



सत्यमेव जयते

MEMORENDUM OF SETTLEMENT
(Rabha Accord)

March 10, 1995
Guwahati

4. Constitution of Council :

Each Village Council shall consist of 10 elected members out of which 5 will be from Rabha Community. Out of 5 reserved seats one will be reserved for a woman member. RHAC shall consist of 30 elected members out of which 4 members shall be nominated by the Government of Assam to give representation to those groups/communities of the Council area which are not otherwise represented in it. MPs. and MLAs., belonging to reserved constituencies (ST) of the area shall be ex-officio member of the Council. Each Village COUNCIL shall have elected President and Vice President while the Autonomous Council shall have elected Chief Executive Councillor.

Term of office of the RHVC and RHAC shall be 5 years and co-terminous.

5. Powers:

(a) The RHVC shall have the executive power in respect of execution of development schemes on 29 subjects as listed in annexure I and the apex council shall have the powers on 34 subjects as listed in annexure-II. These powers will be subject to condition that the powers exercised by any other authority under the specific provision of law made by the Central/State Government shall not be delegated/transferred to the authority of RHVC or RHAC. However, the provision of Assam Panchyat Act, 1994 and the Assam Municipal Act, 1994 (amended) shall not apply to the areas of the villages included in RHVC.

(b) Apex Council shall have the power to make by-laws/rules and orders which shall apply to all the RHVC.

(c) State Govt. shall provide funds from TSP and other resource to the apex Council in accordance with an appropriate formula to be worked out keeping in mind the resource of the Government priorities on development works in other areas including other tribal areas alongwith other relevant deciding factors. The RHVC shall have the powers to raise local resources that fall within their jurisdiction.

Finances of RHAC shall be managed exclusively by its Executive Council and will be subject to Audit as may be decided by the Government of Assam.

6. Special Provisions for the RHAC :

Views of RHAC shall be given due regard before any law is enacted by the State Government on religious/social practices, customary laws and procedures for ownership/transfer of land in the Council areas. However, the

existing laws, unless amended, shall apply in these areas also, though the authority under such law may consider the views of the Council while exercising powers under these laws in these areas.

7. Customary Courts :

The State Government shall take steps to set up Customary Courts in the Council areas to try suits and cases whenever both constesting parties prefer to approach such courts.

8. Employment Opportunity :

The people of the Council area shall have equal opportunity for employment in different Government jobs in accordance with the law in force for the time being.

9. Constituion of Interim Council :

The Government of Assam shall constitute an Interim Council which shall continue till the election to the Council takes place.

10. Protection of Rights of non-tribals in Council area :

The Government of Assam and the Council shall ensure that the rights and interest of the non-tribals and tribals other than Rabhas as on today living in the Council area particularly in the matters of land, industry, trade & commerce shall be protected.

Signed on this 10th day of March, 1995 in Guwahati.

1. Sariat Chandra Rabha - President, R.H.D.C.

2. Sri Ganga Raj Rabha, President, A.H.S.D.

3. Sri Ratan Chandra Rabha, G/S, A.H.S.D.

4. Sulechandra Rabha, G/S, R.H.D.C.

(Signature)
(A. Bhattacharjya)

Authorised Representative
of Rabha Hasong Demand Committee

Chief Secretary,
Government of Assam.

In the presence of

(Signature)

(Hiteswar Saikia)

Chief Minister, Assam

(ANNEXURE-I)

POWERS AND FUNCTIONS OF VILLAGE COUNCIL.

1. Agriculture including Agriculture extension.
2. Animal Husbandary, Dairy Development and poultry.
3. Fisheries.
4. Social and Farm Forestry Minor forest produce, fuel and fodder.
5. Khadi, Village and Cottage Industries.
6. Rural Housing.
7. Drinking water.
8. Roads, Building, Culverts, bridges, ferries waterways and other means of Communications.
9. Rural Electrification.
10. Non conventional energy sources.
11. Poverty alleviation programme.
12. Education including primary schools.
13. Adult and non-formal education.
14. Libraries.
15. Cultural activites.
16. Markets and fairs.
17. Rural Sanitation.
18. Public Health and family welfare.
19. Women and Child Development.
20. Social Welfare including welfare of handicapped and mentally retarded.
21. Welfare of Weaker sections and in particular the SC and ST.
22. Public Distribution System.

23. Maintenance of Community assets.
24. Construction and Maintenance of Dhaşamsalas and similar institutions.
25. Construction and Maintenance of cattle sheds, pounds and carts stands.
26. Maintenance of Public parks and play grounds
27. Construction and Maintenance of Slaughter Houses
28. Maintenance and regulation of manure.
29. Such other functions as may be entrusted from time to time be order of the Government.

ANNEXURE-II

POWERS AND FUNCTIONS OF APEX COUNCIL

1. Cottage Industry
2. Animal Husbandary and Veterinary
3. Forests other than Reserved Forest.
4. Agriculture
5. Rural Roads & bridges
6. Sericulture
7. Education
8. (a) Adult Education
- (b) Primary Education
- (c) Upto Higher Secondary including Vocational training.
8. Cultural Affairs
9. Soil Conservation
10. Co-operation
11. Fisheries
12. Panchayat and Rural Development
13. Handloom and Textile
14. Public Health Engineering : Drinking Water.
15. Minor Irrigation
16. Social Welfare
17. Flood control schemes for protection of villages (not of highly technical nature)
18. Sports and Youth Welfare
19. Weights and Measures

20. Library Services
21. Museum and Archaeology
22. Urban Development-Town and Country Planning
23. Tribal Research
24. Land, Land Revenue and Revenue
25. Publicity/Public Relations
26. Tourism
27. Transport
28. Any other matter connected with development.
29. Municipal Boards, Improvement Trust, District Boards and other local self Government or village administration.
30. Tribal Welfare
31. Markets and Fairs
32. Lotteries, Theatres, Dramatic Performance and Cinemas.
33. Vital Statistics including registration of Birth and Deaths.
34. Food and Civil Supplies.