

Governance, Development And Tribal Identity Construction

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Abstract: This paper examine the construction and perpetuation of tribal identity in the process of multiple systems of governance and development. An attempt has been made to study the historical development of the policies of governance and development in the context of tribal groups in India and their manifestations among the various tribal groups in Assam. Various policies of governance and development not only perpetuate the colonial construction of tribe as so called 'backward category' but also marginalise them in the process.

Key Words: Identity, Governance, Development, Assam

1. Introduction

There are various policies adopted in India for the governance of tribal areas in general and tribes in particular. The origin of such policies can be traced back to the colonial time which had a broader aim of governing tribal inhabited areas. The basic idea of administration of these areas shaped the British policy of towards tribes. Colonial administration started various ethnographic works which could facilitate them to collect data about various communities that will help them in the better administration of the areas but it in the way it also gave them a new understanding of some groups. The conceptualisation of 'tribes' has its origin in such policies of the British administration. Although, there are definite shifts in the nature of policies adopted for so called 'tribes' but there is a continuity in all such policies in the manner in which tribes are distinguished and separated from the so called 'non tribal'. These policies not only negate the internal diversity within 'tribes' but also essentialises the tribes as distinct social groups necessitating special policies of governance. Various autonomy movement among the tribal groups also put emphasis on their difference to so called 'non tribal' people.

2. Approach to Tribes: Ghurye-Elwin Debate

There is a large body of literature that emphasised on the nature of approach to be adopted for the tribes and such works played a vital role in conceptualisation of the policies to be adopted for tribes. The debate between Verrier Elwin and G. S. Ghurye regarding the nature of policies to be adopted for the tribes has provided initial impetus to such literature. Verrier Elwin (1943) suggested the approach of 'isolation' for the tribes considering the vulnerability of the tribes to the dominant outside population.

He was against the interference of the Christian missionaries as well as other Hindu reformers on the tribal life thinking that they may pose danger to the tribal culture and traditions. He goes to the extent of suggesting the policy of 'national park' (Elwin, 1943) towards tribes, which was vehemently criticised by other scholars. The foremost criticism of the Elwin's approach was raised by G.S. Ghurye (1963). He criticised the 'national park' approach of Elwin saying that it was the negative mindset of the colonial administrator that wanted to keep the tribes separated from the Hindu civilisation. He remarked that the tribes were the backward Hindus and they should be assimilated into the Hindu civilisation. G. S. Ghurye (1980) even criticised Elwin's idea of 'isolation' for the present state of turmoil in the North Eastern part of India. The 'isolation-assimilation' debate has provided initial line of thinking regarding the nature of policies to be adopted for tribes. It also signifies the differences that exist between the British administrator and the Indian nationalist regarding the nature of policies to be adopted for tribes thereby giving it an ideological shape. On the other hand, D. N. Majumdar (1961) suggested for the maintaining the cultural identity of the tribes as far as possible. He was for 'selected integration' of the tribes. By 'selected integration', he meant that only those elements of the civilisation should be allowed to enter into the tribal areas which have relevance to the tribal life and it may keep the tribes away from the vices of the urban life (Majumdar, 1961).

3. Colonialism and Indigenous People's Access to Land and Forest

The colonialism marks an important change in the nature of resource exploitation. The relation of the people with the nature and the natural resources changed drastically with the advent of the colonial mode of administration. The technology that the people use for the resource are seen as unviable and unproductive, but in the real sense they are more sustainable and less exploitative than the modern technology, which not only creating danger to the natural resources, but the very existence of the local communities. It is because the technology used by the primitive community aimed at the resource exploitation for the subsistence needs. But the modern technology that are for the large scale resource exploitation for the profit of the state which deprives the others from the use of the natural resources in future. Nandini Sundar (2008) sees the colonial period is watershed in the whole process because of three reasons

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in the place like Bastar: "First, the colonial situation meant that the primary impulse for the extension of the administrative institutions did not come from changing exigencies of local society but from the colonial authorities' perception of the structures necessary to govern...secondly, contrary to the popular perception, 'frontier areas' like Bastar were not isolated from the rest of the larger economy in the pre-colonial period. Colonialism's distinctive contribution was not in integrating these regions into some wider system, but in changing the terms of this integration... thirdly, and finally then, we come to what several writers have argued was one of the most fundamental aspects of the exercise of colonial power: the creation of sociological and epistemological categories through, and other state-organised activities such as the production of the census records, gazetteers, official or semi-official ethnographies, grammars, linguistic surveys and land tenure records" (Sundar, 2008, 4-10). Sunder (2008) argues that there is a change in use pattern of natural resources along with changing nature of integration of local system with outside brought by the colonialism. The colonial transformation of the local economics and the politics was achieved through the means of administration and the legal procedure (Sundar, 2008, 5) and it had far implication in the use of natural resources like land and forest. The new system of administration due to colonialism works in utter agony of the local inhabitants like tribes in India. There are three ways by which the colonialism has transformed the local societies, politics and economics. The imposition of the alien structure of government, the unequal integration into the larger capitalist processes and epistemological means and the local histories and popular responses (Sundar, 2008, 11) forms the basis of transformation of local societies, politics and economics by colonialism. It has transformed the pattern of access and use of resources.

4. Colonial Approach to Tribes: Excluded and Partially Excluded Area

Ghurye-Elwin debate regarding the nature of approach to be adopted for the tribes manifested in the form various policies of isolation towards tribes. The colonial approach of the British government to the tribes is that of isolation which can be dated back to the Government of India Act of 1870. Later on, the Scheduled District Act of 1874 was passed to give effect to the Government of India Act, 1870 (Ghurye, 1963, 78). After that, The Government of India Act of 1919, was passed, and section 52-A (2) of this act empowered the Governor-General in Council to declare any territory to be a backward tract and with the sanction of the secretary of state to direct that the Government of India Act shall apply to the territory with such exceptions and modifications as may be prescribed in his notifications. After that he may direct any act of the Indian legislature shall not apply to the territory or shall apply with such exceptions and modifications as he may prescribe (Ghurye, 1963, 91). British Parliaments creation of 'Excluded' and 'Partially Excluded Area' under the section 91 and 92 of the Government of India Act of 1935 marked a distinct phase of their policy towards tribes. There are many features which distinguishes 'Excluded Areas' from the 'Partially Excluded Areas'. First, although Governor have to seek the advice from the minister in the 'Partially Excluded Areas', he

function on his own discretion in the 'Excluded Areas'. Secondly, the expenditure in the 'Partially Excluded Areas' is votable in the legislature, but it is non-votable in the 'Excluded Areas'. Thirdly, the discussion on any matter regarding the 'Excluded Areas' needed prior consent of the governor (Vidyarthi and Rai, 1977, 414). Thus, British followed a policy of segregation towards tribes through various acts starting from the Scheduled District Act of 1870, whereby they specify some areas as requiring special treatments for administrative purpose. Such policies of British had vast impact on the tribal life, economy, social organisation and identity and it is still having impact in post colonial period. The protective measures kept the region inhabited by tribes largely distant from the rest of the population which helps the tribes to maintain their own customs, culture and identity. The policy helped the tribes to maintain their own social organisation but on the practical level it was not operational in true sense. When the question of revenue or profit of the colonial government comes, they generally negate the needs of giving any protection to the areas inhabited by scheduled tribes. Again, when any development programme adopted, they are designed considering the whole country, without considering the ground realities or the historical realities of the areas of the scheduled areas.

5. Legacy of Colonial Policy of Segregation in Post Independence Period: Fifth and Sixth Schedule Areas

The policy of 'Excluded' and 'Partially Excluded Areas' followed by British for the governance of tribal inhabited areas found its continuity in the post independence period with the designation of some tribal inhabited areas as 'Fifth Scheduled Areas' and 'Sixth Scheduled Areas'. It legitimised the idea that tribes constitute a different social group which necessitates the special treatment vis-a-vis non tribes. The fifth Schedule under article 244(1) of the constitution defines 'schedule areas' as such areas as the President may by order declare to be scheduled areas after consultation with the Governor of the state. Any area can be declared as 'Scheduled Area' under the Fifth Schedule on the basis of criteria like the preponderance of tribal population; compactness and reasonable size of the area; a viable administrative entity such as a district, block or taluk, and economic backwardness of the area as comparing to the neighbouring areas (Annual Report, 2010-11). The provisions of the Scheduled areas were expected to protect and benefits the tribes by the means of the various protective policies. In these areas, the governor of the state is empowered to make regulation with respect to the prohibition or restriction of transfer of lands from tribes and regulation of the business of money lending to the member of the Scheduled tribes (Annual Report 2010-11). On the other hand, the Sixth Schedule of the constitution of India under the article 244 of the constitution paves the way for administration of 'tribal areas' through Autonomous District / Regional Councils in the states of Assam, Meghalaya, Mizoram and Tripura. Here, 'tribal areas' means areas with preponderance of tribal population or where Sixth Schedule is applicable. For the administration of such areas Autonomous District Councils having not more than thirty Members have been set up; and given some legislative, executive and judicial powers (Annual Report, 2010-11).

The legislative, executive and judicial functions delegated to the District or regional Councils to make them autonomous institutions. Thus, it is clear from the above discussions that the basic ethos of the Fifth and Sixth Schedule Areas is to make the tribes areas economically self sufficient with administration as the self governing institution thereby reducing the outside influence in legislative, judicial and the executive matters. Besides, it also clearly shows that tribal culture and social organisation are different from the non tribes thereby requiring different and distinct approach.

6. Nehru's Philosophy for Tribal Development

Five principles mentioned by Pt Jawaharlal Nehru as principles underlying the constitutional provisions for the tribal development, in his forward to Elwin's (1960) 'A Philosophy for NEFA' signifies an important change in the policy towards tribes. These principles later worked as guide for tribal development with the basic inherent ethos of 'integration' of tribes, although nowhere ever, this word were used. Thus, 'isolation-assimilation' debate got reduce to approach of 'integration' with Nehru's advocacy, although such guideline given by Nehru seen more in the context of North-East India considering the specificity of the context and social organisation rather than in the tribal region of the mainland India where an approach of assimilation found its use (Xaxa 2008). The basic principles given by Nehru in his forward of Elwin's (1960) 'A Philosophy for NEFA' are: first principle stated that the people should develop along the lines of their own genius and we should avoid imposing anything on them. We should try to encourage in every way their own traditional arts and culture. Second principle advocated respect of the tribal rights in land and forests. Third principle stated that we should try to train and build up a team of their own people to do the work of administration and development. Some technical persons from outside will, no doubt, are needed, especially in the beginning. But we should avoid introducing too many outsiders into the tribal territory. Fourth principle mentioned that we should not over administer these areas or overwhelm them with a multiplicity of schemes. We should try to work through and not in rivalry to their social and cultural; institutions. According to the fifth principle of Nehru, we should judge results, not by statistics or the amount of money spent, but by the quality of the human character that is evolved (Elwin 1960). Nehru's approach to the tribal development had very encouraging philosophy, although it failed to come into reality.

7. National Tribal Policy

The first draft of the National Tribal Policy was released on 2004 which was first national policy on the Scheduled Tribes after India got Independence. The policy aimed at bringing the Scheduled tribes into the mainstream society through multi pronged approach without disturbing their distinct culture. The policy recognises that a majority of the Scheduled tribes continue to live below the poverty line with the poor literacy rate, with the high rate of malnutrition and diseases and the vulnerability to the displacement (Draft 2004). On the other hand, the tribal policy acknowledges the presence of the indigenous knowledge of the tribes in the respects. The basic aim of the tribal policy, as the policy document said, is to address the problems of the tribes in a concrete way so as to promote and preserve the tribal

cultural heritage (Draft 2004). Thus, distinctiveness and specificity of the tribes is major focus of the policy. The major criticism raised against the policy was that it did not take into consideration the specificity of the North East India. The policy statement clearly stated that the major aim of the policy is to bring the tribes into the mainstream. But it is to be noted that many struggle of the people of the North east India were against the integration of them into mainstream India (Datta, 1990, 41; Fernandes, Bharali and Kezo, 2008). Another criticism raised against the policy is that, at the end of the policy, there is a suggestion for the assimilation of the tribes which is against the ethos of the tribal identity and the culture. A new draft of the National Tribal Policy was published by the Ministry of the Tribal Affairs in July 2006 which was a marked improvement over the first draft of 2004. The bill noted in its Preamble itself about the dilemma of preparing any policy about the Scheduled tribes. It noted "The dilemma in preparing any policy for the scheduled tribes in India is how to strike, the right balance between preservation of tribal identity, culture and values, protecting the tribes from being swamped by mainstream lifestyles, while increasing and ensuring their access to mainstream education, health care and income generation so that the quality of the life is improved" (Fernandes, Bharali and Kezo, 2008). The major problem of the second draft is that it still recognises the need to assimilate the tribes to the 'mainstream' society by retaining their identity but it is a hierarchical concept which needs to criticise as there cannot be such mainstream and side stream society for the ethos of the plural society which recognises the rights of the all communities. This idea of the assimilation has a major implication for the identity of the North East India (Fernandes, Bharali and Kezo, 2008). Thus, tribal identity which is different from the non tribes is then main theme of such policies.

8. Governance Policies for Tribes in Assam

Categorisation of Tribes in Assam: Plain and Hill Tribes Tribes constitute an important segment of the population of North-East India in general and Assam in particular. The substantial portion of the population in the region is tribal besides the inherent diversity that exists among them. The specificity of the demography and history gives distinct feature to the tribes in the region. But, despite the specificity of the tribal demography of the region, we do find an ideological similarity in the nature of policies adopted for the tribes in the region with that of all India policies. There are two categories of Scheduled Tribes in Assam as per as amended Constitution order of 1950 in 1976 (Pegu, 2009). As per as the amendment, the scheduled tribes who are indigenous of the Karbi Anglong and North Cacher Autonomous Hill Districts are accepted as Scheduled tribes (Hill), while Indigenous tribes of the plain districts of Assam are recognised as Scheduled Tribes (Plain). Thus, there are nine Scheduled tribes in the plain and fourteen are recognised as Scheduled tribes (Hills). The fourteen hill tribes are Chakma, Dimasa, Garo, Hajong, Hmar, Khasi and Jaintia, Lakher, Maan (Tai speaking), Karbi, Pawi, Syntheng, any Kuki tribes, any Mizo tribes and any Naga tribes. The nine Plain tribes are Barman, Bodo, Deori, Hojai, Sonowal Kachari, Tiwa or Lalung, Mech, Mising and Rabha. It is interesting to note that each tribe have distinct ethnic identity in terms of their customs,

religion, language and way of life. Besides they are at different levels of socio-economic development with respect to various communities in Assam. These differences are visible among the different tribes residing in various parts of Assam (Report, AIRTSc 1999, 34). These differences mould the identity of tribes in Assam as the various inter group relation are the product of their identity itself. There are major socio-economic differences among the tribes staying in hills and those in plains. It is to be noted that the problems of the tribes living in the hills is quite different from those of the plain. The constitutional provision of Fifth and Sixth Schedule area in Assam is also coterminous with the categorisation of plain and hill tribes. Besides, the occupational patterns of the plain tribe are more close to the peasant society with the pre-dominance of wet rice cultivation. On the other hand, shifting cultivation and the use of forest constitute main part of the tribal occupation in the hill districts of Assam, although the situation is changing very rapidly. Hussain (1992) had divided the tribes in Assam into two groups: the Autochthon Tribes and the Non-Autochthon Tribes. While the first group is again divided into two distinct groups of plain and the hill tribes, the non-autochthon tribes are those groups of tribes who have migrated into the Assam as plantation labourer during the colonial period. They are not recognised as Scheduled tribes in Assam despite their Scheduled tribes position in their place of origin in the Jharkhand area (Hussain, 1992, 1047). It is interesting to note that the non autochthon tribes in Assam are studied as a separate category, mainly because of their separate industrial set up of their location. But, they have a mass impact not only in the society and the politics of Assam but also in the identity of tribes itself in the state (Hussain, 1992, 1047). Apart from the commonality of the situation of tribes as a group, there are vast internal differences among various groups of tribes as well. The tribes have variation in their habitat, number, literacy rate etc. These differences play an important role not only in their socio-economic development, but also their identity towards other tribes and non tribes groups.

9. Governance of Tribal Areas in Assam

Out of the twenty three Scheduled tribes of Assam, the fourteen tribes which are declare as hill tribe in Assam come under the purview of Sixth Schedule of constitution as being part of the Karbi Anglong and North Cachar Hills Autonomous Councils. The creation of Bodo Territorial Autonomous District in 2003 brought Bodo, a plain tribe of Assam, within the Sixth Schedule of Indian Constitution. As the remaining eight tribes, who are plain tribes of Assam, are outside the jurisdiction of Sixth Schedule, they started demanding special powers in the line of Sixth Schedule Autonomous Councils that culminated in the formation of the three autonomous councils for Rabhas, Misings and Tiwas in 1995 outside the purview of sixth schedule and hence without territorial jurisdiction. Over the period of time, Sonowal Kacharis, Thengal Kacharis and Deoris also granted such non territorial autonomous status. The special provisions for the governance of the tribal areas are needed special attention as unit of decentralisation of governance. Besides, there are some other provisions in Assam like tribal sub plan. It is important to look at working of these provisions in the changing context when globalisation an

liberalisation have taken the sway bringing tribal groups closer to outside communities.

10. Policies and Laws for Stopping the Tribal Land Alienations

Tribal land alienation is one of the major problems facing by the tribes and there are various policies adopted for stopping tribal land alienation by emphasising on the distinctive nature of the tribal society. Such policies also had an impact on the identity formation of the tribes as distinct social group.

11. Line System

Line system was a device to tackle the problem of unauthorised occupation of land, first in the Nowgong District and the Barpeta sub-division of the Kamrup district in 1920, by drawing a line on the village map considering that the inhabitants of the village and the immigrants were not allowed to occupy land beyond that line. The system, which was later gradually extended to other districts of the lower Assam, divided the villages as: 'open villages', 'closed villages' and 'mixed villages'. While the immigrants were allowed to settle freely in the 'open villages', they were not allowed to settle in the 'closed villages' in any circumstances, and they could settle in one side of the line in case of the 'mixed villages' (Report, AIRTSc 1999). But the line system was not able to meet the intension of the British to solve the problem of the unauthorised occupation of the land. "The line system devised by the British administrators with so much good intentions could not, however, solve the problems of unauthorised occupation and encroachment of the land by the immigrants. Even the closed villages were found to have been encroached" (Report, AIRTSc 1999, 6). It was found that the aggressive land grabbing initiative of the immigrants lead to the collapse of the line system. The situation became so worse that many of the tribes villages disappeared due to the land alienation to immigrants and the tribes were forced to move to the sub montane zone (Das, 1986, 31; Sharma, 2001, 4793). As the Line system could not satisfy its goals, a committee was constituted under the chairmanship of Mr F. W. Hockenhull, known as Line System Committee, to review the working of the line system. The committee found that the tribes were the worst victims of the unregulated encroachment of the land by the migrants from the Mymensingh area, and it leads to the disappearance of the many villages of tribes, apart from pushing many of them to move into the sub montane regions. The committee recommended the protection of the larger area of Mauza (Group of villages) or the Block of Mauza from the encroachment of the immigrants, rather than the villages. After this, government of Assam in 1939, headed by Late Gopinath Bordoloi adopted a resolution on the Committee on the line system; this resolution was seen as the precursor to the formation of the tribal belts and the blocks. Paragraph 4 of the resolution noted: "They consider that in the sub-montane areas it should be possible to constitute whole Mauzas or compact parts of the Mauzas inhabited predominantly by Backward and tribes classes into 'prohibited areas'. Elsewhere where the whole village or a larger compact area is predominantly peopled by backward or tribal classes, such village or areas may be constituted prohibited areas. Within the prohibited areas as constituted,

immigrant cultivators shall not be allowed land either by settlement or by transfer of annual pattas, and any immigrant as taking up land or by squatting shall be evicted". (As quoted in Report, AIRTSc 1999, 7). But the resolution could not be materialised by the Bordoloi government as it had to resign on the eve of the Quit India Movement (Report, AIRTSc 1999, 7). Although, the policy advocated by the Bordoloi could not materialise but it did provide emphasis on the need of protecting the tribes for the immigrants.

12. Policy of Sir Saadulla Ministry

When the coalition ministry headed by Sir Saadulla came to power in March 1945, it started a completely new policy of land settlement by superseding all the previous resolutions. The four objectives of the policy statements are aimed at the benefit of the landless immigrant as well as the tribes. The main objective of this policy was planned settlement of waste land (Report, AIRTSc 1999, 9). It also had the objective of recognition of landless immigrants from other provinces who came to Assam before 1st January 1938 as being equally entitled with landless indigenous persons to waste-land settlement. Besides it wanted the protection of tribal classes in areas predominantly occupied by them against aggressive elements which are apt to endanger the normal economic and the social basis of village life and maintenance of grassing and other reserves by evicting encroachers (Report, AIRTSc 1999, 9). According to the provision 3 of the above policy statement, it was decided that information will be collected regarding the villages where the percentage of tribal classes exceeds 50 percent and of the villages occupied by the tribes and the others, along with statistics of the area of cultivable waste. Further, it was planned that these villages will be marked on the map and on the completion of the enquiry; it was decided to notify the tribal belt or Blocks in the sub – montane areas. It was further decided that, within the notified area, a reservation will be made which will not be less than areas occupied by the tribal people plus the stipulated reservation for general future expansion will be made for safeguarding the tribes and other present in the region and with no further settlement with the others (Report, AIRTSc 1999, 9). It was also decided to make the provision for the creation of the tribal blocks in the planned settlement area where the tribes have villages and homes, in side by side with the other communities (Report, AIRTSc 1999, 9-10). But these special provisions aimed at protecting the interest of the tribes over land failed to satisfy its objectives because of the forceful encroachment of the immigrants which was essential to meet the resources for large scale migration.

13. Provision of the Tribal Belts and Blocks: The Assam Land and Revenue Regulation Act, 1886

The Assam Land and Revenue Regulation Act, 1886 formed the foundation of the land and revenue arrangement of the state. It was amended in 1947 in pursuance of the Resolution of the Provincial Government of 1939, headed by Lokopriya Gopinath Bordoloi. It added a chapter (chapter x) that aimed at "protecting those classes who on account of their primitive condition and lack of education or material advantages are incapable of looking after their welfare in so far as much welfare depends upon their having sufficient

land for their maintenance" (Report, AIRTSc 1999, 11). The constitution of the tribal belts and blocks under this amendment was solely aimed on this aspect. The section 160(1) of the Assam Land and Revenue Regulation Amendment Act of 1947 made the provision of the constitution of the compact areas in regions predominantly occupied by the classes of people notified under the section 160(2) of the above act into Belts and Blocks. Here, Blocks have smaller area in comparison to the boundaries of the Mauza, while the Belts have larger area. Although, Assam land and Revenue Regulation Act of 1947 referred the identified areas as only 'Belts' and 'Blocks', but they were later came to be known as 'Tribal Belts and Blocks' because they are created primarily to safeguard the interest of the tribes on land (Report, AIRTSc 1999, 11). Section 160(2) of this Act identified following class of the people whom it considered for the entitlement of the protection: Plain Tribes, Hill Tribes, Tea-Garden Tribes, Santhals, Nepali cultivators Graziers, and Scheduled caste. On the basis of the above act, 35 Belts and Blocks; consisting of 11 Belts and 24 Blocks; were created in Assam up to 1964 (Report, AIRTSc 1999, 11). According to the provision of the constitution of the 'tribal belts and blocks', 'no person shall acquire or possess by transfer, exchange, lease, agreement or settlement any land in any areas constituted into belts and blocks in contravention of the provision of the Act' (Report, AIRTSc 1999, 17). It implied that transfer, exchange, lease can take place only among the people belonging to the protected classes like plain tribes, hill tribes, tea garden tribes etc. It is interesting to note that such provisions are not applicable for any transfer through mortgage in case of nationalised bank or registered co-operative society or any such financial institutions or as approved by the state government (Report, AIRTSc 1999, 17). It gave right to the state government for the acquisition of large amount of lands in the areas considered as tribal blocks or belts for their benefits. Thus, tribal belts or blocks could not satisfy the rights of the 'so called protected classes' in the law.

14. Provision of the Sixth Schedule Area

The Sixth Schedule is applicable in the Karbi Anglong and the North Cachar District based on different laws on the basis of the article 244 of the constitution. It provides District Autonomous Council for these districts with an aim to give separate protective measures and legislative, administrative and judiciary powers. The Mikir Hills (Land and Revenue) Act 1953 was passed by the Karbi Anglong District Council under the provision of the Sixth Schedule of the Constitution giving the District Council Authority the rights over land, settlement and assessment of land and other related matters. The Mikir Hills District (Transfer of Land) Act, 1959 said that no land under the Jurisdiction of the District Council Authority shall be sold, mortgaged, leased, bartered, gifted or otherwise transferred to a non-tribes or by one non-tribes to another except with the previous permission of the Executive Committee of the District Council. The criticism raised against the Act was that it provides only monetary penalty for intentionally disobeying an order of requisition to vacate lands occupied illegally (Report, AIRTSc 1999, 25). Although the formal land alienation in the Karbi Anglong District is very less due to the provision of the District council under the sixth

schedule, but in the plain areas of the district, especially in the area of Howraghat Development Block, the incidence of the temporary land alienation from the Karbis to the East Bengal Refugees is seen by the various informal methods like Paikas System, Sukti Bandhok, Khoi Bandhak and Mena (Report, AIRTSc 1999, 26-30).

15. Political Ecology and Cultural Politics Approach: Critique of Tribal Development

There are various theories that can be used to understand the nature of marginalisation of tribes in the process of development. Political Ecology and Cultural Politics Approach are two interesting approaches that can explain the marginalisation of the tribes in the process of development. The political ecology approach is one of the most interesting approaches for understanding the natural resource exploitation in the name of 'national' development. This approach is helpful to understand how the important issues of social equality and justice are sidelined when come to the question of use of natural resources. The state led extractive development is seen to threaten the livelihood of the various marginalised communities such as tribes in India. This theory argues that there is asymmetries of power over the exploitation of natural resources and binary opposites of the civil society versus state, 'virtuous peasants' versus 'vicious state' (Bernstein, 1990; also referred in Baviskar 2003, 5052) need to be seen. But the New Social Movements emerged to question the asymmetries of power in the exploitation of resources because dominant movement narratives may fail to raise such important issues (Baviskar, 2003, 5052). Political ecology approach assumes cultural identities as pre- formed i.e they are derived directly from the objective sets of interests based on the shared locations in terms of the class, gender and ethnicity (Baviskar, 2003, 5052). She further mentioned that the primary significance of the natural resources is due to their material use value and it led to conflict. For eg. the trees represent different uses and values for different social groups, simultaneously at the same time. The economic value of the natural resources prevailed over culture legitimacy of use of those resources and this forms the basis of cultural politics. The immediate material value of the natural resources comes in conflict with the collective representation of the resource (Baviskar, 2003, 5052). It is interesting to note that various identities are formed in the process of cultural production and hence they are not given. Thus the cultural politics approach of natural resource use raises an important question against the reproduction of inequalities and exclusion taking place in the use of natural resources. Along with the understanding of the asymmetric working of power in the political ecology approach; the cultural politics has greater appreciation of the making of history by the people in the situation of experience (Baviskar, 2003) making 'culture itself as a site of political struggle' (Baviskar, 2003). Thus, it is observed that the process of natural resource exploitation is associated with the reproduction of inequalities and excluded the less powerful groups such as tribes from the process. The culture of use of natural resources by tribes failed to gain significance in the context of use value of natural resources determined by the powerful section i.e. state. The process in fact reproduced tribes as marginalised community.

16. Ecological Marxism

Ecological Marxism is an important theory that helps us to understand the Ecology from Marxian perspective. Ecological Marxism asserts that development as a process exploits labouring classes along with nature (Baviskar, 1995, 37). When we have a deeper analysis of the work of Marx, we see that when Marx was opposing commodification (a process which reduces all products to a common economic matrix thereby negating its intrinsic worth), he was actually supporting environmentalism (Baviskar, 1995). Ecological Marxism argues that the pattern and processes of environmental degradation in India is can be understood by considering the unequal access given to resources. It is interesting to note that while the rich exploit the resources for their profit, poor have to use resources for their survival. Thus, ecological Marxist strives to have social and ecological justice in order to attain economically just society. The redistribution of the economic and political power is essential prerequisite for the benefit of the poor (Gadgil and Guha, 2000). It is observed that the environmental conflict emanates from the nature of social relation itself. It is essential take into account the nature distribution of power in Society in order to comprehend the inequality exist in the exploitation of natural resources. The communities who are more close to the nature in daily existence are less powerful against the state or capitalist and hence lose the struggle for use of resources. It is seen as a contradiction emerging in capitalist system because increasing power of the capital is associated with the deprivation of earth of its natural resources. It is observed that exploitation of the natural resources by the national elites, as they are powerful because of capital, lead to the impoverishment of the earth of its natural resources (O'connor 1988; Baviskar 1995).

17. Conclusion

It is clear from the above discussion that the policies adopted for the tribes have an ideological leaning towards conceptualisation of tribes as separate and distinct social groups. The understanding of tribes in the colonial period could found its continuity in the post independence period where the identification of the Scheduled tribes by the President is still based on the anthropological parameters of low level of development of the tribes. Although, there are lot of criticisms exist in the social science literature on such conceptualisation of tribes but it is not easy to do away with such conceptualisation when the very basis for the identification of the tribes by the President is based on some of such parameters. Such an understanding of tribes in the changing scenario is problematic considering the fact that there are lot of cultural exchanges taking place between tribal and the non tribal world especially in the context of the present scenario of development of communication in the globalised world. In such a situation, it is very much problematic to draw a boundary between tribal and the non tribal world. The basic argument of this paper is that while there are attempts in the various social science literatures to do away with the colonial conceptualisation of tribes as underdeveloped category, but the various policies adopted for the tribal areas have found legacy of such understanding. The idea of tribes (now read

in the language of 'Scheduled tribes') has become a political resource, but the very definition of the Scheduled tribes has legacy of colonial construction of tribes as underdeveloped group thereby in a way, marginalises the group. Thus, there is a disjuncture between critical perspective of the social scientist that wants to do away with the tribe as 'backward' category and the policy level manifestation. This disjuncture became more pronounced when tribes are developing in the line of none tribes. Policies for tribes and tribal areas starting with Scheduled District Act of 1870 and 'Excluded' and 'Partially Excluded areas Act' by the British government which was followed by provision of 'Fifth and Sixth Schedule' in the post independence period emphasised the specificity of the tribes that requires separate provisions thereby legitimised the distinctiveness of tribes. Another important argument is that, although there are conceptualisations of tribe as distinct category that need different policy for governance and development, but when it comes to the implementation level, the identity cannot fulfil the aspiration of the tribal groups. The policies towards tribes are always compromised for the interest of the 'state' or other dominant groups. Therefore tribal groups started asserting their identity as a different category from that of non tribal which only perpetuate earlier conceptualisation. Even the articulation of tribal identity by the tribal group themselves have origin in such policies that constructed, presented and perpetuated the tribes as 'underdeveloped' and distinct social group. The idea of my paper was not to criticise the contextual understanding of the specificity of the tribes. But, it was an attempt to reveal the failure of dominant social science literature to transform their critical understanding on tribes into policy level manifestation in the situation when the same definition which the social science literature tries to avoid finds its place.

18. References

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