

## 5. Frontier Nagaland Territorial Authority (FNTA)- Polity

A tripartite agreement has been signed between the Ministry of Home Affairs (MHA), the Nagaland Government, and the Eastern Nagaland People's Organisation (ENPO) to pave the way for the creation of the Frontier Nagaland Territorial Authority (FNTA) for Eastern Nagaland.

### Key Features of the Agreement

#### **Territorial Coverage**

FNTA will cover six districts of Eastern Nagaland-

1. Tuensang
2. Mon
3. Kiphire
4. Longleng
5. Noklak
6. Shamator

These districts are historically administratively backward, geographically remote, and infrastructure-deficient, compared to western and central Nagaland.

#### **Devolution of Powers**

The agreement provides devolution of powers over 46 subjects to FNTA.

These subjects broadly relate to-

1. Local development planning
2. Infrastructure creation
3. Social sector delivery
4. Economic development and livelihood generation

Objective is functional autonomy without altering statehood.

#### **Nature of FNTA**

FNTA is a territorial authority within the State of Nagaland. It is distinct from Sixth Schedule Autonomous District Councils (ADCs). Nagaland is not covered under the Sixth Schedule, hence FNTA is a bespoke institutional arrangement, not a constitutional ADC. FNTA functions under the overall framework of the Nagaland state government.

### Financial and Administrative Provisions

#### **Mini-Secretariat**

A dedicated Mini-Secretariat will be established for FNTA. Headed by an Additional Chief Secretary / Principal Secretary-level officer.

Intended to ensure-

1. Administrative decentralisation
2. Faster decision-making
3. Reduced dependency on Kohima-based bureaucracy

#### **Development Outlay**

Development funds for Eastern Nagaland will be shared proportionally based on population and geographical area. This formula addresses historical under-allocation of funds to sparsely populated but large tribal districts.

#### **Initial Financial Support**

The Ministry of Home Affairs will provide-

1. Initial expenditure for setting up FNTA institutions
2. Transitional financial support

A fixed annual grant will be decided for sustained functioning.

### **Constitutional Safeguard**

The agreement explicitly states that it- “Does not affect in any manner whatsoever the provisions of Article 371A”. This reassurance was critical to address apprehensions regarding erosion of Naga special constitutional protections.

### **Significance of the FNTA Arrangement**

#### **Unique Development Model**

FNTA represents a **non-secessionist, non-statehood-based solution** to regional demands.

Focus areas-

1. Financial autonomy at the sub-state level
2. Enhanced decision-making powers
3. Accelerated infrastructure creation
4. Economic empowerment of tribal communities
5. Optimum utilisation of local resources

It can serve as a template for resolving sub-regional aspirations elsewhere in India.

#### **Addressing Long-Standing Regional Aspirations**

Eastern Nagaland tribes, organised under ENPO, had long demanded Frontier Nagaland Statehood. Negotiations with the Centre began in 2015.

FNTA represents a middle-path compromise, avoiding-

1. State bifurcation
2. Constitutional amendment
3. Security destabilisation

#### **Strategic and Geopolitical Importance**

Eastern Nagaland lies close to the India–Myanmar border.

FNTA supports-

1. Border area development
2. Improved governance in sensitive frontier regions
3. India's Act East Policy, by strengthening connectivity and stability in the North–East

### **Article 371A – Constitutional Context**

#### **Background**

Article 371A was inserted by the 13th Constitutional Amendment Act, 1962. Introduced when Nagaland was granted full statehood. Part of Part XXI (Temporary, Transitional and Special Provisions) of the Constitution.

#### **Parliamentary Law Restrictions**

No Act of Parliament applies to Nagaland in certain matters unless- The Nagaland Legislative Assembly passes a resolution approving it.

#### **Protected Subjects under Article 371A**

**Religious and Social Practices-** Parliament cannot interfere without state consent.

**Customary Law and Procedure-** Traditional Naga customary laws enjoy constitutional protection.

**Administration of Justice-** Civil and criminal justice involving customary law remains under state control.

**Land and Natural Resources-** Ownership and transfer of land and its resources are fully protected. Central laws cannot alter these rights without Assembly approval.

**Role of the Nagaland Legislative Assembly-** Central laws on protected subjects apply only after Assembly consent. Reinforces asymmetrical federalism and cultural autonomy.

### Governor's Special Responsibilities

#### Law and Order

Governor has special responsibility for maintaining law and order- As long as internal disturbances continue in the former Naga Hills-Tuensang area.

#### Financial Safeguard

Governor must ensure that-

1. Funds provided by the Government of India for specific purposes
2. Are included only in the appropriate demand for grants.

#### Tuensang Regional Council (Special Provision)

Article 371A provides for a Regional Council for Tuensang district.

Composition-

1. 35 members
2. Deputy Commissioner of Tuensang acts as ex-officio Chairman.

#### Governor's Powers-

1. Frame rules on composition, tenure, procedure, staffing, and functioning.
2. Approve or modify laws passed by Nagaland Legislature before applying them to Tuensang.
3. Issue regulations for peace, progress, and good governance.
4. Such regulations may amend or repeal even Parliamentary laws for the district.

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