



**Tribal Land Alienation
in Northeast India:
Laws and Land Relations**

U A Shimray

**Indigenous Women's Forum of North East India
North Eastern Social Research Centre**

Guwahati - 2006

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Published by:

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North Eastern Social Research Centre
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Cover Design : Panos South Asia

Printed by Artax Shimray at Genesis Printers & Publishers Pvt. Ltd., Bhangagarh,
Guwahati-781 005, Assam

May 2006

Acknowledgments

This booklet is based on a project *Tribal Land Alienation in Northeast India* sponsored by the International Working Group for Indigenous Affairs (IWGIA). Its objective is to bring together indigenous (tribal) leaders, activists and scholars on a common platform to understand the extent and processes of tribal land alienation in the region. The conference that was based on a macro-study of North Eastern Social Research Centre (NESRC) on *Changing Land Relations* and case studies all over the region was jointly organised by NESRC and Indigenous Women's Forum of North East India (IWFNEI). This booklet is integral to its follow up that is aimed at helping the indigenous communities of the region to develop awareness on the issue and to support those who are struggling to prevent land alienation in the tribal areas. Another objective is to draw and develop strategies to protect their land. We hope that the present book will make a small contribution to it.

While presenting the book to the public we would like to place on record our gratitude to all those who worked for the success of the project and the conference. Chris Erni of IWGIA supported us throughout the process, Artax Shimray coordinated it and Sanjay Barbora gave his valuable inputs. The coordinating committee supported the process and Anamika Deka gave secretarial assistance. Prof. A. C. Bhagwati and Prof. Monirul Hussain, the keynote speakers have accompanied us in our efforts. The scholars who did the fieldwork are the backbone of this process. We are indebted to all of them.

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Chapter 1: Introduction

For the last five decades and more, the North Eastern region has witnessed socio-political unrest, insurgency and ethnic clashes. This political unrest combines two distinct conflicts: ethnic clashes among the indigenous groups and political movements against the State. The demands of the militants range from basic socio-economic equality, competition for land, political rights and regional autonomy to outright independence. Thus, the ethnic clashes and political movements go hand in hand making for a complex ethno-political situation. The worst component of the region's ethnic politics is insurgent indulgence.

Present socio-political unrest is also an offshoot of unequal power relations among the ethnic groups. In other words, the social turmoil has more to do with ethnic aspirations and an effort to protect ethnic territories and resources than with political independence. By and large the "mainstream" population considers the Northeast a "land of Conflicts," but very few go beyond them to understand the situations that lead to social and political unrest. Changing land relations are crucial because they affect the cultural system especially community land and individual rights. Thus, the factors leading to ethnic conflicts are numerous but land and control of resources is basic to all of them. Over time land has become central to the conflicts.

Such conflicts are found in most States of the Northeast. For example, during the 1990s, Manipur faced serious social turmoil and political instability that included ethnic clashes between the Naga-Kuki, Meiteis-Pangal and Paite-Kuki. The first decade of the 21st century saw intense ethnic political tension between the Nagas and the Meiteis with the Meitei community opposing the Naga demand for the political integration of all Naga areas. Integration politics is basically understood as an effort to control land and resources.

In Tripura, land alienation from tribals to non-tribals is a major issue. It is attributed mainly the infiltration of illegal immigrants and to the refugee problem. This chronic problem has turned the indigenous people of the State into a minority. This drastic demographic change was caused by illegal immigrants who have now acquired Indian citizenship, have settled down permanently in Tripura and have become the dominant section of the State's population. Continued refugee influx and illegal migration have led to population explosion and have resulted in land alienation from the tribal to the non-tribal communities.

One can give more examples from other States too. All of them confirm what has been said above, that land as a resource is central to the livelihood of the tribal communities of the Northeast, as such is behind most ethnic conflicts. In this booklet we present the findings of a series of case studies on tribal land alienation in the Northeast. The first study was done by North Eastern Social Research Centre (NESRC). After it researchers did ten case studies in all the States of the Region under the aegis of NESRC and Indigenous Women's Forum of Northeast India. They culminated in a conference on March 9-11, 2006. The studies and the conference

were funded by the International Working Group for Indigenous Affairs. The present booklet summarises their findings and discussion in order to put them at the disposal of the tribal communities for their reflection and action.

The Northeast as a Region

Thus, land is central to ethnic conflicts in what is called the North Eastern region. It comprises seven States: Arunachal Pradesh, Assam, Manipur, Mizoram, Meghalaya, Nagaland and Tripura. The region exhibits some unique social, economic and demographic features. Predominant among them is the diversity of the indigenous populations belonging to different ethnic groups. The region is also strategically important because it is surrounded by Bangladesh, Myanmar, China and Bhutan. The frontier with these countries stretching over nearly 1,450 kilometres touches all the North Eastern States.

That there is competition for land is not surprising because the region is endowed with steep forested hill ranges and rugged mountains, numerous narrow strips, deep gorges and narrow river valleys. Spate and Learmonth (1972) write that the region presents the complexities of the sub-Himalayan ranges, the Indo-Burmese hills of Nagaland, Manipur and Mizoram and the eroded surfaces of the Meghalaya plateau, all encircling the Brahmaputra valley. The hills are sharply marked from the plains, physically as well as culturally, though so linked that to some extent they must be treated together. The Indo-Myanmar (Burma) hills in the east are imposing as a relief feature.

The hills in this region are aligned in intervening parallel valleys. The altitude of Manipur and Naga hills varies between 900 and 2,100 meters. The Mizo hills are of a lower altitude, rarely rising above 900 meters. Parts of Tripura and Imphal valley in Manipur represent areas of low relief. The Assam valley is an alluvial expanse created by the mighty Brahmaputra and its tributaries. In the northern side of the Brahmaputra valley there is a lofty mountain particularly in Arunachal Pradesh but it loses height towards the south and ends in the lowly hills of Mizoram in the extreme south. The notable peaks are Dapha Bum (4,579mts.) in Lohit district of Arunachal Pradesh, Japfu (3,048mts.) and Saramati (3,926mts.) in Nagaland. The Shillong and Karbi plateaux present highly dissected tracts. The prominent feature of the Shillong Plateau is the Garo, Khasi and Jaintia Hills that are 1,200-1,800 metres high.

Like its geographical features, also the population of the region has its specificities. It has a high concentration of tribal populations, most of them Mongoloid. As Ahmad (1983) states, the Indo-Burma hill tribes live in a world of their own. Having lived in the marshland between India and China and in the triangle where the Indian and Chinese worlds meet, they are made to believe that they belong to none. The boundaries of the British Empire as defined in the Northeast, left the tribal question aside as an irrelevant adjunct of the territorial issue.

The Northeast has an aggregate of 2,55,037 sq. km accounting for nearly 9 per cent of India's total geographical area. The region accounts for 7 per cent of India's dense forest cover and is rich in bio-diversity. It contains more than a third of the country's biodiversity (FSI 1995)

which rests on unique climatic and topographic conditions of the region. It ranges from the tropical forest ecosystem in the flood plains to sub-tropical, temperate and alpine forest ecosystem in the high mountains. Nearly 54 per cent of the region's geographical area is recorded as forests (FSI 1999).

In the region, traditional economic activities like shifting agriculture agro-ecosystem, wet rice sedentary terraced cultivation agro-ecosystem and alder tree-based agro-ecosystem contribute to its rich ecosystem diversity. These ecosystems are home to a large variety of indigenous wild as well as cultivated crops, plants and animals. "Traditional upland societies in the Asian tropics are closely linked with a variety of natural forested ecosystem types, ranging from dry deciduous to humid rainforest systems. They live in harmony with their natural environment obtaining a variety of resources that may provide cash income. They are also involved with a wide range of land-use activities, chiefly for food production, from the shifting agriculture on the one extreme to a variety of sedentary agro-ecosystem types of the other. All these agro-ecosystem types have close interconnection both with natural forest and with complex village ecosystem. The various land-use types arising out of the livelihood activities of these traditional societies are integral components of a landscape mosaic" (Ramakrishnan 1999: 176).

The Population of the Region

According to the 2001 census, India has a population is 1,028,737,436 persons. Despite hitting the 1 billion mark, the decadal growth rate has declined slightly from 23.8 per cent in 1981-1991 to 21.3 per cent in 1991-2001. Together with the slightly declining population growth is its higher rate of literacy and sex ratio. During the last five decades, many North Eastern States have experienced high population growth (Table 1.1). The 2001 census shows a population of 38,444,026 in the region constituting only 3.6 per cent of India's total. Its decadal growth rate declined drastically from 27.4 per cent in 1981-91 to 22 per cent in 1991-2001. However, it remains higher than the national average of 21.3 per cent.

Among the seven States the decadal growth in the decade 1991-2001 varied from a low 16.03 per cent in Tripura to a high of 64.52 per cent in Nagaland. The growth rate has declined in Mizoram, Meghalaya, Assam and Tripura while it has increased marginally in Nagaland and Manipur by 8.3 and 0.7 points respectively. Possible reasons of the high growth rate are large families and influx of immigrants from outside the region.

Tribals are the dominant ethnic group in the hill States of Mizoram, Nagaland, Meghalaya, Arunachal Pradesh and the hill districts of Manipur, Assam and Tripura. The total tribal population of the region was 10,354,493 and constituted 27.68 per cent of the population of the region. In 1991 its tribal population excluding Assam was 53,68,187. In 1990 the tribal population showed an increase in all the States except Arunachal Pradesh. In 1991 were 94.7 per cent in Mizoram, 87.7 per cent in Nagaland, 85.5 per cent in Meghalaya, 34.4 per cent in Manipur and 30.4 per cent in Tripura. In Arunachal Pradesh, their percentage

declined from 69.8 per cent in 1981 to 63.6 per cent in 1991. The 2001 census shows that the tribal population of Arunachal Pradesh is 64.2 percent but their proportion remains the same in Mizoram, Nagaland and Meghalaya.

Table 1.1:

Total Population and Decadal Growth in the North Eastern Region

	Total Population		% decadal growth	Tribal Population	Tribal % to Total Population
	1991	2001	1991-2001	2001	2001
India	846387888	1028737436*	21.54	84,326,240	8.20
Arunachal Pradesh	864558	10,97,968	26.21	705158	64.22
Assam	22414322	266,55,528	18.92	3308570	12.41
Manipur	1837149	22,93,896*	24.86	741141**	32.31
Meghalaya	1774774	23,18,822	30.65	1992862	85.94
Mizoram	689756	8,91,058	28.82	839310	94.46
Nagaland	1209546	19,90,036	64.52	1774026	89.15
Tripura	2757205	31,99,203	16.03	993426	31.05
North East	30,682,752	38,444,026	25.29	10,354,493	26.93

* Including the estimated figure of Mao-Maram, Paomata and Purul sub-divisions of Senapati district.

** Excluding the population of Mao Maram, Paomata & Purul Sub-divisions of Senapati district.

Source: (a) Office of the Registrar General and Census Commissioner. 1991 & 2001. India, Series 1, Final Population Totals. New Delhi: Office of the Registrar General and Census Commissioner.

(b) Office of the Registrar General and Census Commissioner. 1991 & 2001. Series 1-India, Part II-B (ii) Primary Census Abstract, Scheduled Tribes. New Delhi: Office of the Registrar General and Census Commissioner.

The Ethnic Groups of the Northeast

12.28 per cent or 10,354,493 of India's Scheduled Tribe population of 84,326,240 live in the Northeast but its ethnic groups are not homogeneous. Some like the Bodo and Dimasa live in the plains but most indigenous communities inhabit the hills. Some tribes are small and others are large (see Table 1.2). The Adi are 26.9 percent and the Nishi 21.7 per

cent but the Aka only 0.6 percent of the Arunachal population. The Garo and Khasi together are 90 per cent of the Meghalaya population and the Mizo 87.3 percent in Mizoram. Tribals are more than 80 per cent of the population in Nagaland, Meghalaya and Mizoram and two thirds in Arunachal Pradesh (see Box 1).

But non-tribals dominate the populous States of Assam, Manipur and Tripura. In Assam, the North Cachar Hills and Karbi Anglong are the only tribal majority districts. The tribal population is very high in the five hill districts of Manipur i.e. Senapati, Ukhrul, Tamenglong, Churachandpur and Chandel. Dhalai is the only tribal majority district in Tripura with 54 per cent. However, there has been a drastic change in Tripura during the last five decade. Its tribal proportion that was over 58 per cent in 1951 has declined to 31 percent in 2001. In Arunachal Pradesh too, the tribal proportion has declined from around 90 per cent to 64.22 per cent in the same period (For district-wise tribal population see Table 1.2)

Table 1.2:

District-wise Tribal Proportion in the Northeast in 2001

Sl. No.	State & Districts	Tribals as % of Total Population	Sl. No.	State & Districts	Tribals as % of Total Population
	Arunachal	64.22		Assam	12.41
1	Tawang	74.99	1	Kokrajhar	33.67
2	West Kameng	49.53	2	Dhubri	1.98
3	East Kameng	86.71	3	Goalpara	16.03
4	Papum Pare*	56.56	4	Bongaigaon	12.23
5	Lower Subansiri	90.09	5	Barpeta	7.48
6	Upper Subansiri	89.53	6	Kamrup	9.92
7	West Siang	81.72	7	Nalbari	17.63
8	East Siang	69.13	8	Darrang	16.60
9	Upper Siang*	78.21	9	Marigaon	15.55
10	Dibang Valley	46.48	10	Nagaon	3.86
11	Lohit	38.18	11	Sonitpur	11.60
12	Changlang	36.15	12	Lakhimpur	23.49
13	Tirap	83.66	13	Dhemaji	47.29
	Meghalaya	85.94	14	Tinsukia	5.84
1	West Garo Hills	76.61	15	Dibrugarh	7.45
2	East Garo Hills	96.54	16	Sibsagar	3.94
3	South Garo Hills*	95.67	17	Jorhat	12.32

4	West Khasi Hills	98.01	18	Golaghat	9.92
5	Ri Bhoi*	87.02	19	KarbiAnglong	55.69
6	East Khasi Hills	77.49	20	NC Hills	68.28
7	Jaintia Hills	95.96	21	Cachar	1.28
	Nagaland	89.14	22	Karimganj	00
1	Mon	93.92	23	Hailakandi	00
2	Tuensang	96.03		Mizoram	94.45
3	Mokochung	93.78	1	Mamit*	93.41
4	Zunheboto	96.07	2	Kolasib*	89.78
5	Wokha	95.50	3	Aizawl	93.23
6	Dimapur*	60.69	4	Champal*	96.8
7	Kohima	90.54	5	Serchhip*	98.08
8	Phek	96.47	6	Lunglei	95.29
	Manipur	34.2	7	Lawngtlai	95.4
1	Senapati	78.45	8	Saiha*	96.21
2	Tamenglong	95.38		Tripura	31.05
3	Churachandpur	93.23	1	West Tripura	25.25
4	Ukhrul	95.53	2	South Tripura	37.72
5	Chandel	91.93	3	Dhalai*	54.02
6	Bishnupur	2.94	4	North Tripura	25.46
7	Thoubal	1.17			
8	Imphal West	4.75			
9	Imphal East*	6.25			

* District created in 2001.

Source: Registrar General and Census Commissioner. 2001.

According to the 1991 census, 83.3 per cent of the tribal workforce in the region was engaged in the primary sector while their proportion in the secondary and tertiary sectors was only 2.3 and 14.4 percent respectively. Such high dependence on land and forests is mainly because of the neglect of the secondary sector. Changing land relations and its alienation in the Northeast have to be situated within this context of high dependence on the primary sector that increases pressure on land. Moreover, development projects, especially major dams being planned in the region are expected to deprive many more families of their land.

The indigenous people of the region are of the Mongoloid stock speaking Sino-Tibetan languages. Its main tribal groups are the Nagas, Mizos, Lushais, Hmars Kukis, Chins, Zomis, Hmar, Bodos, Dimasa, Karbi, Kachari, Borok, Tripuri, Reang, Jamatia, Garo, Jaintia, Adi, Aka, Apatani, Nissi, Monpa, Paites, Zos...etc. Many indigenous groups are recognised as

"Scheduled Tribes" by the Government of India (Box 1). These communities lived in their respective territory in a self-sufficient village system. The village is a well-defined unit having its own territory, land and forest. Its basic unit consists of households and people of different clans. The villages are a complementary component and interdependence social, economic and cultural relationship. A majority of the population lives on subsistence agriculture and their main economic activity is shifting cultivation (also known as Jhumming) or sedentary terraced cultivation. Hunting, fishing, pottery, basketry, blacksmith and forestry supplement their economy. "The forest, rangelands, and farming system were managed by the tribal societies as multiple systems. They met their needs through a long tradition of carefully maintaining forest resources. The culturally beliefs of the tribes in this region have in fact contributes a lot to biological diversity and environmental protection, along with materials such as food, shelter, medicine, plants and many social customs and religious rituals. The principle of co-existence between the natural environment and human beings is thus developed and presented as a distinctive physical phenomenon in this mountain region." (Aier and Changkija 2003: 334).

Box 1: Ethnic Groups Recognised as Scheduled Tribes

Arunachal Pradesh

Arunachal Pradesh has more than 80 (eighty) ethnic groups but only 12 (twelve) of them are recognised as Scheduled Tribes. 1. Abor, 2. Aka, 3. Apatani, 4. Dafla, 5. Galong, 6. Khampti, 7. Khowa, 8. Mishmi, 9. Monpa, 10. Any Naga Tribe (Wancho, Tangsa, and Nocte), 11. Sherdukpen, 12. Singpho.

Nagaland

Five groups are listed as Scheduled Tribes in Nagaland; 1. Garo, 2. Kachari, 3. Kuki, 4. Mikir, 5. Nagas.

Manipur

The tribes in Manipur can be broadly categorised as Naga groups, Kuki-Chin-Zomi and others. 29 (Twenty nine) of them are recognised as Scheduled Tribes. A. Nagas: 1. Anal, 2. Angami, 3. Chiru, 4. Chothe, 5. Kabui, 6. Kacha Naga, 7. Koirang, 8. Lamkang, 9. Mao, 10. Maram, 11. Maring, 12. Monsang, 13. Moyong, 14. Sema, and 15. Tangkhul. B. Kuki-Chin-Zomi: 16 Aimol, 17 Gangte, 18 Hmar, 19 Vaiphei, 20 Koirao, 21 Kom, 22 Any Mizo (Lushai), 23 Paite, 24 Purum, 25 Ralte, 26 Suhte, 27 Simte, 28 Suhte and 29 Thadou (Kuki).

Meghalaya

In Meghalaya 17 (Seventeen) ethnic groups are recognised as Scheduled Tribes. 1. Boro, Kachari, 2. Chakma, 3. Dimasa, Kachari 4. Garo, 5. Hajong, 6. Hmar, 7. Khasi, 8. Jaintia, 9. Pnar, 10. Bhoi, 11. Lyngngam, 12. Koch, 13. Any Kuki Tribe, 14. Lakher, 15. Man (Tai speaking), 16. Any Mizo, (Lushai) tribes 17. Mikir, 18. Any Nagas, 19. Pawi, 20. Rabha, and 21. Synteng.

Mizoram

The word "Mizo" refers to the people, and "Ram", the land. The State has 14 (Fourteen) ethnic groups listed as Scheduled Tribes: 1.Chakma, 2.Dimasa, Kachari 3.Garo, 4.Hajong, 5.Hmar, 6.Khasi, 7.Jaintia, 8.Any Kukis, 9.Lakher, 10.Man (Tai speaking), 11.Any Mizo, (Lushai) tribes 12.Mikir, 13.Any Nagas, 14. Pawi, and Synteng.

Tripura

19 (nineteen) groups are recognised as Scheduled Tribes in Tripura: 1. Bhil, 2. Bhutia, 3. Chaimal, 4. Chakma, 5. Garo, 6. Halam, 7. Jamatia, 8. Khasi, 9. Any Kuki, 10. Lepcha, 11. Lushai, 12. Nag, 13. Munda, 14. Naotia, 15. Orang, 16. Reang, 17. Santhal, 18. Tripuri, Trupiri, Treppera; 19. Uchai.

Assam

Assam has some 23 Scheduled Tribes: 1. Chakma, 2. Dimasa, Kachari 3. Garo, 4. Hajong, 5. Hmar, 6. Khasi, Jaintia, Synteng, Pnar, Bhoi, 7. Any Kuki tribe, 8. Lakher, 9. Man (Tai speaking), 10. Any Mizo (Lushai), 11. Mikir (Karbi), 12. Any Naga, 13. Pawi, 14. Syntheng, 15. Barmans, 16. Boro, Borokachari 17. Deori, 18. Hojai, 19. Kachari, Sonowal 20. Lalung, (Tiwa) 21. Mech, 22. Miri, (Mising) 23. Rabha.

Table 1.3 shows the population of major indigenous groups. The Nagas are the most numerous. In 1991 they totalled 14,58,097. Their biggest number is recorded in Nagaland, Manipur and Arunachal Pradesh. The second largest group is the Boro of Assam with a population of 12,67,015 persons. Among the remaining ethnic groups, the Khasi and Jaintia are 8,82,301, the Garo 5,76,446, the Mizo 5,17,334, Tripuri 4,61,531, Mikir 2,93,789, Kachari 2,10,430, Kuki 2,05,736 and Chakma 1,55,200. The Kukis are scattered in most States (Table 1.3).

Table 1.3: Ethnic population in the North Eastern Region, 1991

Ethnic Groups	Arunachal	Assam	Manipur	Meghalaya	Mizoram	Nagaland	Tripura	Total
Nagas	78282*	15354	334085	715	74	1029587	0	1458097
Kukis	0	21883	121994	4054	31077	16100	10628	205736
Mizo	0	1031	8240	3007	500146	0	4910	517334
Garo	0	17998	0	546734	82	2272	9360	882301
Khasi Jaintia	0	11358	0	870165	0	0	358	210430
Kachari	0	198619	0	3436	0	8244	0	461531
Tripuri/ Treppera	0	0	0	0	0	0	461531	461531
Boro	0	1267015	0	0	0	0	0	1267015

Adi	109196	0	0	0	0	0	0	109196
Mikir	0	285811	0	7275	0	703	0	293789
Chakma	0	4187	0	700	54217	0	96,096	55200

* The Nagas are Nocte, Wancho, and Tangsa

Source: Registrar General and Census Commissioner. 1991.

The political boundaries of the British Empire and post-colonial re-organisation, as they were defined in the Northeast, left the tribal segment as an irrelevant adjunct of the territorial politics. In the process of colonial expansion and Indian post-independence State these hill communities were brought under different territorial administrations and the concept of State territorial politics was imposed on them. At the same time, many State laws were introduced at different stages to strengthen the administrative system. This "administrative convenience" divided many indigenous groups into different political administrations. For instance, the contiguous Naga Hills and Naga population is segmented into the administrative unit of Nagaland, Manipur, Arunachal Pradesh and Assam.

Conclusion

We have seen in this chapter the background of the Northeast and of its peoples. There is geographical as well as ethnic diversity in the region. That is bound to lead also to a variety of land owning systems and economies. That difference adds to the riches of the region but can also lead to conflicts. In order to better understand these issues in the next chapter we shall study the land owning systems among the tribal communities of the Northeast.

Map of North-East India

