

## **The Meghalaya-Assam Border Disputes**

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### **ABSTRACT**

*Meghalaya was created on January 21, 1972. Prior to its creation, Meghalaya was a part of Assam. The border dispute stems from the Meghalaya government's refusal to accept the Assam Reorganization (Meghalaya) Act of 1969. There are at present 12 points of dispute along the Meghalaya-Assam border covering an area of 2,765.14 sq. km. Meghalaya and Assam have tried to resolve the disputes since 1969 but were unsuccessful. The dispute can be settled by using satellite mapping of the actual border locations and forming the Inter-state council to inquire and advise on disputes, discuss subjects common to all states, and make recommendations for better policy coordination. This paper will analyze the Meghalaya-Assam border disputes. The research methodology is based on the tools of historical analysis and explanation. For this purpose, only the secondary data was confined to the research, and data was collected from books, articles, journals, magazines, related works, and the internet.*

**Keywords:** Inter-state Council, Interstate Dispute, Border Dispute, fixed boundary, Tribal

### **INTRODUCTION**

Meghalaya was created in 1969 by the Indian Parliament and became a full-fledged state on January 21, 1972 ( Lyngdoh, R.S., 1996; 427) .<sup>i</sup> Prior to its creation, Meghalaya was a part of Assam. It is bounded in the North by Goalpara, Kamrup, Nagoan, and Karbi Anglong Districts of Assam and in the East by the districts of Cachar and North Cachar Hills, also of the state of Assam. In the South and West is Bangladesh (Bhatia, G.P., 1992; 4).<sup>ii</sup> The border dispute stems from the Meghalaya government's refusal to accept the Assam Reorganization (Meghalaya) Act of 1969. There are at present 12 points of dispute along the Meghalaya-Assam border covering an area of 2,765.14 sq. km. Meghalaya and Assam have an unsolved border dispute between them throughout the state boundaries in Langpih areas, Khanapara, etc. People in border areas face problems from time to time resulting in the loss of properties and even human lives. This

has adversely affected the life and well-being of the people living in the areas bordering Assam in the North West and North which has created tension between the two states. According to the report brought by (L) Shri Hopingstone Lyngdoh (President of HSPDP) in July 2013, about 195 villages have disappeared along the borders with Assam. Meghalaya has claimed that Assam has captured more than 195 villages in the North West and some villages in the North of Meghalaya. This problem between the two states throughout the state boundaries has brought a feeling of immense alarm and insecurity to the Tribal people of Meghalaya in the North and North-West of the borders. Meghalaya and Assam have tried to resolve the disputes since 1969 but were unsuccessful. The dispute can be settled by using satellite mapping of the actual border locations and forming the Inter-state council to inquire and advise on disputes, discuss subjects common to all states, and make recommendations for better policy coordination (*Warjri, Antarwell, 2022; 139*).<sup>iii</sup>

### **THE RESEARCH METHODOLOGY**

The present investigation is assessed by employing an exploratory and investigative study method to seek and identify the Meghalaya- Assam border disputes. The study is heavily based on the tools of historical analysis. For this purpose, only the secondary data were confined. Secondary data was collected from books, articles, journals, magazines, related works, and the Internet. Limitation of the study. The present article is focused on the Meghalaya- Assam border disputes. All sources of information from books, diaries, magazines, records, articles, and journals are acknowledged as references.

### **SIGNIFICANCE OF THE STUDY**

The study enables the people of Meghalaya and the parties in power to that the Meghalaya-Assam border disputes were a very long and unsolved problem since the attainment of statehood. The research intends to give a comprehensive overview of the objectives and role of the regional political parties in solving the border dispute. The study also challenges the political leaders and political parties of Meghalaya that the state needs to have a fixed boundary between the two governments. The problem needs to have a dislodged immediately by the Meghalaya and Assam

### **MEGHALAYA-ASSAM BORDER DISPUTES**

The Northeast region of India is marred by several border disputes. Almost all these border disputes have their origins in colonial times and reflect the consequences of the British policy of creating and recreating boundaries for administrative convenience based on annexation and exploration of territories in the region. The Union government has made efforts to resolve these disputes, however, not much success could be achieved as one or the other state remained non-cooperative (*Warjri, Antarwell, 2022; 139*).<sup>iv</sup>

Meghalaya was created in 1969 when both houses of Parliament passed the Meghalaya Autonomous State Bill on December 24, 1969. The Autonomous State of Meghalaya was inaugurated by the then Prime Minister, Smt. Indira Gandhi at Polo Ground, Shillong in 1970, and it became a full-fledged state on January 21, 1972. Its boundaries were demarcated as per the **Assam Re-organization (Meghalaya) Act of 1969** (Lyngdoh, R.S., 1996; 426-427).<sup>v</sup> It is located in the North Eastern part of India between 25° 5' N and 26° 10' N latitude and 89° 47' E and 92° E longitudes and is the 21<sup>st</sup> state of the Indian Union. Prior to its creation, Meghalaya was a part of Assam. It is bounded in the North by Goalpara, Kamrup, Nagoan, and Karbi Anglong Districts of Assam and in the East by the districts of Cachar and North Cachar Hills, also of the state of Assam. In the South and West is Bangladesh (Bhatia, G.P., 1992; 3-6).<sup>vi</sup> The state has a geographical area of 22,429 sq/km extended for about 300 km from West to East and 100 km from North to South (Khan Shaukat, 2009; 35).<sup>vii</sup> Before 1972, undivided Assam included present-day **Nagaland, Arunachal Pradesh, Meghalaya, and Mizoram**. Assam shares an 884.9 km long border with Meghalaya. The border dispute stems from the Meghalaya government's refusal to accept the Assam Reorganization (Meghalaya) Act of 1969. There are at present 12 points of dispute along the Meghalaya-Assam border covering an area of 2,765.14 sq. Km (*Border Dispute*).<sup>viii</sup> The Assam-Meghalaya border dispute is the areas of Upper Tarabari, Gazang reserve forest, Hahim, Langpih, Borduar, Boklapara, Nongwah, Matamur, Khanapara-Pilangkata, Deshdemoreah Block I and Block II, Khanduli and Retacherra. A major point of contention between Assam and Meghalaya is the **area of Langpih in West Khasi Hills** bordering the **Kamrup district of Assam**. Langpih was part of the **Kamrup district during the British colonial period** but post-Independence, it became **part of Meghalaya**. Assam considers it as a part of Assam but Meghalaya says **these were parts of erstwhile United Khasi and Jaintia Hills** districts. Langpih is the subject of a long-running dispute between the Meghalaya and Assam state governments, one of twelve such disputed territories. The Langpih incident occurred on 14 May 2010, when clashes broke out between the Nepalese and tribal Khasi people, leading to shootings by police. National media reported that four Khasi villagers died of gunshot wounds: Columbus Hujon, Charles Lyngkhoi, Dennis Nongsiej, and Ekros Rani. Reports of the total number of injured varied between twelve and twenty-six. The governments of Assam and Meghalaya have each reported the death toll as two; even this death toll has become an object of political controversy, with authorities of each state moving the corpses around across state borders to manipulate the number (*Langpih Dispute*).<sup>ix</sup>

Like in the case of Arunachal Pradesh, in April 1951, on the recommendations of the Bordoloi Committee, Blocks I and II of Jaintia Hills were transferred to the Mikir Hill (Karbi Anglong) District of Assam and areas in Garo Hills to Goalpara District of Assam. The contiguous areas in Ri Bhoi District were also transferred to the Kamrup District of Assam. The 1969 Re-

organization Act reiterates these transfers and accordingly defines the boundary of Meghalaya (*Block I & II Dispute*).<sup>x</sup>

Meghalaya claims that these areas originally belong to the Khasi–Jaintia Hills and that the inhabitants belong to the Khasi Pnar tribe, therefore, these areas should belong to Meghalaya. It also claims that some of these territories were also lost to the British by the Khasi chieftains. The Assam government on the other hand asserts that Meghalaya Archives does not have the documents to prove that these areas historically belonged to Meghalaya. And that it will adhere to the maps which were created in 1979–80.

### ***Efforts at Dispute Resolution***

Initial attempts at resolving the border dispute were mainly through negotiations between the two governments, Meghalaya and Assam. In May 1983, both governments constituted a joint official committee to resolve the issue. The committee submitted its report in November 1983 in which it suggested that the dispute should be settled by re-delineation of the border by the Survey of India with the cooperation of both the states. However, no action was taken to implement the recommendations. Meanwhile, more areas along the border began to be disputed. To resolve the disputes, Assam and Meghalaya agreed to constitute an independent committee. Accordingly, a committee headed by Justice Y.V. Chandrachud was constituted in 1985. The committee submitted its report in 1987 and reportedly upheld the claims of Assam. The Meghalaya government however rejected the committee's report (*Border Dispute*).<sup>xi</sup>

As the border disputes increased and became more violent, both the governments agreed in January 1991 to jointly demarcate the border with the help of Survey of India. By the end of 1991, around 100 km of the border was demarcated but later Meghalaya government refused to cooperate arguing that the manner in which the border was demarcated was unconstitutional. About 20 years later in 2011, the Meghalaya assembly passed a resolution asking the Union government to intervene and constitute a boundary commission. In response, the Assam assembly passed a resolution opposing the move of the Meghalaya government. However, at the behest of the Union government, both governments appointed nodal officers to discuss the border dispute. They meet periodically to minimize the points of difference and maintain the status quo along the border. In 2019, the Meghalaya government filed a petition in the Supreme Court urging it to direct the Union government to settle the border dispute. The Supreme Court dismissed the petition and ordered the Meghalaya government to approach the Centre directly (*Border Dispute*).<sup>xii</sup>

Three years later, on August 2022, under the leadership of Shri Conrad Kongal Sangma as the Chief Minister, of Meghalaya, and Himanta Biswa Sarma, Chief Minister, of Assam both

decided to form regional committees. The Regional Committee consists of members from both states to discuss the matter pertaining to the solution of the Inter-state border. The Regional Committee has inquired about the areas of disputes from time to time and tried to solve the border problems of both states. After a series of meetings and visits by teams to the disputed areas, **both sides submitted reports** based on five mutually agreed principles, Viz., historical perspective, ethnicity of the local population, contiguity with boundary, peoples' will, and administrative convenience. Both state governments identified **six out of 12 disputed areas for resolution** in the first phase. Three areas were contested between **West Khasi Hills district** in Meghalaya and **Kamrup in Assam**, two between **Ri Bhoi in Meghalaya** and **Kamrup-Metro**, and one between **East Jaintia Hills** in Meghalaya and **Cachar in Assam** (*Langpih Dispute*).<sup>xiii</sup> Both the state government made a final set of recommendations, Out of 36.79 sq km of disputed area taken up for settlement in the first phase, **Assam would get full control of 18.46 sq km and Meghalaya of 18.33 sq km**. An agreement in this regard, termed historic, was signed between Assam Chief Minister Himanta Biswa Sarma and his Meghalaya counterpart Conrad K. Sangma in the presence of Home Minister Amit Shah in New Delhi on March 29, 2022. The agreement is expected to pave the way for resolving disputes in the remaining sectors of the Assam-Meghalaya boundary and similar areas of difference between Assam and three other North Eastern States (*Langpih Dispute*).<sup>xiv</sup>

### ***Present Situation***

The border disputes persist with occasional flaring up of violent incidents as both civilians and governments attempt to encroach upon areas and build structures for residential or official purposes. Till date, the situation has been under control through an effective dialogue between the governments at various levels.

Six people, five people from Meghalaya including an Assam Forest Guard, were killed and several others injured during an alleged clash between the Assam Police and a mob, around 3 am Tuesday on 22 November, 2022 in an area bordering the West Karbi Anglong district of Assam and Mukroh village in Meghalaya's West Jaintia Hills. The Assam Police has claimed they opened fire in self-defense after a mob surrounded them when they were trying to intercept a truck allegedly smuggling timber. The Meghalaya Government has decided to meet the Union Home Minister Amit Shah on the 24<sup>th</sup> of November 2022 to appraise the incident to the National Investigation Agency (NIA) or the Central Bureau of Investigation. On the other hand, the Assam Government has taken necessary steps to investigate the matter in consultation with Meghalaya Government. The Assam Government has transferred the Superintendent of Police of West Karbi Anglong District and has suspended the Officer In charge of Zirikending Police Station and Forest Range Protection Officer of the area (*Assam-Meghalaya Dispute*).<sup>xv</sup>

Conclusion: The Inter-state disputes between Assam and Meghalaya can be settled by using satellite mapping of the actual border locations. Another chance for the resolution of the Inter-state dispute between the two states is to establish the Inter-state council. Inter-state council must consist of members from both the state to decide the matter pertaining the boundary disputes. 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. Similarly, 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.

## References

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<sup>i</sup> Lyngdoh, R.S., *Government and Politics in Meghalaya*, New Delhi: Sanchar Publishing House, 1996, p, 427

<sup>ii</sup> Bhakta, G.P., *Geography of Meghalaya*, New Delhi: Akashi Book Depot, 1992,p, 4.

<sup>iii</sup> Warjri, Antarwell Warjri, *The Role of Regional Political Parties in the Success and Failures of Coalitions Governments in Meghalaya*, Shillong, 2022: P.139

<sup>iv</sup> Ibid

<sup>v</sup> Lyngdoh, R.S., *Government and Politics in Meghalaya*, New Delhi: Sanchar Publishing House, 1996, pp, 426-427

<sup>vi</sup> Bhakta, G.P., *Geography of Meghalaya*, New Delhi: Akashi Book Depot, 1992, pp, 3-6.

<sup>vii</sup> Khan Shaukat, G. Gandhi Swati Rajput Milan Mitra and Sumit Mitra, *A Textbook of Social Studies 9*, New

Delhi Sunflower Publishers Pvt. Ltd, 2009, p, 35.

<sup>viii</sup> Border Disputes-in- North East India ( <https://idsa.in/issuebrief/>)

<sup>ix</sup> Langpih Dispute (<https://en.wikipedia.org/wiki/>)

<sup>x</sup> Block I & Block II Border Dispute (<https://en.wikipedia.org/wiki/>)

<sup>xi</sup> Border Disputes-in- North East India ( <https://idsa.in/issuebrief/>)

<sup>xii</sup> Ibid

xiii Langpih Dispute (<https://en.wikipedia.org/wiki/>

xiv Ibid

xv Assam- Meghalaya Border Disputes (<https://en.wikipedia.org/wiki/>)