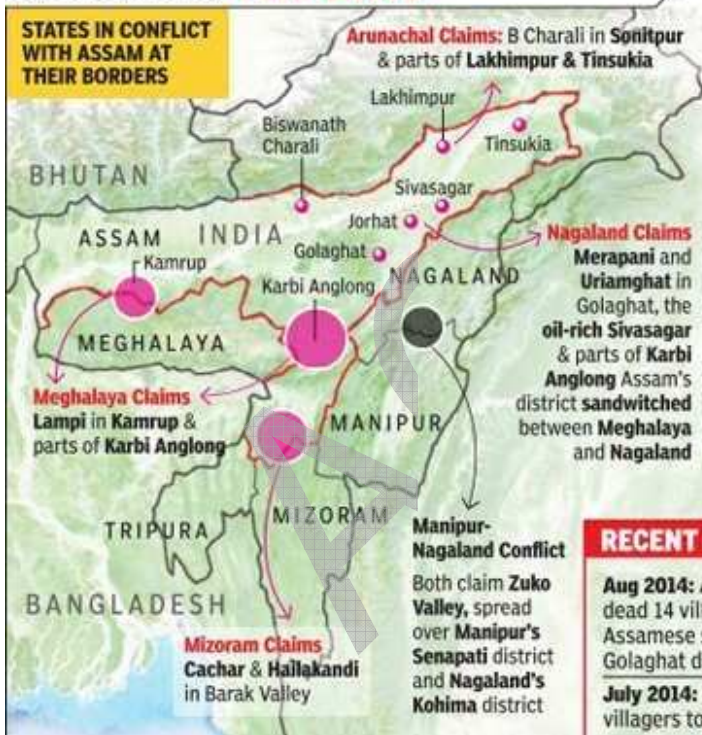




Towards a resolution of the Arunachal-Assam border dispute

CROSSING THE LINE



Borderline

► Assam's the common strand that connects most border disputes. The decision to carve states out of Assam seen as root cause for the inter-state conflicts. Arunachal got statehood in 1987, Nagaland in 1963, Meghalaya 1972, Mizoram 1987, to accommodate territorial aspirations of Nagas, Khasis, Garos and Mizos. But the new states' boundaries did not conform to the region's ethnic boundaries. For example, sizeable populations of Mizos and Nagas live in the Cachar Hills, making it possible for both Mizoram & Nagaland to claim territories in Assam

► The longest and bloodiest of the disputes has been between Assam and Nagaland after Nagas did not accept the boundary ● Meghalaya has 12 points of dispute along the 733-km Assam-Meghalaya border ● Initially, both Arunachal and Mizoram accepted its notified borders, but later raised issue of Assamese 'encroachment' ● Assam-Mizoram border has been relatively calm

RECENT CLASHES

- Aug 2014: Armed Nagas shot dead 14 villagers living on the Assamese side of the border in Golaghat district
- July 2014: Mizos threaten villagers to quit settlements at Kochurtal forest in Assam's Hailakandi district
- Feb 2014: Armed people from Arunachal shot dead 10 villagers living on the Assamese side of the border in Sonitpur

Context:

Less than a month after the Union government gave the seal of approval to an agreement to partially resolve the disputed sectors on the Assam-Meghalaya border. Assam and Arunachal Pradesh governments agreed to set up district level committees headed by cabinet ministers to end the decades old border dispute between them in a time-bound manner

This has set the ball rolling for the two States to address the issue on the basis of the **“fifty-fifty” or “give-and-take” model** Assam and Meghalaya followed for closure of the disputes in six of its 12 troublesome sectors.

Why does Arunachal Pradesh have a boundary dispute with Assam?

1. Assam has had boundary disputes with all the north-eastern States that were carved out of it.
2. While Nagaland became a State in 1963, Meghalaya first became an Autonomous State in 1970 and a full-fledged State in 1972.
3. Arunachal Pradesh and Mizoram were separated from Assam as Union Territories in 1972 and as States in 1987.
4. None of the new States accepted the **“constitutional boundary”** that they said was dictated by the partisan administration of undivided Assam without consulting the tribal stakeholders.
5. They also claimed that the disputed areas were traditionally under the control of tribal chieftains before Assam, post-India's independence, inherited the **“imaginary boundaries”** drawn during British rule.
6. The issue with Arunachal Pradesh has more to do with a 1951 report prepared by a sub-committee headed by Assam's first Chief Minister.

What is the genesis of the dispute?

1. **Arunachal Pradesh and Assam** have disputes at about 1,200 points along their **804 km boundary**.
2. The disputes cropped up in the 1970s and intensified in the 1990s with frequent flare-ups along the border.
3. However, the issue dates back to 1873 when the British government introduced the inner-line regulation vaguely separating the plains from the frontier hills that were later designated as the **North-East Frontier Tracts in 1915**.
4. This area became the **North-East Frontier Agency (NEFA)** in 1954, three years after a notification based on the 1951 report saw 3,648 sq. km of the “plain” area of Balipara and Sadiya foothills being transferred to the Darrang and Lakhimpur districts of Assam.
5. Arunachal Pradesh has been celebrating its statehood on a grand scale with an eye on China since 1987, but what has been causing resentment is the inability of the people living in the transferred patches to join in the celebration.

6. Leaders in Arunachal Pradesh claim the transfer was done arbitrarily without consulting its tribes who had customary rights over these lands.

Their counterparts in Assam say the 1951 demarcation is **constitutional and legal**.

Did the two States try settling the boundary dispute earlier?

1. There were several efforts to demarcate the boundary between Assam and NEFA/Arunachal Pradesh between 1971 and 1974.
2. To end the stalemate, a **high-powered tripartite committee** involving the Centre and the two States was formed in April 1979 to delineate the boundary based on Survey of India maps.
3. About **489 km of the inter-state boundary** north of the Brahmaputra River was demarcated by 1984, but Arunachal Pradesh did not accept the recommendations and staked claim to much of the areas transferred in 1951.
4. Assam objected and approached the Supreme Court in 1989, accusing Arunachal Pradesh of **“encroachment”**.
5. The SC appointed a **local boundary commission in 2006** headed by one of its retired judges.
6. In its September 2014 report, this commission recommended that Arunachal Pradesh should get back some of the areas transferred in 1951 besides advising both the States to find a middle path through discussions. This didn't work.

Need for the Interstate Boundary Commission:

1. Considering the contesting claims of both the parties and the complexity of the issue, the foremost priority in working out a solution should be the institution of an **Independent Interstate boundary commission**.
2. After a careful consultative study, the commission should **ideally formulate a solution** that is considerate of all the stakeholders' concerns.
3. One option could be the **utilization of the disputed lands** by the central government after compensating both the states.
4. Alternatively, an option of compensating one state and awarding land to the other or awarding the disputed land to both the states concerned equally could be considered as per stakeholders' acknowledgement.

5. Whatever be the solution once worked out and accepted by the states, the Court could play a **role of a guardian** and take **serious note of its arbitrary acts**.

What are the chances of a solution emerging this time?

1. The **Assam-Meghalaya boundary agreement** has raised hopes of the Assam-Arunachal boundary dispute being resolved, especially with the Centre egging the north-eastern States to end their territorial issues once and for all by August 15, 2022, when the country celebrates 75 years of independence.
2. Moreover, there is a general belief that the region's sister-States are in a better position to fast-track the resolution .
3. Following the model adopted in the exercise to resolve the dispute with Meghalaya, Assam and Arunachal Pradesh have agreed to form **district-level committees** that will be tasked with undertaking joint surveys in the disputed sectors **to find tangible solutions to the long-pending issue** based on historical perspective, ethnicity, contiguity, people's will and administrative convenience of both the States.
4. The two States have decided to form 12 such committees involving the districts sharing the boundary.
5. Assam has eight districts touching the boundary with Arunachal Pradesh, which has 12 such districts.

Way Ahead steps:

Boundary disputes between the states can be settled by **using satellite mapping of the actual border locations**.

Reviving the Inter-state council can be an option for resolution of an Inter-state dispute.

Under **Article 263 of the Constitution**, the Inter-state council is expected to inquire and advise on disputes, discuss subjects common to all states and make recommendations for better policy coordination.

Conclusion:

Zonal councils need to be revived to discuss the matters of common concern to states in each zone—matters relating to social and economic planning, border disputes, inter-state transport, etc.

India is the epitome of unity in diversity. However, to strengthen this unity furthermore, both the Centre and state governments need to imbibe the ethos of cooperative federalism.

Providing A Safe Work Environment

With over six million deaths due to Covid-19 in the last two years, safety and health have become central to every local, national, and international discussion.

As accidents, injuries, and diseases are prevalent in many industries, all of which directly and indirectly affect workers' and their families' well-being, it makes ensuring a preventative safety and health culture a critical component of any workplace.

For the world of work to build forward from the pandemic in a more human-centred and resilient way, Occupational Safety and Health (OSH) mechanisms need to be strengthened to establish workplaces that are not hazardous for workers.

What is the Status of Occupational Safety and Health (OSH)?

- Globally, an estimated 2.9 million deaths and 402 million non-fatal injuries are attributed to occupational accidents and diseases.
 - Occupational accidents and diseases cost 5.4% of the global GDP annually.
 - While less tangibly, they materialise as presenteeism (working with less effectiveness), productivity losses associated with permanent impairment, and staff-turnover costs (i.e., loss of skilled staff).

What is the Status of Occupational Safety and Health (OSH) in India?

- The available government statistics show a decreasing trend in occupational injuries in manufacturing and mining sectors.
 - However, it needs to be noted that when interpreting the statistics of the Labour Bureau, the unregistered factories and mines are not covered.
- During 2011-16, the number of cases of occupational diseases reported to the government in India was only 562.

- In contrast, a scientific article published in the **National Medical Journal of India**, 2016, indicates prevalence of occupational diseases such as **silicosis** and **byssinosis**.
 - Byssinosis is a disease of the lungs **caused by breathing in cotton dust** or **dust from other vegetable fibres** such as flax, hemp, or sisal while at work.
- However, India has some good practices for extending OSH coverage as well.
 - The **Government of Uttar Pradesh**, in cooperation with employers and workers, carried out participatory OSH training workshops for metal and garment home-based workers.
 - **Most of these workers are in the informal economy** and remain unreachable by other occupational health and safety initiatives.
 - The **Government of Kerala** applied the **ILO's participatory OSH training methodologies** and reached out to small construction sites for OSH improvements.
 - The **Government of Rajasthan** generated **OSH awareness among workers and employers in stone processing units** for preventing occupational lung diseases.

What Initiatives have been Taken to Promote OSH?

- Since 2003, the **International Labour Organisation (ILO)** has commemorated **April 28 as World Day for Safety and Health at Work** to stress the prevention of accidents and diseases at work by capitalising on our strength of tripartism and social dialogue.
 - The theme for 2022 is **"Act together to build a positive safety and health culture"**.
- India has ratified International Labour Organisation (ILO) conventions, the **Labour Inspection Convention, 1947** and **Labour Statistics Convention, 1985**.
- The Government of India declared the **National Policy on Safety, Health and Environment at Workplace** in February 2009 and compiled the available OSH information as National OSH Profile in 2018.
- Another important step is launching a strategic **National OSH Programme**.
- The **Occupational Safety, Health and Working Conditions Code, 2020** spells out duties of employers and employees, and **envisages safety standards for**

different sectors, focusing on the health and working condition of workers, hours of work, leaves, etc.

- The code also **recognises the right of contractual workers**.
- The code **provides for statutory benefits like social security and wages to fixed-term employees** at par with their permanent counterparts.

What are the Issues Associated with Ensuring Safe Workplaces?

- **Underutilised Reporting Systems:** A reliable occupational accident and disease reporting system is vital for remedying victims and making effective prevention policies for safer and healthier workplaces.
 - **While India has such a mechanism, it is underutilised**, with many injuries, accidents, and diseases going unregistered.
 - Under-reporting is **more likely to be in case of non-fatal injuries** than fatal ones for obvious reasons.
 - There is massive under-reporting of industrial injuries in small-scale industries.
- **Lack of Awareness of Occupational Diseases:** There is a lack of trained doctors on the various occupational diseases and workplace hazards and risks.
 - The lack of awareness of health hazards at workplaces leads to **misdiagnosis by doctors**.
- **Limited Industries under the Ambit:** The Labour Bureau compiles and publishes **data on industrial injuries relating only to a few sectors**, viz. factories, mines, railways, docks and ports.
 - The body has **not yet expanded the scope** of statistics on injuries by adding sectors such as plantations, construction, the service sector, etc.

What can be done to Ensure Occupational Safety and Health?

- **OSH - Committee, Compliance and Collection of Data:** Effective implementation of the code of OSH and working conditions of 2020 will **extend OSH protection to more sectors, especially to informal workers** who make up nearly 90% of India's workforce.

- The **code should also promote active workplace OSH committees** and involve workers for identifying hazards and improving OSH. Workers are in the frontline to notice OSH risks and implement solutions
- It is also critical that India establishes efficient OSH data collection systems to better understand the situation for effective interventions.
- **Public Awareness:** Public awareness for preventing work-related accidents and diseases and improving hazardous working environments should also be encouraged.
 - India can **undertake stronger national campaigns and awareness raising activities** for workers and employers.
 - Young people are especially vulnerable to OSH risks and need to play an active role in finding OSH solutions.
- **Role of Governments:** At the national level, the government needs to **include all relevant ministries to ensure that workers' safety and health are prioritised** in the national agenda.
 - This requires **allocating adequate resources** to increase general awareness around OSH, knowledge of hazards and risks, and an understanding of their control and prevention measures.
 - **At the state level,** workers' and employers' organisations, by way of **bilateral discussions,** must **incorporate safety and health training at every level of their supply chains** to ensure protection from workplace injuries and diseases.
- **Social Dialogues:** Social dialogue is **essential for improving compliance** and plays a vital role in **building ownership and instilling commitment,** which paves the way for the rapid and effective implementation of OSH policies.
 - **Strong social dialogue mechanisms** for appropriately addressing occupational safety and health, by adequately investing in its prevention, will contribute to building a safe and healthy workforce and support productive enterprises, which form the bedrock of a sustainable economy.