

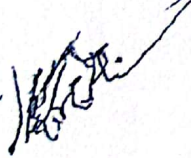
FRAMEWORK AGREEMENT BETWEEN THE GOVERNMENT OF INDIA (GoI)
AND THE NATIONAL SOCIALIST COUNCIL OF NAGALAND (NSCN)

The political conflict is about six decades old. Attempts have been made for its comprehensive resolution through discussions between the Government of India and the representatives of the Naga people from time to time. A fresh attempt in this regard was initiated through a political dialogue between the Government of India and the NSCN in 1997.

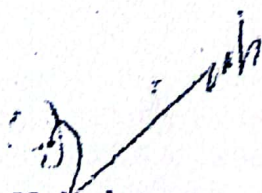
The GoI-NSCN dialogue led to a better mutual understanding. While the GoI, in expression of the understanding recognized the unique history and position of the Nagas, the NSCN understood and appreciated the intricacies of the Indian system. With such an understanding and with due appreciation of the imperatives of the contemporary realities and regard for future vision, both sides have agreed to reach an agreement that will end the violent confrontation once and for all and will usher in comprehensive progress in consonance with the genius of the Naga people.

Both sides have understood each other's respective positions and are cognizant of the universal principle that in a democracy sovereignty lies with the people. Accordingly, the Government of India and the NSCN, respecting people's wishes for sharing the sovereign power as defined in the competencies, reached an agreement on the 3rd August, 2015 as an honourable solution. It is a matter of great satisfaction that dialogue between the Government of India and the NSCN has successfully concluded and we are confident, it will provide for an enduring inclusive new relationship of peaceful co-existence of the two entities.

The two sides agreed that within this framework agreement details and execution plan will be worked out and implemented shortly.



Isak Chishi Swu
Chairman
National Socialist
Council of Nagaland



Th. Muivah
General Secretary
National Socialist
Council of Nagaland



R.N. Ravi
Representative of
Government of India

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02 January 2020

NAGA GOVERNMENT

The Government of India (GoI) and the National Socialist Council of Nagaland (NSCN), with due regard to the unique history and situation of the Nagas and contemporary realities, signed the Framework Agreement of August 03, 2015, laying down the mutually agreed principles and parameters that shall usher in a new relationship between the GoI and the Nagas. Consequently, this detailed agreement has been arrived at:

- a) The Naga political movement has been for a Nagaland comprising all the Naga areas – present Nagaland State and all the contiguous Naga areas.
- b) The Agreement shall cover all the Naga areas.
- c) The Nagas shall adopt a nomenclature of Naga language for Nagaland. They shall also adopt Naga language for the Governmental offices, officials and public institutions.
- d) Consequent upon and consistent with this Agreement, a new Naga Government shall be established which shall be called the "People's Government of Nagaland (PGN)."
- e) The PGN shall represent the legitimate rights and interests of the Nagas. In the matters of her own affairs, as mutually agreed upon, Nagaland shall be sovereign.
- f) In the Naga areas contiguous to the present Nagaland state, present Assam, present Arunachal Pradesh and present Manipur, there shall be Naga-Self-Governments respecting the legitimate rights and aspirations of the Naga people which shall exist until Integration. The Naga-Self-Governments shall have Legislative, Executive, Judicial and Financial powers.
- g) The Powers and Structure of the PGN :
 - i) The PGN shall exercise Legislative, Executive, Judicial and Financial powers on the mutually agreed competencies.

- ii) The PGN shall have a separate budget, ensured and allocated by the Gol until such time the Nagas are able to manage by themselves.
- iii) The PGN shall be responsible for internal security and public order Management within its areas for which it shall have its Armed Forces, Police and all the required agencies including its own Intelligence Bureau.
- iv) The Gol shall provide necessary logistic and financial support for raising, equipping and maintenance of the Naga Armed Forces and others, until such time the PGN is able to raise adequate resources.
- v) The PGN Armed Forces and the Armed Forces of the Union of India shall jointly defend against external threats to Nagaland and they may also function together for border guarding of Nagaland.
- vi) Nagaland shall have a Law Commission.
- vii) Until integration, the status quo in the Naga areas contiguous to the present Nagaland State, present Assam, present Arunachal Pradesh and present Manipur, shall change with the establishment of the Naga Regional Territorial Council (NRTC) and District Council (DC) that shall have Legislative, Executive, Judicial and Financial powers in the realm of their competencies. They shall have separate budget.
- viii) People's Government of Nagaland (PGN) shall have its National Flag, Anthem, Emblem and Insignia.
- ix) The detailed competencies of the NRTC are enunciated in the Agreement.

1. NAGA IDENTITY

- a) Naga National identity shall be fully safeguarded and protected. It shall be duly mentioned in the passport issued by the Gol.

- b) Identity documents issued by the PGN, the NRTC & the District Council (DC) shall be recognized by the GoI. It shall be valid for surface travel, business and employment purposes in countries with which India has visa free travel regimes.

2. LEGISLATURE AND EXECUTIVE

In recognition of the unique history and situation of the Nagas, Nagaland shall have a supreme law making body which shall be called Tatar Hoho. It shall be Bicameral: Lower House and Upper House.

- a) The elected representatives to the Tatar Hoho shall be called "Tatars."
- b) The Tatars to the Lower House shall be elected based on universal adult suffrage.
- c) The Tatars of the Upper House shall be democratically selected / elected from various tribes or regions.
- d) The tenure of Lower House and Upper House shall be five and six years respectively.
- e) In the present, the number of seats to the Upper House shall be forty (40), out of which 6 shall be nominated by the PNH.

After integration, the number of seats shall increase in proportion to the population of each region.

- f) In the present, the number of seats to the Lower House shall be 90.

After integration, the number of seats shall increase to ensure proportionate representation with due regard to population and topography.

- g) Nagaland shall have an Election Commission for the Tatar Hoho and NRTC. The Election Commission of the Tatar Hoho shall function in conjunction with the Election Commission of India.

- h) Naga people shall have two political parties for a certain period of time.
- i) The constitutional head of Nagaland shall be called the "Yaruiwo."
- j) Kedallo (Vice-President) shall be the Chairman of the Upper House
- k) The Yaruiwo and the Kedallo shall be elected by both houses of the Tatar Hoho, and in recognition of this the President of India shall issue a proclamation for assumption of office
- l) The Executive authority of the government shall be vested in the Council of Ministers called "Kilonisers" headed by the "Ato Kilonser."

3. NAGA REGIONAL TERRITORIAL COUNCIL (NRTC) AND DISTRICT COUNCIL (DC) IN THE NAGA AREAS CONTIGUOUS TO THE PRESENT NAGALAND

Consequent upon the present Agreement, the status quo will change in the Naga areas in Arunachal Pradesh, Assam and Manipur, and a new administrative arrangement shall be established by setting up:

- a) 'Naga Regional Territorial Councils (NRTCs) in Arunachal Pradesh, Assam (NC Hills & Cachar district) and Manipur.
- b) District Council (DC) in Rengma Hills of Assam. Its power to be worked out as per agreement. It shall be implemented with separate earmarked funds to be disbursed directly, shared Law & order (under the control of the Naga administration in the respective areas) and other powers and functions as decided in the NRTC.
- i) The NRTC shall have a separate Legislature which shall be called the Leacy Hoho with separate budget. The Leacy Hoho shall have the following strength:
 - a) NRTC in Manipur =60 out of which 4 shall be nominated.

- b) NRTC in Arunachal Pradesh=28 out of which 4 shall be nominated.
 - c) NRTC, covering NC Hills & Cachar District (Lungbungzeang area embraced within Jiri River on the East and Chiri River on the West including Bhuban Hills (Phubuan Ching) on the South that borders with Mizoram= 26 out of which 6 shall be nominated. The nominees shall be only Nagas.
 - d) DC in Rengma Hills = 20 out of which 4 shall be nominated. The nominees shall be only Nagas
- ii) The NRTCs in Manipur, Arunachal Pradesh and NC Hills in Assam, and the DC in Rengma Hills in Assam shall comprise all Naga villages in Naga areas as enumerated in the **Annexure-I** to be so notified by the Gol within a period of 6 months from the signing of the Agreement and shall not be subject to the clearance of the delimitation commission of India. The non-Naga villages in the Naga areas shall be duly notified on the basis of the mutually agreed cut-off year for permanent residency in Nagaland, NRTC & DC. The political Maps of the Naga areas in Arunachal Pradesh and Manipur are enclosed along with the **Annexure-I**.
 - iii) 'The NRTCs & DCs shall also have Legislative, Executive, Judicial and Financial Powers.
 - iv) Detailed Competencies of the NRTCs are enumerated in Competency No.35
 - v) The NRTC shall be headed by an Executive head called Midan Kilonser. Naga terms may also be used for other authorities of the NRTC.
 - vi) The Oath of Office of Midan Kilonser and all Kilonser of the NRTC shall be administered by the Governor of the State concerned.'
 - vii) NRTC for Nagas & non-Naga minorities shall be created comprising erstwhile NC Hills & Cachar District (Lungbungzeang

area embraced within Jiri River on the East and Chiri River on the West including Bhuban Hills (Phubuan Ching) on the South that borders with Mizoram. There shall be 40% job reservation for Nagas and 6 (six) Naga nominees.

- viii) A new Naga District Council shall be created from Karbi Anglong, Assam, for the Rengma Nagas and others embracing all the Tea Gardens, Reserve Forests and ancestral land of the Rengmas which were transferred out of Naga Hills during the British rule. Its powers and functions shall be worked out. There shall be 40% job reservation for Nagas
- ix) An empowered District Council (DC) shall be created for the Nagas in the Upper Assam (Margareta & Ledu) within 100 sq. miles of Tribal Belt and Block. Chapter 10 of Assam Land Revenue Act shall be strictly enforced for the tribals.
- x) NRTC & DC shall exist until integration. They may continue or otherwise with such scope and powers deemed necessary after integration.

4. POLITICAL REPRESENTATION

- a) Under the present Agreement all citizens of Nagaland shall be adequately and democratically represented in the Tatar Hoho and the Assemblies of the contiguous Naga areas under the NRTCs & DCs.
- b) After Integration, seats shall increase to ensure proportionate representation to the Tatar Hoho with due regard to population and topography.
- c) Representation to the Lok Sabha (LS) and Rajya Sabha (RS) in the Indian Parliament from present Nagaland state, NRTCs & DCs shall be as follows:
 - i). Present Nagaland = 3 LS& 2 RS
 - ii). NRTC in Manipur = 2 LS&1RS
 - iii). NRTC in A/Pradesh = 1 each (LS&RS)
 - iv). Naga Areas in Assam = 1 Naga nominee in RS

d). The Representation to the State Assemblies from NRTCs & DCs shall be as follows:

1. NRTC in Manipur= 30
2. NRTC in Arunachal Pradesh=14
3. NRTC in NC Hills = 2(1Naga&1Non-Naga)as nominees
4. DC in Rengma Hills = 1 Nominee
5. DC in Upper Assam= 1 (tribal belt) nominee

e). On the advice and recommendation of the PNH, the President of India will nominate an eminent Naga person to the Rajya Sabha.

f). Accordingly, physical mapping and population census shall be carried out and a mutually agreed empowered delimitation Commission shall be duly constituted with members from the GoI, the PGN, the NRTC & the DC to implement it during the Interim period.

5. PERMANENT RESIDENCY

a) Permanent residency of Nagaland and contiguous Naga areas under NRTC and DC shall be documented.

b) Eligibility for Permanent Residency:

- i) The cut-off year shall be November 30, 1963, habitation-wise.
- ii) Children of Permanent Residents.
- iii) Permanent residency status duly conferred by the PGN or NRTC or DC as the case may be.
- iv) Civil servants retiring from the Services of the Nagaland Government, if they so desire.
- v) Permanent Residents may have the right to own land for residential purpose and to vote.

- vi) The rules and regulations of permanent residency shall be duly worked out by the PGN, the authorities of the NRTCs & the DCs.

6. INTEGRATION

- a) The Naga leaders have raised the issue of integration of all the Naga areas – the present Nagaland State and the contiguous Naga areas, in the past and in these negotiations. Both the parties acknowledge and respect each other's position to this effect.
- b) The GoI recognizes the Nagas' position that integration of all contiguous Naga areas is their legitimate right.
- c) For the best possible solution, positive steps shall be taken at the earliest and both the parties agreed that the matter shall be amicably resolved through earnest political process.

7. PAN NAGA HOHO (PNH)

- a) Basing on the Unique History and Situation of the Nagas a statutory Naga Body that may be called Pan Naga Hoho (PNH), comprising all the Naga Tribes, wherever they are, will be established to safeguard and promote Naga identity, integrity and interests including social, cultural and customary practices, language and dialects of various Naga tribes.
- b) Until integration PGN, NRTCs & DCs shall have due consultation with the PNH on the matters concerning the above subjects.
- c) The PNH shall have 130 members
- d) The PNH will also play an advisory role in the field of promoting education and development.
- e) The PNH shall be constituted based on the Naga customary system beginning from the village level that reflects their democracy in its pristine form. It shall also comprise eminent Naga personalities nominated by the PNH.

- f) Representation to the PNH shall be elected / selected by the respective tribes or regions democratically and population wise.
- g) There shall be adequate representation of women and minorities in the PNH.
- h) The tenure of the PNH shall be six years.
- i) The PNH shall have an Executive Council (EC) comprising fourteen (14) members headed by the Chairman. The members of the Executive Council shall be accorded honorable positions. The Chairman, the Vice-Chairman of EC and its Executive members shall be in the rank of Cabinet.
- j) The PNH shall have a separate fund for its establishment, administration and maintenance which shall be borne by the Gol.
- k) On the advice and recommendation of the PNH the President of India may nominate an eminent Naga person to the Rajya Sabha.
- l) The powers and functions of the PNH shall be duly worked out.

8. LAND AND ITS RESOURCES

- a) The Land of Nagas within present Nagaland state and contiguous Naga areas under NRTC & DC shall not be transferred to a non-Naga or an entity.
- b) The ownership of land and natural resources including minerals on and below the land belongs to the Naga people, the PGN, the NRTCs & the DCs. The PGN, the authorities of the NRTCs and the DCs shall have the authority in all the matters of exploration and exploitation. In respect of the areas that may require joint venture, a separate agreement shall be worked out amongst the PGN, the NRTC, the DC and the Gol.
- c) No Act of India's Parliament in matters of acquisition, utilization and transfer of land and its resources shall apply to

Nagaland, unless the PGN, the NRTCs & the DCs, by a resolution so decide.

- d) The Gol may acquire land in consultation with the PGN or the NRTC or the DC as the case may be for its security interests, which shall be on lease. Gol's military cantonments and army camps will be vacated with due process from the populated areas and relocated outside towns and villages.

9. ECONOMY

- (a) In consonance with this Agreement there shall be a separate budget to meet the cost of establishment, administration and maintenance for PGN, PNH, NRTCs & DCs to be borne by the Gol. It shall be duly reflected in the Gol Budget and each of them shall have its own Head of Account.
- (b) There shall be a single window clearance system for smooth flow of funds to the PGN, the PNH, the NRTCs & the DCs ensured by the Gol for which a ministry called 'Ministry of Naga Affairs' shall be established.
- (c) For the economic growth and development a generous arrangement to facilitate flow of institutional credit to local Naga entrepreneurs and tax holidays to investors shall be ensured by the Gol.
- (d) Non-lapsable Naga Development Fund with corpus fund for PGN, NRTC & DC to be funded by the Gol for all the developmental projects for a period of 50 years. An amount of Rupees Thirty Thousand crores shall be earmarked for the first year and thereafter it shall be increased annually by 20%.
- (e) Funding of developmental programs, schemes (*Centrally Sponsored Schemes, Flagship programs etc.*) launched by the Gol from time to time shall continue for PGN, NRTCs & DCs in accordance with the adopted norms.
- (f) The Gol shall ensure technical and marketing support to PGN, NRTC and DC.

- (g) Accumulated budgetary deficits of the present Nagaland state shall be taken over by the Gol.
- (h) All outstanding Internal Debts and Central loans of the present Nagaland state shall be met by the Gol by means of one time grant.
- (i) Banks and Financial Institutions shall give loan to the people of Nagaland, NRTCs & DCs on the collaterals of land, community guarantee and joint liability group.
- (j) Naga Development Finance Corporation Ltd. (NDFC) will be promoted by Public Financial Institutions. NDFC may be the nodal agency for disbursement of subsidies and channelizing agency of low cost funds.

10. TAXATION

- a) The PGN and the authorities of NRTC & DC shall have authority to levy taxes within their competencies.
- b) Collection of custom duties on goods moving from and into Nagaland, the contiguous Naga areas of NRTC shall be shared between the Gol and the PGN or the NRTC on 50/50 basis. Rules, regulation and enforcement mechanism shall be worked out through mutual consultation amongst the Gol, PGN and NRTC.
- c) The Gol Income Tax Act and Income Tax Rules shall not apply to the Nagas / Naga residents in the present Nagaland state, NRTCs & DCs.

11. DEVELOPMENT

- (a) The primary responsibility for development shall rest with the PGN, the NRTC & the DC in their respective areas.
- (b) The PGN, the NRTCs and the DCs shall receive external aids for their development projects from multilateral international financial institutions or Governments in consultation with the Gol.

- (c) The PGN, the NRTCs and the DCs shall promote bio-diversity of Naga areas. The Gol shall simplify the procedure or guidelines for PGN, NRTC and DC for accessing Externally Aided Project (EAP) funds and make it a single window clearance system. Externally aided funds shall be transferred on back-to-back basis.
- (d) A Branch of Reserve Bank of India (RBI) shall be established in Naga area.
- (e) Naga Bank may be established.
- (f) The Gol shall endeavour to establish a branch of United Nations Development Programme (UNDP) in Naga areas

12. TRADE & COMMERCE

- (a) Trade and Commerce shall be with the PGN, the NRTCs & the DCs within their competencies.
- (b) External trade and Commerce may be done through mutual consultation.
- (c) Import & Export Licensing Authority shall be set up in Nagaland

13. CULTURAL HERITAGE AND INTELLECTUAL PROPERTY

The Gol shall protect the unique cultural heritage and intellectual property of the Nagas.

14. CULTURAL AFFAIRS

- (a) The PGN, the PNH, the NRTC & the DC shall have jurisdiction over their cultural affairs.
- (b) Cultural co-operation and exchange programmes of the Nagas including beauty pageant shall be encouraged, nationally and internationally.

- (c) An Academy of Naga Culture and Language and its branches shall be set up to promote Naga culture, tradition, language, music, dances, heritage preservation, theatre and filmmaking.
- (d) A state-of-the-art Naga Archives and Museum shall be set up and the PGN, the PNH, the NRTC & the DC may acquire documents and other materials related to Naga culture and history.
- (e) The Gol shall be responsible for providing technology, infrastructure, training and financial assistance for these institutions until such time the Nagas are able to manage by themselves.

15. GAMES & SPORTS

- (a) The Naga Games and Sports Authority will affiliate to international games and sports organizations including the Olympics etc.
- (b) The Gol shall provide all the necessary infrastructures, logistics and it will also endeavor to train and equip sports persons for their participation in such events. The cost of such undertakings shall be borne by the Gol until such time the Nagas are able to manage by themselves

16. TOURISM & ENVIRONMENT

- (a) The PGN, the NRTC & the DC shall promote eco-friendly tourism with financial and logistic support from the Gol. Non-governmental bodies may also be incentivized in this regard.
- (b) Tourism, Cultural and Education offices shall be established abroad by the PGN, the NRTC & the DC in consultation with the Gol. Gol will provide logistics and finances for such undertakings.

17. TRANSPORT

- a) The subject of Surface Transport shall be with the PGN, the NRTC and the DC.

- b) The Gol shall be responsible for all the logistic support including financial assistance for construction and maintenance of all the Roads, Bridges, Railways and Airports within Nagaland until such time the Nagas are able to manage by themselves.
- c) PGN may run an Airline.

18. EDUCATION

- a) Education system shall be the responsibility of the PGN and authorities of NRTC & DC.
- b) The PGN, the NRTCs & the DCs shall adopt standards of the Gol regarding school, technical and higher education. Naga Education Board (NEB) shall decide on the education system and policies.
- c) The percentage of reservation for the Nagas in the field of education and employment shall be enhanced for a reasonable period of time.
- d) Cost of education including infrastructure development shall be borne by the Gol until such time the Nagas are able to manage by themselves.

19. LANGUAGE

- a) English shall be the official language for the transaction of official business and imparting education.
- b) Hindi and other indigenous Naga languages may also be taught in schools and colleges as optional subjects.
- c) Naga languages and dialects shall be revitalized, recognized, developed and protected.

20. POSTAL SYSTEM AND TELECOMMUNICATION

- a) The Gol in consultation with the PGN, the NRTC & the DC shall issue a series of postage stamps depicting various Naga

tribes and communities of Nagaland, their festivals and important Naga personalities.

- b) The PGN, the NRTC & the DC shall establish and manage Radio and Television channel to broadcast Naga news, culture and civilization.
- c) The GoI shall provide the infrastructures, technical assistance and finance for such ventures until such time the Nagas are able to manage by themselves.

21. JUDICIARY

- a) Nagaland shall have a dual judicial system – one based on the Naga Customary Law and the other on Modern Judicial System.
- b) Nagaland shall establish such judicial system, taking into account their customary law and procedures in accordance with equity, justice and fairness.
- c) Nagaland shall have the right to develop, evolve, and revamp their customary laws, social usages and legal systems.
- d) Nagaland High Court shall be the apex court of Nagaland under whose jurisdiction all the subordinate courts shall function.
- e) Nagaland High Court shall have a separate Naga Customary Law Court having both original and appellate jurisdiction.
- f) A Naga Customary Bench in the High Courts of the respective states of the NRTCs & the DCs shall be established having both original and appellate jurisdiction.

22. NAGA COMMISSION OF HUMAN RIGHTS

- a) Naga Human Rights Commission (NHRC) shall be established covering all Naga areas.

- b) Eminent Naga personalities including retired Naga judges shall be appointed in the NHRC.

23. PROTECTION OF MINORITIES

- a) All residents shall be treated equally.
- b) Religious and linguistic minorities shall be protected.

24. NAGA PEOPLE'S DAY

- a) Nagas will observe Naga People's Day.
- b) A suitable date shall be fixed for observance of this day.

25. RELIGION

Naga people, by and large, practice and profess Christianity. However, others are free to practice and profess religion of their choice.

26. CIVIL SERVICES

- a) The Nagaland Services including Civil, Defence, Police and Forest shall be created covering present Nagaland state and contiguous Naga areas.
- b) Accordingly, Nagaland Public Service Commission (NPSC) shall be established.
- c) The Naga officers serving in other states' services may be transferred and absorbed into the PGN or the NRTCs or the DCs, if they so opt for it.
- d) The number of All India Service officers to be posted in present Nagaland and contiguous Naga areas under the NRTCs & the DCs shall be decided in consultation with the PGN and authorities of the NRTCs & the DCs.
- e) The Nagaland Services Officers from Civil, Police and Forest shall be inducted / incubated for promotion to All India Services at 50:50 ratio.

- f) The prevalent Gol roster system for allotment of cadres to the All India Services may be relaxed for a reasonable time period to facilitate Naga candidates for allotment in Naga areas, if they so opt for it. This shall be duly worked out.
- g) In consonance with the Agreement there shall be, on special consideration, a reservation policy for the Nagas in the All India Services, Allied Services and other Services as the case may be, for a reasonable period of time. This shall be duly worked out.
- h) Duly qualified Naga Services Officers will be considered for deputation to the Ministry of External Affairs, Gol.

27. SECURITY

- a) Gol, PGN, NRTC & DC shall take all necessary steps to ensure the safety and security of Naga people and will ensure that no agency or individuals disturb their peace and security.
- b) Through due process the existing military camps and cantonments of the Gol shall be reviewed and vacated / relocated outside populated area in consultation with the PGN, the NRTC and the DC and no fresh camp / cantonments shall be set up in populated areas.
- c) Deployment of the Armed Forces of the Gol for internal security shall only be at the request of the PGN, the NRTCs and the DCs.
- d) The Armed Forces of the PGN and the Gol shall jointly defend against external threats to Nagaland or NRTC or DC as the case may be.
- e) Nagaland shall have its own comprehensive security architecture including Armed Forces, Police and Intelligence.
- f) The Nagaland Armed Forces shall be called Naga Security Force and Intelligence Wing, Naga Intelligence Bureau.

- g) Gol shall provide financial, technical and logistic support for raising and maintaining the Nagaland Security system until such time they are able to manage by themselves.

28. INTERNATIONAL RELATIONS

- a) In matters of external relations affecting the Nagas, the Gol shall consult and include the representatives of the PGN and the NRTC.
- b) PGN and NRTC will have Trade, Educational, Tourism and Cultural offices abroad in consultation with the Gol.
- c) Gol will provide logistics and finances for such undertakings.

29. CONSTITUTION (YEHZABO)

- a) This Agreement shall constitute a constitution which shall be called 'Yehzabo', covering the areas of its own competencies.
- b) The Yehzabo shall be incorporated as a separate chapter in the Constitution of India.

30. CONSTITUTIONAL SAFEGUARDS

- a) The new relationship will be according to the terms of this agreement duly reflecting the amended Constitution of India to Nagaland.
- b) There will be in - built constitutional safeguards to ensure the integrity of the Agreement.
- c) No changes in the terms of the Agreement shall be carried out except in a specially convened Parliament session through a resolution to this effect by 2/3rd majority of votes in both the Houses of Indian Parliament and the Naga Tatar Hoho.
- d) Any provision in the Constitution of India or any other Law which is inconsistent with the provisions of this Agreement shall be deemed to have been amended and made inapplicable to conform to the Agreement.

- e) In consonance with the Agreement the Armed Forces (Special Powers) Act, 1958 and any other corresponding Armed Forces Act or Law shall be made inapplicable in Nagaland and in the contiguous Naga areas under the NRTC and the DC.
- f) A state of emergency declared by GoI shall not be applicable to PGN, NRTCs & DCs unless approved by Tatar Hoho or NRTCs or DCs as the case may be.

31. FLAG & CONSTITUTION (YEHZABO)

The Naga leaders raised the issue of Constitution (Yehzabo) and Flag including Anthem, Emblem and Insignia for Nagaland as their national identity without which there can be no honorable and acceptable solution as envisioned in the Framework Agreement. Both sides understood each other's position of being sovereign. Accordingly, respecting the sovereign right of the Naga people, the GoI and the NSCN mutually agreed that the two issues will be resolved within the Interim period through political decision.

32. RESIDUARY MATTERS

Residuary matters not covered by the present Agreement, concerning Nagaland, the GoI shall duly consult and take decision with aid and advice of the PGN, or the NRTC or the DC as the case may be.

33. ADDITIONAL COMPETENCIES OF THE PEOPLE'S GOVERNMENT OF NAGALAND (PGN)

- i. Power and Energy (Hydro/Thermal/ Non-conventional energy).
- ii. Irrigation and Flood Control.
- iii. Agriculture, Horticulture and Sericulture.
- iv. Industries and Investment.
- v. Health and Medical Care.
- vi. Social Welfare and security.
- vii. Animal Husbandry and Fisheries.
- viii. Forest, Wildlife and Environment.
- ix. Mining.
- x. Public Health and Sanitation.
- xi. Tribal Welfare and Minority Affairs.

- xii. Games & Sports and Youth Affairs.
- xiii. Lotteries-Gaming.
- xiv. Planning: Urban and Rural.
- xv. Local Self Government.
- xvi. Rivers & Water Resources.

34. ADDITIONAL CONSTITUTIONAL SAFEGUARD OF NAGALAND, NRTC & DC

- a) In accordance with the Agreement, notwithstanding anything in the Constitution of India, no Act of Indian Parliament in respect of:
- i. Religious and Social practices of the Nagas,
 - ii. Naga Customary Law and Traditional Practices,
 - iii. Administration of Civil and Criminal Justice involving decisions according to Naga Customary Law and
 - iv. Ownership and Transfer of Land and all its Resources – below and above the surface

Shall apply to PGN, NRTCs & DCs unless the Tatar Hoho or the NRTCs or DCs, by a resolution, so decide.

- b). The special responsibilities and powers currently vested in the Governor with regard to Arunachal Pradesh (Naga areas) and Nagaland under Article 371H(a) and 371A respectively of the Constitution of India shall cease to exist.
- c). No act of the Legislature of Arunachal Pradesh, Assam and Manipur shall apply to NRTCs & DCs unless the respective Governors, on the recommendations of the NRTCs and the DCs, by notification so direct.
- d). All existing Laws & Acts relating to Industries, Defence, Security, Geology & Mining, Forest, Wild Life & Environment Protection & Preservation, Rivers & Water Resources of the GoI shall become inapplicable to PGN, NRTCs and DCs.
- e). PGN, NRTCs and DCs shall have the power to legislate on Survey, Exploration, Exploitation and Extraction of all Minerals below and above the Earth's surface in their respective areas.

35. COMPETENCIES OF NAGA REGIONAL TERRITORIAL COUNCIL (NRTC) AND DISTRICT COUNCIL (DC) IN THE NAGA AREAS CONTIGUOUS TO THE PRESENT NAGALAND.

- a) In all matters relating to NRTC and DC the concerned Governor shall act on aid and advice of the authorities of NRTC and DC, and take decision with due regard to the views of NRTC & DC.
- b) The Governors of the respective NRTCs & DCs shall make a periodical report to the President of India regarding the administration of the NRTC areas.
- c) The Government of India (Gol) shall ensure a dedicated separate earmarked budget and its direct disbursement to the NRTCs & the DCs for their establishment, administration, maintenance and Development. The authority to administer such funds shall be vested in the authorities of the NRTCs & DCs. In this regard the Gol shall make provision in its Union Budget by opening Heads of Account for the NRTC & the DC.
- d) In all the financial relationship between the Gol and the NRTCs there shall be a separate consolidated fund of Gol (CFI) for NRTC which shall be allocated and released directly by the Gol from its consolidated fund (CFI). The power to execute the same shall be vested with the NRTC legislature and not otherwise.
- e) NRTC shall have its own Education Board.
- f) NRTC & DC shall have a Planning Department.
- g) There shall be a cadre for the NRTC. Accordingly, NRTC Service Commission shall recruit NRTC Officers.
- h) For the respective NRTCs there shall be a Secretariat and its Departments. Each NRTC Secretariat shall be headed by Chief Secretary and the Police department shall be headed by Director General of Police (DGP).

- i) The administrative control over its functionaries shall be with the authorities of the NRTC. Hence, in the respective NRTC area the Department of Personnel & Training shall be vested with NRTC Chief. Therefore, the NRTC Chief shall write the Annual Confidential Report of all the officers serving in the NRTC which shall be duly incorporated in their service records.
- j) Law and Order shall be the shared responsibilities of the NRTCs and the concerned states. In this regard, the authorities of the NRTCs shall have the Operational Control of the Forces and officers in their respective areas.
- k) The Gol shall, on the request of the NRTCs, provide Central Forces to the NRTC areas that will assist in the maintenance of law and order. The Operational Control of the Forces shall be with the NRTC.
- l) The appointment of Deputy Commissioners (DCs), Superintendents of Police (SPs) shall be done after due consultation and with aid and advice of the NRTCs. The officers shall be from the cadre post. Accordingly, the Gol shall make availability of IAS, IPS, IAAS and other public services personnel to be appointed by NRTC on deputation for its Secretariat as and when required.
- m) **Additional competencies of the NRTC:**
 - i. Technical, Vocational and Higher Education including Language/ Dialect.
 - ii. School Education.
 - iii. Health and Medical (Hospitals, Community Health Centers (CHC), Public Health Centers (PHC), Dispensaries).
 - iv. Roads and Bridges.
 - v. Public Health, Water Supply.
 - vi. Agriculture, Horticulture and Sericulture.
 - vii. Land Improvement, Implementation of Land Reforms, Soil Conservation and Water-Shed Management.
 - viii. Land Revenue.

- ix. Forest and Environment including Social Forestry and Farm Forestry.
- x. Exploration, exploitation and development of Mines and Minerals.
- xi. Industries including Food Processing, Khadi, Handloom, Village and Cottage
- xii. Social welfare: Family Welfare, Senior citizens, Women and Child Development, Handicapped and Mentally Challenged.
- xiii. Power Generation and Distribution of Power
- xiv. Non-Conventional Energy including Solar Energy etc.
- xv. Rural and Urban Development
- xvi. Poverty Alleviation Program.
- xvii. Tribal Welfare and Minority Affairs.
- xviii. Games and Sports and Youth affairs.
- xix. Fire Services.
- xx. Animal Husbandry, Regulation of Slaughter Houses and Tanneries.
- xxi. Fisheries/ Pisciculture
- xxii. Market and Fairs.
- xxiii. Public Distribution System
- xxiv. Libraries.
- xxv. Trade and Commerce.
- xxvi. Lotteries, Betting and Gaming.
- xxvii. Statistics - Registry of Birth and Death.
- xxviii. Labour and Employment,
- xxix. Promotion, Postings and Transfers of NRTC Cadres.
- xxx. Local Self-Government.
- xxxi. Tourism.
- xxxii. Surface Transport and Waterways.
- xxxiii. Sanitation and Hygiene.
- xxxiv. Election.
- xxxv. Census in conjunction with RGI.
- xxxvi. Marriage and Divorce.
- xxxvii. Adoption.
- xxxviii. Law Department.
- xxxix. Protection & Conservation of Lands & Environments.
- xl. Forests and Wildlife.
- xli. Science and Technology.
- xl.ii. Disaster and Natural Calamities Management.
- xl.iii. Weight & Measure

- xliv. Prison
- xlvi. Home Department
- xlvi. Department of personnel and training including recruitment, transfer and posting of all officials and staff

36. ELECTION TO NRTC & DC

Until integration, Election in the NRTC & the DC areas shall be conducted by the Election Commission of India (ECI). The EC members for conducting the election shall be appointed through the Governor of state concerned in concurrence with the authorities of NRTC & DC.

37. NRTC SECURITY

NRTC shall raise its armed Security Force for assistance in the maintenance of Law and Order. The GoI shall provide finance, technical and logistic support for raising and maintenance of the NRTC security force until such time the Nagas are able to manage by themselves.

38. REGULATION OF ENTRY

The PGN, the NRTC & the DC authorities shall regulate through due process the entry of visitors from outside. The Rules and Regulation shall be duly worked out.

39. CASES AGAINST NSCN MEMBERS

As per the agreement all cases registered against the rank and file of NSCN or any convicted members of the NSCN and any others in connection with the conflict, by agencies under the Government of India or under any state Governments, shall be withdrawn and dismissed, and subsequently set free all political prisoners.

All procedures shall be completed within one month from the signing of the Agreement

40. REORGANIZATION AND TRANSFORMATION OF NSCN

- a) According to the spirit of the Agreement to achieve durable peace, measures will be taken during the transitional period for the reorganization and transformation of the Naga Army into regular Naga Security Force under the authority of the PGN, the NRTC & the DC for the purpose of internal security.
- b) A timetable shall be duly worked out by both the parties and the Gol shall take all the necessary steps to provide ordnance (arms and ammunitions) and logistics including training, technology, maintenance etc. for the new Naga Security Force. Accordingly, a mutually agreed procedure and timetable will be duly worked out during the transitional period to preserve unusable/unserviceable ordnance of the NSCN in a State-of-the-Art-War Museum after taking safety and protective measures. This Museum shall be called "*Naga National Heritage War Museum (NNHWM)*".
- c) The NSCN cadres will opt for induction into the Naga Services or Indian Services including Civil, Defense, Police and Forests as the case may be through due process.
- d) National workers, including its widows and orphans, and civilian victims of conflict shall also have the following options:
 - i) One-time seat reservation in educational institutions.
 - ii) One-time reservation in new institutions being created.
 - iii) One-time grant-in-aid for entrepreneurship venture.
 - iv) Flagship schemes from multiple sectors including agriculture, horticulture, industry etc.
 - v) Vocational training for job-oriented streams.
 - vi) To help them access funds, pensions, insurance & compensation, a one-time grant of Rupees one lakh crores shall be given by the Gol.
- e) The Gol shall bear the financial and logistic cost of the reorganization and transformation.

41. INTERIM ARRANGEMENT

- a) Upon signing the Agreement a Mechanism shall be established and a timetable to be agreed upon for an amicable implementation of the Agreement reached. This will be monitored by a Joint Monitoring Commission (JMC) comprising representatives from both sides, Gol and the NSCN. It will also resolve any operational dispute or differences in the implementation.
- b) The Chairman, Co-Chairman and members of the JMC shall be selected or appointed through mutual consultation between the NSCN and the Gol.
- c) Provisions will have to be agreed upon for a smooth transition to the new situation including the establishment of an interim Government in the present Nagaland state and supersession of the administrative arrangements in the NRTC and the DC areas and for their empowerment as enumerated in competencies. The interim period shall be two (2) years after which election shall be held.
- d) In recognition of the legitimate right of the Nagas for integration of Naga areas, necessary steps shall be taken to this effect and pursued within the interim period. In this regard the Gol also recognizes that the Nagas have in the past and in the recent negotiation raised the issue for the restoration of Naga areas, forests, and tea gardens transferred out from the erstwhile Naga sub-division (Asaloo), Naga Hills District, and on account of the notifications of Inner Line (1876 and others) by the British-India Government, to the then reorganized Nowgaon, Cachar, Sibsagar Districts of British-Assam. A mutually agreed empowered Commission shall be constituted in aid of the implementation of integration process.

42. OBSERVER

Mutually agreed representatives from respectable national and international Organizations will witness the signing of the Agreement.

43. DEVELOPMENT PROGRAMME

- a) Consonant with the Agreement and acknowledging the development deficit caused by the decades old conflict the Gol shall announce a development programme consisting of various infrastructures for the Nagas on the day of signing the agreement between the two political entities.
- b) They shall be for capital development (including Tatar Hoho building, Civil Secretariat, High Court, Bungalows for Tatars, Kilonsers, etc), basic physical infrastructure consisting of educational institutions, road connectivity, power generation-transmission, water supply, medical, quarters and camps for Nagaland Security Force and Police and others.
- c) In recognition of Nagaland as a political entity, the PGN, the NRTCs and the DCs shall play an important role in matters of employment and recruitment, establishment and maintenance of the infrastructures.
- d) The Gol shall ensure to provide annual sufficient financial grant as per the estimate of the PGN, the NRTCs & the DCs in the yearly budget for growth, development and maintenance of the institutions until such time the Nagas are able to manage by themselves.
- e) Enumerated below are the list of Naga Universities, Institutions and other Development Programmes:
 - i. Multi-Disciplinary Naga National University with extended schools / faculties
 - ii. Institute of Management (IM)
 - iii. Institute of Technology (IT) & IT Parks
 - iv. Institute of Engineering and Information Technology (IEIT)
- v. Naga National Medical University with extended disciplines in:
 - a) Medical Colleges having MBBS, Post Graduate and Super Specialty Degrees and Multi-Super Specialty Hospitals and Research Centers
 - b) Nursing Colleges from GNM Course to Masters

- c) Dental Colleges Offering BDS and MDS
 - d) Masters Health Administration (MHA)
 - e) Veterinary Medical Science Colleges
 - f) Homeopathy and Ayurvedic Medical Science Colleges
- vi. Naga National Agriculture and Forest University with extended colleges/disciplines in:
 - a) Agro-Forestry
 - b) Horticulture and Floriculture
 - c) Agricultural Engineering College
 - d) Institute of Environmental Sciences
- vii. Integrated Legal Research Institute and Infrastructures
- viii. Institute of Museumology
- ix. Games and Sports Universities with Sports Infrastructures in all the Districts
- x. Youth Centre in every district with Library
- xi. Naga Airport of International standard
- xii. Vocational Institutes
- xiii. Institute of Polytechnique
- xiv. Industrial Training Institute
- xv. Handloom, Handicraft and Fashion Technology
- xvi. Medicine, Spice and Food Parks
- xvii. Roads covering all the borders and foothills of all Naga areas. They may include:
 - a) 4-lane ring-roads covering all Naga areas.
 - b) New and up gradation of Inter-districts two lane roads and highways.
 - c) 4-lane highways by means of Tunnels and cabled bridges connecting Naga districts and major important cities in the North-East.
- xviii. Development of Inland Waterways.
- xix. State-of-the-art Cold Storage in all the districts.
- xx. Hospitality and Catering Industries / Institute.
- xxi. Power and Water for every village - Thermal, Solar and Windmills?
- xxii. Setting up of a Naga Colony cum Naga Cultural Centre in Delhi or NCR under PNH. The GoI shall provide the land,

measuring not less than 30 acres, and other logistics including finance.

xxiii. Integrated Eco-Friendly Infrastructures and Complexes for PGN, PNH, NRTC & DC Secretariat / Headquarters. They may include:

- a) Office Complexes
- b) Staff Quarters
- c) Hospitals
- d) Games and Sports Complexes
- e) Educational Institutions
- f) Recreation Centers
- g) Commercial Space
- h) Road Connectivity
- i) Power and Water
- j) Drainage and Sewage System etc.

xxiv. Development of integrated Trading Centers along the so-called International Border with integrated Check-Posts.

xxv. Major International Export and Import Trade handling Centre & Economic Corridor in Dimapur and other important major towns in Naga areas.