial Council does not have sufficient administrative autonomy, but 24.73 per cent of the respondents agreed that BTC has administrative power under the provision of the Sixth Schedule. BTC would also be able to make appointments for all posts under its jurisdiction in accordance with the Government of Assam’s appointment rules. However, the council does not have the power to make appointments under the Assam Public Service Commission. With the assent of the Governor of Assam, the Council may form a Selection Board to select appointments and through this Board, the council can appoint only third grade and fourth grade appointments. The office of the Deputy Commissioner and Superintendent of Police is

outside the jurisdiction of the council. Though the BTC has certain administrative powers, it does not have a great deal of administrative authority. BTC administration has control over the primary education. A 46 year old interviewee said that:

To speak about the administrative powers of BTC, there are no such administrative powers in BTC. For the overall administration, the Council has to fully depend on the State Government. The region runs under the administration of the state. We can cite an example here that BTC is to be capable to make appointments for all posts, but it will work under the rules of appointment decided by the Government of Assam. All the bureaucrats in BTC are selected under the jurisdiction of the Assam Public Service Commission. The office of the Principal Secretary of BTC is appointed by the Government of Assam. The offices of Deputy Commissioner (DC) and Superintendent of Police (SP) are also outside the superintendence and control of BTC authority. With regard to the Educational administration, the BTC only has the power to regulate primary education, for higher education, it has to be dependent on the State Government. Except for these powers, the authority of BTC could control all other departments, which depicts the less administrative autonomy in the region.

In a similar vein, another respondent gave his opinion regarding the powers in respect of 40 subjects transferred to BTC by the State Government of Assam. These are provided for the all-around development of the people of BTAD. Out of these 40 subjects, 39 subjects have been fully implemented. 'Relief and Rehabilitation' has not been implemented in BTC. The BTC has been granted power over those 39 subjects. It has executive, administrative, and financial powers in respect of subjects transferred to it. Though BTC has powers over those transferred subjects, on the ground, it has to depend on the state government for its proper implementation. A 65 years interviewee said:

As stated in the Memorandum of Settlement, BTC has authority over about 40 subjects. However, due to a variety of factors, only 39 of the 40 themes are being implemented for the region's growth. So, when all of these facts are taken into account, BTC is completely reliant on the state government. As an example, a bill must be authorised by the Governor of Assam to become law. As a result, BTC is unable to pass legislation on its own. BTC receives a significant amount of funding for development purposes from the Government of India, which is channeled through state governments. As a result, in my perspective, BTC does not have complete control over those 40 subjects for its administration.

Legislative Autonomy of Bodoland Territorial Council

Legislative autonomy is frequently associated with legislative power. Legislative autonomy demands the existence of a locally elected legislative body that has some legislative autonomy (Tkacik, 2008). BTC has some legislative power over the 40 subjects assigned to it as an Autonomous District Council. It also has a Legislative Assembly, which is made up of the Speaker and Deputy Speaker of the Bodoland Territorial Council, as well as other elected MCLAs (Memorandum of Settlement, 2003). The council can make laws on those 40 subjects transferred to it. But all laws made by the council shall have no effect without the assent of the Governor.

Table 4.11: Classification of the respondents on the legislative autonomy in Bodoland Territorial Council

Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Yes	8	2	10	10.16	10	10.75
No	60	15	75	82.19	75	80.65
No	5	3	8	6.85	15	8.60

Response						
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.11 demonstrates whether the Bodoland Territorial Council has legislative autonomy over those 40 subjects entitled to the region. Despite having a Legislative Assembly, BTC lacks legislative authority on the ground. Without the Governor's approval, the Assembly cannot pass legislation. Therefore, it seems that looks that BTC is entirely dependent on the State in terms of law enactment or passage. Questions were asked whether the council can make laws upon those 40 subjects transferred to it or not. The majority of the respondents agreed that the council can make laws on those subjects transferred to it, councilors can present a bill before the legislative assembly, but without the Governor assent it cannot become a law. Out of the total respondents, 80.65 per cent agreed that BTC does not have legislative autonomy but 10.75 per cent have agreed that the council has legislative autonomy and law-making power. A 42-year-old interviewee stated that:

As far as the legislative powers are concerned, there are no such legislative powers in BTC. Though the BTC has a secretariat led by a Principal Secretary from the IAS cadre, it is supported by six Secretaries, two Joint Secretaries, two Deputy Secretaries, four Under Secretaries, ten Superintendents, and Sr. Administrative Assistants and Jr. Administrative Assistants, among others, who are all elected by the Assam government. So, when we consider these factors, we can see that BTC's legislative power is insufficient to solve the issues that the people of the region face. The bill introduced in the Assembly will not become law unless the Governor of Assam signs it. If the Assembly passes a bill that requires the Governor's approval, it is usually rejected. No laws were made and become law till date after the formation of the council. BTC requires the additional legislative authority to further the region's

overall development. The legislative power of BTC is too insufficient to meet the challenges faced by the people of the region. For the overall development of the region, BTC needs more autonomy in the sphere of legislation.

Financial Autonomy in Bodoland Territorial Council

Generally, financial autonomy refers to the capacity to manage freely its internal financial affairs. It also means the capability to manage its funds independently (Tkacik, 2008). Financial autonomy can measure on the basis of the power to collect, asses taxes and revenue. The BTC as an autonomous council, after its establishment, 40 subjects transferred to it for legislative, financial and administrative set up.

Table 4.12: Classification of the respondents on the financial autonomy of Bodoland Territorial Council

Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Yes	6	1	7	6.22	5	7.53
No	65	18	83	89.04	90	89.25
No Response	2	1	3	2.74	5	3.22
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.12 indicates that how much financial autonomy that the BTC has. Though BTC can regulate and control on those transferred subjects, and the executive council of 12 executive members, one Chief Executive and Deputy Chief Executive, who administer the administration, respondents were asked questions whether the council has the power to assess and collect revenue. Respondents are of viewed that Council has the power to levy and collect taxes on profession, trades, callings and employment, taxes on animal, vehicles and boats, taxes on the entry of goods into a market for sale therein, and tolls on passenger and goods carried in ferries and taxes

for the maintenance of schools, dispensaries or roads. But every such regulations shall be submitted to the Government and without his assent shall have no effect. Out of the total respondents, 89.25 per cent of total respondents agreed that Bodoland Territorial Council does not have financial power, and 7.53 per cent agreed it enjoys autonomy in financial matters on those 40 subjects offered to it. Most of the interviewees agreed that there is no such financial autonomy in BTC. A 43 year old interviewee stated that:

BTC does not have any direct financial power. Even though they have financial rights over those 40 subjects, the council is completely reliant on the state in terms of finances. Every financial concern or financial initiative supported by the Central Government is routed through the State to BTC. BTC receives financial help from the Indian government of Rs. 100 crore per year for the development of socio-economic infrastructure. However, it must first be submitted to the state government, which will then release the funds to the BTC authority. Even the BTC lacks the ability to create revenue. So, when we consider all of these factors, we may conclude that BTC has no financial power. The home ministry is in the hands of the State.

In a similar vein, a 91 year old interviewee said that:

The BTC has budgetary control over the 40 issues that were given to it when the council was formed in 2003. The Government of India would provide 100 crores per year for the development of the region and to meet the ambitions of the people who live there. However, on the ground, all of this financial help has come from the region's state. Paragraph 8 of the Sixth Schedule states: BTC has the authority to collect money and levy taxes on lands, as well as assess taxes on trades, animals, automobiles, and boats, among other things, but such regulations must be submitted to the Governor for his approval. As a result, even while BTC has financial power, it has little financial autonomy on the ground.

It is observed from the response from interviewee that even though BTC has been granted 40 subjects, in which it can exercise administrative, political, executive, and financial authorities, those powers are insufficient for the region's upliftment on the ground. The so-called revised sixth schedule's autonomy is insufficient to meet the needs and expectations of the Bodo people. More autonomy is still required in BTC for these reasons.

Bodo Peace Accord 2020: New Accord

The BTC agreement was made between the government and leaders of the BLT. Another militant group, the NDFB, has been pursuing an armed campaign for a separate and autonomous Bodo nation for Bodos. The violent group did not express support for or opposition to the Accord. They were dissatisfied with the agreement and desired an independent sovereign nation. According to this organisation, the agreement is an insult to the Bodo community and a faulty pact that had the backing of a handful of opportunists and Bodo people with leanings towards Delhi (Nath, 2003). It was denounced that the BTC had more protections and guarantees for non-Bodo's overall security than the Bodos themselves. The NDFB inspection has a significant detrimental influence on the BTC agreement. However, this organisations demand for a separate state and armed campaign persists, as does their gun culture. They began their quest for an independent state, which resulted in the signing of a new agreement between the top leaders of the four NDFB groups, the ABSU, and the United Bodo People's Organisation. On January 27, 2020, a new agreement was signed. This is a historic tripartite agreement that terminates an armistice between four NDFB factions after decades of armed conflict that has claimed over 4,000 lives. The Bodoland Territorial Area District is renamed the Bodoland Territorial Region as a result of this Accord (BTR). The revised Accord calls for a change in the BTAD

area as well as measures for Bodos living outside the BTAD (Talukdar, 2020). In comparison to BTC, this agreement envisaged giving BTR stronger legislative, executive, administrative, and financial powers. The respondents who were interviewed agreed that though the BTR accord is signed, it takes more time for implementation. There is no such difference between the BTR and BTC. A 49 year old interviewee from Udalguri District said:

As far as the Bodoland Territorial Region is concerned, it was signed in January 2020. This agreement was primarily signed between the Indian government and the National Democratic Front of Bodoland. It was primarily signed in the hopes of bringing peace to the region. In this agreement, it was proposed that an Rs. 1,500 crore economic programme be launched in the next three years, with the central and state governments each contributing Rs. 750 crore. The Centre in BTR has approved a number of infrastructure projects in the region, including medical institutions, the National Institute of Technology, Sports Authority of India centres in each Bodo area district, an organic university, and Sports University, among others. The agreement requested that BTC's 40 constituencies be expanded to 60 constituencies in BTR. In comparison to BTC, this new deal proposed more power in the field of executive financial and administrative elements; however the agreement has yet to be implemented. It requires more time to implement, in my opinion. Because, after the BTC agreement was struck in 2003, the government promptly appointed an interim council to investigate the BTC issue. However, the issue here is that no such interim council was established following the signing of the agreement. There is a second issue that develops in relation to the election. After the signing of the agreement, the committee election was meant to be held under BTR, but it will now be held under BTC. When we add up all of these factors, it appears that there is no difference between BTC and BTR. It is simply the government's political objective to bring rapid peace to the region.

Reason for the Demand for Greater Autonomy and its Future Possibilities

The quest for independence and autonomy is not a new phenomenon. It all began during the colonial era. The Bodo tribes residing in the region have demanded autonomy right from the colonial period. They constantly fought for equal socio, political, and economic rights as a backward group. India's democratic structure facilitates the quest for autonomy. As a result, the Bodo people began to demand autonomy in the name of Udayachal as a Union Territory (Sarma, 2017). Following this, several movements arose, as a result of which the Bodoland Autonomous Council was signed between the Government and the Bodo people in 1993. However, the foundation of BAC failed to meet the Bodo's aspirations, and a vigorous organisation known as the Bodoland Movement arose, demanding statehood and launching a militant movement in parallel. After a ten-year struggle, the BTC deal was made between BLT and the Government of India, resulting in the foundation of BTC in 2003 (Talukdar, 2020). Following the creation of BTC, the region experienced a period of relative tranquility, and the region began to prosper. NDFB, on the other hand, has maintained a violent demand for a separate Bodo state over time. As a result, in 2020, ABSU, NDFB, and the Government of India signed a BTR agreement to bring peace to the entire region.

Table 4.13: Respondent's opinion on the further demand for more autonomy and its future possibilities after the New Accord

Differ ent Comm unity' s Perspe ctive	Response	Ma le	Fema le	Total	Male Percen tage	Female Percent age	Total Percentag e
	Strongly Disagree	1	-	1	1.37	-	1.07
	Disagree	4	1	5	5.48	5	5.37

Bodos	Agree	6	1	7	8.21	5	7.53
	Strongly Agree	22	8	30	30.14	40	32.26
	No Response	2	2	4	2.74	10	4.31
	Strongly Disagree	9	1	10	12.34	5	10.75
	Disagree	7	1	8	9.59	5	8.60
Non-Bodos	Agree	2	1	3	2.74	5	3.23
	Strongly Agree	17	5	22	23.28	25	23.65
	No Response	3	-	3	4.11	-	3.23
Total		73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.13 shows about the demand for more autonomy and its future possibilities. Interviews are conducted in different communities and categorised into two communities such as Bodos and Non-Bodos. The Study is categorised into different communities because of the efficient result of how the Bodo community's opinion is different from the other communities residing in the region. Out of the total respondents, 32.26 per cent of Bodo respondents strongly agreed that Bodoland Territorial Council needs more autonomy and power. Whatever autonomy that the council exercises is not sufficient for the all-around development of the region. Therefore, most of the respondents viewed that the movement for the demand for more autonomy will arise in near future. Whereas, out of the total respondents, 23.65 per cent of the respondents from Non-Bodo communities opined that there are possibilities to arise a demand for a separate state either by democratic or violent means. Maximum numbers of interviewees reveal various reasons for the demand for more autonomy in BTC. Among those interviewees, one interviewee stated that

Though the Bodoland Territorial Council was founded for the overall development of the Bodos, it is merely a type of political arrangement or a minimal political arrangement for tribal Bodos to maintain their identity, culture, and language determination. It may be able to help us build our ethnic identity and cultural values

within the region in some way. However, our desire for a distinct state based on identity is not fully met. We also desire a separate fully-fledged state based on our ethnic identity, such as Bodoland for Bodos, just as Assam is for Assamese and Bihar is for Biharis. The State Government still has control over us. The government, like Article 370, has the ability to abolish the council whenever it sees fit. Yes, the 2003 agreement was able to establish certain protections for the Bodo language, such as the inclusion of the Bodo language in India's Constitution's 8th schedule. It reflects the safeguarding of our culture's identity. However, based on my observations of the ground reality, I believe that the primary demands and ambitions of the Bodos have yet to be met as a result of the Government's lack of autonomy and rights. That is why we continue to want an independent state for Bodoland.

Another respondent, in a similar spirit, expressed his thoughts on the reasons behind the need for more autonomy in BTC. One interviewee said:

In my opinion, the primary grounds for the Bodo's quest for more autonomy are the community's economic underdevelopment and the arising political, financial, and legislative ambitions of Bodos in Bodoland. The government's policies and development operations failed to provide the Bodo Community with the intended socioeconomic development. Tribes have experienced poverty, discrimination, injustice, and instability, which is why they require their own state to maintain their rich culture, language, literature, as well as their own territory, and identity. Another reason for the need for more autonomy in BTC is that it lacks financial, administrative, and legislative authority. There isn't a home department. For these reasons, BTC requires more autonomy in order to improve and strengthen the socioeconomic situation and condition of Bodo.

Bodoland Territorial Area District Vs. Bodoland Territorial Region (BTAD vs. BTR)

The Bodoland Territorial Area District is a geographical area and is run by Bodoland Territorial Council, which is a district council under the Sixth Schedule’s jurisdiction. According to the new Bodo Accord 2020, the BTAD has less authority in the areas of finance, administration, and law than the Bodoland Territorial Region. BTAD only has geographical control over four districts, however as proposed in the new agreement, BTR will have broader territorial jurisdiction than BTAD. Although BTAD has been renamed BTR and will have more authority than BTAD.

Table 4.14: Classification of respondent’s opinion on the differences between Bodoland Territorial Area District and Bodoland Territorial Region

Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Strongly Disagree	45	10	55	61.65	50	59.13
Disagree	16	5	21	21.92	25	22.58
Agree	8	3	11	10.96	15	11.83
Strongly Agree	1	1	2	1.37	5	1.07
No Response	3	1	4	4.10	5	4.30
Total	73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.14 demonstrates the respondent’s opinion on the difference between Bodoland Territorial Area District and Bodoland Territorial Region. The majority of respondents believed that the autonomous status of Bodoland Territorial Area District and Bodoland Territorial Region are identical. 59.13 per cent of the total respondents

strongly agreed that there is no significant difference between BTAD and BTR. The BTR agreement is just an extension of the BTC agreement to bring peace to the region. The New Bodo Accord is the sole agreement that was reached in order to provide peace and socioeconomic and educational development to the whole region. The council that governs the Bodoland area has remained unchanged. The only difference is that the region's name has changed from BTAD to BTR. One interviewee stated that:

The Bodo's demands were not fully met in the BTR agreement. BTR appears to be a political tactic of the current government. On the one hand, it appears to create calm, while on the other, it is simply a diplomatic version of the same BTC to quell the mounting demands of the region's Bodos. In comparison to the demand for a separate state, the BTR accord's provisions appear to be petty in comparison. According to my opinion, 'The BTR agreement is like painting a fresh coat of paint on an old structure. The formation of BTR, like BTAD, is only a first step toward the establishment of a distinct state. The fight for an independent state is far from done. Whatever we have accomplished is like the tip of our tiny finger, and we will not stop until we attain our objectives or goal. As a result, we wish to keep the Bodoland movement going because the term 'independent state for Bodos' is still a pipe dream. It is an unmet ambition for us, which is why we are renewing our call for a separate state to satisfy the Bodo's goals and aspirations.

Governance in Multiethnic Society: Bodoland Territorial Region

Bodoland Territorial region is a self-governing region in India. It is a self-governing territorial council that was founded in 2003 to oversee the region's governance. It measures 9688 kilometers in length and has a population of 31.51 million people. The region is home to a variety of communities, including tribal and non-tribal people. Rabha, Garos, Tiwa, Dimasas, Hajongs, Deoris, Rajbonshis, Tea tribes, and other

communities all live in the region such as Nepali, Assamese, and other non-tribal groups. All of these represent elements of multi-ethnicity in the BTR region as a whole. All of these ethnic groups have their own distinct culture and traditions. As a result, the BTR region's civilisation might be described as a divided society with many groups flourishing.

Table 4.15: Classification of the respondent's opinion on the discrimination on the people of the region

Different Community's Perspective	Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Non-Bodos	Strongly Disagree	-	-	-	-	-	-
	Disagree	1	-	1	1.37	-	1.07
	Agree	2	1	3	2.74	5	3.23
	Strongly Agree	33	6	39	45.21	30	41.93
	No Response	2	1	3	2.74	5	3.23
Bodos	Strongly Disagree	25	6	31	34.25	30	33.33
	Disagree	9	3	12	12.32	15	12.91
	Agree	-	-	-	-	-	-
	Strongly Agree	-	-	-	-	-	-
	No Response	1	3	4	1.37	15	4.30
Total		73	20	93	78.49	21.51	100

Source: Field Work April 2022

Table 4.15 shows the respondents opinion on whether the BTC administration is capable of providing effective governance in the region. To further understand this, respondents were asked questions about the Bodo people's discrimination against non-Bodos. Out of the total respondents, 41.93 per cent of Non-Bodo communities respondents strongly agreed that they are discriminated against in all aspects of their lives, including economics, politics, culture, and education. However, 33.33 per cent of all respondents strongly disagreed who are from the Bodo tribe, believed that there

is no such discrimination in the region. Everyone who lives in the region has the same chance, has the same rights, and has the same opportunity. Non-bodo respondents unanimously agreed that they are discriminated against in every way. A 52-year-old interviewee from BTR, stated:

Though BTAD and BTR were established to offer peace and development to all people in the region, there was significant discrimination against persons from other groups, from the time of its establishment. Other communities see political, economic, educational, and service discrimination. When compared to other communities, the Bodo people are given precedence or prominence in every way. For example, when it comes to political engagement, almost every constituency is filled with persons from the Bodo Communities. People will give preference to Bodo people seeking jobs. As a result, other communities residing in the region feel discriminated against.

In contrast to his viewpoint, a 30-year-old interviewee remarked that:

The individuals who live in the area are not discriminated against in any way. In the region, they have and exercise equal authority and opportunity. Non-bodo persons are not discriminated against by Bodos. They have the same political, social, and economic rights as bodos in the region.

Asymmetric Federalism, Ethnic Diversity and Bodoland Territorial Region

The Bodoland Territorial Region is home to a multi-ethnic and divided society with a diverse range of ethnicities and ethnic groupings. Many tribal and non-tribal people flourish in the BTR, demonstrating its diversity and uniqueness. Interviews are conducted to determine if asymmetric federal structures serve to accommodate ethnic diversity in the Bodoland region. Respondents were asked a series of questions to help them comprehend the answer to this question. The sample population is separated into

two groups: Bodo and Non-Bodo individuals, in order to get a proper and efficient result. Among the Non-Bodos, several communities were sampled in order to obtain accurate results. The outcome of this interview is depicted in the table for easy comprehension.

Table 4.16: Classification of the respondents on the ethnic diversity in BTR

Different Community's Perspective	Response	Male	Female	Total	Male Percentage	Female Percentage	Total Percentage
Non-Bodo	Strongly Disagree	-	-	-	-	-	-
	Disagree	-	-	-	-	-	-
	Agree	5	2	7	6.85	10	7.53
	Strongly Agree	30	4	34	41.10	20	36.56
Bodo	No Response	3	2	5	4.10	10	5.37
	Strongly Disagree	12	5	17	16.44	25	18.28
	Disagree	1	2	3	1.37	10	3.23
	Agree	2	1	3	2.74	5	3.23
Total	Strongly Agree	-	-	-	-	-	-
	No Response	20	4	24	27.40	20	25.81
Total		73	20	93	78.49	21.51	100

Source: Field Work April 2022`

Table 4.16 demonstrates the majority of the respondents agreed that the formation of the Bodoland Territorial Council helps to develop the aspirations of the other Non-Bodo communities to have their own separate regions. Out of the total respondents, 36.56 per cent of the Non-Bodo respondent strongly agreed and 7.53 per cent normally agreed that the formation of Bodoland Territorial Council helps to develop the aspirations in the other communities to have their own separate region. Out of the total respondents, 18.28 per cent of the Bodo communities also strongly disagreed of that it helps to inspire other communities to have their own separate state or region. A 58-year-old interviewee from Baksa District stated that:

The Bodoland Territorial Council was established in 2003 as a result of a strong popular movement that enabled the BTAD area to gain adequate autonomy (Now BTR). It was established under the revised Sixth Schedule, which gives various sorts of autonomy to develop and administrate the region while also bringing peace to the region. Though it was created to promote the overall development of the people of the region, we can see on the ground that other populations, including Bodos, face discrimination on political, educational, and social grounds. The Bodo people have greater privileges and importance in Bodoland than other tribes. In terms of political involvement, 36 of the 40 constituencies are designated for indigenous people. Bodos, on the other hand, have taken up all of the seats. Not only do the Bodos live in the area, but so do other tribes. Seats are open for general quota, and in all of them, we can observe Bodo's supremacy in politics and other fields, which has been evident since its establishment. Other non-Bodo populations in BTR sometimes have aspirations for their own independent state or area as a result of prejudice and suffering. Different communities living in the state are wanting their own autonomous states, such as Rajbongshi's Kamatapur State, Nepali's Gorkhaland, and other tribes, like the Bodos, are also requesting their own independent territory to maintain and defend their identity.

Conclusion

The chapter had tried to know the autonomous status of Bodoland from the perspective of the respondents using the data collected from the field. To understand the base, the two districts are selected for field survey. Attempt has been made to understand the respondent's perception on the degree of autonomy that BTC has as a district council in terms of political, financial, administrative and legislative matters. Furthermore, from the perspective of asymmetric federal structures, this chapter aims to understand ethnic diversity and territorial autonomy in Bodoland. Attempts were

made to find out whether the asymmetric federal arrangement serves to accommodate ethnic diversity in the region by some territorial measure. As a result, utilising data collected from fieldwork, attempts were made to grasp such elements based on the respondent's views. The discussion and results of the research are described in further detail in the next chapter.

Chapter 5

Findings, Conclusion and Recommendations

Introduction

Ethnic diversity or ethnic heterogeneity is a defining feature of almost all countries where there are various tribes, communities are living who possess different cultures, and traditions and it is seen that these communities are engaged in the demand for ethnically separate states for their protection and recognition because of their broad diversity. The federal system allows for the recognition of ethnic diversity in a state. As a result, federalism is the only system that can give a practical answer to a state that is ethnically diverse by recognising ethnic groupings through some forms of territorial sovereignty. The majority of today's states are multilingual, multi-ethnic, and multi-cultural, with ethnic identity being a major concern. Because of this variety, it has been observed that movements for ethnic and cultural identity are ongoing throughout those states, with the demands for autonomy and self-rule. As a result, territorial autonomy is critical in multicultural and divided communities to avoid ethnic strife. In a divided society, autonomy is a tool for resolving conflict (Saxena, 2018). In recent years, it has been viewed as a solution to ethnic diversity. Autonomy is the method of self-government that multicultural federalism allows. One of the most fundamental characteristics of democracy is federalism. It is the sole technique that can support to grant territorialisation of some ethnic groups in multiethnic nations. Federalism is employed to accommodate ethnic and cultural diversity in most multiethnic states. Asymmetric federal systems in multicultural states assist to accept ethnic variety and prevent ethnic violence in a country, according to the majority of scholars. Countries such as Russia, Canada, and Spain, for example, have adopted

asymmetric federalism frameworks in order to resolve ethnic conflicts. It is not an exception in India. Political and constitutional asymmetry characterise India. The Indian constitution has clauses that reflect the country's asymmetrical structures. Many scholars argue that India's Constitution features an asymmetrical federal structure. Scholars such as Stepan, Linz, and Yadav (2011), as well as Rao and Singh (2005) Rekha Saxena (2012), Ronald L Watts (2005), all agreed that India's asymmetric federalism is capable of resolving ethnic conflict by taking into account the country's cultural and linguistic diversity. For example, India's constitutional and political asymmetries have been demonstrated in several areas and regions of the country, particularly in the Northeast. The ethnic inequalities in Northeast India's states have been visible in different parts of the area. Northeast India is home to a wide range of ethnic groups. As a result, the various groups demand autonomy within the region so that they may develop their culture and democratic principles. Hence, the issue of autonomy started among the diverse communities in Northeast India. Diverse groups live in the northeast, and they occasionally engage in autonomy demands to defend their identity. Some of them have received recognition, while others continue to demand that their culture be developed, protected, and preserved. In the Northeast, the subject of autonomy has long been a source of discussion and contention. As a result, in Northeast India, the desire for autonomy has a long history, and the founding of the Autonomous District Council is a key product of this autonomy movement in the region. The focus of this research was to learn more about the Bodoland Territorial Council's prevailing conditions and autonomous status, as well as to ascertain whether or not Bodoland has territorial autonomy as defined by the Sixth Schedule. This research attempted to analyse and evaluate the findings and conclusions of a study that was conducted to address issues such as: What are the

changing nature and substance of Indian federalism and ethnic diversity in post-independent India? What is the current situation of territorial autonomy in Northeast India, and how have territorial autonomy provisions under asymmetric federal structures contributed to (un)successful multi-ethnic governance? In the preceding four chapters, these issues have been examined and analysed.

The second chapter of this research focused on the historical backdrop of federalism and ethnic diversity in India after independence. The general focus of this chapter is on the notion of federalism and how it is important in multi-ethnic states. It further discussed on how the federal system helps to accommodate ethnic variety in a multicultural and divided society, where ethnic diversity is a major factor. As a result, this chapter was written from the perspective of India, which is likewise a multiethnic country with ethnic groups concentrated geographically. Finally, it was found that India established asymmetric federal structures in its constitution to address the issues of ethnic diversity

The notion of autonomy, federalism, and ethnicity in a multiethnic state were examined in the third chapter of this research. It looked at how territorial autonomy concepts are applied to ethnic conflict in a federal nation with a varied ethnic population. It also looked at the link between asymmetric federalism and territorial autonomy, as well as how asymmetric territorial autonomy has been utilised to resolve ethnic conflicts. Asymmetric arrangements under the Indian Constitution are also investigated, particularly in the Northeastern states. Finally, it is found that contemporary federal theory is proven to be better capable of resolving ethnic conflict than traditional federal theory. Asymmetric federal arrangements are discussed in modern federal theory. To accommodate ethnic diversity, India's Constitution has asymmetric federal systems.

The in-depth interview and interview schedule approach were used in the fourth chapter of this study to try to answer the third research question. This chapter is based on qualitative and quantitative methods that include in-depth interviews, primary sources, and a timetable of interviews. This chapter primarily focuses on how the Bodoland Territorial Council was founded, as well as how and why Bodo tribes are demanding more autonomy to develop themselves. This chapter also looked into whether the Bodoland Territorial Council had autonomy under the Sixth Schedule. In addition, this chapter explores how much legislative, political, administrative, and financial authority BTC has. According to interviews, because the 'amended' Sixth Schedule, it does not have complete authority under the requirements of the Sixth Schedule. In the interviews, all respondents agreed that, under the provisions of the Sixth Schedule, BTC had very little autonomy compared to other hill councils in the Northeast. As a result, they require more autonomy in order to represent and develop them.

Therefore, this final chapter of the study offers a conclusion for the study which includes findings, recommendations, and suggestions for this study regarding the autonomy demands.

Major Findings

The major findings of this study are discussed below:

Firstly, the Autonomous District Council was founded to preserve, maintain, and safeguard the democratic traditions and way of life of the hill tribal people, as well as to allow equitable participation in the political life of the hill tribe and others. As a result, the Autonomous District Council was constituted in ten districts throughout the four states of Assam, Meghalaya, Tripura, and Mizoram, with these considerations in mind. The provisions of the Sixth Schedule for Autonomous District

Council are only applicable to hill tribes, although one of the ten districts in Assam was constituted under the provisions of the Sixth Schedule, and it belongs to the plains tribes. Therefore, the Bodoland Territorial Council was formed in 2003 under the provisions of the Sixth Schedule. Susmita Sen Gupta (2014) and Chuchengfa Gogoi (2018) stated that the Bodos are the plain tribes of Assam and as a plain tribes they demanded autonomy to be reconciled under the Sixth Schedule of the Constitution of India., It was found from the field survey that initially, the Sixth Schedule's provisions initially did not apply to plain tribes, but in 2003, the Constitutional Amendment Act of 2003 extended some of the provisions to them and granted the Bodoland Territorial Council autonomous status. Majority of the respondents are of view that the Bodolonad Territorial Council was formed under the Amended Sixth Schedule.

Second, in both the districts of Udalguri and Baksa where a field survey was done, it was found that while being constituted under the provisions of the Sixth Schedule, the Bodoland Territorial Council has limited autonomy because it was established under the provisions of the 'Amended Sixth Schedule'. As a result, BTC is exempt from all provisions of the Sixth Schedule. Almost all the respondents from the two districts argued that BTC has limited autonomy. In the Memorandum of Settlement 2003, it was written that Paragraphs 1(2) of Sixth Schedule do not apply to BTC.

Third, it has been found that the BTR has more political autonomy as a result of its broad area. Most of the interviewee agreed that the BTR region is vast in terms of geography, and as a result, the number of constituencies is also higher. In each of the four districts, there are 40 constituencies. Thirty seats are designated for STs, five seats are reserved for non-tribal's, and the remaining five seats are open for all.

However, it was discovered that the Bodo tribes took the majority of the political reservation. Respondents from the other communities from the two districts were also agreed that political reservation was taken by Bodo tribes. Wherever it was seen, the five seats that were open to everybody, most of the seats also were dominated by the Bodo Tribes

Fourth, was done while BTC has administrative autonomy over these 40 subjects it lacks administrative power on the ground. For general management of such territory, the council must completely rely on the state government. All the bureaucrats in BTC are selected under the jurisdiction of Assam Public Service Commission. The Deputy Commissioner and Superintendent of Police posts are likewise independent of BTC administration and control. It only has authority over basic education; it must rely on the state government for higher education. In both the areas where research was done, most of the respondents were said that the council does not enjoy adequate administrative power.

Fifth, in terms of legislation, the Bodoland Territorial Council has no autonomy. There is one Legislative Assembly consisting of Speaker, Deputy Speaker, and Members of Council Legislative Assembly. They cannot, however, create laws without the governor's permission. The council does not have full legislative authority. Majority of respondents from the two districts of BTR said that there are 40 subjects transferred to the council where the council can have power and autonomy in all the spheres of financial, legislative administrative and executive field. The bill introduced in the Assembly will not become law unless the Governor of Assam signs it. If the Assembly passes a bill that requires the Governor's approval, it is usually rejected by Governor. BTC requires the additional legislative authority to further the

region's overall development. The legislative power of BTC is too insufficient to meet the challenges faced by the people of the region

Sixth, when it comes to financial autonomy, the council does not have it. Every financial problem involving the Central Government is brought to the BTC via state. It has the power to levy taxes on animals, vehicles, products, ferries, and school upkeep. However, any such rule must be presented to the Governor for approval, and it will have no effect unless he signs it.

Seventh, the two districts of Bodoland were taken to study. Most of the respondents from the two districts said that the BTC administration is somehow not capable of providing effective governance in the region. Other communities residing in the region are reported to be discriminated against in many aspects of their lives, including economics, politics, culture, and education. In both district of Udalguri and Baksa, respondents who were from other communities viewed that they feel discrimination in all the spheres.

Finally, it is found that the region's other communities are dissatisfied with the general government. They feel discriminated against in every element of life, including educational opportunities, career choices, and political engagement, when compared to the Bodo community. As a result of these discriminations, that help other communities of having their own separate region. Bodo is the only one who has preferences. When we consider all of these factors, it becomes clear that asymmetric federal systems do not completely accommodate ethnic diversity in the region.

Conclusion

The theoretical framework of this study is based on the federal theory such as traditional federal theory and contemporary federal theory. This study has tried to understand the aspects of asymmetric federalism and territorial autonomy in Bodoland

region by focusing on the both contemporary and traditional federal theory. But it shifted its focus from traditional to modern federal theory because this study tried to highlight asymmetric federal arrangements in the Bodoland region. So, traditional federal theory does not have any relationship with asymmetric federalism in a country. Therefore, to study asymmetric federalism, the modern or contemporary federal theory is more important. However, it is seen that asymmetric federal arrangements helps to accommodate ethnic diversity in a multi-ethnic and divided society. While focusing on the Bodoland region whether the asymmetric autonomy solution helps to accommodate ethnic diversity in the region or not, the aspects of contemporary federal theory somehow appears to fit in the region. Because of this asymmetries, the autonomous status somehow granted in the region. But when we see the ground realities, it has found that to accommodate ethnic diversity, the asymmetric federal arrangements do not help in the Bodoland region. Because, the other communities who are residing in the region not satisfied by the governance in the region. They feel discriminated in the aspects of economy, political, social etc.

Recommendations

- Autonomy is a mechanism used to keep the territory free from conflict. To avoid ethnic segregation in an area, basic amenities and self-rule must be provided so that people can grow. In terms of BTC's autonomy, despite the fact that it was established under the Sixth Schedule, it lacks adequate ability to construct their own state with satisfaction in several domains such as political, economic, social, and cultural. As a result, they require more power in order to protect the welfare of the people and to maintain their own traditions and culture while maintaining maximal autonomy in the administration of their affairs.

- Economic growth is the foundation of a country's overall development. However, in the case of BTC, it is seen that the autonomous district is in need of growth, though it is somehow developed after the formation but the BTC has been noted as not being as evolved as it should be as Autonomous Council.
- The development of human resources is essential for a region's overall growth. The BTC has control over just primary education. As a result, it is vital to invest in technical and higher education in order to develop Human Resources properly; otherwise, the people of BTC would fall behind in terms of education.
- People who live in the BTC region belong to a variety of communities. Other non-tribal populations have shown irritation, dread, and worry toward the Bodo tribes on occasion. As a result, the BTC must clarify its objectives in order to contribute to regional peace. By meeting the desires of all other communities in BTC, it may be possible to foster understanding and collaboration between Bodos and non-Bodos, resulting in a climate of peace, harmony, and progress.
- The Bodoland Territorial Council needs administrative, budgetary, and legislative autonomy in order to realise and fulfil the people's ambitions in the territory.

Limitations and Suggestions for Future Research

This research has a few limitations. Firstly, the study is confined to only two districts in Bodoland: Udalguri and Baksa. The field work study does not include all four districts for various reasons. Secondly, there were limitations in the field survey due to time limits and the respondent's unavailability. Thirdly, because our research relied

on in-depth interviews, it was challenging to get appointments with councillors to acquire information from all four BTC districts in a timely manner. This study also confronts challenges during the interview since it only includes a few politicians and district leaders from the student union, and respondents are only from the two districts. Due to time restrictions and the respondents' unavailability, the sample size was also reduced.

This study leaves many areas where future investigation is needed. Many questions remain unanswered as a result of this research. This research solely looks at the level of autonomy that the council enjoys but not the infrastructure development or socioeconomic conditions of the people who live there.

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