



Gurkha Rights in Assam

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Why in News

The **Gurkha** community in **Assam** has **sought gazette notification** ensuring that the **safeguards** according to **Clause 6 of the 1985 Assam Accord** are also extended to Gurkha people of Assam.

Key Points

- The demand for the safeguards by Gurkha community further intensified with the **recommendations of the high-level committee formed under the Chairmanship of Biplab Kumar Sharma** by the Union Home Ministry on **Clause 6 of Assam Accord**.
 - The committee recommended that **all Gurkhas of Assam are not indigenes Assamese people** as per the definition of Assamese people .
 - **Clause 6** of the Accord envisages **constitutional, legislative and administrative safeguards** for protecting, preserving and promoting the culture, social, linguistic identity and heritage of the **Assamese people**.

- **Biplab Kumar Sharma Committee Recommendation:**
 - **Definition of Assamese:** The report **proposes 1st January 1951 as the cut-off date** for any Indian citizen residing in Assam **to be defined as an Assamese** for the purpose of implementing **Clause 6**.
 - **Reservation for Assamese:** It seeks reservation for Assamese in Parliament, state assembly, local bodies. It recommended creating an Upper House (Legislative Council of Assam) whose seats will be reserved for the ‘Assamese people’.
 - The report also seeks **quotas in government jobs**.
 - **Regulation of Outsiders:** Recommends regulation of entry of people from other states into Assam, which include the implementation of an **Inner Line Permit (ILP)** regime in the state.
 - The ILP is a system in which a special permit is required by people from other regions of India to visit the state.
 - Currently the ILP is applicable in **Manipur, Arunachal Pradesh, Nagaland and Mizoram**.
 - **Other Rights:** It also talks about issues related to land and land rights, linguistic, cultural and social rights and protection of the state’s resources and biodiversity.
 - **Concern:** It did not mention anything about the constitutional, legislative and administrative safeguards of local Gorkhas.
 - This means the **exclusion from the rights under the Clause 6 of the Accord**.
- **Government Assurance**
 - The Gurkhas in Assam are “one of the old communities”.
 - The government would treat them “**at par** with other indigenous communities and protect their constitutional rights **while implementing Clause 6**”.
- **Gorkhas in Assam:**
 - There are currently 25 lakh Gurkhas in Assam.
 - The Gurkhas were permanently settled in **the Scheduled Areas** in the last part of the **18th century** as **grazers and cultivators**.
 - They fought for Assam against the **Burmese invaders** in **1826** resulting in the **Treaty of Yandaboo**.
 - It was a peace treaty that resulted in the end of the First Anglo Burmese War. This treaty was signed on February 24, 1826 after two years of the war between British and Burmese.
 - They were declared **as protected class** by the British in the tribal belts and blocks according to the **Assam Land and Revenue Regulation Act, 1886**.

Assam Accord

- It was a **tripartite accord** signed between the **Government of India, State Government of Assam and the leaders of the Assam Movement** in 1985.
- **The Accord** ended the anti-foreigners Assam Agitation from 1979-1985.
 - The signing of the Accord **led to the conclusion of a six-year agitation** that was launched by the All Assam Students' Union (AASU) in 1979, **demanding the identification and deportation of illegal immigrants** from Assam.
 - It sets a **cut-off** of midnight of **24th March 1971**, for the detection of **illegal foreigners in Assam**.

However, the **demand** was for detection and deportation of migrants who had illegally entered Assam after **1951**.

Source: TH