

**Legislative Responses to Tribal Development in Assam:  
Policies, Programmes and Constraints since 2001**

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## PREFACE

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Issue of development in a region densely populated by tribal people assumed great significance in a country like India. Development demands not only development of all regions but even development of the whole region. Assam is located in the extreme North East corner of the country. The location and the demographic position demands special care and treatment both at the policy making and policy implementation level. This is the problem area for any development exercise. Geographic location of the tribal inhabited people of Assam offers a peculiar situation where a multi-dimensional development effort is needed to address the problem. In Assam, process of tribal development however, started very late. The tribal areas of Assam remained unaffected by progress till independence. After the independence, too, the policies were to maintain an utmost restraint or upset the tradition and culture of the tribal people. As a result developmental works were at a very low pace.

Assam is the home of different ethnic groups. The total population of Assam as per 2001 census is 2,66,55,528 out of which 33,08,570 is the tribal population which constitutes 12.41 percent of the total population of Assam. Assam maintains two scheduled tribe lists. One for the Autonomous Hill Districts of Assam called Hill Tribes and another for Plain Tribes of Assam. As per Scheduled Castes & Scheduled Tribes order (Amended) Act 2002, Hill Tribes constitutes 15 communities and Plain Tribes constitutes 14 communities.

The Government of Assam has adopted a policy of integration of tribals with the mainstream aiming at developing a creative adjustment between the tribes and non tribes leading to a responsible partnership. By adopting the policy of integration or progressive acculturation the Government has laid the foundation for the uninhibited march of the tribals towards equality, upward mobility, and economic viability and assured proximity to the national mainstream. The Acts and Amendments passed by the Government of Assam for tribal development is committed on two courses of action in respect of Scheduled Tribes, viz

- Giving protection to their distinctive way of life.
- Protecting them from social injustice and all forms of exploitation and discrimination and bringing them at par with the rest of the nation so that they may be integrated with the national life.

In view of the plight of the tribals, various Acts and Amendments have been passed by the Government of Assam for improving the living conditions of the tribal population. These legislative actions are intended to cover agriculture, irrigation, animal husbandry, house sites, co-operative credit, education, health, distribution of essential articles etc. They also aim at protecting the interests of the tribals by providing them with a legal framework, and streamlining their development and raising their standard of living. Though various pieces of legislation have attempted by the Government to provide social and economical security to them, it is clear that the tribal population falls far behind the rest in all measures of the Human Development Index in demographic comparisons.

The study is an attempt to examine the various legislative enactments passed by the Assam Legislative Assembly for tribal development particularly since 2001. This study is an attempt to understand nature of continuity and discontinuity of tribal policies followed by the successive regimes in Assam and their impact and effectiveness in meeting the needs of tribal population and in uplifting their standards of living in Assam. Important rules, regulations, acts and amendments passed by Assam Legislative Assembly since 2001 are discussed here taking into consideration of earlier Acts and Amendments to understand continuity and discontinuity of the government policies and programmes towards tribal development.

Kartick Das

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Kartick Das

## ABBREVIATIONS

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AADS	---	Assam Autonomous District Council
AASAA	---	All Adivasi Students' Association of Assam
AATSU	---	All Assam Tea Tribe Students' Union
AATS	---	All Assam Tribal Sangha
ABSU	---	All Bodo Student Union
AGSU	---	All Assam Gorkha Students' Union
AGP	---	Asom Gana Parishad
AKRSU	---	All Koch-Rajbongshi Students' Union
APL	---	Above Poverty Line
ASFC	---	Assam State Finance Commission
ATASU	---	All Tai Ahom Students' Union
BSS	---	Bodo Sahitya Sabha
DHA	---	Designated Hill Areas
DHD	---	Dima Halam Daoga
DPC	---	Dimasa Peoples' Council
FOIGS	---	Family Oriented Income Generating Schemes
GGKSA	---	Greater Guwahati Karbi Students' Association
GHKYS	---	Greater Hamren Karbi Youth Society
HAD	---	Hill Area Development
ILO	---	International Labour Organization
ITDA	---	Integrated Tribal Development agency
ITDPS	---	Integrated Tribal Development Projects
ITDA	---	Integrated Tribal Development agency
KAAC	---	Karbi Anglong Autonomous Council
KCS	---	Karbi Cultural Society

KEA	---	Karbi Employees' Association
KLA	---	Karbi Lammet Amei
KLNF	---	Karbi Longari National Front
KRPC	---	Kachari Rajbari Preservation Committee
KSU	---	Karbi Students' Union
KSA	---	Karbi Students' Association
MADP	---	Modified Area Development Approach Pockets
MHD	---	Mikir Hills District
MFP	---	Minor Forest Produce
NIA	---	National Investigating Agency
NC Hills	---	North Cachar Hills
NDFB	---	National Democratic Front of Bodoland
NEC	---	North Eastern Council
PIC	---	Project Implementation Committees
NKYA	---	Nationalist Karbi Youth Association
NTPF	---	Non-Timber Forest Produce
PDS	---	Public Distribution System
PTGs	---	Primitive Tribal Groups
PTCA	---	Plains Tribal Council of Assam
SCA	---	Special Central Assistance
SGAP	---	State General Area Plan
SKA	---	Somindar Karbi Amei
SSA	---	Sarbha Sikasha Abhijan
TAC	---	Tribal Advisory Council
TGT	---	Tea Gardens Tribes
TRI	---	Tribal Research Institute
TRIFED	---	Tribal Co-operative Marketing Development
TSP	---	Tribal Sub-Plan
ULFA	---	United Liberation Front of Asom
UPA	---	United Progressive Alliance
UPDS	---	United People's Democratic Solidarity
ULB	---	Urban Local Bodies
WPT & BC	---	Welfare of Plains Tribes & Backward Classes

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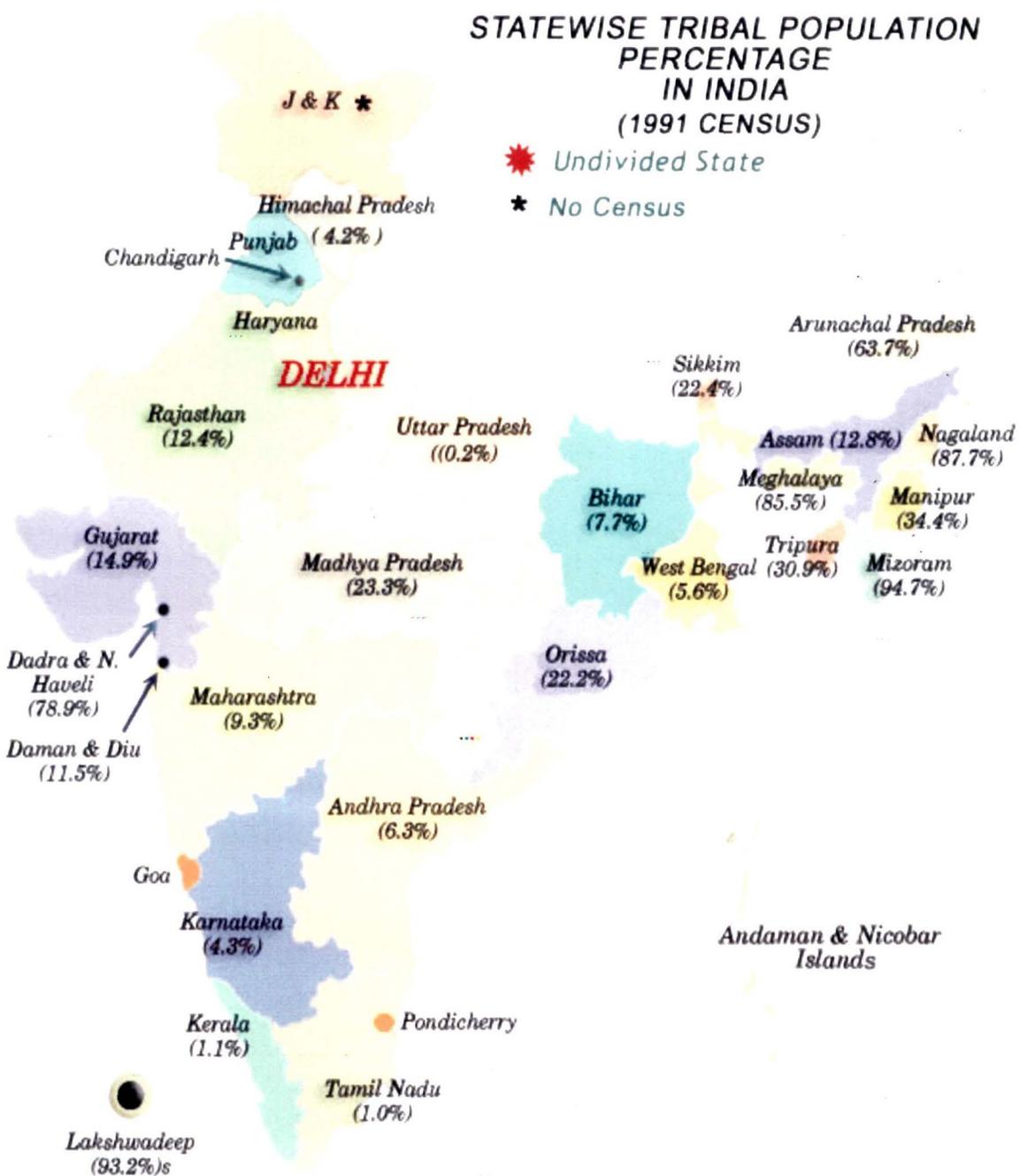
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## Mapping of Tribal Population

### STATEWISE TRIBAL POPULATION PERCENTAGE IN INDIA (1991 CENSUS)

- ★ Undivided State
- \* No Census



The population of the Scheduled Tribes in the country is 84.3 million, which is 8.19 percent of the total population of the country. More than half of the tribal population is concentrated in the states Madhya Pradesh, Chhattisgarh, Maharashtra, Orissa, Jharkhand and Gujarat whereas in Haryana, Punjab, Delhi, Pondicherry and Chandigarh no community has been notified as a Scheduled Tribe. The main concentration of tribal population besides Central India is in the North- Eastern states.

## CHAPTER-I

### Introduction and Methodology

Definitions of Tribes

Criteria for the Social Identity of Tribes

Fundamental Principles of Pandit Jawaharlal Nehru

Constitutional Safeguards

Tribal Development Policies and Programmes

Tribal Development Initiatives in Assam

Review of Research and Development in the Subject

Need for the Present Study

Problem under Investigation

Objectives of the Study

Methodology of the Study

Limitations of the Study

Origin of the Research Problem

Interdisciplinary Relevance

Data Base

Plan of the Study

## CHAPTER-I

### Introduction and Methodology

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India has a unique place in the tribal community of the world. In our country the tribal population, which is numerically considerable, is concentrated in various tribal belts as well as the general population. There are about 400 tribal communities in India. There is a substantial list of Scheduled Tribes (STs) in India recognized as tribal under the Constitution of India. Tribal peoples constitute 8.2 percent of the nation's total population, over 84 million people according to the 2001 Census. On the basis of the concentration of tribal population, the entire country is divided into three zones namely North Eastern Zone

which comprises the states like Assam, Arunachal Pradesh, Meghalaya, Mizoram, Manipur, Nagaland and Tripura, Southern zones (Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Pondicherry, Goa, Daman and Diu, Andaman and Nicobar Islands) and Central Zones (Orissa, West Bengal, Punjab, Haryana, Rajasthan, Gujrat, Maharashtra, Madhya Pradesh and Uttar Pradesh). In the North Eastern States of Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland, more than 90 percent of the population is tribal. However, in the remaining North-East States of Assam, Manipur, Sikkim, and Tripura, tribal peoples form between 20 and 30 percent of the population.

Another concentration lives in the hilly areas of Central India (Chhattisgarh, Madhya Pradesh, Orissa and, to a lesser extent, Andhra Pradesh); in this belt, which is bounded by the Narmada River to the north and the Godavari River to the South-East, tribal peoples occupy the slopes of the region's mountains. Other tribals, including the Santals, live in Jharkhand and West Bengal. Central Indian States have the country's largest tribes, and, taken as a whole, roughly 75 percent of the total tribal population live there, although the tribal population there accounts for only around 10 percent of the region's total

population. There are smaller numbers of tribal people in Karnataka, Tamil Nadu, and Kerala in South India; in Western India in Gujarat and Rajasthan, and in the Union Territories of Lakshadweep and the Andaman Islands and Nicobar Islands. About one percent of the populations of Kerala and Tamil Nadu are tribal, whereas about six percent in Andhra Pradesh and Karnataka are members of tribes.

India has the largest concentration of tribal people anywhere in the world except perhaps in Africa continent<sup>1</sup>. The tribals are the original inhabitants of India, but have been steadily pushed to the interior areas and today, they mostly live in forests and many even feed on forest produce. The areas inhabited by the tribal constitute a significant part of the under developed areas of the country. The tribals live mostly in isolated villages or hamlets. A smaller portion of their population has now settled in permanent villages as well as in towns and cities. On the whole, as per rough estimates, the prominent tribal areas constitute about 15 percent of the total geographical area of the country. There are 533 tribes (with many overlapping types in more than one state) as per notified Schedule under Article 342 of the Constitution of India in different States and Union Territories of the

country, with the largest number of 62 being in the State of Orissa<sup>2</sup>. Among the notified tribes, some groups are still at most primitive stage. They continue to live in isolated areas and practice either primitive agriculture or no agricultural practice and most of them are still in food gathering stage with almost stagnating population. Such groups (75 Nos.) are named as Primitive Tribal Groups (PTGs). They are spread over 17 States and one Union Territory.

### **Definitions of Tribes**

Any discussion on the subject would remain inconclusive without proper understanding of the term 'tribe' but an acceptable definition of a tribe may not be readily available, but several expert opinions have contributed to an understanding of the concept. The term 'tribe' is defined as a 'unit of socio-political organization consisting of a number of families, clans or other groups who share a common ancestry and cultural and among whom leadership is typically neither formalized nor permanent'. The tribes are called either 'aboriginal tribes', 'primitive tribes', or 'adivasis'<sup>3</sup>. It is said as a political, ethnic or ancestral division of ancient states and culture. Tribe is also defined as a group of people of the same race and with the same customs,

language and religion etc. living in a particular area and often led by a chief<sup>4</sup>. The Oxford Dictionary of Sociology<sup>5</sup> defines tribes as “a group of people in primitive or barbarous stage of development acknowledging the authority of a chief and usually regarding themselves as having a common ancestor”. According to the Imperial Gazetteer of India, “a tribe is a collection of families bearing a common name speaking a common dialect, occupying or professing to occupy a common territory and is not usually endogamous through originally it might have been so”.

The term ‘Scheduled Tribes’ first appeared in the Constitution of India. Article 366 (25) defined Scheduled Tribes (STs) as “such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under Article 342 to be STs for the purposes of this Constitution”. Article 342, which is reproduced below, prescribes procedure to be followed in the matter of specification of STs.

- The President may, with respect to any State or Union territory, and where it is a state, after consultation with the Governor there of by public notification, specify the tribes or tribal

communities or parts of or groups within tribes or tribal communities which shall, for the purposes of this constitution, is deemed to be scheduled tribes in relation to that state or Union Territory, as the case may be.

- Parliament may by law include in or exclude from the list of Scheduled tribes specified in a notification issued under clause(1) any tribe or tribal community or part of or group within any tribe or tribal community, but save as aforesaid, a notification issued under the said clause shall not be varied by any subsequent notification.

Thus, the first specification of STs in relation to a particular State/ Union Territory is by a notified order of the President, after consultation with the State governments concerned. These orders can be modified subsequently only through an Act of Parliament.

- The criterion followed for specification of a community, as STs are indications of primitive traits, distinctive culture, geographical isolation, shyness of contact with the community at large, and backwardness. This criterion is not spelt out in the Constitution but has become well established. It subsumes the

definitions contained in 1931 Census, the reports of first Backward Classes Commission 1955, the Advisory Committee (Kalelkar), on Revision of SC/ST lists (Lokur Committee), 1965 and the Joint Committee of Parliament on the SCs and STs orders (Amendment) Bill 1967 (Chanda Committee), 1969.

- In exercise of the powers conferred by Clause (1) of Article 342 of the Constitution of India, the President, after consultation with the State Governments concerned have promulgated so far 9 orders specifying the STs in relation to the State and Union Territories. Out of these, eight are in operation at present in their original or amended form. One order namely the Constitution (Goa, Daman & Diu) Scheduled Tribes order 1968 has become defunct on account of reorganization of Goa, Daman & Diu in 1987. Under the Goa, Daman & Diu reorganization Act 1987 (18 of 1987) the list of STs of Goa has been transferred to part XIX of the Schedule to the Constitution (STs) Order, 1950 and that of Daman & Diu II of the Schedule of the Constitution (STs) (Union Territories) Order, 1951.

## **Criteria for the Social Identity of Tribes**

Thus, the first specification of ST in relation to a particular State/UT is by a notified order of the President, after consultation with the State Governments concerned. These order can be notified subsequently only through an Act of Parliament. The Article 366 (25) also provides for listing of ST State/UT wise and not on an all India basis. In Article 342, the procedure to be followed for specification of a ST is prescribed. However, it does not contain the criterion for the specification of any community as ST. An often used criterion is based on attributes such as:-

- Geographical isolation - they live in cloistered, exclusive, remote and inhospitable areas such as hills and forests,
- Backwardness - their livelihood is based on primitive agriculture, a low-value closed economy with a low level of technology which leads to their poverty. They have low levels of literacy and health.
- Distinctive culture, language and religion - communities have developed their own distinctive culture, language and religion.

- Shyness of contact – they have a marginal degree of contact with other cultures and people.

These criteria are not spell out in the Constitution but have become well established and accepted. They take into account the definitions in the 1931 Census, the reports of the first Backward Classes Commission (Kalekar) 1955, the Advisory committee on Revision of SC/ST lists (Lokur Committee) 1965 and the joint Committee of Parliament On the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967, (Chanda Committee) 1969. Following the reorganization of States, the list of STs was modified by the Scheduled Castes and Tribes List (Modification) Order, 1956 on the recommendations of the Backward Classes Commission. In the revised list 414 tribes were declared STs. Since the revision of the list in 1956 there have been several proposals for fresh inclusions and deletion from the lists of the SC and STs.

### **Fundamental Principles of Pandit Jawaharlal Nehru**

Long back our first Prime Minister Late Pandit Jawaharlal Nehru had said that the tribal should be governed by themselves. Accordingly, the Government of Assam has adopted self-government and self-rule for

tribal people themselves. The fundamental principles lay down by Nehru in this regard became the guiding force. These principles are:

1. Tribal people should develop along the lines of their own genius and we should avoid imposing any thing on them. We should try to encourage in every way their own traditional arts and culture.
2. Tribal people rights in land forest should be respected.
3. We should try to train and build up a team of their own people to do the work of administration and development. Some technical personnel from outside will no doubt be needed especially in the beginning. But we should avoid introducing too many outsiders in to tribal territory and,
4. We should not over administer these areas or overwhelm them with a multiplicity of schemes. We should rather work through and not in rivalry to their social and cultural institutions.

The Constitution of India has also made definite provisions for the welfare and uplift of the - tribal people throughout the country. Articles 15 (4) 46, 244 (1) and 339 of the Indian constitution speak of special provisions meant for the administration and control of scheduled areas and tribals therein, for their welfare and protection.

Towards the scheduled tribes is governed by the board directives laid down in the Indian constitution. It provides that; “The state shall promote with special care the educational and economic interest of the people and in particular of scheduled castes and scheduled tribes and shall protect them from social injustices and all forms of exploitation.”

Based on these constitutional provisions, specific policies for tribal development have been incorporated in the strategy of economic development in our Five-Year Plans. In fact the development of the STs as a social responsibility of the President of India and the Governors in the state are responsible for reviewing the administration as well as the development of Republic India. It is therefore incumbent of on the administration, both at the Union as well as in the states to promote laws and administrative policies relating to the tribal population, which belongs to the lowest rank of social order.

### **Constitutional Safeguards**

The Constitution Order 1950 issued by the President of India in exercise of powers conferred by Clause 9 (i) of Article 342 of the Constitution of India 255 tribes in 17 states were declared to be scheduled tribes. Besides enjoying the rights that all citizens and

minorities have the member of the STs have been provided with special safeguards as follows:

### **Protective Safeguards**

- Educational safeguards-Article 15(4) and 29.
- Safeguards for employment -Articles 16(4), 320(4) and 333.
- Economic safeguards -Article 19.
- Abolition of bonded labour -Article 23.
- Protection from social injustice and all forms of exploitation- Article 46.

### **Political Safeguards**

- Reservation of seats for ST in Lok Sabha and Assemblies – Article- 330, 332, 164.
- Appointment of Minister in charge of Tribal welfare.
- Special provisions in respect of Nagaland, Assam and Manipur - Articles-371(A), 371(B) and 371.

### **Developmental Safeguards**

- Promoting the educational and economic interests of the Scheduled Tribes -Articles- 46.

- Grants from Central Government to the states for welfare of Scheduled Tribes and raising the level of administration of Scheduled Areas-Article 75.

The Constitution of India incorporates several special provisions for the promotion of educational and economic interest of STs and their protection from social injustice and all forms of exploitation. These objectives are sought to be achieved through a strategy known as the Tribal Sub-Plan (TSP) strategy, which was adopted at the beginning of the Fifth Five Year Plan. The strategy seeks to ensure adequate flow of funds for tribal development from the State Plan allocations, schemes/programmes of Central Ministries/Departments, financial and Developmental Institutions. The cornerstone of this strategy has been to ensure earmarking of funds for TSP by States/UTs in proportion to the ST population in those State/UTs. Under the TSP approach almost entire tribal inhabited area have been covered under any one of the following, depending upon their population percentile:

- i) Integrated Area Development Project (ITDPs)
- ii) Modified Area Development Approach (MADA)
- iii) Clusters

iv) Primitive Tribal Groups (PTGs)

**Scheduled Areas**

Most of the tribal communities of north east India have their own socio – political institutions, customs and traditions to help them assert their autonomous existence. Considering all such institutions and the underlying ethos of autonomy, the framers of the Indian Constitution contemplated the instrument of tribal self-rule embodied in the Sixth Schedule of the Constitution of India. The Sixth Schedule was, therefore, designed to accommodate the collective aspirations of the tribal communities.

In order to protect the interest of the scheduled tribes with regards to land alienation and other social factors special provision have provided in the Constitution of India.

***Fifth Schedule:*** The Fifth Schedule under Article 244(i) of the constitution of India defines “Scheduled Areas” as such areas as the President may be order declare to be Scheduled Areas after consultation with the Governor of the State. The criteria for declaring any area under Fifth Schedule are (1) Preponderance of

tribal population; (2) Compactness and reasonable size of the areas; (3) a variable administrative entity such as district, block, etc. and (4) economic backwardness of the areas. There is no Fifth Schedule area in Assam.

***Sixth Schedule:*** The Sixth Schedule of the Constitution of India under Article 244(2) recognizes certain areas of the North Eastern States as tribal areas and provides for constitution of Autonomous District Councils and Regional Councils. The two Districts of Assam viz. Karbi Anglong (erstwhile Mikir Hills) & North Cachar Hills were created under Sixth Schedule of the Constitution of India. Sixth Schedule was also amendment and extended to BTAD areas of Assam.

The Sixth Schedule to the Constitution of India contains provisions as to the administration of tribal areas in the State of Assam, Meghalaya, Tripura and Mizoram. The aim of the Sixth Schedule was to protect hill and other tribal communities from the control and power of the groups of the plains. The process of protection began with the formation of the first District Councils in Assam, as far back as 1951. These District Councils were first

set up as the United Mikir and Cachar Hills of Assam, comprising parts of the former districts of the United Khasi and Jaintia Hills as well as parts of the erstwhile Nogaon, Sibsagar and Cachar districts of Assam. Today, the Khasi, Jaintia and Garo Hills comprise Meghalaya State, which was announced in 1970; District Councils were formed in the State in 1972. The Sixth Schedule provisions are regarded as a mini-Constitution within the main Constitution but the whole Schedule needs a close look to remove flaws, contradictions and shortcomings.

### **Tribal Development Policies and Programmes**

In view of the plight of the tribals, various developmental works have been taken up by the Government at the Centre as well as the States for improving the living conditions of the tribal population. These works are intended to cover agriculture, irrigation, animal husbandry, house sites, co-operative credit, education, health, distribution of essential articles etc. They also aim at protecting the interests of the tribals by providing them with a legal framework, and streamlining their development and raising their standard of living.

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A review of the tribal situation would indicate that the strategy for development would require an intensive approach to the tribal problems in terms of their geographic and demographic concentration, if the faster development of the community is to take place. The community development efforts in the tribal areas were therefore, taken up for supplementation by stating a few special multipurpose tribal development projects covering a few blocks in 1954. A number of commissions and committees were appointed in the recent past to look in to the problems of developments in the tribal areas in the country and they have recommended a number of measures to remove the socio-economic imbalances and also to break down their old psychological barrier, which existed in the tribal areas. The important commission and committees appointed so far are:

1. The Social Welfare Team of the Committee on Plan Projects 1959.
2. The Verrier Elwin Committee on Tribal Development.
3. The Committee on Tribal Economy in Forest Areas -1967
4. The Schedules Areas and Scheduled Tribal Commission (Dhebar Committee 1961)

5. The Special working Group on Cooperatives for Backward Classes - 1961 (Shri M.D. Bhargava as its Chairman)
6. The Task Force on Development of Tribal Areas -1972.
7. The Dube Committee -1972.
8. The Study Team on Co-operative Structure in Tribal Development Project Areas -1976.
9. The Study Group on Relief of Indebtedness Land, Alienation and Restoration in Development Agency Area -1973 (Shri P.S Appu as its Chairman)
10. The team of Marketing, Credit and Cooperation in Tribal Areas - 1978 (Shri K.S. Bawa Committee)
11. The Working Group on Development of Scheduled Tribes during the 7th Five Years Plans (1985- 90).

The Dhobar Commission (1961) recommended an integrated approach based on the minimum essential items like food, drinking water, employment, educational health and village road. The task force on Development of Tribal Areas constituted in 1972 suggested that the ecological, occupational and social preceptors. of the tribal population should be properly assessed for formulation of a policy and

its implementation so that a steady flow of benefits could be assured to the tribal people. The Dupe committee in 1972 tried to define a new strategy for tribal development and suggested that the problem of tribal development should be defined at the national level and national efforts required for tackling it, worked out. It also suggested an integrated area development approach in consonance with the genius and aspirations of the tribal people.

### Programmes & Projects introduced for Tribal Development

<ul style="list-style-type: none"> <li>• Guarantee for the projection of the tribals</li> </ul>	Article-15 (4) 46,244,339 speak of special provisions meant for the administration and control of scheduled areas and tribals for their welfare and protection for promoting the welfare of the ST and for raising the level of administration of - ST and tribal areas to the state level.
<ul style="list-style-type: none"> <li>• Grant-in-aid from consolidated fund of India to States (Article-275)</li> </ul>	Article-275 provides grant-in-aid from consolidated fund of India to States.
<ul style="list-style-type: none"> <li>• Special multi-purpose tribal projects in selected areas.</li> </ul>	For the tribals for their intensive development.
<ul style="list-style-type: none"> <li>• Tribal development</li> </ul>	
<ul style="list-style-type: none"> <li>• Training-cum-production centres &amp; subsidies.</li> </ul>	Development of cottage and small scale industries to provide employment.
<ul style="list-style-type: none"> <li>• Colonization of tribals</li> </ul>	Tribal colonies
<ul style="list-style-type: none"> <li>• Establishment of cooperative farming</li> </ul>	To make farming more economic and profitable.

societies.	
• Introduction of improved methods of shifting cultivation.	Without doing harm to the soil.
• Education facilities	Scholarship, Free Shift, etc.
• Concessions	Concessions were offered by Forest, Revenue, Excise Departments, etc.
• Establishment tribal cultural institutes.	To study various cultural problems.
• Job opportunity	Reservation of posts in Govt. service.
• Cheaper credit	Enactment of Regulation Acts to counteract exorbitant rates of interest of money lenders.
• Establishment of offices of the Commissioner for SC/ST industries.	For the enforcement of the safeguards provided for the tribals in the constitution for the evaluation of welfare schemes.
• Establishment of LAMPS	For providing integrated services such as credit, marketing, storage, distribution of consumer goods, etc., to the members.
• Tribal Development Cooperative Corporation / Tribal Development Cooperative Federation.	Established at the state level to help the LAMP.
• Tribal Development Cooperative Marketing Federation (TRIFED)	Established at national level to help the state level tribal corporations/ federation.

The United Progressive Alliance (UPA) Government provides specific directions for the welfare of the STs, which inter-alia include:

- Legislation for conferring ownership rights in respect of minor forest produce, including tendu patta;
- Launching of a comprehensive national programmes for minor irrigation of all lands owned by dalits and adivasis;
- Endowing STs with land through implementation of land ceiling and land redistribution legislation;
- Reconciliation of the objectives of economic growth and environment conservation, particularly as far as tribal communities dependent on forest are concerned;
- Immediate review of the overall strategy and programmes for the development of tribal areas to plug loopholes and to work out more viable livelihood strategies;
- More effective systems of relief and rehabilitation for tribal and other groups displaced by development projects including rehabilitation of tribal people alienated from land;
- Discontinuing eviction of tribal communities and other forest-dwelling communities from forest areas; and
- Safeguard the rights of tribal communities over mineral resources, water sources, etc. as laid down by law.

## **Tribal Development Initiatives in Assam**

The present Government of Assam first took charge of an insurgency-scarred Assam on 18<sup>th</sup> May 2001, shown commitment to protect and promote the interests of the underprivileged sections of the society. The Welfare of Plains Tribes & Backward Classes (WPT & BC) Department of the Government of Assam caters 9.2 and 7.5 per cent of Assam's population belonging to the ST (plains) and SC category respectively. There are nine tribes categorized as ST (plains) served by the WPT & BC Department of the Government. They are Barman in Cachar, Bodo-Kachari, Deori, Hojai, Kachari including Sonowal, Tiwa or Lalung, Mech, Mishing or Miri and Rabha. More than implementing agency, WPT & BC Department is a facilitator of various projects for the underprivileged communities through other departments like Agriculture, Panchayat & Rural Development, Handloom and Textiles and Fisheries.

With the object of fulfilling economic, educational and linguistic aspirations, preservation of land rights, socio-cultural and ethnic identity of the respective tribes and speeding up infrastructure development in their areas, autonomous councils have been created.

Assam has six autonomous councils, two autonomous district councils and one territorial council. Karbi Anglong and North Cachar Hills, the two hill districts of Assam and Bodoland Territorial Council fall under the Sixth Scheduled of the Constitution and remaining six autonomous councils fall outside Sixth Scheduled, created by the State Legislative Assembly for six major tribal groups. This are-

- the Rabha Hasong Autonomous Council for the Rabha community created by the *Rabha Hasang Autonomous Council Act 1995*,
- the Mishing Autonomous Council for the Mishings created by the *Mising Autonomous Council Act 1995*,
- the Lalung (Tiwa) Autonomous Council for the Lalung (Tiwa) created by the *Lalung (Tiwa) Autonomous Council Act 1995*,
- the Deori Autonomous Council for the Deori community created by the *Deori Autonomous Council Act 2005*,
- the Sonowal Kachari Autonomous Council Sonowal Kacharis created by the *Sonowal Kacharis Autonomous Council Act 2005* and

- the Thengal Kachari Autonomous Council for Thengal Kacharis created by the *Thengal Kachari Autonomous Council Act 2006*.

The State government under Hiteswar Saikia and Turan Gogoi created three autonomous councils for the Mising, the Rabha and the Lalung (Tiwa) and three autonomous councils for the Sonowal, Deori and Thengal respectively. Autonomous councils for Mising, Rabha and Tiwa were created in 1995 and for Sonowal, Deori and Thengal were created in 2005 and 2006. There is also the Barak Vally Hill Tribes Development Council to cater to the needs of the hill tribes living in the plains of Cachar district.

### **Review of Research and Development in the Subject**

As the present enquiry is concerned regarding legislative behaviour to tribal developments, an attempt is made here to review the earlier studies on legislative responses to tribal developments, so that an insight into the subject can be obtained. As a matter of fact, academic discussion of legislative responses for the development of tribes are very limited, but about tribal economy and development there are a number of studies by researchers, commissions, committees etc. Most of the literature available is on tribal economy rather than the

legislative actions for the tribal development. These studies are reviewed here briefly so that the present enquiry may take its bearing. The indications are that there is some scope for further investigation on the responses of the legislature for the development of tribal economy.

India's tribal population- as similar indigenous, minority or ethnic communities elsewhere- has been predominantly the subject of anthropological study, and Manaranta's (2005)<sup>7</sup> 'Demographic Perspectives on India's tribes' is a welcome complement to this. The book focuses on India's aggregate tribal population, its distinctive characteristics vis-à-vis other groups, including scheduled castes (SCs). This distinctiveness is illustrated with chapters on the new state of Jharkhand and using primary research on the sandals in West Bengal. The book starts with observations about the comparative growth rates of tribal and non- tribal populations, showing that long- term rates of growth have not been remarkably different. The book contains a detailed analysis of differential fertility as well as mortality rates across socio- cultural groups, and their interaction, and how they have evolved over time.

Bhushan (2004)<sup>8</sup> undertook research in Social, Economic Structure and Separatism/ Isolation, in 2001 in North East region under K.K. Birla Foundation. His book has been comprehensively weaved into twelve chapters and relevant appendices. The main of the subject is on various phases of the far- flung regions of North- East India. It includes the socio- economic structure of the urban and rural life and impact of North East Council on economic development of the region. It includes the historical background of terrorism, its impact on the states, several militants' organizations in the North- East, their modus operandi, role of Christian missionaries and the measures taken by the government of the states to curb the initiatives of the militants, causes and diagnosis of terrorism and separatism and development of North Eastern region.

Tribal Tradition and Development in the Hill areas of Assam: A book containing proceedings, recommendations and papers presented in a seminar on Tribal Tradition and its Relation to Development in the Hill areas of Assam held in Guwahati from September 19 to 21, 1996, edited by Dr. Grindra Nath Das (2006)<sup>9</sup>. The parameters of the book

- Tribal tradition and identity crisis,
- Traditional management of land, forest and water,
- Socio-cultural heritage of the tribal communities,
- Role of traditional tribal institutes in the development and
- Customary laws of the hill tribes in the development in the hill areas of Assam.

According to Das (2006)<sup>10</sup> there are several tribes in the North Eastern states. Each has its own culture, traditions, customs and beliefs. The most important among them are – Zemi nagar, the Mikirs, the Dimasa Kacharis and the Manipuri. The present work studies these four tribes with a general survey of the tribes of the region.

G.C. Sharma Thakur (edited) (2007)<sup>11</sup> in his ‘Selected Essays on Tribes and Castes of Assam’ is a collection of articles. This edited book gives insights of different aspects of development of SCs and STs of Assam. This book included a updated list pf SCs and STs by following Scheduled Castes and Scheduled Tribes Order (Amendment) Act of 2002, there were fifteen tribes in the list of two hill districts and eleven plains tribes in the plain areas of Assam.

H. B. Chhetri Atreya (1997)<sup>12</sup> examines the generic detail through historical analysis of the Bodos of Assam, with the settlement of the Bodo, Bora- Kacharis etc. in the North- Eastern region of India. This book deals with the outlook, beliefs, philosophy, religious faith thrust of the Bodos and their social life and traditional heritage. The Bodoland Movement for a separate state, militants' fighting and consequent reactions in the society, social confusion, and settlement through Government Accord have extracted with database analysis. The concluding remarks related to the political settlement with the signing of the Bodo Accord by the Central Govt. and the All Bodo Students' Union, the formation of the Bodoland Territorial Council and the failure of the B. T. C. The main of the study on them, was to unite, uplift and identify them to the world stage as a culturally rich community, through socially and literally backward in comparison to other communities.

P.K. Mahanoy's (2006)<sup>13</sup> 'Encyclopedia of Scheduled Tribes in India' pointed out that India is one of the countries having a large concentration of tribal population. In this, it ranks second in the world and comes next only to Africa. There are 5.37 different tribal

communities spread all over India. According to the 2001 census, tribal peoples constitute roughly 8 per cent of the nation's total population, i.e., over 84 million people. This encyclopedic work in five volumes covers almost all related and relevant information about the Scheduled Tribes of India. The vast and detailed information contained in this work makes it an ideal and invaluable reference tool for the confirmation of sociological, anthropological, ethnological, historical, and cultural facts about the scheduled tribes spread all over the Indian subcontinent. This comprehensive, exclusive and exhaustive work will be an invaluable reference tool for scholars, researchers, planners, administrators, policy makers, government officials and others concerned with Scheduled Tribes and their development.

Mishra and Singh's (2003)<sup>14</sup> book is a collection of 14 learned and researched articles and papers written for seminars/journals and mostly based on empirical facts collected through anthropological techniques over a span of thirty years. Problems of Chhota Nagpur have been comprehensively discussed. It is a fine anthropological study.

Das (2003)<sup>15</sup> succinctly deals with various factors causing population variation in Assam. It provides holistic perception of population dynamics in Assam in particular and North-East India in general. Major factors like mythical migration, population, foundation of people, ancient migration, population formulation, etc. are discussed with socio-cultural background.

Sen's (1999)<sup>16</sup> work is a multidisciplinary book on Anthropology and Sociology. The textual part of the book covers the description of the Assam state and, ethnology of the tribes and castes. The bibliography has almost all the comprehensive inventory research source materials of monographs, articles, dissertations, reports, and proceedings etc. pre and post independence period from the year 1792 to 1996.

Rath's (2006)<sup>17</sup> 'Tribal Development in India: The Contemporary Debate' is a collection of essays that presents a diverse view of tribal development in contemporary India. It argues that the mainstream development model has limited impact on the people living on the periphery. Although the tribal situation is not as distressing as it was at the time of Independence, however, the bureaucratic systems, lack of

adjustment on the part of tribes to adapt to new situations and the processes of globalisation have placed obstacles in the path of their development.

Srivastava (1977)<sup>18</sup> discusses the shifting cultivation practiced on the hilly areas by the tribal people. The cultivators shift their cultivation sites every year or every second year or third year, depending upon the nature and availability of forest land. The author given an account of the areas where shifting cultivation is practiced and studies the characteristic features of these types of agriculture. He also examines the connection of shifting cultivation with peoples' social system and politico-religious organization.

The study by Ramanaiah (1988)<sup>19</sup> deals emphatically with various issues of tribal development goes deep into the question and makes a serious attempts to diagnose the problem from different angles. Although the solutions the study offers may not totally solve the problem, they throw much light on various aspects of tribal development such as the socio-economic conditions in tribal areas, land alienation, agriculture, forestry, cooperation and industrial

development, and provides altogether a new direction towards resolving the problem of tribal development.

Tribal Development in India: The Contemporary Debate, edited by Govinda Chandra Rath (2006)<sup>20</sup> is a collection of essays that presents a diverse view of tribal development in contemporary India. It argues that the mainstream development model has limited impact on the people living on the periphery. Although the tribal situation is not as distressing as it was at the time of Independence, however, the bureaucratic systems, lack of adjustment on the part of tribes to adapt to new situations and the processes of globalization have placed obstacles in the path of their development.

Ved Prakesh's (2007)<sup>21</sup> 'Encyclopedia of North-East India', 5 volumes, is an encyclopedic study of India's North-East is the result of the Author's 11 years of service extended over three tenures in the region, followed by 6 years of library research after his retirement. Being the first of its kind, given its contents and sheer size, over 2,500 pages, it is a unique book. Writing on the North-East is not an easy exercise, given its diversity (Ethnic, Racial, Religious and Linguistic),

size, History and Geography. If India is microcosmic world, the North-East is microcosmic India. Of the 5,653 communities in India, 653 are tribal of which the 213 are indigenous to the North-East. Of the 213, 111 are found in Arunachal Pradesh alone. Illumined by an equally amazing linguistic diversity, it is home to 325 of the 1,652 languages spoken in India. Yet again, North-East's total population of 3, 84, 95,089 (2001) constitutes 2.69 per cent of India's 1,02,70,15,247, while its area of 2, 55, 088 sq. km is 7.75 per cent of India's 32, 87, 263 sq. km.

'Encyclopedia of Scheduled Tribes of India' by Mohanty (2006)<sup>22</sup> comprehensively and exhaustively covers 527 ST in India Zone-wise and touched every Indian States/UTs in all aspects. This encyclopedia work in five volumes encompasses almost all related and relevant information about Scheduled Tribes of India. In respect of tribal population, India ranked second in the world. There are 537 different tribal communities spread all over India. This encyclopedia will also be unique document in the confirmation of facts of sociological, anthropological, historical and cultural nature.

Mohanty (2003)<sup>23</sup> 'Encyclopedia of Primitive Tribes in India' furnishes comprehensive information on 74 major Indian tribes in an

alphabetical order. Attention has been paid to the significant aspects of the primitive tribes. There are mainly statutory positions, surnames, tribal's ethnic identity, distribution of population, family and clan, language and literacy, life cycle and related customs, dress, ornaments, food, traditional occupations, religious beliefs, festivals, social change and mobility.

H.V. Pataskar (1966)<sup>24</sup> Commission on the 'Hill Areas of Assam' observed that the district councils own efforts to raise funds from the resources available to them have been on the whole unimpressive. The Commission noted that in proportion to their own resources the average expenditure of the district councils (during 1960-65) had been as follows:

1. The Garo Hills 32 p.c.
2. The Mikir Hills 44 p.c.
3. The North Cachar Hills 57 p.c.
4. The United Khasi and Jaintia Hills 63 p.c.
5. The Mizo Hills 99 p.c.

Bhuyan's (2005)<sup>25</sup> book 'The North Easter Council' deals with the North Eastern Council and its organization, management and its role

in socio-economic development of the states in North Eastern India. An attempt has been made in this study to understand in the light of the working of the NEC since its inception to the end of the eight five year plan and its role towards agriculture, industry and manpower development of the North Eastern region. The focus point of this work is on NEC which could be the institutional mechanism as a regional body for development pervading the region.

Kusumber Bhuyan (2008)<sup>26</sup> in his study on “Sixth Schedule in North-East India” critically reviews the working of the Autonomous District Council for which Karbi Anglong District Council established in 1952 was selected. He pointed out that one of the important institutions of the tribal society is the system of self-dependent and self-sustained people. But after independence of the country, the tribals have become dependent on national and economic system, not only for living but also for improvement of standard of living. Now they have to manage their internal and external problems under the provision of the Constitution of the country. In this situation, the tribals have to lose their traditional right to land, forest and water resources of their respective territories, which might render them

rootless in the emerging political and economic situations of the country. Having visualized this problem, the makers of the Indian Constitution formulated the Six Schedule. Now, half-a century has already passed since the formation of these councils and considerable experiences have been gained in their functioning. But Bhuyan raised question, how far the council functioning towards fulfillment of the aspirations of the tribals in respect of socio-economic development.

P.S. Reddy's (1976)<sup>27</sup> "The working of the Sixth Schedule in North-East" studied the working of the Sixth Schedule in North-East India.

Bordoloi's (1990)<sup>28</sup> article on 'Dimasa Kacharis of Assam' made an attempt to throw a light on a common picture of the economic condition of the hill tribal communities, with special reference to the Dimasa people of Assam.

The book 'Land under Legislation in Karbi Area of Assam' by Kishore Kr. Bhattacharjee (1990)<sup>29</sup> is a study on the border of the Hamren subdivision of Karbi Anglong district. The study seeks to understand the relationship between land settlement system and the adoption of wet rice cultivation in the karbi area of Assam.

The book 'Planning for Tribal Development' by B. D. Sharma (1984)<sup>30</sup>, tries to examine the tribal development plans and programmes implemented in the hill areas of Assam have been able to achieve the goals for which the Sixth Scheduled concept was incorporated in the Constitution of India.

The article 'Status of Primary Education in the Hill Districts of Assam: A Special Assessment Study of Karbi Anglong' is prepared by Girinda Nath Das (2002)<sup>31</sup> published in the Bulletin of TRI, Guwahati. The study attempts to study to highlight the existing status of primary education in the Karbi Anglong district of Assam.

Hazarika's (edited) (2002)<sup>32</sup> 'Health and Education among the Tribes of Assam: problems and prospects' contains the proceedings, recommendations and papers presented in a seminar on health of tribes of Assam. Distinguished scholars from various fields like education, health and other Government departments had participated in the seminar. The two burning problems of health and education are the starting point of all welfare activities for a community.

The study of B.C. Bhuyan (1989)<sup>33</sup> on 'Personnel Policy and the Tribal Development Administration in Karbi Anglong' published in the Bulletin of TRI, Guwahati, emphasizes on the personnel policies adopted by the autonomous district administration from time to time and also its impact on the development administration of the district.

Atul Goswami's (2002)<sup>34</sup> (edited) 'Traditional Self-Governing Institutions among the Hills Tribes of North-East India' is a collection of papers devoted to the subject of traditional self-governing institutions among the hills tribes of North-East India, not only describes but also critically examines the relevance of these institutions to the needs of tribal society in transition. The book covers all the seven constituent states of the north east, individually and collectively.

P. Singh (2000)<sup>35</sup> in his article 'North-East: Frontier in Ferment' discusses the insurgency and separatist movement in North-East India. Peace accord, political measures, economic development and culture and social integration are necessary and the region needs proper attention from the Central Government for evolving a comprehensive,

multi-pronged to tackle the problems of the region with the full involvements and participation of State Government.

The studies reviewed here, however lack in focus on legislative responses to the all-round development of the tribals of Assam and in which extent the legislative responses and administrative actions have reduced uneven development among the tribal communities. These questions are not adequately treated in the studies conducted so far on the legislative actions.

### **Need for the Present Study**

Despite the several schemes lunched and steps taken to benefit the tribal people, things have not improved as much as desired. The reasons are many. First of all the tribal people themselves, conditioned as they are to live according to centuries old habits and customs, have not responded readily to the progressive measures initiated by the government which appear very strange to them. For instance many of them still follow the outmoded barter system. Most of them are illiterate and are more or less isolated from the outside world with which their contact has been rather weak and marginal. They are not aware of their legitimate and fundamental rights, their right to receive

a just deal from the other sections of the society and the nation as a whole and their right to live as others do. They have not organized themselves to fight for their rights- economic, social and political, etc. because they are not aware of them. Of course, a number of voluntary agencies and dedicated workers have been trying to educate them and working for their welfare and all- round development. But in view of the immensity of their task, their success has been at best moderate. The tribal people suffer from malnutrition and starvation and continue to lend themselves to be exploited by callus and unscrupulous outsiders, who see to it that they remain below the poverty line always.

The government, voluntary agencies and dedicated political activists, and all others concerned about tribal welfare, should redouble their activities to help the tribal people and educate them about themselves and about their place in the modern world. The mass media such as the radio and television should be used extensively and intelligently to make them understand the advantages of several welfare schemes meant for them launched by the government. There is every need to study closely and objectively the nature of continuity and discontinuity of tribal policies followed by the successive regimes

in Assam and their effectiveness and impact in the way of achieving the desire goals in respect of welfare and development of the tribal people of Assam. Therefore, it is essential to understand in which extent the legislative responses and administrative actions have reduced uneven development among the tribal communities and how and why the policies introduced by the government have failed and suggest accordingly.

### **The Problem under Investigation**

The tribal community of Assam as a whole is economically very poor. As such it is the duty of the government and the concerned authorities to do the needful for the upliftment of this economically weaker section of the society. This study is an attempt to investigate legislative response towards all-round development of the tribal community of Assam.

### **Objectives of the Study**

Against the background of the problems, the present study has following research questions.

1. What are the major legislative enactments introduced so far in this respect?

2. To what extent have the administrative actions and legislative responses reduced uneven development among the tribal communities?
3. To what extent has the legislature been responsive to the all- round welfare of the tribal communities?
4. How and why have the policies introduced by the government failed?
5. What is the nature of continuity and discontinuity of tribal policies followed by the successive Congress regimes in Assam?

### **Methodology of the Study**

The present study purports to examine the various legislative enactments and actions particularly since 2001 and their impact and effectiveness in meeting the needs of tribal population and in uplifting their standards of living in Assam. Although much has been done since independence but many more action appeared to be very much pressing and urgent. The proposed study would look into these programmes and policies and their result as well as limitations, if there be any. It would be an attempt to offer some policy suggestions, so

that comprehensive development in a coordinated manner can be achieved.

Further, the study examines the attitudes of tribals to the legislative responses, the level of their conditions, problems of starvation, level of satisfaction, improvement in their living conditions, if any, under the responses made by the legislature of Assam. Considering the nature of the research problems an analytical exploratory methodology is followed here. The study makes use of the various reports of the Legislative Assembly, Autonomous Councils, Autonomous District Councils and Bodo Territorial Council. Indeed two types of literature have been reviewed- (i) conceptual literature concerning the concepts and strategies, and (ii) the literature consisting of reports and documents of tribal development. The study has tried to find out answers of the proposed research questions. In other word, the study has followed a historical-analytical approach, taking help from both the primary and secondary sources of data.

### **Limitations of the Study**

Thematically the study is concerned with the legislative responses towards tribal development of Assam from a socio-political

perspective. Its scope is limited to understanding the historical background of legislative behaviour, role of legislature and councils in development process, and problems faced by them. So, the findings and their interpretations are confined to those aspects legislative assembly and councils of Assam.

### **Origin of the Research Problem**

Issue of development in a region densely populated by tribal people assumed great significant in a country like India. Development demands not only development of all regions but even development of the whole region. But the location and the demographic position demands special care and treatment both at the policy making and policy implementation level. This is the problem area for any development exercise. Geographic location of the tribal areas of Assam offers a peculiar situation where a multi- dimensional development effort is needed to address the problem.

### **Interdisciplinary Relevance**

Since the proposed work touches dimensions of social and economic magnitude, assistance will be taken from discipline like sociology and economics. Since the concept of development is a multi- faceted one, it

demands examinations of all related socio- economic issues which have their bearing on political decision making process.

### **Data Base**

The primary data for the study was collected from proceedings, debate and discussion of the Assam Legislative Assembly, Autonomous Councils, Autonomous District Councils and Bodo Territorial Council. The secondary data was collected from the relevant publications of the Ministry of Welfare, Tribal Development Division, Government of India, State Government publications, Statistical profile of the hill areas of Assam, Councils' publications etc. Further, relevant information collected from daily news papers, published and unpublished records and reports of various institutions concerned with tribal affairs.

### **Tools of Analysis**

To analysis the data well- known tools and techniques were used. Appropriate statistical tools were also used whenever necessary in analyzing the quantitative data in order to arrived at logical conclusions and interpret the data scientifically.

## **Plan of the Study**

The entire thesis has seven chapters-

- Chapter-I : Introduction and Methodology
- Chapter-II : Profile of the Scheduled Tribes
- Chapter-III : Tribal Situation in Assam: Historical Prospective
- Chapter-IV : Enactments of Legislations to Tribal Development:  
Tentative Periodization
- Chapter-V : Tribal Development and Legislative-Executive  
Actions: Issues and Programmes
- Chapter-VI : Findings of the Study
- Chapter-VII : Suggestive measures and Concluding Observations

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## CHAPTER-II

### Profile of the Scheduled Tribes

#### Profile of tribal of India

- Major tribes of India
- Tribal literacy levels in India
- Economic status

#### Assam - an overview

- Demographics of Assam

#### Tribal situation in Assam – an overview

- District wise ST population
- Sex Ratio of Tribals
- Work Participation Rate of Tribals
- Distribution of main & marginal workers among STs
- Category of Tribal Workers
- Tribal Marital Status
- Tribal Religion
- Tribal Economy

## **CHAPTER-II**

### **Profile of the Scheduled Tribes**

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In this chapter an attempt has been made to discuss the profile of the tribals in terms of its physical, social and economic indicators. Assam is one of the seven States of North- East India and only plains State of the region with its is the unique identity. It is the home land of about 90 ethnic groups with various socio - cultural, linguistic and racial affiliations. In this chapter socio-economic profile of tribals in India in

general and Assam in particular is being covered to understand the socio-economic character to access development process of the study area. The chapter is divided into two parts. Part- I describes the socio-economic profile of tribal of India and Part- II an overview of Assam with profile of tribes.

The tribal situation in the country presents a varied picture. Some areas have high tribal concentration while in other areas; the tribals form only a small portion of the total population. There are some tribal groups, which are still at the food gathering stage, some others practice shifting cultivation, yet other may be pursuing primitive forms of agriculture. The tribal areas in the country were classified under three broad categories:

- States and Union Territories having a majority ST population.
- States and Union Territories having substantial tribal population but majority tribal population in particular administrative units, such as block and tehsils.
- States and Union Territories having dispersed tribal population.

The Northeast is India's chief tribal area, and the numerous tribes of Arunachal Pradesh, Assam, Nagaland, Manipur and those in

the rest of India make a glorious and colorful portray of Indian history through its ethnic world.

## Part-I

### Profile of Tribal of India

According to 2001 Census, the population of the Scheduled Tribes (STs) in the country is 84.3 million, which is 8.19 percent of the total population of the country. The population of STs has been found

Demographic Changes (Table-1.1)			
Census Years	Total population	Population of ST	ST percentage
1951	361.1	19.1	5.29
1961	439.2	30.1	6.85
1971	548.2	38.0	6.93
1981	685.2	51.6	7.53
1991	846.3	67.8	8.10
2001	1028.6	84.3	8.19
Source: Ministry of Tribals Welfare, 2006 Population in millions			

increasing after 1951 (Table-1.1). In 1961, there was 30.1 million tribal population (total population 439.2

million) and in 1991, tribal population was 67.8 million (total population 846.3 million) in the country. According to 1991 Census, 99.71 per cent of the Scheduled Tribes population is spread over 22 states; the states of Madhya Pradesh, Bihar, Maharashtra, Gujarat and

Rajasthan shelter more than 60 per cent of the scheduled tribe population.

The ST population had increased by 127 per cent during 1961-1991. The percentage share of ST population to total population of the country has progressively increased over the decades, from 5.29 per cent in 1991 to 8.19 per cent in 2001. The growth in tribal population might not reflect the higher natural growth rate. This might also not be a sign of their rising standard of living; rather, it could be attributed to the fact that since its first notification in 1950 the list of STs has been amended and supplemented subsequently.

T R U	Percentage of Total Population (Table-1.2)					
	1991			2001		
	Persons	Male	Female	Person	Male	Female
<b>Total</b>	8.08	7.90	8.28	8.20	8.01	8.40
<b>Rural</b>	10.08	9.88	10.28	10.42	10.23	10.61
<b>Urban</b>	2.32	2.29	2.36	2.44	2.39	2.50

Sources: Census of India - 2001

The table-1.2 indicates the higher and healthy sex ratio in the tribal population and this has been maintained over the decades. Both in 1991 and 2001 the percentages of ST female population to total female population have more than the percentages of ST male

population to total male population in the country. The trend is more or less similar in both rural and urban areas.

The modern vices of amino synthesis and female fetus destruction are largely unheard of by the tribal communities which largely live in rural areas. Unlike in the general population, the gender discrimination in the tribal communities thus does not find much reflection in the demographic features.

(Table-1.3)  
Distribution of STs Population indifferent States/ UTs

State		Percentage of ST Population in State/UTs to the total ST population of the country	
1. Madhya Pradesh	14.51	2. Jammu and Kashmir	1.31
3. Maharashtra	10.17	4. Tripura	1.18
5. Orissa	9.66	6. Mizoram	1.00
7. Gujarat	8.87	8. Bihar	0.90
9. Rajasthan	8.42	10. Manipur	0.88
11. Jharkhand	8.40	12. Arunachal Pradesh	0.84
13. Chhattisgarh	7.85	14. Tamil Nadu	0.77
15. Andhra Pradesh	5.96	16. Kerala	0.43
17. West Bengal	5.23	18. Uttaranchal	0.30
19. Karnataka	4.11	20. Himachal Pradesh	0.29
21. Assam	3.92	22. Dadra & Nagar Haveli	0.16
23. Meghalaya	2.36	24. Sikkim	0.13
25. Nagaland	2.10	26. Uttar Pradesh	0.13

Source: Census of India - 2001

Tribal people constitute 8.14 percent of the total population of the country, numbering 84.51 million<sup>1</sup>. The population of tribes had grown

at the rate of 24.45 percent during the period 1991- 2001<sup>2</sup>. This is slightly more than the decadal growth rate of 22.66 percent for the nation as a whole. More than half of the tribal population is concentrated in the States Madhya Pradesh, Chhattisgarh, Maharashtra, Orissa, Jharkhand and Gujarat whereas in Haryana, Punjab, Delhi, Pondicherry and Chandigarh no community has been notified as a ST<sup>3</sup>. The main concentration of tribal population besides Central India is in the North- Eastern states.

### Major Tribes of India

The northeast is India's chief tribal area, and the numerous tribes of Arunachal Pradesh, Orissa, Nagaland, Manipur and those in the rest of India make a glorious and colorful portray of Indian history through its ethnic world. Here's a list (table-1.4) of some of the tribes in India and the areas they inhabit.

**Major Tribes (Table-1.4)**

<b>Tribes</b>	<b>Place where they inhabit</b>
Abors	Arunachal Pradesh, Assam
Adi, Apatani, Khampi, Miri, Tagin	Arunachal Pradesh
Angami, Ao, Rengma, Sema, Zeliang	Nagaland
Badagas, Todas	Tamil Nadu
Baiga, Bhils	Madhya Pradesh, Rajasthan, Gujarat
Bhotias	Uttar Pradesh ( Garhwal and

	Kumaon
Bhutias, Mundas	Sikkim
Birhor, Mundas, Oarons	Bihar
Bodos, Chutia, Kacharis, Karbi, Mishing, Rabhas,	Assam
Chenchus	Andhra Pradesh, Orissa
Dangs	Gujarat
Gaddis	Himachal Pradesh
Garos	Meghalaya
Gonds	Madhya Pradesh, Bihar, Orissa, Andhra Pradesh,
Great Andamanese, Sentinelesse	Andaman Islands
Irulas, Kotas	Tamil Nadu
Jaintias	Meghalaya
Jarawas, Onges	Little Andamans
Kanis, Uralis	Kerala
Khasis	Meghalaya, Assam
Khonds	Orissa
Kol, Oarons, Murias	Madhyapradesh
Kuki	Manipur
Lepchas or Rongpa	Sikkim
Lushais	Tripura
Meiteis	Manipur, Nagaland
Mina	Rajasthan
Santhals	West Bengal, Bihar
Shompens	Great Nicobar Islands
Source: Ministry of Tribals Welfare, 2006	

### **Tribal Literacy Levels in India**

The total ST population comprise today of 8.08 percent<sup>4</sup>. In spite of various measures taken to improve the level of education in the country, literacy levels among tribal communities irrespective of the gender continues to be extremely low. The gap in the literacy level

between the general population and the socially disadvantaged sections is persisting and even widening in some cases. A number of steps have already been taken by the Government and considerable progress has been achieved in improving the level of literacy and education, but there is still a long way to go before respectable levels of literacy are achieved, as can be seen in the table no. 1.5.

**Growth in Literacy Rate among total Population and ST Population in India (Literacy in percent) (Table-1.5)**

Year	Total literacy	ST literacy	Gap
1931	7.50	0.75	6.25
1951	18.30	NA	-----
1961	28.28	8.54	19.74
1971	34.50	11.29	23.21
1981	41.00	16.25	24.65
1991	52.21	29.60	22.61
2001	62.20	47.10	18.10

Source: Census of

Enrolment Ratio (Table-1.6)			
S.No.	Parameters	Overall	STs

India, 1931, 1951-2001

As per 2001

Census, the general female literacy percentage is at 35.67 percent that of STs is 34.76 percent. Similarly, general male literacy percentage is at 75.26 percent that of Scheduled Tribes is 4.65 percent.

The Enrolment Ratio (1997-98) and School Drop-out rates for overall and STs is:

1.	Enrolment Ratio (1997-98) (Class I-V) Class VIVIII)	89.7& 58.6	90.7 43.2
2.	School Drop-out rate (1993-94)	52.8	77.7
Source: Ministry of Tribals Welfare, 2006			

As per the 2001 Census figures, the female literacy rate has increased from 39.3 percent to 34.76 percent and for male the literacy rate has increased from 64.13 percent to 75.26 percent (table-1.7).

The difference between the literacy rate of STs and that of the general population is quite large.

**Literacy amongst STs and all Social Groups (Table-1.7)**

Year	STs			General		
	Male	Female	Total	Male	Female	Total
1961	13.83	3.16	8.53	40.40	15.35	28.30
1971	17.63	4.85	11.30	45.96	21.97	34.45
1981	24.52	8.04	16.35	56.38	29.76	43.57
1991	40.65	18.19	29.60	64.13	39.29	52.21
2001	59.17	34.76	47.10	75.26	53.67	64.84

Sources: Source: Ministry of Tribals Welfare, 2006

The status needs to be improved and for this serious efforts and focus is required on raising the level of literacy of the Scheduled Tribes population both males and females. There are historical and socio-economic reasons for having this wide gap between one section of society and the rest.

However, it is seen that where educational facilities are provided they are not accessible in the real sense of the term to the targeted group. So far as STs population and in particular the ST Girls are concerned, it is fret that lack of residential facilities in educational institutions both of general and of quality education deters, scheduled tribe families to send their children to such institutions. Considering the important role of women in shaping the size of the family and outlook of its members, and also as an active agent of economic and social development, investment in providing education to the women of these communities will not only improve their social and economic status, but will also help in accelerating the pace of development of these communities and the nation as a whole. Similarly, male literacy also needs special attention amongst the tribal population to raise the overall standard/quality f if, they being on the last ladder of development even with reference to the other down trodden categories like SCs.

### **Economic Status**

The majority of tribals constitute the labour work force though their participation in works is declining, but not steadily. More than half of

the rural tribal population is found to be below poverty line as per latest survey available with Ministry of Rural Development (1993-94). However, there is a perceptible declining trend in persons from tribal communities below poverty line.

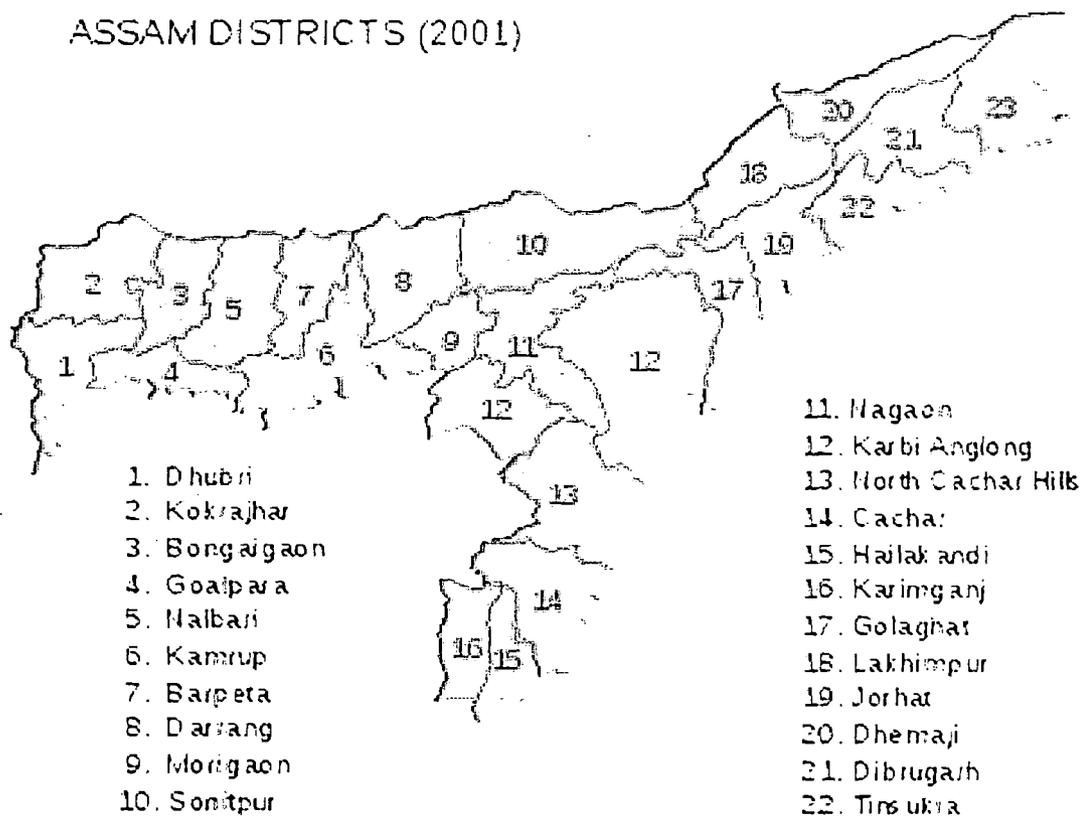
The per capita income of tribals continues to be one of the lowest in the country and their alienation from their own land continues. As on January 1999, the tribals were alienated from 9,17,590 acres of tribal land and only 5,37,610 acres of such land was restored as per latest statistics published by the Ministry of Rural Development.

## **Part-II**

### **Assam - An Overview**

Assam is one of the seven States of North-East India and only plains State of the region with its is the unique identity. It is the home land of about 90 ethnic groups with various socio - cultural, linguistic and racial affiliations. Assam is a northeastern state of India with its capital at Dispur, in the outskirts of the city Guwahati. Located south of the eastern Himalayas, Assam comprises the Brahmaputra and the Barak river valleys and the Karbi Anglong and the North Cachar Hills with an area of 30,285 square miles (78,438 km), equivalent to the size of

Ireland or Austria<sup>5</sup>. Assam is surrounded by the other six of the Seven Sister States: Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura and Meghalaya. These States are connected to the rest of India via a narrow strip in West Bengal called the Siliguri Corridor or “Chicken’s Neck”. Assam also shares international borders with Bhutan and Bangladesh; and cultures, peoples and climate with South-East Asia—important elements in India’s Look East policy.



Since 2001, five new districts have been created:  
Baksa, Chirag, Udalguri and Kamrup

Assam. The 'town-committee' for small towns, 'municipal board' for medium towns and Municipal Corporation for the cities consists of the urban local bodies. For the revenue purposes, the districts are divided into revenue circles and mouzas; for the development projects, the districts are divided into 219 'development-blocks and for law and order these are divided into 206 police stations or thana<sup>8</sup>.

### Demographics of Assam

<b>Population Growth (Table-1.8)</b> Census of india-1951-2001		
Census	Pop.	Percent
1951	8,029,000	—
1961	10,837,000	35.0 percent
1971	14,625,000	35.0 percent
1981	18,041,000	23.4 percent
1991	22,414,000	24.2 percent
2001	26,656,000	18.9 percent

Total population of Assam was 26.66 million with 4.91 million households in 2001<sup>9</sup>. Higher population concentration was recorded in the districts of Kamrup, Nagaon, Sonitpur, Barpeta, Dhubri, Darang and Cachar. Assam's population was estimated at 28.67 million in 2006 and at 30.57 million by 2011, 34.18 million by 2021 and 35.60 million by 2026<sup>10</sup>. In 2001, the census recorded literacy in Assam at 63.30 percent with male literacy at 71.30 and female at 54.60 percents<sup>11</sup>. Urbanization

rate was recorded at 12.90 percent<sup>12</sup>. Growth of population in Assam has experienced a very high trajectory since the mid-decades of the 20th century. Population grew steadily from 3.29 million in 1901 to 6.70 million in 1941, while it has increased unprecedented to 14.63 million in 1971 and 22.41 million in 1991 to reach the present level<sup>13</sup>. The growth in the western and southern districts was of extreme high in nature mostly attributable to rapid influx of population from the then East Pakistan or Bangladesh.

<b>Literacy Rate in Percentage,</b>			
<b>1951-2001* (Table-1.9)</b>			
Year	Persons	Males	Females
1951	18.53	28.01	7.58
1961	32.95	44.28	18.62
1971	33.94	43.72	22.76
1981	-	-	-
1991	52.89	61.87	43.03
2001	64.28	71.93	56.03

Source: Provisional Population Totals, Census of India, 2001.

\*Literacy Rates for 1951, 1961 and 1971 relate to population below five years and above. The Rates for the year 1991 and 2001 relate to the population aged seven years and above. Census for the year 1981 was not held in Assam.

### **Tribal Situation in Assam – An Overview**

Assam is located in the extreme North East Corner of the country is blended with both hills and plains. The entire population of Assam can be categorized as tribal, non-tribal and detribalized groups. The total population of Assam as per 2001 census is 2, 66, 55,528 out of which 33,

08,570 is the tribal population which is 12.41 per cent of the total State population<sup>14</sup>. The STs (plains) population in the plain areas of the state (excluding Autonomous Districts) stands at 2,874,441 which is 12.82 per cent of the state population<sup>15</sup>. STs (hills) population in the Autonomous Districts of Karbi Anglong and North Cachar hills of the State stands at 452,963 and 128,428 which is 55.69 and 68.28 percent respectively of the district population<sup>16</sup>.

**Total ST Population in Assam** (Table-1.10)

Census Year	Total Pop. in Assam	Total ST Pop.	Percent of total Pop.	Total ST(P) Pop.	Percent of total Pop.	Total ST(H) Pop.	Percent of total Pop.
2001	26655528	3308570	12.41	2727179	10.23	581391	2.18
1991	22414322	2874441	12.82	2433889	10.85	4440552	1.96
1971	14957542	1919947	12.84	1464590	9.97	455357	3.04
1961	11872771	2068364	17.42	11857033	15.64	211331	1.77
1951	8029505	1867113	23.25	593095	7.38	127418	15.85

Sources: Census of India- 1951, 1961, 1971, 1981, 2001

Unlike other States of the Indian Union, the ethnic communities of Assam have been divided into two categories viz hill tribes and plain tribes. The tribes which are scheduled in the plain areas of Assam, are not enlisted as Scheduled Tribes in the hill areas and the tribes which are scheduled in the in the hill areas not enlisted as scheduled tribes in the plain areas of Assam.

As per the 1976 Scheduled Castes and Scheduled Tribes Order (Amendment) Act, there were fourteen Hill Tribes and nine Plains Tribes. But as per Scheduled Castes and Scheduled Tribes Order (Amendment) Act of 2002, there were fifteen tribes in the list of two hill districts and eleven Plains Tribes in the plain areas of Assam<sup>17</sup>. Thus in the new list one more (Lalungs) group has been incorporated in the hill tribal list while two new ethnic groups Khamtis and Singphows have been included in the Plains Tribal list. Besides three Hills Tribal communities i.e. Dimasa, Hajong and Garo are also included in the plains tribal list.

**Major Tribes in selected Districts of Assam** (Table-1.11)

District	H.Qs	Main Tribes
Goalpara	Goalpara	Boro, Boro-Kachari, Rabha,
Kamrup	Guwahati	Sonowal.
Karbi	Diphu	Boro, Boro-Kachari, Rabha,
Anglong	Haflong	Sonowal.
N.C. hills	Nowgong	Karbi, Dimasa-Kachari, Rengma,
Nowgong		Naga.
Sibsagar	Sibsagar	Dimasa Kachari, Karbi, Zemi Naga,
	Silchar	Kuki
Cachar	Tezpur	Lalung, Sonowal Kachari, Miri,
Darrang		Boro,
	North	Kachari.
Lakhimpur	Lakhimpur	Miri, Sonowal Kachari.
Dibrugarh	Dibrugarh	Barman Kachari
		Sonowal Kachari, Boro
		Kachari, Miri,
		Rabha.

		Sonowal Kachari, Boro Kachari, Miri, Deuri. Miri, Sonowal Kachari, Chutoya, Moran, Mishing, Phakial, Khamyang.
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Source: Sipra Sen, 1999, 53

The total population of Assam in 2001 Census has been 26,655,528. Of them, 3,308,570 persons are STs (STs), constituting 12.4 per cent of the total population of the state. The State has registered 15.1 per cent decadal growth of ST population in 1991-2001. There are total twenty three notified STs in the State. Of these, no population of Pawi has been returned in 2001 Census. Pawi is a small community of

<b>Name of the Scheduled Tribes</b>	<b>Total Population</b>	<b>Proportion to the Total ST Population</b>
All STs	3,308,570	100 percent
Boro	1,352,771	40.9 percent
Miri	587,310	17.8 percent
Mikir	353,513	10.7 percent
Rabha	277,517	8.4 percent
Kachari	235,881	7.1 percent
Lalung	170,622	5.2 percent
Dimasa	110,976	3.4 percent
Deori	41,161	1.2 percent

Source: 2001 Census

percent), Rabha (8.4 percent), Kachari (i.e. Sonowal Kachari) (7.1

Mizoram.

As table-1.12

represents, among STs,

Boro represents nearly

half of the total ST

population of the state

(40.9 percent). Miri (17.8

percent), Mikir (10.7

percent), and Lalung (5.2 percent) are the other major STs each having 5 per cent or above of total STs. Along with Boro they constitute 90 per cent ST population of the state. Besides them, Dimasa constitutes 3.4 percent and Deori 1.2 per cent of the total ST population of the state. The rest of the Scheduled Tribes are very small in their population size. The ST population in Assam is predominantly rural with 95.3 percent rural and only 4.7 percent urban population. Of the eight major STs, Dimasa have recorded the highest 10.4 per cent urban population, followed by Mikir (8.3 percent). On the other hand Miri have recorded the lowest 1.8 per cent urban population.

North Cachar Hills and Karbi Anglong the two autonomous hill districts of Assam are predominantly tribal housing two important STs of Assam – the Dimasa and Mikir (now recognized as Karbi). As per 2001 Census, the North Cachar Hills has got the highest 68.3 per cent ST population, followed by Karbi Anglong (55.7 per cent). In absolute number Karbi Anglong is on top sharing 13.7 per cent of the total ST population of the state. Hailakandi, Karimganj, and Cachar districts have a negligible presence of ST population.

### **Tea Tribes and Ex-Tea Garden Tribes**

In Assam, the Adivasis today can broadly be divided into two communities: tea tribes and ex-tea garden tribes. Tea tribes are the tea garden workers and ex-tea garden tribes are those who came out of the tea gardens at the end of their contracts and settled in and around the area. They are mainly present in Khokrajhar in Western and Lower Assam; Marigaon, Nagaon, Sonitpur and Darrang in Middle Assam; Golaghat, Jorhat, Sibsagar, Dibrugarh and Tinsukia in eastern and upper Assam; North Cachar and Karbi Anglong in Southern Assam; as well as the Barak Valley. Specific labour-related economic disenfranchisement might be different for the tea garden and ex-tea garden Adivasi communities, however many aspects of their social and political disenfranchisement remain common.

### **District Wise ST Population**

North Cachar Hills and Karbi Anglong the two autonomous hill districts of Assam are predominantly tribal housing two important STs of Assam – the Dimasas and Mikir (now recognized as Karbi). As per 2001 Census, the North Cachar Hills has got the highest 68.3 percent ST population, followed by Karbi Anglong (55.7 percent). In absolute number Karbi Anglong is on top sharing 13.7 per cent of the total ST

population of the state. Hailakandi, Karimganj, and Cachar districts have a negligible presence of ST population.

**District Wise ST Population** (Table-1.13)

State/ District	Percentage of Sts to total population of the State/District	Percentage of Sts to total State's ST Population
Assam	12.4	100
Kokrajhar	33.7	9.2
Dhubri	2.0	1.0
Goalpara	16.0	4.0
Bongaigaon	12.2	3.3
Barpeta	7.5	3.7
Kamrup	9.9	7.6
Nalbari	17.6	6.1
Darrang	16.6	7.6
Marigaon	15.6	3.6
Nagaon	3.9	2.7
Sonitpur	11.6	5.9
Lakhimpur	23.5	6.3
Dhemaji	47.3	8.3
Tinsukia	5.8	2.0
Dibrugarh	7.5	2.7
Sibsagar	3.9	1.3
Jorhat	12.3	3.7
Golaghat	9.9	2.9
Karbi Anglong	55.7	13.7
N C Hills	68.3	3.9
Cachar	1.3	0.1
Karimganj	0.3	0.1
Hailakandi	0.2	0.0

Sources: As per 2001 Census

## Sex Ratio

As per 2001 Census, sex ratio of over all population was 933 females per 1000 male, the sex ratio of STs was somewhat more favourable i.e. 977 females per 1000 males. Sex ratio of Assam, as per 2001 Census is 935 and for STs of Assam is 972 females per 1000 males which is below the national average for STs (978). Of the eight major STs, Lalung have recorded the highest sex ratio of 985, while it is the lowest among Dimasa (951). The State has recorded child sex ratio (0-6 age group) of 962, which is again lower than the national average (973) for STs. The child sex ratio among Kachari (Sonowal) of 945 is the lowest, followed

by Lalung (949)<sup>18</sup>.

Literacy Rate among Major STs (Table-1.14)			
Name of the Scheduled Tribe	Literate Rate (7 years and above)		
	Total	Male	Female
Lalung	61.8	72.9	51.6
Miri	60.1	71.4	48.3
Rabha	66.7	76.2	57.9
All Scheduled Tribes	62.5	72.3	52.4
Dimasa	49.3	59.6	69.4
Mikir	53.7	64.1	43.0
Boro	61.3	71.4	51.1
Deori	76.2	84.8	67.5
Kachari	81.4	88.2	74.4

## Literacy & Educational Level

The literacy rate for over all population, as per 1991 Census and 2001 Census was 52.2 percent and 65.38 percent respectively. Whereas literacy rate of scheduled tribe as per

1991 Census and 2001 census was 29.62 percent and 47.10 percent

respectively. Female literacy rate among the tribal as per 1991 Census and 2001 Census was 18.19 percent and 34.76 percent respectively. As per 2001 Census, total literacy rate of Assam is 63.3 percent and Scheduled Tribes is 62.5 percent.

Kachari (Sonowal) with 81.4 percent literacy rate are well ahead of others. On the other hand it is low among Mikir (53.7 percent). Among Kachari (Sonowal), the female literacy rate of 74.4 per cent is quite close to male (88.2 per cent). Gender gap in literacy among Miri,

<b>Distribution of ST Workers (Table-1.15)</b>			
T/M/F	Total Workers (Percentage to Total Population)	Main Workers (Percentage to Total Workers)	Marginal Workers (Percentage to Total Workers)
Total	1,430,404 (43.2)	934,217 (65.3)	496,187 (34.7)
Male	847,229 (50.5)	685,708 (80.9)	161,521 (19.1)
Female	583,175 (35.8)	248,509 (42.6)	334,666 (57.4)
Sources: Ministry of Tribal Affairs			

however, has been recorded to be the highest. With

71.4 percent male and 48.3 per cent female literacy, the Miri women are lagging way behind by as much as 23.1 per cent points.

A two third (65.4 percent) of the ST population in the age group 5-14 years has been attending schools or any other educational institutions. Of the eight major STs, it is the highest among Kachari (Sonowal) with 80.2 per cent of their population of this age group attending

educational institutions. In addition Deori (79.8 per cent), Rabha (70.2 percent), and Boro (68.2 percent) have also registered this proportion above State average for STs, while Mikir have registered below the State average (54.9 percent). Almost half of the Mikir population in the age group of 5-14 years - the category of potential students - has not been attending schools. Literates among STs who are having educational level graduation and above are 2.3 per cent only. Deori is well ahead, among the eight major STs in Assam, with 4.9 per cent graduate and above. Mikir, Rabha, and Lalung are at the bottom, each having less than two per cent of their literate population with educational level graduation and above.

### **Work Participation Rate**

According to 2001 Census, 43.2 per cent of the STs have been registered as workers, which is below the aggregated national figure for STs (49.1 per cent). Of the total workers 65.3 per cent are main workers and 34.7 per cent marginal workers. The WPR of 35.8 per cent among females is high though lower than males (50.5 per cent). Gender wise disparity is, however, distinct in case of main workers; 80.9 per cent among males and only 42.6 per cent among females are main workers

### **Distribution of Main and Marginal Workers among STs**

Among the major STs in the state, Deori have recorded the highest WPR of 55.5 per cent. It is lowest among Dimasa (38.9 percent). Deori have recorded almost equal participation of male and female in the workforce with 58 percent male and 52.9 percent female WPR. On the contrary the gender gap in WPR is quite significant among Rabha (male 51.2 percent, female 30.7 percent), Lalung (male 51.8 percent, female 33.1 percent), and Dimasa (male 47 per cent, female 30.4 percent).

### **Category of Workers**

The STs of Assam are predominantly cultivators as 70.6 per cent of the total ST main workers<sup>19</sup> have been recorded as cultivators, while merely 6.1 per cent as agricultural labourer. At the individual ST level, Miri have recorded a high of 85.6 percent of their total main workers as cultivators, closely followed by Mikir (79.3 percent) and Deori (78.2 percent). Rabha have recorded the highest percentage of agricultural laborers, which is only 9 per cent of total main workers thereby indicating that majority of the STs in Assam are not landless.

## Marital Status

The distribution of ST population by marital status shows that 57.5 percent is never married, 39.1 percent currently married, 3.3 per cent widowed, and merely 0.2 percent divorced /separated. There is no conspicuous variation among the different individual STs.

**Marital Status Wise Population among Major STs (Table-1.16)**

Name of the Scheduled Tribe	Per cent to SL. Total Population			
	Never Married	Currently Married	Widowed	Divorced/ Separated
All Scheduled Tribes	57.5	39.1	3.3	0.2
Dimasa	59.0	37.7	3.0	0.2
Mikir	59.9	36.6	0.1	
Boro	56.5	40.0	3.3	0.2
Deori	60.2	36.6	3.1	0.1
Kachari	54.7	41.4	3.7	0.2
Lalung	54.3	41.2	4.2	0.2
Miri	60.5	36.7	2.6	0.2
Rabha	55.1	40.7	4.0	0.2

Sources: Directorate of Economic and statistics, Guwahati, Assam

As regards child marriage, 1.6 per cent of the ST female population below 18 years - the minimum legal age for marriage - has been recorded as ever married. Among the twelve major STs, Lalung have registered the highest at 2 per cent of their female population of

this age category as ever married, while it is the lowest at 1.3 per cent among Miri.

The ever married males below 21 years - the minimum legal age for marriage - constitute only 1.4 per cent of the total ST population of this age category. Of the eight major STs, Lalung have registered the highest at 1.6 per cent of their male population below the stipulated age as ever married, closely followed by Deori and Miri, each with 1.5 per cent. Dimasa have registered the lowest at 1.2 per cent.

### **Religion**

Each tribal community in Assam has its own customs, religion, language and way of life and as such one has a distinct ethnic identity. Their paces of development also differs from region to region and even the level of development the level of development of the people of the same community inhabiting different regions of the state differs considerably. Of the total ST population of Assam, 90.7 per cent are Hindus and 8.8 per cent Christians. Besides these two main religions, 6,267 persons are Muslims, 5,153 Buddhists, and another 3,574 persons have returned pursuing various other faiths.

### **Economy**

Agriculture is the mainstay of the tribal communities of Assam. While in the hill areas shifting cultivation has been practice, in the plain areas people do wet paddy cultivation. In the jhums, the people raise mixed crops. Along with paddy, vegetables are also grown. In the hill areas people do wet paddy cultivation also in the low lying lands between the two ridges and in the plains portions. Due to heavy pressure of population jhum cycle has now been reduced to 4/5 years resulting in more destruction of the hills forests. Many families in the hills have taken up maize, coffee and ginger cultivation also. Oranges and pineapples are also cultivated by them to a limited extent. In the plains area the tribal people cultivate mustard, pulse, jute and vegetable besides paddy.

Sericulture is an important cottage industry among the tribal communities of Assam. Handloom is a household industry. A tribal woman without the knowledge of spinning and weaving is unthinkable. Cattle are also reared by them. As they are traditionally not habituated in drinking milk, cows and she buffalos are generally not milked. Nor this aspect has been commercially exploited fully inspire very high price of milk and milk products. Pigs and fowls are

reared mainly for domestic consumption. Manufacturing of cane and bamboo articles is also one of the important cottage industries of the tribal communities of Assam.

Most of the tribal communities are still having their traditional institutions like the village councils/panchayats, bachelors' dormitories, institutions of mutual helps and cooperation, etc. Rice is their staple food and rice beer is their favourite drink. In all traditional socio-religious festivals and family worships rice beer is a must. In Assam, there are altogether 524 forest villages and 47 percent of the inhabitants of the forest villages belong to the tribal communities<sup>20</sup>.

### **Conclusion**

Assam is known as the settling ground for many civilizations. Numerous tribal groups have traveled to Assam through different routes as the land was connected to several states and countries. Negritos, Dravidians, Alpines, Tibeto Burmese and Aryans had been the major races that came and dwelled in ancient Assam. They were considered as the aborigines of Assam and even today they are an integral part of the Assamese diaspora. The largest population in Assam is that of the Tibeto Burmese descent known as the Bodo tribe

and Mishing tribe. Major tribes of Assam make out their livelihood through agriculture and by selling their handicrafts. Different types of tribes living in Assam are famous nationwide for their wide variety of handicrafts, handloom and pottery works. The languages of the Assamese tribes too differ according to their places of origin.

Bodo Tribes are one of the earliest tribes that had settled in Assam. They are, however, not restricted to any specific area of the state and are found in almost all parts of Assam. They practice cultivation, tea plantation and poultry farming. Rabha is a scheduled tribe of Assam, belonging to the Indo Mongoloid descent and has resemblance to the Bodo tribe. Karbi tribe, also known as Mikir, usually dwells in the hilly areas of Assam, especially in the North Cachar Hills, Nagaon and Sonitpur districts of the state. On the other hand Mishing Tribe hails from Tibeto Burmese and inhabits the districts of Tinsukia, Sibsagar, Sonitpur, Jorhat and Golaghat, along the banks of River Brahmaputra. Dirugarh and Tinsukia district of Assam, along Dihing River are the settlement areas of Phake Tribes. The Dimasa Tribe lives in the Karbi

Anglond District of Assam. The Lakher tribes of Assam consist of Hawthai, Zuchnanag, Tlongsai, Heima Sabeu and Lialia groups.

One can also find a concentration of the Deori tribal community in Assam only in the nearby regions of the Brahmaputra River. Khamti Tribes, Naga Tribes and Santhals are also some of the oldest tribal groups of Assam. Lalung tribal community is one of the important tribal communities that have resided in Assam. Besides these the Singpho tribes of the Tinsukia district of Assam also form an important Assamese tribal group. The tribes of Assam are the colorful people who celebrate some of the most ethnic festivals like Bihu, Baishagu, Rongker, Ali-Ai-Ligang, Baikho and others.

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in serial no. 6, seven tribes are grouped together. Similarly in serial 7, thirty seven groups are enlisted together. Serial no. 12 also includes two Naga tribes. Thus the total number of tribes in Assam would come to 65, 9 in the plains areas and 57 in the hill areas.

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## **CHAPTER-III**

### **Tribal Situation in Assam: Historical Prospective**

Ancient Assam

Medieval Assam

British Conquest

Tribal Developmental Policies under British India

A Retrospective View of the Sixth Schedule

Tribal Situation in Assam since Post Independent Period

## **CHAPTER-III**

### **Tribal Situation in Assam: Historical Prospective**

Assam is a miniature India, a veritable melting pot of diverse races, creeds, cultures and religions making it an anthropologist's delight. Many of the principal races of the world migrated to this region in course of time. But due to its geo-political remoteness, the rest of world know very little of Assam. Assam is known as the settling ground for many civilizations. Numerous tribal groups have traveled to Assam through different routes as the land was connected to several states and countries. Negritos, Dravidians, Alpines, Tibeto Burmese and Aryans had been the major races that came and dwelled in ancient

Assam. They were considered as the aborigines of Assam and even today they are an integral part of the Assamese Diasporas.

Situated in the North-East of India, Assam has a glorious history of her own. Popularly known as the ethnological museum of India, Assam has been described as a mini India, having a rich diverse cultural heritage. Assam is described as the eldest of the 'Seven sisters' comprising the seven North Eastern States of the country. It is close to India's international borders with China, Myanmar, Bhutan and Bangladesh. It is surrounded on almost all the sides predominantly by hilly or mountainous tracts - Bhutan and Arunachal Pradesh on the North; Manipur, Nagaland and Arunachal Pradesh on the east; and Meghalaya, Mizoram and Tripura on the South.

### **Ancient Assam**

The region that comprises Assam and the adjoining areas was called Pragjyotisha in ancient times, as mentioned in the Indian epic of Mahabharata. The land was populated by kiratas and chinas, generally believed to be people with Asian features.

### **Medieval Assam**

Medieval Assam was known as Kamarupa or Kamata, and was ruled by many dynasties. Chief among them was the Varman Dynasty. During the greatest of the Varman kings, Bhaskarvarman, a contemporary of Harshavardhana of Kanauj, the Chinese traveler Xuanzang visited the region, and recorded his travels. The other dynasties that ruled the region were the Kacharis, the Chutias etc. that belonged to the Indo-Tibetan groups.

Two later kingdoms left the biggest impact in the region. The Ahoms, a Tai group, ruled eastern Assam for 600 years; and the Koch, a Tibeto-Burmese Dravidian group that ruled western Assam and northern Bengal. The Koch kingdom later split into two. The western kingdom became a vassal of the Moghuls whereas the eastern kingdom became an Ahom satellite state. In spite of numerous invasions from the west, mostly by Muslim rulers, no western power could establish its rule in Assam till the advent of the British. The most successful invader was Mir Jhumla, a governor of Aurangzeb, who briefly occupied Gargaon the then capital of the Ahoms (1662-1663). But he found it difficult to control the people who carried on guerilla attacks on his forces and he and his army had to leave the region. The last

attempt by the Moghuls under the command of Raja Ram Singh resulted in the victory for the Ahoms at Saraighat (1671) under the Ahom general Lachit Borphukan.

### **British Conquest**

Ahom palace intrigue (and political turmoil resulting from the Moamoria rebellion) aided the expansionist Burmese ruler of Ava to invade Assam and install a puppet king in 1821. With the Burmese having reached the doorsteps of the East India Company's borders, the First Anglo-Burmese War ensued, in which Assam was one of the sectors. The war ended with the Treaty of Yandaboo in 1826, and the East India Company took control of the region. The British subsequently annexed adjoining areas to the original occupation and called it the Assam province. At the time of independence of India, it consisted of the original Ahom kingdom, along with the present North East Frontier Agency, Naga Hills, original Kachari kingdom, Lushai Hills, and Garo, Khasi and Jaintia Hills. Of the Assam province on the eve of Independence, Sylhet chose to join Pakistan after a referendum, and Manipur and Tripura became Group C provinces. The capital was Shillong.

## **Developmental Policies under British India**

During the East India Company's days in the hill areas of the present North-East India formed a part of the Rongpur District. Following the recommendations of Mr. David Scot who was sent to Assam with a contingent of soldiers by the East India Company to put an end to the atrocities perpetrated on the people of Assam by the Burmese soldiers, the North-Eastern Hill Areas were separated from the Rongpur District. The administration of these areas was then placed under the special charge of an officer called Civil Commissioner of North-East Rongpur. The newly conceived administration of these areas was known as the Non-Regulated System. Under this system the powers of the Collectors, Magistrates and Judges were in the same hands.

Section 52 A (2) of the Government of India Act 1919<sup>1</sup> provided that the Governor General in Council might declare any territory in British India to be a Backward Tract and on such declaration being made, further direct that any Act of India legislature shall not apply to the territories in question or shall apply subject to such exception or modification as was thought fit. Under the above section of this Act, almost all the hill areas of the then Province of Assam were declared as

Backward Tracts. These areas beings excluded from any reforms banning the Central as well as Provincial Legislature enacting any laws for these areas. Proposals for expenditure in these areas were not required to be submitted into the Legislature for voting. Not only that, in the Provincial Legislature nothing regarding these tracts could either be discussed or questioned. Some portions of the Backward Tracts were, however, not wholly excluded from the applicability of any Act of the Provincial Legislature. But here also this would be determined by the Governor in Council and the Governor of the Province.

The Indian Statutory Commission commonly known as the Simon Commission recommended more or less the same line of administration for the Backward Tracts as was contemplated under Section 52 A (2) of the Government of India Act 1919. The Government of India Act 1935, based on the recommendations of the Simon Commission, had done away with the terminology of Backward Tract and rechristened these areas as "Excluded Areas" or "Partially Excluded Areas". So far as the administration of the above two areas was concerned, the Governor of the Province ware entrusted with very high

powers. The "Excluded Areas" were completely kept outside the purview of the Provincial Legislature and these areas were to be administered by the Governor of the Province himself at his discretion. So far as the "Partially Excluded Areas" were concerned, the administration of these areas was the special responsibility of the Governor of the Province. First he had the right to accept or reject the advice of the concerned Minister in his individual judgment. Secondly, the advice of the Minister was not necessary in matters within the discretion of the Provincial Governor. Thirdly, no Act of the Central or Provincial Legislature could apply to these areas unless the Governor would apply with such modifications and exceptions which he deemed fit. Lastly, the Governor with the prior approval of the Governor General was also empowered to make regulations for the peace and good government in these areas.

In pursuance of the Section 91(1) of the Government of India's Act 1935<sup>2\*\*\*\*\*2</sup>, the Governor General promulgated the Government of India (Excluded and Partially Excluded Areas) Order, 1936. As per this Order the areas were included in the schedule dealing with Excluded Areas are (i) North-East Frontier (Sadia, Balipara, Lakhimpur)

Districts, (ii) Naga Hills District, (iii) Lushai Hills District, (iv) North Cachar Hills Subdivision of Cachar District and the areas were included in the Partially Excluded Areas are (i) Garo Hills District, (ii) Mikir Hills in Nagaon and Sibsagar District, (iii) The British portion of the Khasi and Jaintia Hills District other than Shillong Municipality and Cantonment areas.

Now from the above analysis it has now become clear that the territories which had earlier formed a part of modified backward tracts under the Govt. of India Act 1919 were regarded as “Excluded Areas” or “Partially Excluded Areas” under the Govt. of India Act, 1935.

### **A Retrospective View of the Sixth Schedule**

The special treatment of the hill communities dates back to the sixties of the 18th century when the East India Company was entrusted with the superintendence of all laws and the collection of all revenues. The North East region was brought under the British supervision in matters of trade and commerce. Because of the rich natural resources the region attracted the special attention of the British authorities of Bengal particularly from the date of grant of the Dewani of Bengal to Robert Clive in 1765. Captain David Scott was sent to the Garo Hills in

1815 who submitted his report in 1816. As per the report the Governor General in Council appointed a Civil Commissioner of North East Rongpur. Regulation X of 1822 was passed for administration of the areas of North Eastern India. The Government of India Act 1833 under the British East India Company passed laws affecting these areas. The Government of India Act 1870 extended the jurisdiction to the Assam Valley, Hill districts and Cachar.

The Scheduled Districts Act was passed in 1874 and a Chief Commissioner was appointed for Assam in that year. In fact, the 'Scheduled Districts' Act may be treated as mother of the Sixth Schedule as special administration was recommended under the Act for 'those remote or backward tracts of provinces of British India Which had never been brought within or had from time to time been removed from the operation of the general acts and regulations and jurisdiction of ordinary courts'. The Chief Commissioner of Assam was empowered to exclude any part of 'Scheduled District' from the operation of the Act. Later on, in 1918 the Montagu-Chelmsford Report opined that 'there was no material on which to found political institutions' (Tupper). The Government of India Act 1919 incorporated

the recommendations of the said Report and empowered the Governor General in Council to declare any territory in British India to be a Backward Tract under Section 52 A (2) of the Act. As per the provision of the Act the Governor General in Council declared the following tribal areas as 'Backward Tracts':

1. The Garo Hills District
2. The British portion of the Khasi and Jaintia Hills District other than the Shillong Municipality.
3. The Mikir Hills (in Nowgong and Sibsagar districts)
4. The North Cachar Hills (in Cachar district)
5. The Naga Hills district
6. The Lushai Hills District
7. The Sadiya Frontier Tract
8. The Balipara Frontier tract
9. The Lakhimpur Frontier Tract

The Sixth Schedule was enacted to administer these territories. These were non Regulation areas and were brought under simplified judicial and administrative procedures of a special law. This special treatment continued till passing of the 1935 Act. The tribal people of

these areas enjoyed security of land freedom to maintain traditional life and culture and customary practices. However, some changes were made in the Government of India Act 1935 and accordingly these areas were designated as Excluded and Partially Excluded Areas. The Mikir Hills were brought under Partially Excluded Areas. The Mikir Hills in Nowgong and Sibsagar districts contained sizable non tribal people. The administration of these Partially Excluded Areas was vested in the Council of Ministers subject, however, to the Governor exercises his individual judgment. This arrangement of provincial Government continued till 1937. The Cabinet Mission 1946 recommended special attention for these areas in the Constituent Assembly.

Now let us have a look at the factors which had inspired the Sub-Committee headed by Gopinath Bordoloi to conceive the Sixth Schedule provision for the hill areas of Assam. These can be ascertained from the Constituent Assembly Debates on the Sixth Schedule provisions by the founding fathers.

In the Constituent Assembly debates, Gopinath Bordoloi, the Chairman of the Sub-Committee explained in clear terms the background in which the draft of the Sixth Schedule was prepared. He

stated that the problems of the hill areas of Assam which were entirely excluded areas in the sense that none from the plains could go there and contact the tribal people, were quite different from the problems of those areas which were brought under the regular administrative measures of the British Government. During the Second World War, some of these were under war-zones. During war times some military officers engaged in these areas to fight against the Japanese and the British administrators posted there infused in them a sense of separation and isolation. They assured the tribals that as soon as the war was over, they would have their independent states managing their own affairs according to their own way. Bordoloi strongly argued that instead of using brute military force, a method should be used in which willing co-operation from the people could be obtained by the government for the purpose of governing these areas. Drawing the attention of the Hon'ble Members he had also pointed out the manner in which even the murder cases had been decided by the village Panchayat. Democracy prevailing in village administration and the manner in which the different community works were distributed among the people of different age groups in the village were simply

marvelous according to Bordoloi. He strongly argued that tribals should be allowed to develop themselves in their own way.

Mr. J.J.M. Nicholas Roy, a Member of the Sub-Committee participating in the Constituent Assembly Debate on the draft of the Sixth Schedule stated that the hill districts inhabited by tribal hill people would under the Constitution of India be able to develop themselves in their own way without disturbing the main purpose of unity underlying the Constitution presented in the draft. He further stated that these tribes had been self-governing bodies, though small, from time immemorial.

A.B. Thakkar, who was also a Member of the Sub-Committee headed by Gopinath Bordoloi, participating in the Constituent Assembly debate on the draft Sixth Schedule supported the views adduced by Bordoloi. He said that the best way to keep the frontier people satisfied was to give them certain measures of self-government so that they might develop according to their own genius and culture. He opined that the advancement of the hill tribes could not be achieved by force. He further argued that advancement would be accepted by them only when they would see something more than

what they had. Appreciating the village panchayats he said that they were better than the regular courts. The hill tribals, therefore, should not be good for them according to their own way.

Even a politician like Syed Muhammad Saadulla who headed the Council of Ministers of the Province of Assam during the pre-independence day twice and who vehemently expressed his disliking to the Sixth Schedule itself in the Constituent Assembly debate had highly praised the hill tribals. According to him the hill tribals are the most democratic of all democratic people. Their native chiefs are elected by all the people in their territory by adult franchise. These chiefs are only territorial chiefs. They have no right over land. The land belongs to the people. Thus Syed Saadullah had pointed out two major aspects of the hill tribals of Assam, namely, the practice of democracy and the community ownership of land.

The analysis given above clearly shows what inspired the Members of the Sub-Committee to draft the Sixth Schedule to the Constitution applicable only to the Excluded and Partially Excluded Areas of Assam and the north-east frontier tribal areas.

In drafting the Sixth Schedule to the Constitution of India Gopinath Bordoloi and the three other Members of the Sub-Committee had conceptualized the following few facts:

- (a) Recognition of the distinctive culture of the hill tribals in respect of their social customs, traditional organizations, religious beliefs, dialects/languages, the mode of their living and methods of cultivation, etc, all of which can be termed as their own ways of life.
- (b) Adequate protective measures against exploitation of the people from the plains on account of their superior organization and experience in business. The hill people are afraid of the fact that if suitable provisions are not made to prevent the plains people from acquiring lands in the hill areas, large number of them will settle down and they will not only occupy land belonging to hill people but will also exploit them in non-agricultural professions like money lending, etc.
- (c) Assimilation cannot take place by sudden breaking of the traditional tribal institutions and by imposing on them a different and alien system. The evolution of growth must be

based on old foundations. In other words evolution should come as far as possible from the tribal people themselves.

(d) Adequate protection on the above quoted matters and such allied ones can only be achieved by transferring the management and administration of these matters entirely to the hands of the people. This can be termed as self-governance.

To achieve these objectives, the provisions under the Sixth Schedule to the Constitution of India have provided the Autonomous District/Regional Councils with wide range of Legislative, Executive, Financial and Judicial powers. After independence special provisions were made under the Sixth Schedule of the Constitution for the administration of the tribal areas as per recommendation of the North East Frontier Tribal and Excluded Areas Sub Committee of the Constituent Assembly of India. The committee favoured autonomous administration enabling the hill tribes to maintain their traditional socio-religious beliefs and practices, customs and traditions and modes and morals as these are distinct traits of their culture and preservation of these traits will enhance national interest. Besides, the autonomous system would protect the tribals from exploitation of the people from

advanced areas. The assimilation process was considered to be detrimental to the national integrity and unity. It was intended to bring the simple, unsophisticated tribals to the mainstream in a gradual process. Development programmes should be implemented in these areas in such a manner so that the tribal people should feel pride to become citizens of India.

The hill tribal communities of Assam by their special status under the Sixth Schedule of the Constitution of India possess certain special characteristics in contrast to those of other ethnic groups of Assam. The Sixth Schedule to the Constitution of India was designed to confer autonomous status to the most backward hill tribals in order to bring these communities at par with other comparatively developed people of the country. The hill tribal people of Assam have been endowed with local self government forming District Councils with autonomous powers to make laws and rules on various subjects under para 20, Part-I (Assam) of the Sixth Schedule<sup>3</sup> constituting North Cachar Hills District and the Karbi Anglong district of Assam.

**Tribal Situation in Assam since Post independent Period**

From the beginning, the self-determination aspirations in the hills are political in nature. The Nagas, the Mizos, the Khasis Jayantias-Garos, the Karbi-Dimasas all began their assertions with a more or less definite political idiom. On the other hand, plains men belonging to number of smaller ethnic groups of mongoloid origin, who were most popularly known as plains tribes, had to begin their assertions mainly with apparently non-political focus- safeguarding cultural identity, preservation of language, choice of a script, instruction through mother tongue, continuation of English as medium of instruction in higher education etc. Later the above all demands had become their political demand to maintain a separate political identity. Thus identity consciousness among these smaller tribal groups was no doubt the result of their tradition but it acted too as a defense mechanism against the designs of legitimizing a system of deprivation which they thought was victimizing them to a point of no return.

The ethnocentric nature of the State sponsored development has been a major factor in creating rifts in poly-ethnic Assam and has played a major role behind the emergence of hills and plains movements. The backwardness felt by the plains and his tribes were

expressed by the emergence of political activities of the so-called newly born tribal leaders in the various pockets of the hills and plains. Much of the plan fund and fund of the central development schemes/programmes have been channelized for the development of the certain plain areas particularly for the Brahmaputra Valley. Thus the developmental inputs in both the hills and plains tribal dominated areas were very significant. This attitude of indifference to the acute problems of the region has been cycled repeatedly by the Assamese bourgeoisie towards the non Assamese ethnic groups in general and the hill people in particular.

The emerging tribal elites in the hills and plains increasingly became disillusioned with the provisions of the Sixth Schedule of the Indian Constitution. The historical backwardness of the hills and plains areas, perpetual property especially in hill areas like Karbi and NC Hills that permeated the hill communities and the ethnocentric attitude of Assamese ruling class led the educated tribal elites to think of their own development in terms of more political autonomy. Full fledged autonomy is seen to be only means to achieve economic

development among the different ethnic groups of the plains and the hills.

The concept of tribal development emerged primarily in response to economic backwardness and negative discrimination of Assamese ruling class, who also attempted to establish their cultural hegemony over the other ethnic groups through their linguistic symbol. The alignment and realignment of ethnic groups over time for their representative group interests have made it more difficult for the respective Government of Assam to keep the political or communal integrity of the State intact. In the process, latter on the hill areas like Karbi Anglong and NC Hills became volatile and stood as stumbling block in the uniform administration of the State Government. Gradually, The Assam and its adjoining hills started fighting for their own rule, power to fulfill their aspiration and interest.

Due to specific historical and administrative tradition the self determination aspiration in the hills has been from beginning political in nature. The Nagas, the Mizos, the Khasi-Jaintias-Garos, the Karbi-Dimasas all begin their assertions with a more or less definite political idiom. On the other hand, plainsmen belonging to a number of smaller

ethnic groups of mongoloid origin, who latter on came to be known as plains tribals had to begin their assertions mainly with apparently non political focus-safeguarding cultural identity, preservation of language, choice of script, instruction in higher education etc.

Thus after a serious of meetings and representation made by the leaders of Karbis and Dimasas of these two regions, on February 2, 1970 the separate civil district on NC Hills<sup>4</sup> was inaugurated. This was obviously done as a part of the appeasement policy to keep them in Assam.

It can be understood that unlike hills the first concrete plains tribal aspiration may be traced back to January 4, 1929 when four memorandums were submitted to the Simon Commission. However, proper autonomy aspiration of the plains tribals required about four decades to be articulated and in fact on February 27, 1967 when the birth of Plains Tribal Council of Assam a distinct phase begin.

Plains Tribal Council of Assam, which stood for the Barmans of Cachar, the Bodo Kachari, the Deori, the Hojais, the Kacharies including the Sobowals, the Lalungs, the Meches and the Rabhas, submitted a memorandum to the President of India on May 20, 1967

demanding full autonomy in the predominated plains tribal areas of the Northern tract of Goalpara, undivided Kamrup, undivided Darrang, Lakhimpur and Sibsagar districts including all the tribal Belts and Blocks so that the tribal can

- (a) adequately protect their land,
- (b) give effective check to economic exploitation of tribals by non-tribals,
- (c) conserve their language, culture, customs and what is best in them,
- (d) prevent political domination by non-tribals over tribals and imposition of anything which would disrupt their traditions and customs and
- (e) grew according to their own genius and traditions.

In 1980s and 1990s this tribal movements got extreme momentum. Especially in Bodo dominated areas, the All Bodo Students' Union (ABSU) took the leading role who was best inspired by the Assam Accord (1985). Finally, it drew the attention of the Government of India and the State Government as well. In 1993 an Accord was signed between the Union Government and the ABSU

leaders and thus Bodoland Autonomous Council was formed. This Council too could not fulfill the aspiration of the Bodo and new movement activities again rocked the Northern part of the Brahmaputra Valley which took numbers of life. These activities continued for about eight years and in February 2003 during the first term of the Tarun Gogoi Government, the Bodoland Territorial Council (BTC) Accord was signed to end the one-and-a-half decade long Bodo movement.

Similarly the plain tribal communities of Assam had been demanding autonomy under Sixth Schedule of the Constitution of India. Accordingly the Government of Assam had also made earnest efforts to provide more power of self governance to different tribal and ethnic groups within Assam, so as to bring about speedy development in the areas inhabited by the tribal groups. Towards this end series of discussion were held with the different tribal groups and subsequently three Autonomous Councils were created by State Acts namely (1) Mishing Autonomous Council, (2) Tiwa Autonomous Council and (3) Rabha Hasong Autonomous Council in the year 1995. In the year 2005 more power were conferred to the Autonomous Councils and three

more Autonomous Councils were created namely, (1) Deori Autonomous Council, (2) Sonowal Kachari Autonomous Council and (3) Thengal Autonomous Council.

### **Notes and References**

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4. North Cachar Hills is a land of sensuousness. The population of the district comprises of various tribes & races who maintain their own dialect, culture, customs & usages. Apart from various tribes, non-tribals also account for a sizable amount of the population.

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## CHAPTER-IV

### Enactments of Legislations to Tribal Development Tentative Periodization

#### List of Assam Acts with its Amendments

- The Mising Autonomous Council Act 1995
- The Rabha Hasong Autonomous Council Act 1995
- The Lalung (Tiwa) Autonomous Council Act 1995
- The Bodoland Autonomous Council (Repeal) Act, 2003
- The Thengal Kachari Autonomous Council Act 2005
- The Deori Autonomous Council Act 2005
- The Sonowal Kacharis Autonomous Council Act 2005

#### Administration of Justice Acts for Tribal Areas

- The Assam Administration of Justice in the Karbi Anglong District Act, 2009
- The Assam Administration of Justice in the North Cachar Hills District Act, 2009

## **CHAPTER-IV**

### **Enactments of Legislations to Tribal Development Tentative Periodization**

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In this chapter an attempt has been made to examine the various legislative enactments passed by the Assam Legislative Assembly particularly since 2001. This study is an attempt to understand nature of continuity and discontinuity of tribal policies followed by the successive regimes in Assam and their impact and effectiveness in meeting the needs of tribal population and in uplifting their standards of living in Assam. Important rules, regulations, acts and amendments passed by Assam Legislative Assembly since 2001 are discussed here

takings into consideration of earlier Acts and Amendments to understand continuity and discontinuity of the government policies and programmes towards tribal development.

The Government of Assam has adopted a policy of integration of tribals with the mainstream aiming at developing a creative adjustment between the tribes and non-tribes leading to a responsible partnership. By adopting the policy of integration or progressive acculturation, the Government has laid the foundation for the uninhibited march of the tribals towards equality, upward mobility, and economic viability and assured proximity to the national mainstream. The Acts and Amendments passed by the Government of Assam is committed on two courses of action in respect of Scheduled Tribes, viz

- Giving protection to their distinctive way of life.
- Protecting them from social injustice and all forms of exploitation and discrimination and bringing them at par with the rest of the nation so that they may be integrated with the national life.

Based on these constitutional provisions, specific policies for tribal development have been incorporated in the strategy of economic development in our Five-Year Plans. In fact the development of the STs as a social responsibility of the President of India and the Governors in the State are responsible for reviewing the administration as well as the development of Republic India. It is therefore incumbent of on the administration, both at the Union as well as in the States to promote laws and administrative policies relating to the tribal population, which belongs to the lowest rank of social order. In view of the plight of the tribals of Assam, various Acts and Amendments has been passed by the Government of Assam for improving the living conditions of the tribal population. These legislative actions are intended to cover agriculture, irrigation, animal husbandry, house sites, co-operative credit, education, health, distribution of essential articles etc. They also aim at protecting the interests of the tribals by providing them with a legal framework, and streamlining their development and raising their standard of living.

## List of Assam Acts up to 2000 with its Amendments

(Tribal Development Legislations) (Table-1.17)

Name of the Acts	Year of Acts	Year of Amendments
The Assam Autonomous District Administration of Justice Act, 1960	1960	--
The Assam Alienation of Land Regulation Act, 1980	1980	--
The Assam Autonomous District Administration of Justice (Miscellaneous) Provisions Act, 1957	1957	1966 1968
The Assam Backward Classes Commission Act, 1993	1993	1995
The Assam Disturbed Areas Act, 1955	1955	--
The Assam Excise (Amendment) Extension to the Garo Hills, Mikir Hills and North Cachar Hills Districts) Act, 1954	1954	--
The Lalung (Tiwa) Autonomous Council Act, 1995	1995	1996 1997
The Assam Land (Requisition and Acquisition) Act, 1964	1964	1985
The Land Improvement Loans (Extension to Mizo and United Khasi Jayantia Hills District) Act, 1963	1963	--
The Assam Lusai Hills District (Acquisition of Chiefs) Act, 1954	1954	1955
The Assam Maintenance of Public Order (Autonomous) Districts Act, 1953	1953	1968 1971
The Misings Autonomous Council Act, 1995	1995	1997
The Assam Panchayat Act, 1994	1994	2000 1997 1999
The Assam Press and Registratin of Books	1954	--

(Extension to Lusai Hills) Act, 1954		
The Rabha Hasang Autonomous Council Act, 1995	1995	1997
The Assam Revenue Recovery (Extension to Lusai Hills) Act, 1954	1954	
The Assam Scheduled Cast and Scheduled Tribes (Reservation of Vacancies in Service and Posts) Act, 1987	1979	--
The Assam State Acquisition of Zamindaries (Extension to Autonomous Districts of Garo Hills) Act, 1953	1953	---
The Assam Tea Plantation Provident Fund (and Pension Fund) (and Deposit Linked Insurance Fund) Scheme Act, 1955	1955	1958 1960 1966 1967 1970 1976 1984 1989 1993 1995 1999
The Assam Tea Plantation Employees Welfare Fund Act, 1959	1960	1963 1964 1985 1994 1999
The Assam Tribal Development Authority Act, 1983	1983	--

## List of Assam Acts and Amendments since 2001

(Tribal Development Legislations) (Table-1.18)

Name of the Acts	Year of Acts	Year of Amendments
The Assam Tea Plantation Provident Fund (and Pension Fund)( and Deposit Linked Insurance Fund) Scheme (Amendment) Act, 2001	--	2001
The Assam Panchayat (Amendment) Act, 2001	--	2001
The Assam Panchayat (Amendment) Act, 2002	--	2002
The Lalung (Tiwa) Autonomous Council (Amendment) Act, 2001	--	2001
The Misings Autonomous Council (Amendment) Act, 2001	--	2001
The Rabha Hasang Autonomous Council (Amendment) Act, 2001	--	2001
The Bodoland Autonomous Council (Repeal) Act, 2003	223	
The Rabha Hasang Autonomous Council (Amendment) Act, 2005	--	2005
The Sonowal Kacharis Autonomous Council Act, 2005	2005	--
The Assam Tea Plantation Provident Fund (and Pension Fund)( and Deposit Linked Insurance Fund) Scheme (Amendment) Act, 2005	--	2005
The Assam Tribal Development Authority (Amendment) Act, 2005	--	2005
The Misings Autonomous Council (Amendment) Act, 2005	--	2005
The Deori Autonomous Council Act, 2005	2005	--
The Tiwa Autonomous Council (Amendment) Act, 2005	--	2005
The Assam Tribal Development Authority (Amendment)		2005

Act, 2005		
The Thengal Kachari Autonomous Council Act, 2005	2005	--
The Assam Hill Land and Ecological Sites (Protection and Management) Act, 2007	2007	--
The Assam Tea Plantation Provident Fund (and Pension Fund)( and Deposit Linked Insurance Fund) Scheme (Amendment) Act, 2007.	--	2007
The Deori Autonomous Council (Amendment) Act, 2008	--	2008
The Mising Autonomous Council (Amendment) Act, 2008	--	2008
The Rabha Hasong Autonomous Council (Amendment) Act, 2008	--	2008
The Tiwa Autonomous Council (Amendment) Act, 2008	--	2008
The Bodoland University Act, 2009	2009	--
The Assam Administration of Justice in the Karbi Anglong District Act, 2009	2009	--
The Assam Administration of Justice in the North Cachar Hills District Act, 2009	2009	--
The Deori Autonomous Council (Amendment) Act, 2010	--	2010
The Thengal Kacharis Autonomous Council (Amendment) Act, 2010	--	2010
The Sonowal Kacharis Autonomous Council (Amendment) Act, 2010	--	2010

The history of the STs in independent India underlines the need for legislation and related executive measures to address their concerns. By any yardstick, it is clear that if the section of the

population with the lowest security of life and livelihood is the STs. Though various pieces of legislation and constitutional securities have attempted by the Government to provide social and economical security to them, it is clear that the ST population falls far behind the rest in all measures of the Human Development Index in demographic comparisons.

In February 1993, a Memorandum of Settlement, popularly known as the 'Bodo Accord', between leadership of the Bodo movement and the Government of Assam in presence of the Government of India was signed. The leadership of the movement, therefore, agreed to the decision to set-up an "administrative authority within the State of Assam" within the framework of the Constitution to ensure social, economic, educational, ethnic and cultural advancement of the Bodos tribes. As the Accord stated, there should be formed, by an Act of Assam Legislative Assembly, a Bodoland Autonomous Council (BAC) comprising contiguous geographical areas between the Sankosh and Pansoi rivers, and the villages having not less than 50 per cent of tribal population shall be included in the BAC. Subsequently, In February 2003 during the first term of the Turan Gogoi

Government, the BTC Accord was signed to end the one-and-a-half decade long Bodo movement. A Memorandum of Settlement (MoS) for the creation of the BTC was reached at a tripartite meeting held in New Delhi on February 10, 2003, between the representatives of Union Government, Assam Government and a BLT delegation.

### **The Bodoland Autonomous Council (Repeal) Act, 2003**

The Bodoland Autonomous Council (Repeal) Act, 2003<sup>1</sup> is an Act to repeal the Bodoland Autonomous Council Act, 1993 to have the way for establishment of an Administrative Authority in the name and style, “Bodoland Autonomous Council” within the State of Assam under the Sixth Scheduled to the Constitution of India, in pursuance of the Memorandum of Settlement signed on 10<sup>th</sup> February 2003 at New Delhi between the representatives of the Government of India, Government of Assam and the Bodo Liberation Tiger.

Granting of autonomy to the Bodo tribe paved the way for the establishment of similar autonomous councils for other plains tribes also. In the wake of rising ethnicity, the Government of Assam adopted a flexible attitude towards the growing movement among different plains tribal groups seeking autonomy within the State for the

preservation of their ethnic identity and managing their affairs in tune with the customary laws and traditional practices. The year 1995 and 2005 witnessed a series of accords and legislations for constituting autonomous councils for Lalung, Mising, Rabha-Hasong, Deori, Sonowal Kachari and Thengal Kachari plains tribes of Assam under the State Acts. These Acts are patterned on Bodoland Autonomous Council Act but with the significant difference that these tribal councils will not have any specified territory but will have jurisdiction over the entire state.

The Government of Assam had made earnest efforts to provide more power of self governance to different tribal and ethnic groups within Assam, so as to bring about speedy development in the areas inhabited by the tribal groups. Towards this end series of discussion were held with the different tribal groups and subsequently three Autonomous Councils were created namely (1) Mishing Autonomous Council, (2) Tiwa Autonomous Council and (3) Rabha Hasong Autonomous Council in the year 1995. In the year 2005 more power were conferred to the Autonomous Councils and three more Autonomous Councils were created namely, (1) Deori Autonomous

Council, (2) Sonowal Kachari Autonomous Council and (3) Thengal Autonomous Council.

One of the important institutions of the tribal society is the system of self-management. The tribals used to produce their necessities for living by themselves and settled both internal and external problems by their own system. Thus once the tribal were self-dependent and self-sustained people. Most of the tribal communities of north east India have their own socio-political institutions, customs and traditions to help them assert their autonomous existence. Considering all such institutions and the underlying ethos of autonomy, the framers of the Indian Constitution contemplated the instrument of tribal self-rule embodied in the Sixth Schedule. Later on, the Government of Assam also adopted concept of self-governing institutes for the development of the plain tribes of Assam.

### ***The Mising Autonomous Council Act 1995***

This Act<sup>2</sup> is being passed to provide for the establishment of a Mising Autonomous Council for the Mishings tribes within the State of Assam with maximum autonomy within the framework of the Constitution. It comprises of the satellite areas of Village Councils formed out of

blocks of contiguous revenue villages, each having more than 50 percent population of Mising community, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Mising community residing therein. The Act came into force from 13.07.95. The Misings are an ethnic group inhabiting the districts of Dhemaji, North Lakhimpur, Sonitpur, Tinsukia, Dibrugarh, Sibsagar, Jorhat and Golaghat of Assam. They are the second largest tribal group of Assam, followed by the Bodos. They were earlier called Miris, to which they take offence now. However the Constitution of India still refers them as Miris. The important features of the Mising Autonomous Council Act, 1995 are:

- a. There shall be an autonomous council to be called the Mising Autonomous Council within the State of Assam comprising of the areas of the Village Councils as may be specified by the Government by notification in the Official Gazette.
- b. The Mising Autonomous Council shall have maximum autonomy within the frame work of the Constitution.
- c. The Mising Autonomous Council shall have a General Council and an Executive Council as provided hereinafter.

- d. There shall be a Village Council for each Block of villages, each village having 50 percent or more Mising population.
- e. Each Village Council area shall consist of approximately 6000 to 8000 Population.
- f. The Village Council shall consist of 10 members of which 5 seats shall be reserved for the Mising Community out of which at least one shall be a woman.
- g. For the purposes of sub-section (1) above, there shall be as many Village Councils as may be specified by the Government by notification in the Official Gazette. There shall be two funds to be called respectively the General Council Fund, meant for the General Council and the Village Council Fund meant for the Village Councils. The Government shall provide funds to the General Fund and the Village Council Fund from the Tribal Sub-Plan and other resources in accordance with the appropriate formulas to be worked out keeping in mind the resources of the Government, priorities or development works in other areas including other tribal areas along with other relevant deciding factors.

- h. The General Council shall consist of 40 members of which 35 shall be directly elected and 5 shall be nominated by the Government from amongst the groups of communities residing in the Council area and not otherwise represented in the General Council. Out of the 40 seats 20 seats shall be reserved for Mising Community and out of these 20 reserved seats, at least 6 seats shall again be reserved for women.
- i. The Members of Parliament and the Members of Legislative Assembly, Assam belonging to Scheduled Tribes Reserved Constituencies of the Council Area shall be ex-officio members of the General Council.
- j. The term of office of the General Council shall be five years from the date of the first meeting as appointed by the Government after the election of the members, unless dissolved earlier under section 63.
- k. The Executive Council shall consist of the Chief Executive Councillor, Deputy Chief Councillor and seven Executive Councillors elected in accordance with the provisions of subsection (4) of section 6.

This Amendment Act says that the General Council shall consist of 40 members of which 36, earlier it was 35, shall be directly elected and 4, earlier it was 5, shall be nominated by the Government with the concurrence of the Mising Autonomous Council from amongst the groups of the communities residing in the Council Area and not otherwise represented in the General Council. Out of the 40 seats 20 (twenty) seats shall be reserved for Tribals belonging to Mising Community and 6 seats shall be reserved for women of any community". The Mising Autonomous Council Act, 2005 further amended by *the Mising Autonomous Council (Amendment) Act, 2008*<sup>4</sup> and it makes minor clarification about the Act.

### ***The Rabha Hasong Autonomous Council Act 1995***

The Rabha Hasong Autonomous Council Act 1995 is also being passed by Hitarshar Saikia led Congress Government in the year 1995 to provide self-rule opportunity to the Rabha Community like Mising and Lalung tribes. The concentration of Rabha tribes is mainly in Goalpara and Kamrup (rural) district. The Council comprising of the satellite areas of Village Councils formed out of blocks of contiguous revenue villages, each having more than 50 percent population of Mising

community, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Rabha community residing therein. *The Rabha Hasong Autonomous Council (Amendment) Act 2001*<sup>5</sup> is an Act further to amend the Rabha Hasong Autonomous Council Act 1995. As per the amendment Act “There shall be a Village Council for each block of villages in Tribal Belts/Blocks/tribal Sub-Plan Areas irrespective of population pattern therein” but the principal Act provided Village Council for the Rabha Community only. *The Rabha Hasong Autonomous Council (Amendment) Act 2005*<sup>6</sup> makes it clear that “Satellite Areas” means the area or areas consisting of the contiguous cluster of villages predominantly inhabited by ST population having 50 percent and above as a whole the cluster and not necessarily in the individual villages. The Rabha Hasong Autonomous Council Act, 1995 further amended by *the Rabha Hasong Autonomous Council (Amendment) Act, 2008*<sup>7</sup> and it makes minor clarification about the Act.

*The Lalung (Tiwa) Autonomous Council Act 1995*

The Lalung (Tiwa) Autonomous Council Act 1995<sup>8</sup> like Mising and Rabha Hasong Autonomous Council are patterned on Bodoland Autonomous Council Act 1993 but with the significant difference that these tribal councils will not have any specified territory but will have jurisdiction over the entire state. The Lalung (Tiwa) Autonomous Council will “comprise satellite areas of village councils formed out of the blocks of contiguous revenue villages, each having more than 50 per cent population of the (concerned) tribe without having any compact area”. The Act provides for the General Council and the Executive Council like the Bodoland Council. One distinctive feature of this Act is that it provides for formation of village councils for each block of villages or village having 50 per cent or more population of the concerned tribe. *The Lalung (Tiwa) Autonomous Council (Amendment) Act 2005*<sup>9</sup> makes it clear that “Satellite Areas” means the area or areas consisting of the contiguous cluster of villages predominantly inhabited by ST population having 50 percent and above as a whole the cluster and not necessarily in the individual villages. The Rabha Hasong Autonomous Council Act, 1995 further

amended by *the Lalung (Tiwa) Autonomous Council (Amendment) Act, 2008*<sup>10</sup> and it makes minor clarification about the Act.

### ***The Thengal Kachari Autonomous Council Act 2005***

The Thengal Kachari Autonomous Council is created by the Thengal Kachari Autonomous Council Act 2005<sup>11</sup> for Thengal Kacharis. The Act is expedient to provide for the establishment of a Thengal Kachari Autonomous Council within the State of Assam within the framework of the Constitution, comprising of the satellite areas of Village Councils formed out of blocks of contiguous revenue villages, each having more than 50 percent of Thengal Kachari Community, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Thengal Kachari Community residing therein. The important features of the Act are:

- a. There shall be an autonomous council to be called the Thengal Kachari Autonomous Council within the State of Assam comprising of the areas of Village Councils as may be specified by the Government by notification in the Official Gazette.
- b. The Thengal Kachari Autonomous Council shall have maximum autonomy within the framework of the Constitution.

- c. The Council shall have a General Council and an Executive Council.
- d. There shall be a Village Council for each block of villages, each village having 50 percent or more ST population.
- e. Each Village Council areas shall consist of approximately 3000 to 5000 population.
- f. The General Council shall consist of 26 elected members out of which 4 shall be nominated by the Government of Assam to give representation to those communities of the council area which are not otherwise represented in it. Out of 26 seats, 20 seats shall be reserved for ST and 5 seats shall be for women.
- g. The elected members of the General Council shall constitute a Executive Council from among themselves.

The Thengal Kachari Autonomous Council Act 2005 is being amended by the *Thengal Kachari Autonomous Council (Amendment) Act, 2010*<sup>12</sup>. In the principal Act, in Section 6, for subsection (I), the following shall be substituted as “6(I) the General Council shall consist of 26 elected members out of which 4 shall be nominated by the Government of Assam to give representation to

those communities of the council area which are not otherwise represented in it. Out of 22 seats, 18 seats shall be reserved for ST and 3 seats shall be reserve for women, and 1 for general community.”

### ***The Deori Autonomous Council Act 2005***

The Act<sup>13</sup> established a Deori Autonomous Council for the Deori community within the State of Assam within the framework of the Constitution, comprising of the satellite areas of Village Councils formed out of blocks of contiguous revenue villages, each having more than 50 percent and above Deori and other STs population, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Deori Community residing therein. The important features of the Act are:

- a. There shall be an autonomous council to be called the Deori Autonomous Council within the State of Assam comprising of the areas of Village Councils as may be specified by the Government by notification in the Official Gazette.
- b. The Deori Autonomous Council shall have maximum autonomy within the framework of the Constitution.

c. The Council shall have a General Council and an Executive Council. The General Council shall consist of 20 elected members out of whom 2 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. Out of 18 seats, 14 seats shall be reserved for ST and 3 seats shall be for women. The elected members of the General Council shall constitute a Executive Council from among themselves.

d. There shall be a Village Council for each block of villages, each village having 50 percent or more ST population. Each Village Council areas shall consist of approximately 3000 to 5000 population. Each Village Council areas shall consist of 10 members elected members out of which 5 will be form ST community. Out of 5 reserved seats 1 seat shall be reserved for a women member.

The Deori Autonomous Council Act, 2005 is amended by the ***Deori Autonomous Council (Amendment) Act, 2008***<sup>14</sup> and it makes minor clarification about the Act. This Act 2005 is being further

amended by the *Deori Autonomous Council (Amendment) Act, 2010*<sup>15</sup>. In the principal Act, in Section 6, for sub-section (I), the following shall be substituted as “6(I) the General Council shall consist of 20 elected members out of which 4 shall be nominated by the Government of Assam to give representation to those communities of the council area which are not otherwise represented in it. Out of 18 seats, 14 seats shall be reserved for ST and 3 seats shall be reserve for women, and 1 for general community.”

#### ***The Sonowal Kacharis Autonomous Council Act 2005***

The Act<sup>16</sup> provide for the establishment of a Sonowal Kachari Autonomous Council for the Sonowal Kacharis community within the framework of the Constitution, comprising of the satellite areas of Village Councils formed out of blocks of contiguous revenue villages, each having more than 50 percent and above Deori and other STs population, without having any compact area for social, economic, educational, ethnic and cultural advancement of the Deori Community residing therein. The Act provided that there shall be an autonomous council to be called the Sonowal Kachari Autonomous Council within the State of Assam comprising of the areas of Village Councils as may

be specified by the Government by notification in the Official Gazette. The Council shall have maximum autonomy within the framework of the Constitution and shall have a General Council and an Executive Council. The General Council shall consist of 30 elected members out of whom 4 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. Out of 26 seats, 20 seats shall be reserved for ST and 5 seats shall be for women. The elected members of the General Council shall constitute a Executive Council from among themselves. There shall be a Village Council for each block of villages, each village having 50 percent or more ST population. Each Village Council areas shall consist of approximately 3000 to 5000 population. Each Village Council areas shall consist of 10 members elected members out of which 5 will be form ST community. Out of 5 reserved seats 1 seat shall be reserved for a women member.

This Act 2005 is being further amended by the *Sonowal Kachari Autonomous Council (Amendment) Act, 2010*<sup>17</sup>. In the principal Act, in Section 6, for sub-section (I), the following shall be substituted as “6(I) the General Council shall consist of 30 elected members out of

which 26 shall be elected members and 4 shall be nominated by the Government of Assam to give representation to those communities of the council area which are not otherwise represented in it. Out of 26 seats, 20 seats shall be reserved for ST and 5 seats shall be reserve for women, and 1 for general community.”

### **Administration of Justice Acts for Tribal Areas**

In 1951, after commencement of the constitution of India, North Cachar Hills as specified under paragraph 20 of the sixth schedule to the constitution, ceased to be a part of Cachar district. This part along with Mikir Hills constituted a new civil district namely “United district of North Cachar & Mikir Hills” with effect from 17th November, 1951. According to the provision of sixth schedule, two different councils were constituted later on, viz., North Cachar Hills District Council & Mikir Hills District Council within the geographical boundary of that district. In 2nd February, 1970, Government declared two independent administrative districts, viz., Mikir Hills District and North Cachar Hills District with the geographical boundary of respective autonomous council. It may be mentioned here that at present this autonomous council possesses administrative control over almost all

departments of the district except Law & order, Administration & Treasury Department.

In the Karbi Anglong District and North Cachar Hills District, judicial functions are being administered by executives namely Deputy Commissioner or his assistants. However, the Constitution of India provides for separation of judiciary from executives. That apart, the Supreme Court issued directives to bring separation of Judiciary, inter alia, in the Karbi Anglong District and North Cachar Hills District. Situated thus, it has been considered necessary to enact legislation providing for setting up of regular Civil and Criminal Courts in these two districts for discharge of Judicial functions. The areas of these two districts being tribal areas are covered by the Sixth Schedule to the Constitution of India. Therefore, the proposed regular Courts can only be made functional within the scope and ambit of the Sixth Schedule to the Constitution more particularly subject to provisions of Para-4 and 5 of the Sixth Schedule to the Constitution of India. Therefore, two Administration of Justice Acts are being passed by the State legislature.

- 1. The Assam Administration of Justice in the Karbi Anglong District Act, 2009***

The Assam Administration of Justice in the Karbi Anglong District Act, 2009<sup>18</sup> an Act for the Administrative of Justice – both Civil and Criminal in the Karbi Anglong district to facilitate the trial of suits and cases by regular Civil and Criminal Courts in order to effect the Constitutional mandate of separation of judiciary from executive pursuant to the directive of the Apex Court subject to provisions of the Sixth Scheduled to the Constitution of India. It is expedient for bringing the judiciary separated from the executive to take away the existing system of Administrative of Justice by the Deputy Commissioner or his assistants within the scope and ambit of the of the Sixth Scheduled to the Constitution of India and to set up regular Civil and Criminal Courts for discharge of judicial functions. The Karbi Anglong Areas being the tribal areas contemplated under Article – 244 of the Constitution is covered by the Sixth Scheduled to the Constitution. Therefore, the regular Civil and Criminal Courts shall be made functional subject to provisions of Para-4 and 5 of the Sixth Scheduled to the Constitution.

The provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973 shall apply mutatis mutandis to all

proceedings, enquiry, investigation, trial and other incidental matters connected with the conduct of Civil and Criminal cases subject to provisions of the Sixth Schedule. The powers and functions of the police under the existing system which have been prevailing in the Karbi Anglong district so far the suits and cases covered by this Act shall be exercised by the State police authorities in exercise of the powers conferred and functions assigned to them under the relevant provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973.

***2. The Assam Administration of Justice in the North Cachar Hills District Act, 2009***

The Assam Administration of Justice in the North Cachar Hills District Act, 2009<sup>19</sup> an Act for the Administrative of Justice – both Civil and Criminal in the North Cachar Hills District to facilitate the trial of suits and cases by regular Civil and Criminal Courts in order to effect the Constitutional mandate of separation of judiciary from executive pursuant to the directive of the Apex Court subject to provisions of the Sixth Scheduled to the Constitution of India. It is expedient for bringing the judiciary separated from the executive to take away the

existing system of Administrative of Justice by the Deputy Commissioner or his assistants within the scope and ambit of the of the Sixth Scheduled to the Constitution of India and to set up regular Civil and Criminal Courts for discharge of judicial functions. The North Cachar Hills Areas being the tribal areas contemplated under Article - 244 of the Constitution is covered by the Sixth Scheduled to the Constitution. Therefore, the regular Civil and Criminal Courts shall be made functional subject to provisions of Para-4 and 5 of the Sixth Scheduled to the Constitution.

The provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973 shall apply mutatis mutandis to all proceedings, enquiry, investigation, trial and other incidental matters connected with the conduct of Civil and Criminal cases subject to provisions of the Sixth Schedule. The powers and functions of the police under the existing system which have been prevailing in the North Cachar Hills District so far the suits and cases covered by this Act shall be exercised by the State police authorities in exercise of the powers conferred and functions assigned to them under the relevant

provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973.

### **Conclusion**

Assam's ethnic diversity cannot be compared with any other State. It has necessitated creation of six Statutory Autonomous Councils, in addition to the three Sixth Schedule Autonomous District Councils, which are predominantly inhabited by tribal people. It is observed that Autonomous Councils created by the State Acts as self governing institutes were created for the well-being of the tribal people. But in recent times large scale irregularities in the Autonomous Councils have come to light. Misuse of funds by Autonomous Councils formed under the Sixth Schedule of the Constitution of India has become a matter of serious concern. The fact that substantial portion of development funds allotted to NC Hills Autonomous Council went to the coffers of the militant groups is now established and the National Investigating Agency (NIA) has already filed the charge sheet into a case relating to politician-militant nexus. The irregularities in the North Cachar Hills Autonomous Council became a major political issue and the State Government forced to entrust the Central Bureau

of Investigation (CBI) with the responsibility of proving into the same following a major hue and cry and the advice of the Ministry of Home Affairs (MHA). Recently, large-scale irregularities in the Missing Autonomous Councils also came to light and the Government announced in the State Assembly that a CBI probe would be instituted into the irregularities. The Government admitted in the House that the Chief Executive Member and Executive Members of the Missing Autonomous Councils withdrew huge amounts of money from the coffers of the Councils by issuing receipts on plain papers in clear violation of all financial norms.

The Central and State Governments must institute probes into the allegations of irregularities and take stringent action against those involved. At the same time, efforts must be met to ensure strict financial discipline in all the autonomous councils and the accounts should be audited every year and the same should be made public to bring in greater accountability. It is a positive sign that the Centre has also finally realized the importance of amending the laws to bring in greater accountability and transparency into the functioning of the councils. The Union Home Secretary, GK Pillai recently announced

that the Centre has initiated steps to amend the Sixth Schedule to ensure greater accountability of the Autonomous Councils<sup>20</sup>. Such move by the Centre is a must under the present circumstances as the common people are deprived because of corruption by a handful of people and the very purpose of formation of such councils is being defeated. But among the Autonomous Councils in Assam, only three- NC Hills Autonomous Councils, Karbi Anglong Autonomous Councils and the BTC have been formed under the provisions of the Sixth Schedule and it will be up to the State Government to ensure greater financial discipline in the other Autonomous Councils. The State Government should evolve a mechanism to keep a close watch on the activities of the councils as merely providing funds to the councils will not serve any purpose. Moreover, over the years, the councils are being run by ad-hoc bodies appointed by the Government, which defeated the purpose of devolution of powers and steps should be taken to ensure elections to the Councils as soon as possible.

The Government of India has already initiated audit of the accounts of the North Cachar Hills Autonomous Council by the Comptroller and Auditor General of India and the accounts of the

other Autonomous Councils by the Accountant General, which is a positive sign and one hopes that thorough audit of the accounts will bring to light whether the funds allotted to the Councils were utilized properly or not. It is a fact that the accounts of the Autonomous Councils were not audited for years and the Government, while amending the Sixth Schedule, should make provisions for making the audited accounts public every year to bring in more transparency into the financial management of the Councils. The decision of the Government of India to make provisions for village councils under the Autonomous Councils are also a positive development as such a move will ensure devolution of powers to the grass roots level. Now the State Governments should extend all possible cooperation to the Central investigation agency to ensure that those who are involved brought to book irrespective of their political affiliations. This kind of irregularities must be checked at all costs and stringent punishment should be meted out to those involved in such malpractices which endangered very purpose of the creation of these Autonomous Councils.

## Notes and references

1. The Bodoland Autonomous Council (Repeal) Act, 2003, The Assam Gazette, Legislative Department, Government of Assam, No.81, Dispur, 2nd May, 2003.
2. The Mising Autonomous Council (Amendment) Act, 2001, The Assam Gazette, Legislative Department, Government of Assam, No.51, Dispur, 29<sup>th</sup> March, 2001.
3. The Mising Autonomous Council Act, 2005, The Assam Gazette, Legislative Department, Government of Assam, No.195, Dispur, 17<sup>th</sup> May, 2005.
4. The Mising Autonomous Council (Amendment) Act, 2008, The Assam Gazette, Legislative Department, Government of Assam, No.103, Dispur, 4<sup>th</sup> April, 2008.
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## **CHAPTER-V**

### **Tribal Development and Legislative-Executive Actions** **Issues and Programmes**

#### Issues of Tribal Development

- Demand for ST Status
- Level of Literacy
- Economic Position
- Rising Ethnic Conflicts
- Insurgency Problems
- Problems of Tribal Identities
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- Development Council

## **CHAPTER-V**

### **Tribal Development and Legislative-Executive Actions Issues and Programmes**

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Issue of development in a region densely populated by tribal people assumed great significant in a country like India. Development demands not only development of all regions but even development of the whole region. But the location and the demographic position demands special care and treatment both at the policy making and policy implementation level. This is the problem area for any development exercise. Geographic location of the tribal inhabited people of Assam offers a peculiar situation where a multi- dimensional

development effort is needed to address the problem. The increased emphasis on welfare administration and balanced regional development in post-independent India demanded more and more attention to be paid to the development of tribal and rural areas. In Assam, process of tribal development however, started very late. The tribal areas of Assam remained unaffected by progress till independent. After the independence, too, the policies were to maintain an utmost restraint or upset the tradition and culture of the tribal people. As a result developmental works were at a very low pace.

## I

### **Issues of Tribal Development**

#### **1. Demand for ST Status**

Assam maintains two scheduled tribe lists. One for the Autonomous Hill Districts of Assam called Hill Tribes and another for Plain Tribes of Assam<sup>1</sup>. One of the many contentious issues in Assam is the longstanding demand of various communities, tribal and non-tribal, for a modification of their present status. The Hill Tribes are so recognized only in the two Hill districts of Karbi Anglong and North Cachar Hills that have

remained part of Assam; and the Plains Tribes are so recognized in the Plains Districts of the Brahmaputra Valley and Barak Valley. The Bodo (Plains Tribe) is not recognized as a tribe in Karbi Anglong, which is a Hill district; and correspondingly, the Karbi (Hill Tribe) is not recognized as a tribe in the Plains Districts of Assam.

The Adivasis who are popularly known as tea tribes in Assam also have long been demanding ST status. A few more ethnic communities have also been demanding ST status. The failure of the Government of India to take concrete decisions on the issue of including six communities of Assam in the list of scheduled tribes has now snowballed into a major controversy and the agitations by different organizations representing the communities have been turning violent, which is threatening to disturb the social fabric of Assam. It is paradoxical that a section of bureaucracy and polity in the government has been acting as hindrance in granting ST status to the Adivasis on the ground that they are not indigenous to the area, but have all migrated

into Assam to work in the tea plantations since the last 200 Years.

The communities making demand for up gradation to ST status is Ahom (also known as Tai-Ahom), Chutia, Matak (Motok), Moran, Koch Rajbongshi (also known as Sarania Kachari) and Tea Garden Labour and Ex-Tea Garden Labour. Altogether 28 communities are listed as OBC in Assam, including Tea Garden Labour and Ex-Tea Garden Labour that are collectively called Adivasi now. This category (No. 26 in the official list of OBCs, under the head 'Tea Garden Labourers, Tea Garden Tribes, Ex-Tea Garden Labourers and ex-Tea Garden Tribes), has 96 sub-categories, some of whom clearly have or have had tribal status. Since Tea Plantation Labour has always been organized and Ex-Tea Plantation Labour lives in proximity to the plantations, estimates of their population, at about 20 lakhs, may be a close approximation to reality. They thus constitute the third numerically largest community in the State, after Hindus and Muslims.

The tea tribes, being basically labours, live in villages, inside tea-estates established by tea-planters. These estates are located in interior places and this contributes to the backwardness and exploitation of them by the tea-planters. The workers, in a way have to live with the basic facilities provided by the tea-planters. The tea-planters, usually exploit the tea-tribes every possible way. Violence and agitation of labours against the management is common, where the state machinery normally protects the tea-planters. Non-education, poverty, addiction of males to country-beer, poor standard of living and health facility is the problems in their life. There are instances when tea-planters do not even supply the life-saving drugs when workers are dying out of epidemics.

## **2. Level of Literacy**

The literacy percentage of the tribal communities of Assam is 62.52 as per 2001 census, which is slightly less than the total literacy percentage of Assam i.e. 63.25. The dropout tribal students in the primary and high school level are very high. There is very low percentage of the tribal students who pursue

higher education and other technical education in spite of the various welfare measures taken by Government for the tribal people in educational sector. The tribal people have not taken the advantage of the schemes like pre-metric scholarship, post metric scholarship etc. Only a small section of the tribals have taken the advantages of the reserved quota of seats in higher education and other technical educational institutional and have settled in their life.

### **3. Economic Position**

Economically they are very poor. Majority of them lives below poverty line. Plain tribes practice wet cultivation for their livelihood. But land holding pattern per tribal family is very low. Moreover, flood affects their paddy, which is a common phenomenon in Assam. Hill tribes practice Jhum cultivation also known as slash and burn cultivation. Jhuming same plot of land over the year losses its fertility. Moreover, to prepare a jhum field, they need to cut tree clear forests which are very dangerous from the ecological point of view. Needless to mention that forest is the life of tribal people. Tribal people and forest have a

symbiotic relationship. The gap in infrastructure in the tribal areas vis-à-vis the rest of the country is widening at a much faster rate. For example, while on the one hand the quality of roads, healthcare services, telecommunications, distribution of power, drinking water supply, education, etc. are improving in the country through participation of the private sector, conditions are deteriorating in the tribal areas due to poor maintenance of existing assets.

#### **4. Rising Ethnic Conflicts**

Hill areas of Assam are miniature of Assam in terms of its ethnic diversity and its share of ethnic conflicts. The key ethnic groups residing in are the Dimasas in Dhansiri and Mohendijua area, Bodos in Langhin area; Kukis, Thadous and Hmars in Singhason and Koilamati areas, Tiwas in the areas bordering Nagaon and Morigaon District, Garos in Hamren Sub-division, Man-tai speaking community inhabiting in Bokajan Sub-Division, Khasis in 7 Hamren Sub-Division, scattered population of Chakmas mostly in Borlangphar area and Rengma Nagas in Nilip Block area. The demands of the various tribal groups illustrate the

nature of the conflict over land and resources. The two hill districts of Karbi Anglong and North Cachar Hills in recent areas have witnessed a series of ethnic conflicts.

### **5. Insurgency Problems**

Insurgency problems are one of the major constraints in the development of the STs in the hill areas of Assam. The hill areas of the State are based of number of extremist groups. One such group of such alleged killers calls itself United People's Democratic Solidarity (UPDS), and claims to defend the interest of the Karbi people, the majority population in the Karbi Anglong district. The other group, called Dima Halim Daogah (DHD), meaning Dimasa National Defense Force, claims to represent the interests of the Dimasa, the majority population in the neighbouring North Cachar Hills.

### **6. Problems of Tribal Identities**

The demand of the two autonomous Hill Tribe districts, Karbi Anglong and North Cachar Hills, for their constitution into an 'autonomous state within Assam' under Article 244-A of the Constitution is one of the most complex issues, though

superficially of concern only to the Autonomous Districts. Hemanta Biswa Sharma, the health minister of Assam on March 25th, 2010 announced in the assembly that the proposal will be sent to the centre to facilitate formation of a state within a state in accordance with the Article 244 (A)<sup>2</sup> of the constitution of India for Karbi Anglong.

He said that the Union Government and the Government of Assam have been engaged in negotiation with the representatives of the United Peoples' Democratic Solidarity (UPDS) on the demands placed by them at the official level. On March 24th, 2010, the UPDS negotiation team met the Chief Minister and presented a memorandum detailing the need for political intervention in order to expedite the State government's recommendation on their demand for the creation of state within the State under Article 244 (A), direct funding of the hill areas, parity of per capita fund allocation as compared with Mizoram and Meghalaya, change-over of medium of instruction to English in educational institutions, creation of three more districts in Karbi Anglong, establishment of tribal village

councils and others. Therefore, the Government has decided to constitute a Ministerial Committee to examine their demands including the issue of state within the state as per Art 244 (A) and send its recommendation to the Union Government within a period of two months with a view to confer the highest possible autonomy to Karbi Anglong to ensure return of permanent peace.

#### **7. Absence of Panchayati Raj Institutions**

The 73rd Amendment of the Constitution has added the Eleventh Schedule which lists 28 subjects as coming within jurisdiction of the Panchayats. The Legislative Assembly of Assam enacted the Assam Panchayati Raj Act, 1994 and the three-tier system was extended to all the rural areas except for the areas under the autonomous councils. The autonomous councils of Karbi Anglong and North Cachar Hills have, however, neither accepted the panchayat bodies nor taken any step for devolution of powers from the district. In the absence of any elected body such as regional councils or village councils, the autonomous councils pretend to reach the people at the grass-

root through nominated gaon-buras who are relics of the colonial era.

## **8. Lack of Fund**

The population of the two hill districts (Sixth Schedule areas) of the State is 10 lakhs. As compared to this, the State of Meghalaya, Nagaland and Mizoram, which were carved out of Assam earlier, have a population of 23 lakhs, 20 lakhs and 9 lakhs respectively as per the 2001 Census figures. The plan assistance received by the two hill districts of Assam (Rs. 286 crore in 2006-07) is comparatively far less than the plan assistance received by Meghalaya (Rs. 800 crore), Nagaland (Rs. 685 crore) and Mizoram (Rs. 620 crore)<sup>3</sup>. This has resulted in slow development of these areas, generating support for extremist activities and demand for separate statehood. The tribal population in the plain districts of the State is around 27 lakhs, which is comparable to the population of the State of Meghalaya. The plan funds available to Meghalaya are far more than the investment for the tribal population under the State Plan of Assam. It is therefore necessary that the special assistance to the

tribal sub-plan be suitably increased so that the per capita investment in these tribal areas can also be brought at par with the State of Meghalaya.

#### **9. Diversion of Central Fund**

Minister for Tribal Affairs has warned Assam government against diversion of fund meant for tribal development. Mr Jewel Oram, Union Minister for Tribal Affairs, during his visit in Assam on October 27, 2010 expresses concerned about the diversion of funds meant for uplift of tribals in Assam and that the Centre had asked the State Government to submit quarterly progress report on utilization of Central funds, failing which such funds meant for the State would be diverted to support tribal development projects in other parts of the country. Ministry had decided to provide funds to Assam only against specific tribal development projects to be submitted by the State Government. State Government is taking advantage of the fact that there is no Integrated Tribal Development Project (ITDP) in Assam and funds meant for tribal development were conveniently diverted to other heads. Central government provides funds all over the

country under the ITDP through financial corporations. But in Assam, the fund is disbursed through two agencies both of which are very tardy in submitting accounts.

Unless the fund is directly given by the Central Government to the councils, the councils' authorities cannot be made accountable; and unless the councils' authorities are made accountable for all the expenditures made, the system is bound to fail. Hence, the pattern and quantum of funding of the present hill area of Assam need to be completely overhauled and made at par with the States of Mizoram, Meghalaya and Nagaland, being a part of a shared geo-political history; meaning that all the expenditure of the Autonomous Councils must be defrayed from the revenues collected within the Autonomous Council areas and supplemented and complemented by the Grants-in-aid of the Central Government, award of the Finance Commission, etc. and the required funds must be directly deposited in the accounts of the Autonomous Councils, so that controversies over release of fund, quantum of the allocation and proxy spending of the funds by Dispur are eliminated. If the Central Government has

gracefully borne the burden of Mizoram, Meghalaya and Nagaland, the Hill Areas of Assam deserve the same treatment considering the common geo-political history of the said areas.

## II

### **Policies and Programmes of Tribal Development**

The state covers 78,483 sq. Km areas out of which Tribal Sub-Plan (TSP) areas are 10,991 sq. Km. There are 524 nos. of forest villages with a total population of 1, 60,179 out of which 20,694 nos., are ST families<sup>4</sup>. There are 26 sectors under TSP in Assam. There is also provision for special central assistance under TSP. There is advisory council for ST (Plain) people headed by the Minister of Welfare of Plan Tribes & Backward Classes Department (WPT&BC). The M.L.As and M.Ps belonging to ST (Plain) are the members of the advisory council. The Project Implementation Committees (PIC) is responsible for selection of beneficiaries at the project level. There is a Monitoring and Coordination Cell under TSP for monitoring the implementation of schemes. The schemes under family oriented income generating schemes (FOIGS) are being implemented under various departments. During 10th Five Year Plan period (2002-2007) flow to TSP is 6.85

percent i.e. Rs. 52,250.00 lakhs against State General Area allocation of Rs. 78, 68,243.00 lakhs. Since 2002 – 2003 (under 10th Five Year Plan) to 2005 – 2006 (up to September, 2005) an amount of Rs. 10,513.83 lakhs was utilized under SCA to TSP against total allocation of Rs. 11,317.99 lakhs. Under Article 275 (1) of the constitution of India, an amount of Rs. 1646.87 lakhs was utilized against the fund for Rs. 3735.00 lacks released by GOI (up to September, 2005). The amount for Draft Annual Plan 2006 – 2007 under TSP is Rs. 9909.77 lacks i.e. Rs. 5.36 percent State total General Areas Allocation<sup>5</sup>. Every department has been implementing schemes under TSP for the welfare of the ST (Plain) people of Assam.

The central Government has already granted Rs. 500.00 crores as a special package to BTC. The State Government have also moved the Central Govt. for granting another Special Development Package for the BTC areas by allotting Rs. 200,00 Crores annually for next five years amounting to Rs. 1000.00 crores<sup>6</sup>. Similarly Special Development Packages for other Autonomous Councils that is being formed outside Sixth Schedule by State Acts in 1995 and 2005 will be worked out as soon as these Councils submit their development projects.

Government is making all out efforts to provide basic amenities to the tribal areas. Fund allocation has been made in proportion to the tribal population under TSP. Projects for economic development and creations of various infrastructures are also being taken up under Special Central Assistance to TSP and under Article 275(1). Programmes and development activities being closely monitored by the WPT & BC department to ensure that the benefits of all development activities go to tribal people. Fund has been provided to different sectors to take up specific development schemes in tribal areas.

The Government for the welfare of plains tribes has a separate development arrangement for the all round economic progress of the plains tribes of the State. These schemes are called Integrated Tribal Development Project (ITDP). At present, there are 19 ITDPs under the control of the WPT & BC Department. For each ITDP there is a Project Implementation Committee with a local tribal leader as Chairman and a Project Director as a Member Secretary in the rank of Addl. Deputy Commissioner. Some other local tribal representatives and

development department officials are the members of the concerned ITDP.

The Government of Assam had already filled up 1000 back log vacancies in various Govt. departments during last five years. Steps are being taken to fill up the remaining backlog vacancies. Under the provision of the Section 161 of the Chapter-X of Regulation, the State Govt. has constituted 47 Protected Belts & Blocks, popularly known as Tribal Belts & Blocks, predominantly inhabited by the people of notified classes. The Belts are larger units while the Blocks are smaller one. At present there are 17 Belts and 30 Blocks located in the plain Districts of Assam. These Belts & Blocks were created for notified classes. People from other communities cannot purchase land within the tribal belts & blocks.

Here a look of budget allocations of last four years for tribal development of Assam passed by the Legislative Assembly:

<b>Annual Plan for 2007-2008(Table-1.19)</b>	
<b>A. General Areas</b>	
Tribal Sub-Plan	33.58 crore
Rabha Hasong Autonomous Council	12.50 crore
Lalung (Tiwa) Autonomous Council	6.09 crore
Mishing Autonomous Council	23.50 crore
Sonowal Kachari Autonomous Council	6.00 crore
Thengal Kachari Autonomous Council	7.00 crore
Deori Autonomous Council	4.00 crore

<b>B. Sixth Schedule Areas</b>	
Hill Plan	216.90 crore
Bodo Territorial Areas District	130.00 crore
<b>Annual Plan for 2008-2009</b> (Table-1.20)	
<b>A. General Areas</b>	
Tribal Sub-Plan	18.14 crore
Rabha Hasong Autonomous Council	17.60 crore
Lalung (Tiwa) Autonomous Council	17.06 crore
Mishing Autonomous Council	25.00 crore
Sonowal Kachari Autonomous Council	10.90 crore
Thengal Kachari Autonomous Council	10.75 crore
Deori Autonomous Council	11.70 crore
<b>B. Sixth Schedule Areas</b>	
Hill Plan	248.90 crore
Bodo Territorial Areas District	150.00 crore
<b>Annual Plan for 2009-2010</b> (Table-1.21)	
<b>A. General Areas</b>	
Tribal Sub-Plan	41.95 crore
Rabha Hasong Autonomous Council	19.36 crore
Lalung (Tiwa) Autonomous Council	18.77 crore
Mishing Autonomous Council	26.62 crore
Sonowal Kachari Autonomous Council	12.50 crore
Thengal Kachari Autonomous Council	12.00 crore
Deori Autonomous Council	12.49 crore
<b>B. Sixth Schedule Areas</b>	
Hill Plan	267.29 crore
Bodo Territorial Areas District	165.00 crore
<b>Annual Plan for 2010-2011</b> (Table-1.22)	
<b>A. General Areas</b>	
Tribal Sub-Plan	48.66 crore
Rabha Hasong Autonomous Council	22.43 crore
Lalung (Tiwa) Autonomous Council	21.74 crore
Mishing Autonomous Council	31.86 crore
Sonowal Kachari Autonomous Council	13.69 crore
Thengal Kachari Autonomous Council	13.67 crore
Deori Autonomous Council	14.46 crore
<b>B. Sixth Schedule Areas</b>	
Hill Plan	479.09 crore
Bodo Territorial Areas District	224.55 crore

Sources: Assam Gazette, Legislative Department, Govt. of Assam

Long back our first Prime Minister Late Pandit Jawaharlal Nehru had said that the tribal should be governed by themselves. Bordoloi Sub-Committee of Constituent Assembly also stated that - uniform, general administration which prevailed in the plains should not be introduced in hill areas of Assam due to the special circumstance. The special circumstances arose from the distinct way of life of the tribal people, their social customs, their attachment to and dependence on land and forests, their peculiar mode of cultivation and the manner in which disputes were resolved. Most of the tribal communities of north east India have their own socio-political institutions, customs and traditions to help them assert their autonomous existence. Considering all such institutions and the underlying ethos of autonomy, the framers of the Indian Constitution contemplated the instrument of tribal self-rule embodied in the Sixth Schedule. The Sixth Schedule was, therefore, designed to accommodate the collective aspirations of the tribal.

The two Hill Districts of Assam namely, Karbi Anglong District and North Cachar Hills District were covered under Sixth Schedule of the Constitution of India. Sixth Schedule was also amended and

extended to Bodoland Territorial Area District (BTAD) under BTC comprising of four districts - Kokrajhar Chirang, Udalguri and Baska. With these same objectives, in 1995 and 2005 the Government of Assam had taken up some bold steps by creating Autonomous Councils for various ethnic groups of Assam, namely Bodo Kachari, Mising, Rabha, Tiwa, Deori, Sonowal Kachari & Thengal Kachari communities. Thus in accordance with the Constitution of India, the Government of Assam adopted self-government and self-rule for the tribal people themselves. That is what Pandit Jawaharlal Nehru had conceived long back. All together Assam has nine Autonomous Councils. These are:

**1. Autonomous District Councils**

- a. Karbi Anglong District Autonomous Council
- b. North Cachar Hills District Autonomous Council

**2. Bodoland Autonomous Council** (comprise four districts-- Kokrajhar Chirang, Udalguri and Baska).

**3. Other Autonomous Council**

- a. Rabha Hasong Autonomous Council,
- b. Mishing Autonomous Council,

- c. Lalung (Tiwa) Autonomous Council,
- d. Deori Autonomous Council,
- e. Sonowal Kachari Autonomous Council, and
- f. Thengal Kachari Autonomous Council.

### **Autonomous District Councils**

The people of Assam saw the birth of a new district i.e. the United Mikir and North Cachar Hills District on the 17th November, 1951<sup>7</sup>. As per provisions of the Sixth Schedule, District Council was constituted on 23.06.1952 for the said district with its headquarter at Diphu. Constitution of India vested upon the District Council some Legislative, Executive and Judicial functions. This was followed by bifurcation of the erstwhile district of United Mikir and North Cachar Hills District into two separate districts under banner as "Mikir Hills" and North Cachar Hills District in the year 1970. On second February, 1970, Mikir Hills was declared as a separate administrative district, and renamed as a Karbi Anglong on the 14 October, 1976. With effect from 1st June, 1970, almost all the development departments (sixteen departments) of the Government of Assam functioning in the Karbi Anglong District have been placed under the administrative control of

the Karbi Anglong District Council to satisfy the political aspirations of the tribal leadership. Nevertheless the State Government had a strong control over them. For instance, community development and panchayat were in the list of transferred subjects, but the centrally sponsored schemes were not given to the district councils for implementation. Similarly, education was transferred, but appointment of teachers was done by the State Government. Therefore, the State Government continued to interfere with the departments which were transferred to the district councils. In reality, there was no devolution of powers and fund. There were instances where the money for development works was transferred to the district councils towards the end of the financial year with an oral instruction to the principal secretary to deposit the money back to the treasury as unspent balance.

In such a situation, although the State Government transferred certain departments to the autonomous councils of the two hill districts of Assam i.e. Karbi Anglong and North Cachar hills, the discontent gave rise to the demand for constitution of an Autonomous State within Assam. The movement for an Autonomous State was led

by the Autonomous State Demand Committee (ASDC) comprising the leaders and representatives of the students' organizations of the two hill districts besides other groups and organizations. After a prolonged agitation under the aegis of the ASDC, a Memorandum of Understanding (MoU)<sup>8</sup> was signed on 1 April, 1995 granting more autonomy to the district councils. On the basis of the MoU, the State Government transferred altogether 30 subjects/departments (including the earlier sixteen subjects) to the autonomous councils.

It is, therefore, clear that a positive development in entrustment and empowerment of the autonomous councils has taken place in Assam from the original provisions of the Sixth Schedule to the signing of the MoU on 1 April, 1995. Consequently, the two autonomous councils established for the hill tribes of Assam have become much more powerful compared to the other autonomous councils created under the Sixth Schedule in other states of north east India.

The 73rd Amendment of the Constitution has added the Eleventh Schedule which lists 28 subjects as coming within jurisdiction of the Panchayats. When the provisions of the 73rd Amendment about the powers scope and functions of the Panchayat bodies are compared

with those attached to the Karbi Anglong Autonomous Council and the North Cachar Autonomous Council, it is found that the councils are in a more advantageous position in respect of development functions. Similarly, the sources of finance for the autonomous councils are also more diversified. Nevertheless, mainly due to the strong intervening role of the State Government, both the councils are found to be crippled with financial crisis.

The Legislative Assembly of Assam enacted the Assam Panchayati Raj Act, 1994 and the three-tier system was extended to all the rural areas except for the areas under the autonomous councils. The autonomous councils of Karbi Anglong and North Cachar Hills have, however, neither accepted the Panchayat bodies nor taken any step for devolution of powers from the district. In the absence of any elected body such as regional councils or village councils, the autonomous councils pretend to reach the people at the grass-root through nominated gaon-buras who are relics of the colonial era.

With progressive empowerment and the scope for interference of the State Government, the autonomous councils of the hill districts of Assam are now emerging as a distinct organ of the state with frozen

hierarchy, increasing bureaucratization and lack of initiative for further decentralization. The autonomous councils of Assam are now marked by over centralization of power in the hands of the executive committee, because all planning and plan implementation are decided at the central level. The scope for initiative at the level below the districts has been minimized by the political leadership. Consequently, the participation of people in the development process has been found to be absent.

The District Councils, with the powers and functions given by the Sixth Schedule could not fulfill the aspirations of the common tribal people. Apart from failure of the political leadership to sincerely utilize the available opportunities, the functions of the district councils were also suffered from certain constitutional provisions. The district councils had no legislative or regulatory power on the subjects over which they could exercise executive power. The councils suffered from an excess of clerical staff and even spent government subsidy meant for development works on administrative expenses. There was no adequate effort to increase revenue and no coordination with the

government. There was a great deal of compartmentalization in the councils' office.

### **Bodoland Autonomous Council**

Bodos are the true ethnic Tribal Community of Assam - the sub branch of the Bodo-Kachari Clan. The Bodos are the largest among the Bodo-Kachari Clan. They are also the most progressive. Bodos reside in the Brahamaputra valley and are considered to be largest ethnic and linguistic group of tribes. Earlier the Bodos were cut off from other parts of the Country due to their geographical area and weather conditions. This leads to lack of education and economy. This was one of the reasons of the arousal of the Bodoland Movement. The official Bodoland Movement<sup>9</sup> for an independent state of Bodoland started under the leadership of Upendra Nath Brahma of All Bodo Student Union (ABSU). The ABSU created a political organization, the Bodo Peoples' Action Committee (BPAC), to spearhead the movement. The ABSU/BPAC movement began with the slogan "Divide Assam 50-50".

A new regional party called the United Tribal Nationalist Liberation Front (UTNLF) in 1988, which was subsequently renamed as the United Bodo Nationalist Liberation Front (UBNLF) violently

intensified its movement in late 1980s, the Assam Government led by the Asom Gana Parishad (AGP) remained indifferent to the basic issues raised by the Bodos. The Congress (I) once again came back to the power in 1991, and the Government headed by Hiteswar Saikia sought to fulfil the political aspirations of the Bodos by providing them Autonomous Council in lieu of a separate State. Accordingly, on February 20, 1993, a memorandum of settlement, popularly known as the 'Bodo Accord', was signed between the representatives of the All Bodo Students' Union and the Bodo People's Action Committee (ABSU-BPAC), which had led a sustained and often violent agitation for the creation of a separate state of 'Bodoland' comprising nearly one-third of Assam. The accord, however, was on the creation of an 'administrative authority within the State of Assam', called the Bodoland Autonomous Council (BAC) and not of 'Bodoland'. The leadership of the movement, therefore, agreed to the decision to set-up an "administrative authority within the State of Assam" within the framework of the Constitution to ensure social, economic, educational, ethnic and cultural advancement of the Bodos.

As the Accord stated, there should be formed, by an Act of Assam Legislative Assembly, a BAC comprising contiguous geographical areas having not less than 50 per cent of tribal population shall be included in the BAC. To translate the avowed objective of the Accord in to reality, the Assam Legislative Assembly enacted the Bodoland Autonomous Council Act, 1993 which received the assent of the President of India on May 13, 1993.

The Government of Assam unilaterally demarcated and declared the boundary of the BAC on December 10, 1993 consisting of 2570 villages with a total population of about 21 lakhs. The so-called Bodoland Accord was supposed to bring to an end the six-year-long agitation that was formally launched in March 1987. But, the Bodo political leadership believed that such demarcation was not proper. The dispute regarding jurisdiction of the BAC soon became a serious issue which resulted in large scale violence in different parts of lower Assam. This armed struggle led to ethnic cleansing of the non-Bodos along the north bank of the Brahmaputra and the Bodoland movement became more violent during the later part of the nineties. In February 2003 during the first term of the Tarun Gogoi government, the

Bodoland Territorial Council (BTC) Accord was signed to end the one-and-a-half decade long Bodo movement.

A Memorandum of Settlement (MoS)<sup>10</sup> for the creation of the BTC was reached at a tripartite meeting held in New Delhi on February 10, 2003, between the representatives of Union Government, Assam Government and a BLT delegation and 2641 cadres finally laid down arms on December 6, 2003<sup>11</sup>. A vast majority of them were absorbed in the Central Reserve Police Force. On December 6, 2003, 2641 cadres of the Bodo Liberation Tigers (BLT) renounced violence and surrendered along with arms and ammunition at Kokrajhar, marking an end to seven years of insurgency. On the following day, an interim 12-member executive council of the BTC was formed in Kokrajhar. The Accord was signed to end the one-and-a-half decade long Bodo movement. The success of this new Accord will solely depend upon proper implementation of its changes and the cooperation between the Bodo and non-Bodo communities. The non-Bodos within the proposed BTC area are opposing the new Accord, as under the modified Sixth Schedule of the Constitution it provides special facilities to 25 per cent

of the Bodos at the cost of 75 percent non-Bodos within the proposed BTC area<sup>12</sup>.

The main provisions of the MoS relate to creation of the BTC, an autonomous self governing body within the State of Assam and under the provisions of the Sixth Schedule of the Constitution of India to fulfill economic, educational and linguistic aspirations, socio-cultural and ethnic identity of the Bodos; and to speed up the infrastructure development in BTC area. The BTC comprise 3,082 villages in four districts--Kokrajhar Chirang, Udalguri and Baska an area of 27,100 km<sup>13</sup> (35 percent of Assam). The BTC would have 40 elected representatives and the Assam Government would nominate six more. Of the elected representatives, 30 seats would be reserved for tribals, five for non-tribals and the remaining five would be open for general contest. The area under the BTC jurisdiction is called the Bodo Territorial Autonomous District (BTAD).

Eight years have passed since the Central and State Governments signed a MoS with the militant outfit BLT to pave the way for the creation of the BTC under the provisions of the amended Sixth Schedule of the Constitution of India, but now it is time to thoroughly

examine whether the creation of the council brought the desired results and improve the condition of living of the common masses of the area. The creation of the council failed to restore peace in the area despite the fact that the BLT was disbanded immediately after the signing of the MoS and though the Government of India started the process of the talks with the pro-talk faction of the National Democratic Front of Bodoland (NDFB), this alone will not be able to bring lasting peace in the area as the members of the anti-talk faction of the NDFB are still waging war against the nation. The BTC authorities are alleging that all the clauses of the MoS are yet to be implemented, while, the problems in release of funds to the council forced them to think about revival of the demands for the creation of a separate State. The State Cabinet has already taken a decision to withdraw the cases against the former BLT members and the process of withdrawing the cases has started. But it will definitely take some time before all the cases are withdrawn as it is not an easy task for the Government to prepare the comprehensive list of the cases against former BLT cadres before going through the process of withdrawal of the same. The other major clause of the MoS, which is yet to be

implemented, is inclusion of the Bodo people living in Karbi Anglong in the list of ST (Hills) and for the implementation of the clause the Government will have to take into confidence the existing tribal groups of the hill district to prevent any complications in future.

The failure of the State Government to release Central funds on time to the BTC is definitely a matter concern and the Chief Minister, Tarun Gogoi, who also holds the finance portfolio, should seriously look into the matter to ensure that the BTC gets the funds on time to take up infrastructure development projects. As per the provisions of the MoS, the Centre agreed to provide Rs. 100 crore a year for a period of five years as a special development grant to the BTC and after the expiry of the five year period, the Centre agreed to provide Rs. 50 crore a year for another five years. As the fund is routed through the Assam Government, the BTC authorities are alleging that they do not receive the funds on time and demanded that the Central funds should be sent directly to the Council. The Centre should seriously consider the demand and if there is any reason to believe that the funds are not utilized properly, the Central or the State Government can think of

carrying out a thorough audit by the Accountant General into the financial.

### **Other Autonomous Councils**

This Bodo Accord under the Sixth Schedule of the Constitution may give birth to some new ethnic problems in Assam. In the wake of rising ethnicity, the Government of Assam adopted a flexible attitude towards the growing movement among different plains tribal groups seeking autonomy within the State for the preservation of their ethnic identity and managing their affairs in tune with the customary laws and traditional practices. Granting of autonomy to the Bodo tribe paved the way for the establishment of similar autonomous councils for other plains tribes also.

The year 1995 and 2005 witnessed a series of accords and legislations for constituting Autonomous Councils for Lalung, Mising, Rabha-Hasong, Deori, Sonowal Kachari and Thengal Kachari plains tribes of Assam under the State Act. These Acts are:

- a. the Rabha Hasong Autonomous Council for the Rabha community created by the *Rabha Hasang Autonomous Council Act 1995*,

- b. the Mishing Autonomous Council for the Mishings created by the *Mising Autonomous Council Act 1995*,
- c. the Lalung (Tiwa) Autonomous Council for the Lalung (Tiwa) created by the *Lalung (Tiwa) Autonomous Council Act 1995*,
- d. the Deori Autonomous Council for the Deori community created by the *Deori Autonomous Council Act 2005*,
- e. the Sonowal Kachari Autonomous Council for the Deori community created by the *Sonowal Kacharis Autonomous Council Act 2005*, and
- f. the Thengal Kachari Autonomous Council for Thengal Kacharis created by the *Thengal Kachari Autonomous Council Act 2005*.

These Acts are patterned on Bodoland Autonomous Council Act 1993 but with the significant difference that these tribal councils will not have any specified territory but will have jurisdiction over the entire state. The autonomous councils will “comprise satellite areas of village councils formed out of the blocks of contiguous revenue villages, each having more than 50 per cent population of the (concerned) tribe without having any compact area”. The Act provides for the General Council and the Executive Council like the Bodoland

Council. One distinctive feature of these Acts is that it provides for formation of village councils for each block of villages or village having 50 per cent or more population of the concerned tribe.

### **Development Councils**

Assam's ethnic diversity cannot be compared with any other State. It has necessitated creation of six Statutory Autonomous Councils, in addition to the three Sixth Schedule Autonomous District Councils. Creation of seven new Development Councils for the Moran, Motok, Ahom, Chutia, Koch-Rajbongshi, Tea Tribes and Gorkha ethnic groups has also become necessary. There is also the Barak Vally Hill Tribes Development Council to cater to the needs of the hill tribes living in the plains of Cachar district. The Government of Assam created Amri Karbi Development Council on 14<sup>th</sup> January, 2010. The Development Council was granted to those Karbi living in the Plain districts Kamrup, Morigaon, Sonitpur, Lakhimpur, and Cachar.

These Councils, with their distinct ethnic character have been suffering from certain problems since inception. All the autonomous councils created by State Acts were constituted of nominated members as an interim measure pending elections. Nevertheless, the elections

have not yet been held, nor can be held without resolving certain basic issues. Identification of villages for constitution of village councils has become a major problem for the autonomous councils for their unique ethnic character as well as the demographic parameter stipulated in the Acts of 1995 and 2005.

Article 244 (2) of the Indian Constitution makes it clear that for “the administration of the tribal areas in the State of Assam”, it is the provisions of the Sixth Schedule which will apply. The Sixth Schedule is “a self contained Code for the governance of the tribal areas.” When the then Prime Minister Rajiv Gandhi got the 73rd amendment for empowerment of Panchayati Raj Institutions (PRI) passed in 1992 “the tribal areas referred to in clause 2 of Article 244” were expressly left out of the coverage of Article 243, contained in Part IX of the Constitution. Of course; a separate provision in Article 244 (4) provides for extension of Part IX to the Sixth Schedule areas by an amendment of the Constitution. The procedure, however, is so complicated that it would be politically unwise to try to follow the same. Therefore, when the Third Assam State Finance Commission (TASFC) was set up with the former Chief Secretary H.N. Das as the chairman, the Sixth Schedule

areas of Karbi Anglong and North Cachar Hills Districts and the 4 Bodoland Territorial Autonomous Districts (BTAD) of Kokrajhar, Baksa, Chirang and Udalguri had to be left out of its purview. The Government notification in this connection expressly laid down that TASFC should make their recommendations “after taking into account the transfers that are to be made by the State of Assam to the Autonomous District Councils constituted under the Sixth Schedule of the Constitution”. TASFC recommended that the State Government “may appoint a small committee to go into the problems of (1) an institutional framework to carry out functions of rural and urban development and (2) the flow of funds to these institutions for rural and urban development”.

PRIs never existed in the two Autonomous Hills Districts of Karbi Anglong and North Cachar Hills. PRIs which existed in the BTAD areas have been dissolved after BTAD was set up. There are a total of 16 Urban Local Bodies (ULB) in the Sixth Schedule areas. For both PRIs and ULBs of Sixth Schedule areas provision should be made for local finance as in the cases of the general areas. Otherwise, these tribal areas will not be able to reorganize and revamp the delivery

system under non-Plan which is required if the Plan Projects, schemes and programmes are to be properly administered and implemented. The Government of Assam has not taken any steps in this direction although TASFC's report had been submitted 22 months ago. It may be recalled that while accepting this recommendation of TASFC the State Government had directed that the "Hills areas and WPT & BC Departments will take up the matter with Government of India". No such action has been initiated.

### **Conclusion**

A struggle for granting tribal status to the various backward ethnic groups has gained momentum in the State. The tea tribes have joined the fray under the leadership of new generation of leaders. The present composition of population in Assam and their habitational areas are so dispersive that even after granting tribal status to all these communities it would be a difficult proposition to carve out an Autonomous Council Area for each of them from the existing map of Assam without creation of some extra problems. Granting of tribal status would invariably be followed by the political demand of autonomy. It is a fact that ethnic originality is the driving force of their

ethnic struggle which has been deeply ingrained in their psyche. Depending on the reality they are unlikely to exercise autonomy in an area collectively by combining two or three groups together, because they have differences. It is high time for the sensible people of the State to cogitate on these inevitable eventualities also. In the meantime anticipating such a clash of interest in the future, the Bodo leaders have expressed their concern obliquely in Parliament as well as in the media.

The Government has found itself in a tight spot with the existing tribal groups expressing apprehension over the inclusion of new communities in the list of scheduled tribes and it will be virtually impossible to take a decision to please all sections of people of Assam. The Bodoland People's Progressive Front (Hagrama Mahilary faction), which is the alliance partner of the Congress in the State, has already made it clear that the political rights and privileges enjoyed by the tribal people should not be affected while granting the status of scheduled tribes to other communities. The party has pointed out that 30 of the 40 seats of the BTC, formed under the provisions of amended Sixth schedule of the Constitution of India in 2003, are reserved for

Scheduled tribes and if the Government decides to grant the status of tribal to other communities, the rights and privileges of the existing tribal groups should not be affected at any cost. It is a fact that the Bodo people may lose their hold on the BTC if communities like Koch Rajbongshi and Adivasi are given the status of scheduled tribes. Under the circumstances, it will be difficult for the Central and State Governments to take a bold decision on inclusion of six communities in the list of scheduled tribes without inviting the wrath of the existing tribal groups. Now it remains to be seen whether the State and the Central Governments manage to take decisions in this vital issue without antagonizing any section of people.

### **Notes and References**

1. As per Scheduled Castes & Scheduled Tribes order (Amended) Act 2002, Hill Tribes constitutes 15 communities and plain tribes constitute 14 communities. It is to be noted that one plain Tribes community also figures in the Hill Tribes list and three hill tribes communities figure in the Plain Tribes list.
2. Article 244A was specifically inserted in the Constitution through an amendment in 1969 for the formation of an

autonomous state, comprising certain tribal areas, within the state of Assam. There is a long-standing agitation in both the districts for their elevation to an autonomous state (but with the existing District Councils intact), under the provisions of Article 244-A. This article was incorporated in the Constitution in 1969 as the 28th amendment, to enable the creation of Meghalaya as an autonomous State within Assam - the first step in the progressive dismemberment of the once composite State of Assam. Article 244-A became an anachronistic anomaly just over a year later when the short-lived experiment failed and the autonomous State was reconstituted as the full-fledged State of Meghalaya in January 1972.

3. Goswami, BK: "Towards Vibrant Assam-The Voice of Chief Minister Tarun Gogoi", Bani Mandir, Guwahati, 2008, p.22.
4. Political History of Karbi Anglong at a glance, The Hindustan Times, December 27, 2006.
5. Ibid.
6. "Assam Govt. warned against diverting Central funds meant for Tribal welfare", Business Line, Saturday, October 28, 2000.

7. The new district was formally created on the aforesaid date vide Govt. notification No. TAD/R.31/50/201 dated, the 3rd November, 1951.
8. Memorandum of Understanding (MoU) was signed between the Government of Assam and the representatives of the ASDC in the presence of the Union Home Minister on 1 April, 1995 granting more autonomy to the District Councils.
9. George, Sudhir Jacob: "The Bodo Movement in Assam", Asian Survey, 1994.
10. A Memorandum of Settlement (MoS) for the creation of the BTC was reached at a tripartite meeting held in New Delhi on February 10, 2003, between the representatives of Union Government, Assam Government and a Bodo Liberation Tigers Force delegation.
11. Status Paper on Memorandum of Understanding (MoU), 1 April, 1995.
12. Hussain, W.: "Assam: accord and discord", The Hindu, Online edition, Wednesday, Feb 26, 2003.

13. Memorandum of Settlement on Bodoland Territorial Council, February 10, 2003, signed by Government of India, Government of Assam and Bodo Liberation Tigers Force.

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## **CHAPTER-VI**

### **Findings of the Study**

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In this chapter an attempt has been made to summarize the findings of the total study. Before stating the findings of the study, it may be restated that the present study was carried out (i) to discuss the profile of the tribals in terms of its physical, social and economic indicators to understand developmental positions (ii) to examine the various legislative enactments passed by the Assam Legislative Assembly particularly since 2001. This study is an attempt to understand nature of continuity and discontinuity of tribal policies followed by the successive Congress regimes in Assam and their impact and

effectiveness in meeting the needs of tribal population and in uplifting their standards of living in Assam (iii) to analysis issues and constraints in the development process taking into considerations legislative and administrative interactions in tribal development. The major findings of the study are:

### **Findings of the Study**

1. On the basis of the concentration of tribal population of India, the entire country can be divided into three zones namely North Eastern Zone which comprises the states like Assam, Arunachal Pradesh, Meghalaya, Mizoram, Manipur, Nagaland and Tripura, Southern Zones (Andhra Pradesh, Karnataka, Kerala, Tamil Nadu, Pondicherry, Goa, Daman and Diu, Andaman and Nicobar Islands) and Central Zones (Orissa, West Bengal, Punjab, Haryana, Rajasthan, Gujrat, Maharashtra, Madhya Pradesh and Uttar Pradesh). In the northeastern states of Arunachal Pradesh, Meghalaya, Mizoram, and Nagaland, more than 90 percent of the population is tribal. However, in the remaining northeast states of Assam, Manipur, Sikkim, and Tripura, tribal peoples form between 20 and 30 percent of the population.

2. On the whole, as per rough estimates, the prominent tribal areas constitute about 15 percent of the total geographical area of the country. There are 533 tribes (with many overlapping types in more than one state) as per notified Schedule under Article 342 of the Constitution of India in different States and Union Territories of the country, with the largest number of 62 being in the State of Orissa. Tribal people constitute 8.14 percent of the total population of the country, numbering 84.51 million. The population of tribes had grown at the rate of 24.45 percent during the period 1991- 2001. This is slightly more than the decadal growth rate of 22.66 percent for the nation as a whole. More than half of the tribal population is concentrated in the states Madhya Pradesh, Chhattisgarh, Maharashtra, Orissa, Jharkhand and Gujarat whereas in Haryana, Punjab, Delhi, Pondicherry and Chandigarh no community has been notified as a Scheduled Tribe. The main concentration of tribal population besides Central India is in the North- Eastern states.
3. Assam is located in the extreme North East Corner of the country. It is blended with both hills and plains. It is the home of

different ethnic groups. The tribal communities of Assam, popularly known as 'Sons of the Soil', cover total population of Assam as per 2001 census is 2, 66, 55,528 out of which 33, 08,570 is the tribal population. Tribal population constitutes 12.41 percent of the total population of Assam. Assam maintains two scheduled tribe lists. One for the Autonomous Hill Districts of Assam called Hill Tribes and another for Plain Tribes of Assam. The Constitution order of 1950 was amended in 1976 wherein the Scheduled Tribes of Assam were re-categorized as Scheduled Tribes (Hills) and Scheduled Tribes (Plains). Assam has 9 Scheduled Tribes (Plains) in the plains districts and 14 Scheduled Tribes (Hills) in two autonomous districts of Karbi Anglong and North Cachher Hills. The tribes which are scheduled in the plain areas of Assam, are not enlisted as Scheduled Tribes in the hill areas and the tribes which are scheduled in the in the hill areas not enlisted as scheduled tribes in the plain areas of Assam. As per Scheduled Castes & Scheduled Tribes order (Amended) Act. 2002, Hill Tribes constitutes 15 communities and plain Tribes constitute 14 communities. It is to be noted that one plain Tribes

community also figures in the Hill Tribes list and three Hill Tribes communities figure in the Plain Tribes list.

4. Among STs of Assam, Boro represents nearly half of the total ST population of the state (40.9 percent). Miri (17.8 percent), Mikir (10.7 percent), Rabha (8.4 percent), Kachari (i.e. Sonowal Kachari) (7.1 percent), and Lalung (5.2 percent) are the other major STs each having 5 per cent or above of total STs. Along with Boro they constitute 90 per cent ST population of the state. Besides them, Dimasa constitutes 3.4 percent and Deori 1.2 per cent of the total ST population of the state. The rest of the Scheduled Tribes are very small in their population size. The ST population in Assam is predominantly rural with 95.3 percent rural and only 4.7 percent urban population. Of the eight major STs, Dimasa have recorded the highest 10.4 per cent urban population, followed by Mikir (8.3 percent). On the other hand Miri have recorded the lowest 1.8 per cent urban population.
5. The tribals have been given numerous rights and concessions under various statutes of Central as well as State Governments but they remain deprived of the benefits arising out of such

statutory provisions due to their ignorance and apathy of enforcing agencies. There exists lack of awareness among tribal population about various developmental programmes launched by Government of India and States, resulting in their exploitation. To look after the needs, aspiration and welfare of different ethnic groups and bring these areas at par with the rest of the State, the State Government has been implementing Hill Areas Development Plans for the two Hill Districts and Tribal Sub-Plan for the plain areas of Assam.

6. By adopting the policy of integration or progressive acculturation the Government has laid the foundation for the uninhibited march of the tribals towards equality, upward mobility, and economic viability and assured proximity to the national mainstream. The Acts and Amendments passed by the Government of Assam is committed on two courses of action in respect of scheduled tribes, viz

- Giving protection to their distinctive way of life.
- Protecting them from social injustice and all forms of exploitation and discrimination and bringing them at par

with the rest of the nation so that they may be integrated with the national life.

7. Once the tribal were self-dependent and self-sustained people. Most of the tribal communities of north east India have their own socio – political institutions, customs and traditions to help them assert their autonomous existence. Considering all such institutions and the underlying ethos of autonomy, the framers of the Indian Constitution contemplated the instrument of tribal self-rule embodied in the Sixth Schedule. The Sixth Schedule was, therefore, designed to accommodate the collective aspirations of the tribal communities of North-East India.
8. The hill tribal communities of Assam by their special status under the Sixth Schedule of the Constitution of India possess certain special characteristics in contrast to those of other ethnic groups of Assam. The Sixth Schedule to the Constitution of India was designed to confer autonomous status to the most backward hill tribals in order to bring these communities at par with other comparatively developed people of the country. The hill tribal people of Assam have been endowed with local self government

forming District Councils with autonomous powers to make laws and rules on various subjects under para 20, Part-I (Assam) of the Sixth Schedule constituting North Cachar Hills District and the Karbi Anglong district of Assam. North Cachar Hills and Karbi Anglong the two autonomous hill districts of Assam are predominantly tribal housing two important STs of Assam – the Dimasas and Mikir (now recognized as Karbi). As per 2001 Census, the North Cachar Hills has got the highest 68.3 per cent ST population, followed by Karbi Anglong (55.7 per cent). In absolute number Karbi Anglong is on top sharing 13.7 per cent of the total ST population of the state.

9. Assam, one of the seven states of the northeastern region of India, has long remained one of the most volatile and sensitive regions in the country because of the problems of insurgency, ethnic conflict, pressure of migration, underdevelopment etc. Bodos, the largest plains tribe of Assam started an armed struggle for a separate state in the mid-1980s. This armed struggle led to ethnic cleansing of the non-Bodos along the north bank of the Brahmaputra. The BAC Accord was signed in 1993

and the Bodoland movement became more violent during the later part of the 1990s. In February 2003, the BTC Accord was signed to end the one-and-a-half decade long Bodo movement. The success of this new Accord will solely depend upon proper implementation of its changes and the cooperation between the Bodo and non-Bodo communities. The non-Bodos within the proposed BTC area are opposing the new Accord, as under the modified Sixth Schedule of the Constitution it provides special facilities to 25 per cent of the Bodos at the cost of 75 per cent non-Bodos within the proposed BTC area. This new Accord under the Sixth Schedule of the Constitution may give birth to some new ethnic problems in Assam.

10. Granting of autonomy to the Bodo tribe paved the way for the establishment of similar autonomous councils for other plains tribes also. In the wake of rising ethnicity, the Government of Assam adopted a flexible attitude towards the growing movement among different plains tribal groups seeking autonomy within the State for the preservation of their ethnic identity and managing their affairs in tune with the customary

laws and traditional practices. In 1995 and 2005 the Government of Assam had taken up some bold steps by creating Autonomous Councils by State Acts for various ethnic groups of Assam, namely Bodo Kachari, Mising, Rabha, Tiwa, Deori, Sonowal Kachari & Thengal Kachari communities. Thus in accordance with the Constitution of India, the Government of Assam also adopted self-government and self-rule for the tribal people themselves. With the object of fulfilling economic, educational and linguistic aspirations, preservation of land rights, socio-cultural and ethnic identity of the respective tribes and speeding up infrastructure development in their areas, Autonomous Councils have been created. Assam has two autonomous district councils, one territorial council and six autonomous councils. These are:

**(i) Autonomous District Councils**

- c. Karbi Anglong District Autonomous Council,
- d. North Cachar Hills District Autonomous Council,

**(ii) Bodoland Autonomous Council**

(Comprise four districts-Kokrajhar Chirang, Udalguri and Baska).

### **(iii) Other Autonomous Councils**

- g. Rabha Hasong Autonomous Council,
  - h. Mishing Autonomous Council,
  - i. Lalung (Tiwa) Autonomous Council,
  - j. Deori Autonomous Council,
  - k. Sonowal Kachari Autonomous Council, and
  - l. Thengal Kachari Autonomous Council.
11. The Autonomous Councils that are formed outside Sixth Schedule with their distinct ethnic character have been suffering from certain problems since inception. All the six Autonomous Councils were constituted of nominated members as an interim measure pending elections. Nevertheless, the elections have not yet been held, nor can be held without resolving certain basic issues.
12. The Mishing Autonomous Council Act, 1995 provides that “there shall be a village council for each block of villages or village having 50 per cent or more Mishing population”. The other two Acts i.e. the Tiwa Autonomous Council Act, 1995 and the Rabha Hasong Autonomous Council Act, 1995 also stipulated similar

ethnic criterion in favour of the respective ethnic group. In the context of heterogeneous ethnic composition of most of the villages of the Brahmaputra Valley and growing identity consciousness of each ethnic group, it has become difficult to constitute the village councils. One village may have 50 percent or more tribal population, but all of them may not belong to the same tribe. As a result, all the tribal people of the same village may not opt for becoming a part of an autonomous council which is constituted apparently to promote the interests of a particular tribe.

13. The Autonomous Councils that are formed by the State Acts in fact have become an additional authority alienated from the people and constituted by the members nominated by the ruling party of the state. Change of government, therefore implies change of the Executive Council of each of the autonomous council. The middle level political workers usually who can not come up to the level of the State Assembly, are provided with a platform to fulfill their political aspirations without being representatives of the people. Nevertheless, the common

grievance of all the autonomous councils is that the council has been assigned 38 departments, but in absence of adequate devolution of powers and finances, the councils have failed to achieve the stated goals.

14. The two Hill Districts of the State, viz Karbi Anglong and NC Hills have their special problem. These two districts are multi ethnic in character. The State Government has given priority for development of these two districts. Greater autonomy has been given to Autonomous Councils of these two districts. In respects of 30 departments, executive powers of the State Government have been transferred to the Autonomous Councils. To enable the Autonomous Councils to finance the expenditure on the schemes under the 30 transferred Departments, to six-monthly advances are released in April-May and in September-October under each relevant sector. Particular emphasis has been given to wean the tribal population away from age-old practice of shifting (jhum) cultivation which is threatening the fragile ecosystem of the area. The two Hill Districts have been selected by the Government of India for implementing the Water-Shed

Development Programme for shifting cultivation areas. Another project 'Community Resource Management' for Upland Area' to be funded by the IFDA covering 6 Hill Districts in the North-East including the two Hill Districts of Assam have also been launched through NEC.

15. The Sixth Schedule Autonomous Districts of Assam get very little support from the Centre to run their administrative machinery and to undertake developmental activities. This has resulted in slow development of these areas, generating support for extremist activities and demand for separate statehood. The combined population of the 3 Sixth Schedule Autonomous Districts of Assam, inhabited by mainly by tribal population is 39 lakhs. As against this, the State of Meghalaya, Nagaland and Mizoram, which were carved out of Assam earlier, have a population of 23 lakhs, 20 lakhs and 9 lakhs respectively as per the 2001 Census figures. The combined area of the 3 Sixth Schedule Autonomous Districts of Assam is also much more than the area of any of these States. However, as against only Rs. 380 crore plan assistance received by the 3 Sixth Schedule

Autonomous Districts of Assam combined together in 2005-06, the plan assistance received by Meghalaya (Rs. 800 crore), Nagaland (Rs. 685 crore) and Mizoram (Rs. 620 crore) in 2005-06 respectively.

16. In recent times large scale irregularities in the Autonomous Councils have come to light. In the NC Hills Autonomous Council hundreds of crores of public money were embezzled by a coterie of politicians, officers, and militants have laid bare the magnitude of the scourge. The developments increasingly testify to the fact that the councils are far from serving their avowed objectives. Irregularities also come to in the Missing Autonomous Councils. The Government admitted in the House that the Chief Executive Member and Executive Members of the Missing Autonomous Councils withdrew huge amounts of money from the coffers of the Councils by issuing receipts on plain papers in clear violation of all financial norms.

17. With progressive empowerment and the scope for interference of the State Government, the Autonomous Councils of the Hill Districts of Assam are now emerging as a distinct organ of the

state with frozen hierarchy, increasing bureaucratization and lack of initiative for further decentralization. The autonomous councils of Assam are now marked by over centralization of power in the hands of the executive committee, because all planning and plan implementation are decided at the central level. The scope for initiative at the level below the districts has been minimized by the political leadership. Consequently, the participation of people in the development process has been found to be absent.

18. The Autonomous Councils have failed to fulfill the aspirations of the people because of the lack of funds, lack of administrative and legislative powers. The State government continues to pull all the strings. The funds allocated for the councils by the Central Government are often allegedly diverted elsewhere or not released in time.

19. In the Karbi Anglong District and North Cachar Hills District, judicial functions are being administered by executives namely Deputy Commissioner or his assistants. However, the Constitution of India provides for separation of judiciary from

executives. It has been considered necessary to enact legislation providing for setting up of regular Civil and Criminal Courts in these two districts for discharge of Judicial functions. The Government of Assam passed the Assam Administration of Justice in the Karbi Anglong District Act, 2009<sup>1</sup> and Assam Administration of Justice in the NC Hills District Act, 2009<sup>2</sup> for the Administrative of Justice – both Civil and Criminal in the Karbi Anglong and NC Hills districts to facilitate the trial of suits and cases by regular Civil and Criminal Courts in order to effect the Constitutional mandate of separation of judiciary from executive pursuant to the directive of the Apex Court subject to provisions of the Sixth Scheduled to the Constitution of India.

20. In view of the plight of the tribals of Assam, various Acts and Amendments has been passed by the Government of Assam for improving the living conditions of the tribal population. These legislative actions are intended to cover agriculture, irrigation, animal husbandry, house sites, co-operative credit, education, health, distribution of essential articles etc. They also aim at protecting the interests of the tribals by providing them with a

legal framework, and streamlining their development and raising their standard of living.

## **Conclusion**

One of the important institutions of the tribal society is the system of self-management. The tribals used to produce their necessities for living by themselves and settled both internal and external problems by their own system. Thus once they were self-dependent and self-sustained people. But after independence, the tribals have become dependent on national political and economic system, not only for living but also for improvement of standard of living. Now they have to manage their internal and external problems under the policies and programmes of the Governments.

With the object of fulfilling economic, educational and linguistic aspirations, preservation of land rights, socio-cultural and ethnic identity of the tribes and speeding up infrastructure development in tribal dominated plain areas of Assam, Government of Assam created Autonomous Councils (self-governing institutes) as visualized by the makers of our Constitution and formulated Autonomous District Councils under the Sixth Schedule of the Constitution of India for the

hill tribes of the North east India. The year 1995 and 2005<sup>3</sup> witnessed a series of accords and legislations for constituting Autonomous Councils for Lalung, Mising, Rabha-Hasong, Deori, Sonowal Kacharis and Thengal Kachari communities of Assam by the State Acts.

The greatest challenge that the Governments have been facing since independence is the proper provision of social justice to the scheduled tribe people, by ameliorating their socio-economic conditions. Scheduled Tribes and denotified tribes constitute the weakest section of State's population, from the ecological, economic and educational angles. They constitute the matrix of State's poverty. Though the tribals are the sons of the same soil and born and grow as the children of the nature. From the historical point of view, they have been subjected to the worst type of exploitation social. They are practically deprived of many civic facilities and isolated from modern and civilized way of living.

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## **CHAPTER-VII**

### **Suggestive Measures and Concluding Observations**

## CHAPTER-VII

### Suggestive Measures and Concluding Observations

In spite of all development scheme adopted by the Government for the tribals and thousands of crores of rupees spent both by the Central and the State Governments, the tribals are not developed up to the desired level. They are still underdeveloped. They are not at par with that of the other non tribal communities. What could be the reasons behind it? It is because of the fact that our delivery system is not adequate or is it because of the fact that our implementing agencies are not efficient enough to effectively handle the challenges of the tribal development? I think more or less all these factors are responsible.

Some of the remedial measures of tribal development of Assam are:

- Six communities of the State viz. Moran, Motok, Ahom, Chutia, Koch-Rajbongshi, and Tea-tribes are agitating for tribal status in order to get more economic facilities. The failure of the Government of India to take concrete decisions on the issue of including six communities of Assam in the list of scheduled tribes has now snowballed into a major controversy and the agitations by different organizations representing the communities have been turning violent, which is threatening to disturb the social fabric of Assam. All the political parties should join hands to put pressure on the Government of India jointly on this issue if they are really serious about the economic development of the adivasi of Assam. The Assam Legislative Assembly had passed a resolution for granting ST status to six communities of the State and forwards the same to the Centre.
- Assam's ethnic diversity cannot be compared with any other State. It has necessitated creation of six Statuary Autonomous Councils, in addition to the 3 Sixth Schedule Autonomous

District Councils, which are predominantly inhabited by tribal people. The existing infrastructure available in these council areas is very poor and need substantial investments for development. The Planning Commission should provide special package of development for these councils on the pattern of the economic package provided to BTC. The tribal population in the plain districts of the State is around 27 lakhs, which is comparable to the population of the State of Meghalaya. The plan funds available to Meghalaya are far more than the investment for the tribal population under the State Plan of Assam. It is therefore necessary that the special assistance to the tribal sub-plan be suitably increased so that the per capita investment in these tribal areas can also be brought at par with the State of Meghalaya.

- The population of the two hill districts (Sixth Schedule areas) of the State is 10 lakhs. As compared to this, the State of Meghalaya, Nagaland and Mizoram, which were carved out of Assam earlier, have a population of 23 lakhs, 20 lakhs and 9 lakhs respectively as per the 2001 Census figures. The plan assistance received by

the two hill districts of Assam (Rs. 286 crore in 2006-07) is comparatively far less than the plan assistance received by Meghalaya Rs. 800 crore), Nagaland (Rs. 685 crore) and Mizoram (Rs. 620 crore). This has resulted in slow development of these areas, generating support for extremist activities and demand for separate statehood. Therefore adequate financial support should be provided to these Councils under Hill Areas Development Programme.

- The pattern and quantum of funding of the present hill area of Assam need to be completely overhauled and made at par with the States of Mizoram, Meghalaya and Nagaland, being a part of a shared geo-political history; meaning that all the expenditure of the Autonomous Council must be defrayed from the revenues collected within the Autonomous Council areas and supplemented and complemented by the Grants-in-aid of the Central Government, award of the Finance Commission, etc. and the required funds must be directly deposited in the accounts of the Autonomous Council, so that controversies over release of fund, quantum of the allocation and proxy spending of the funds

by Dispur are eliminated. If the Central Government has gracefully borne the burden of Mizoram, Meghalaya and Nagaland, the Hill Areas of Assam deserve the same treatment considering the common geo-political history of the said areas.

- The failure of the State Government to release Central funds on time to the BTC is definitely a matter concern and the Chief Minister, Tarun Gogoi, who also holds the finance portfolio, should seriously look into the matter to ensure that the BTC gets the funds on time to take up infrastructure development projects. As per the provisions of the MoS, the Centre agreed to provide Rs. 100 crore a year for a period of five years as a special development grant to the BTC and after the expiry of the five year period, the Centre agreed to provide Rs. 50 crore a year for another five years. As the fund is routed through the Assam Government, the BTC authorities are alleging that they do not receive the funds on time and demanded that the Central funds should be sent directly to the Council. The Centre should seriously consider the demand and if there is any reason to believe that the funds are not utilized properly, the Central or

the State Government can think of carrying out a thorough audit by the Accountant General into the financial.

- The Government of India has decided to amend the Sixth Schedule of the Constitution of India to bring in greater financial discipline in the Autonomous Councils formed under the same, which is a positive step and efforts should be made to make the amendment as soon as possible. But among the Autonomous Councils of Assam, only three – NC Hills Autonomous Council, Karbi Anglong Autonomous Council and the Bodoland Autonomous Council have been formed under the provisions of the Sixth Schedule and it will be up to the State Government to ensure greater financial discipline in the other Autonomous Councils. The State Government should evolve a mechanism to keep a close watch on the activities of the councils as merely providing funds to the councils will not serve any purpose. Moreover, over the years, the councils are being run by ad-hoc bodies appointed by the Government, which defeated the purpose of devolution of powers and steps should be taken to ensure elections to the councils as soon as possible.

- In recent times large scale irregularities in the Autonomous Councils have come to light, which is a matter of serious concern as the councils were created for the well-being of the downtrodden sections of the society and these pupil are deprived of the fruits of development. In the NC Hills Autonomous Council hundreds of crores of public money were embezzled by a coterie of politicians, officers, and militants have laid bare the magnitude of the scourge. The developments increasingly testify to the fact that the councils are far from serving their avowed objectives. The all-important need, therefore, is to have an effective mechanism for ensuring strict financial discipline. Both the Central and State Government need to monitor strictly the functioning of the councils vis-a vis implementation of projects. The Central Government need to amend in the Sixth Schedule for effecting greater financial discipline in the councils, the State Government will have to evolve its own mechanism in respect of the councils that are not under the Sixth Schedule.
- The Government should carry out an audit of the financial dealings of all the autonomous councils to ensure that funds

earmarked for development works are utilized for the benefit of all sections of the society. The State Government should ensure that the accounts of all Autonomous Councils are audited every year and the reports of the audits should be made public to bring in more transparency in the functioning of the councils. If the Government cannot ensure proper utilization of funds the very propose of creation of Autonomous Councils will be defeated and only a handful of people will be benefited.

- At the time of signing of the accord with organization demanding Rabha Hasong Autonomous Council in the yearly 1990s, the Government promised that Panchayat polls would not be held in the Council area. But instead of taking affective steps to put pressure on the Government of India to amend the Panchayati Raj Act to avoid holding of polls in the autonomous council areas, only recently the State Government has formed a committee to examine the matter and one fails to understand why the Government waited for more than a decade to form such a committee. The Rabha Hasong Autonomous Council area already started witnessing agitations by groups opposing holding

of Panchayat polls and the Rabha students' body has threatened to go to any extent to prevent holding of the polls. The situation in the Council area may deteriorate in the days to come if the Government fails to take a decision. Similarly the people of other autonomous council areas have also started opposing holding of Panchayat polls and only deployment of forces will not be a solution to the problem. Instead of forcibly imposing the Panchayat polls on the people who are opposing the same, the Government should immediately start the process of talks with the organizations opposing the polls to know their minds and should try to find a way out to defuse the situation before it goes out of control.

- It should be considered whether the functioning of the ADCs should be amended to make them more accountable through the insertion of a clause that makes mandatory the creation of village councils/bodies with a degree of representation to the traditional institutions of chiefs and goan buras, without giving the latter any primacy. The politicization of the system in these districts has meant that these institutions are no longer above

politics but deeply immersed in it. The village councils, as in the case of the DCs, should be elected every five years.

- Assam, together with other North-Eastern States, has cut a rather sorry figure in the implementation of Central-sponsored rural development projects, including the flagship programmes such as MGNREGA, PMGSY and IAY. State Government should take necessary step to implement all the flagship programmes of the Central Government and the Autonomous Councils would try to take benefit from these programmes. Ministry of Agriculture, Government of India would take necessary initiative to print out a booklet containing information and guidelines of all schemes of Government of India to circulate to the North Eastern States as there is still lack of awareness in the regard.
- One of the major constraints of tribal development is the lack of public cooperation in the development progress. Therefore, local tribal leaders, specially elected members should be consulted/involved at the various stages of policy making, implementation and evaluation of the tribal development schemes.

- Budgeting and sanctioning of schemes is a major constraint which tries to materialize at the fag end of the financial year. Because of that benefit do not percolate to the tribal people. Therefore, such constraint should be removed through effective planning.
- Positive attitude of the officers and staff responsible for budgeting, preparing proposals, sanctioning of schemes/ proposals and finally implementing the schemes in field is very important. Movement of the files should be strictly monitored and there should not be unnecessarily delay in sanctioning of proposals. Guilty officers/staff should be booked immediately.
- Lack of awareness among the tribals about the developmental plans and programmes is also a major constraint for tribal development. NGOs can play a major role in this regard. They can make the tribal aware of the policies and programmes undertaken by the govt. for their development. NGOs can also help the govt. departments in assessing the impact of the policies and programmes and suggest measures for better implementation of the programmes.

- Insurgency problems are one of the major constraints in the development of the STs in the hill areas of Assam. The hill and plain tribal areas of the State are beset by a number of extremist groups. Economic development is the right answer to the problem of insurgency and Government of India should formulate and implement a region-specific development strategy and plan aimed at employment generation on priority basis to effectively deal with militancy. Providing job to unemployed and frustrated youth can effectively prevent them from joining the ranks of militant groups of various misplaced ideologies. Tribal unemployed youths should be trained on various income-generating schemes for their self-employment. They should be encouraged in every way to earn for themselves and their families. There is also lack of tribal entrepreneurship among the tribal people. Proper environment should be created and tribal should be encouraged to take up small-scale industries based on locally available raw materials. The Government should envisage a time-bound development strategy, comprising six components.

- Empowering people through self-governance and participatory development
  - Creating development strategies through rural development initiatives
  - Developing sectors with comparative advantages
  - Capacity development of people and institutions
  - Creating hospitable investment climate; and
  - Increased investment from public as well as private sectors.
- Tribal should be encouraged to form Self Help Group (SHG) in the field of fishery, poultry, duckery, piggery, etc. so that they can earn enough for their families.
  - Family Oriented Income Generating schemes (FOIGS), poverty alleviation programme etc. should be designed in such a way that the benefited families can create permanent assets, which in turn generate sufficient monetary income.

A multi-ethnic and economically backward state like Assam needed a committed polity with a matching policy to ensure an equitable socio-economic uplift of all people regardless of the ethnic group they represent. It was absolutely necessary for a society beset by

caste and ethnic conditions with its roots created by an interaction of various historical, social and economic elements and nourished by the colonial rule. An assimilation of the people of different ethnicity into a cohesive mass is a prerequisite for peace stability of the region. But a general lack of sincerity of the policy in this regard even after attainment of independence could be counted as the reason for not achieving it. In fact a polity thriving on disunity of the electorate needs an ethnic divide to sustain its political power, particularly when it has little commitment for any progressive change of the society. A class crystallization and class struggle in a class divided society is an unwanted proposition for any class biased polity exercising their class rule in a disguised manner incomprehensible for any common citizen. An ethnic contradiction invariably diverts the mass from the path of class struggle initiated by the exploited majority by forgetting their ethnic origin and uniting themselves as the deprived class. Naturally when the economic miseries of the major chunk of our population have surpassed limit and some sort of class crystallization in nascent form started to emerge in the society through struggle against macro and micro economic policies pursued by the Governments, and ethnic

divide becomes a necessity for the exploitative system to tackle the situation politically. It could obfuscate a person's insight and thought process and could make him more subjective and emotional'. Presently the complicated ethnic problem of the State has emerged its ugly heads which has become a concern for the people.

In order to resolve the ethnic contradiction of the State, a proper developmental model was a necessity backed by a transparent policy of involving the people in planning and execution process. It could have empowered the people for self governance as well as to dispense with the feeling of being neglected. Moreover the possibilities and constraints of the existing economic system to could have understood by the people had the Constitution given clauses on decentralization of power been adhered to both in the rural and urban sectors. Importantly, by following the provisions of the Constitution in the true sense of the amended clauses, the much hyped political corruption related to development works too could have been arrested through people's surveillance in the monitoring process. In contrast the class biased ruling policy of Assam has been making governance as its exclusive right with support from the leaders of different ethnic

groups, wielding enough influence on the populace of their clan. These selfish leaders who very often than not use such platform with ethnic tinge as the launching pad for self aggrandizement and rise to power rather than doing collective good to the deprived ethnic groups. Consequently an ethnic movement under a new leadership has become a natural phenomenon in Assam in the prevailing political culture.

### **Concluding Remarks**

Assam's tale of woes began with the partition of the country. The problem of transport bottleneck and geographical isolation started in 1947. The man-made calamity was followed by a natural disaster. In 1950, an earthquake almost altering its topology and changing the course of the river Brahmaputra. The earthquake was followed by devastated floods in mid-1950s. Next came the India-China war in 1962. It was a psychological blow to the people of the North-East. The next sever blow came in 1971 when Assam not only had to suffer the war-time tension and the inconveniences of the Bangladesh liberation but also had to give shelter to millions of refugees from the erstwhile East Pakistan for more than a year. In 1971, Assam was fragmented once

again and balkanization of the North-East had taken one step further. Assam had to shift its capital in 1974 from Shillong to Guwahati. Even before the administration could settle down in its new environment in a make-shift temporary capital, the Assam agitation began in 1979. The agitation ended in 1985 with the signing of Assam Accord. But the respite was short-lived. The rise of the ULFA in the mid-1980s followed by unrest in the areas dominated by Bodo tribe areas engulfed the State with militancy, insurgency, terrorism and associated killings, extortions, etc.

When Assam Chief Minister Tarun Gogoi took over the reins of the State on 18<sup>th</sup> May, 2001, there was a hostile Government at the Centre, that of the NDA, totally inimical to the Congress party. It was difficult ensuring smooth flow of Central funds, and the Centre even refused to provide funds for schemes because the State was unable to put in its 25 percent share, notwithstanding the fact that Assam was by then totally bankrupt. Terrorism were calling the shots, people scared of coming out after sunset, roads were totally dilapidated, and business were shifting out due to extortions and abductions. There was total insecurity all over, and people were living in a state of mental

despair where they thought development and normalcy had to wait till peace was brought back. Forget about development projects, such was the State's financial position that even Government employees were not getting their salary and wages for months together.

Pulling Assam out of that morass was a daunting task. Gogoi as Chief Minister has been able to change the people's positive mindset, and Assam is today considered the fastest mover in overall rankings among all States of the country. Gogoi not only persuaded the Centre to release as much funds as possible, but also put in place the Panchayats by holding a long-pending election, thus taking the power of democracy and governance down to the grass roots level. It was under his leadership that a self-help groups' movement silently took off, turning the State's rural economy vibrant.

He believes that India lives in the villages. Hence, his thrust on empowering the rural people and rebuilding the rural infrastructure has worked wonders. While almost every rural road was repaired, over 10,550 km of black-topped roads and 52,000 km of gravel road-length was added to the State apart from 887 concrete bridges since 2001<sup>2</sup>. Connectivity being a powerful developmental mantra that he believes

in, Gogoi has recently got Prime Minister Manmohan Singh to approve and sanction as many as four new bridges across the mighty Brahmaputra River. His sharp focus on education has already added several new institutions to the State, which includes three new medical colleges, and a host of other technical and professional institutions that are opening up new vistas for the younger generation.

Just a single indicator is enough to prove this point; the per capital economy of Assam has more than doubled from Rs. 10,718 in 2001-02 to Rs. 22,081 in 2007-08. The GDP, which stood at a dismal 2.1 percent in 2001, has shot up to eight percent, and is still rising. The State's annual plan, approved by the Planning Commission, has seen a quantum leap from Rs. 1,520 crore in 2000-01 to Rs. 5011 crore in 2008-09<sup>3</sup>. With a three-fold increase in the budget, Gogoi could bring in a number of prestigious projects from the Centre amounting to a whopping Rs. 26,608 crore<sup>4</sup>.

Gogoi achieved the biggest breakthrough as Chief Minister with his peace initiative to douse the flames of the protracted Bodo movement. Formation of BTC, an Autonomous Council for self-governance under the Sixth Schedule, brought an end to the violent

movement in Bodo heartland. With this, Gogoi had own half battle against militancy. Likewise creation of six Autonomous Councils for Mising, Tiwa, Rabha, Sonowal Kachari, Deori and Thengal Kachari have helped Gogoi in a way to fulfill the hopes and aspirations of the ethnic groups and get the backing of the ethnic tribes as well as the Bodo who joined hands with him in forming the Congress-BPF alliance Government in 2006. In his budget speech on 10<sup>th</sup> July, 2006 of his second term as Chief Minister Gogoi while thanking the people of the State for reposing trust on him once more, said "...This fills my heart with humility and determination to work even harder for all-round development of the State". He has encompassed every segment of the society, be it the ethnic tribes, minorities, tea tribes, STs, SCs and other communities. A number of militant groups have come forward to lay down arms and join the mainstream raising hope of peace.

Several potential sectors have been identified and incentive announced to induce investment. Gogoi Government did not neglect the aspect of FDI, the flow of which can boost its trade and commerce and industrial sectors. The Gogoi-led alliance Government has charted out a new roadmap for economic strategy for the coming years. Its

salient features include stepping up agricultural production through farm mechanization to ensure better remuneration to farmers, construction of a vast network of roads, bridges and national highways, rural development, health and family welfare, has led to various socio-economic and political problems, creation of three medical colleges at the same time, and increasing power generation and development on the industrial front.

So, in conclusion it may be said that present Government of Assam under Tarun Gogoi leadership since 2001 took some bold legislative initiatives and executive decisions for the all-round development of Assam. In view of the plight of the tribals of Assam, various Acts and Amendments has been passed by the Government of Assam for improving the living conditions of the tribal population. These legislative actions are intended to cover agriculture, irrigation, animal husbandry, house sites, co-operative credit, education, health, distribution of essential articles etc. They also aim at protecting the interests of the tribals by providing them with a legal framework, and streamlining their development and raising their standard of living. The Government of Assam had made earnest efforts to provide more

power of self governance to different tribal and ethnic groups within Assam, so as to bring about speedy development in the areas inhabited by the tribal groups.

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## ANNEXTURES

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## Annexure-I

### Tribes of India

A comprehensive list of some of the tribes in India and the areas they inhabit.

Tribes	Place where they inhabit
Abors	Arunachal Pradesh, Assam
Adi, Apatani, Khampi, Miri, Tagin	Arunachal Pradesh
Angami, Ao, Rengma, Sema, Zeliang	Nagaland
Badagas, Todas	Tamil Nadu
Baiga, Bhils	Madhya Pradesh, Rajasthan, Gujarat
Bhotias	Uttar Pradesh ( Garhwal and Kumaon
Bhutias, Mundas	Sikkim
Birhor, Mundas, Oarons	Bihar
Bodos, Chutia, Kacharis, Karbi, Mishing, Rabhas,	Assam
Chenchus	Andhra Pradesh, Orissa

Dangs	Gujarat
Gaddis	Himachal Pradesh
Garos	Meghalaya
Gonds	Madhya Pradesh, Bihar, Orissa, Andhra Pradesh,
Great Andamanese, Sentinelesse	Andaman Islands
Irulas, Kotas	Tamil Nadu
Jaintias	Meghalaya
Jarawas, Onges	Little Andamans
Kanis, Uralis	Kerala
Khasis	Meghalaya, Assam
Khonds	Orissa
Kol, Oarons, Murias	Madhyapradesh
Kuki	Manipur
Lepchas or Rongpa	Sikkim
Lushais	Tripura
Meiteis	Manipur, Nagaland
Mina	Rajasthan
Santhals	West Bengal, Bihar
Shompens	Great Nicobar Islands

## Annexure-II

### **Distribution of STs Population indifferent States/ UTs (As per 2001 census)**

State	Percentage of ST Population in State/UTs to the total ST Population of the Country
1 Madhya Pradesh	14.51
2 Maharashtra	10.17
3 Orissa	9.66
4 Gujarat	8.87
5 Rajasthan	8.42
6 Jharkhand	8.40
7 Chhattisgarh	7.85
8 Andhra Pradesh	5.96
9 West Bengal	5.23
10 Karnataka	4.11
11 Assam	3.92
12 Meghalaya	2.36

13 Nagaland	2.10
14 Jammu and Kashmir	1.31
15 Tripura	1.18
16 Mizoram	1.00
17 Bihar	0.90
18 Manipur	0.88
19 Arunachal Pradesh	0.84
20 Tamil Nadu	0.77
21 Kerala	0.43
22 Uttaranchal	0.30
23 Himachal Pradesh	0.29
24 Dadra & Nagar Haveli	0.16
25 Sikkim	0.13
26 Uttar Pradesh	0.13

### Annexure-III

As per Scheduled Castes & Scheduled Tribes order (Amended) Act 2002, Hill Tribes constitutes 15 communities and Plain Tribes constitute 14 communities. It is to be noted that one Plain Tribes community also figures in the Hill Tribes list and three hill tribes communities figure in the Plain Tribes list.

Scheduled Tribes (Plains) in the plains areas of Assam

1. Barmans in Cachar
2. Boro, Borokachari
3. Deori
4. Hojai
5. Kachari, Sonowal
6. Lalung
7. Mech
8. Miri
9. Rabha
10. Khamtis

11. Singphows
12. Dimasa
13. Hajong and
14. Garo

Scheduled Tribes (Hills) in the autonomous districts of Karbi Anglong and North Cachar Hills of Assam

1. Chakma
2. Dimasa Kachari
3. Garo
4. Hajong
5. Humar
6. Khasi, Jaintia, Synteng, Pnar, War, Bhoi, Lyngngam.
7. Any Kuki tribes (37 groups)
  - (i) Biate, Biete, (ii) Changsan, (iii) Chongloi, (iv) DOUNGEL, (v) Gamlhou, (vi) Gangya, (vii) Guite, (viii) Haneg, (ix) Haekip, Haupt, (x) Haolao, (xi) Hengne, (xii) Hongshugh, (xiii) Hrangklogwal Rongkhoh, (xiv) Khrlma, (xv) Khawchung, (xvi) Khawathlang, Khothalong, (xvii) Jongbe, (xviii) Kholhou, (xix) Kipgen, (xx) Kuki, (xxi) Lengthang, (xxii) Lhangum, (xxiii) Lhengum, (xxiv) Lhoujem, (xxv) Lpheng, (xxvi) Mangiel, (xxvii) Misao, (xxviii) Rieng, (xxx) Selnam, (xxxii) Singson, (xxxiii) Sitlhou, (xxxiv) Sukto, (xxxv) Thado, (xxxvi) Thomngneu, (xxxvii) Uibuh, (xxxviii) Vaihei.
8. Lakher

9. Mar (Tai speaking)
10. Any Mizo (Lushai) tribes
11. Mikir
12. Any Naga tribes
13. Pawi and
14. Syntenng.
15. Lalungs

## Annexure-VI

Departments for entrustment to the N.C. Hills and Karbi Anglong Autonomous District Councils under Para 6(2) of the Sixth Scheduled to the Constitution of India

1. Industry,
2. Animal Husbandry and Veterinary,
3. Forest,
4. Agriculture,
5. P.W.D.,
6. Sericulture,
7. Education (Primary, higher secondary and adult education),
8. Cultural affairs,
9. Soil conservation,
10. Co-operation,
11. Fisheries,
12. Panchayat and rural development including DRDA,
13. Handloom and textile,

14. Health and family welfare,
15. Public health engineering,
16. Irrigation,
17. Social welfare,
18. Flood control,
19. Sports and youth welfare,
20. Weights and measures,
21. Food and civil supplies,
22. Town and country planning,
23. College education including library, museum and archaeology,
24. Land reforms,
25. Publicity and public relations,
26. Printing and stationery,
27. Tourism,
28. Transport,
29. Excise, and
30. Finance including sales tax, excise and professional tax.

## Photo Feature

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## Photo Feature

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**A young Rabha woman**  
Rabha, fourth largest tribe, constitute 8.4 percent of total ST population of Assam



**Tea plantation**  
(The women working in Assam tea estates are mostly bodos)

**The home of Dimasa**  
(Situated in NC Hill District of Assam)



**The Mising tribal people, second largest tribe,**  
celebrating Spring Paddy Planting Festival. Locally known as All-Aye-Lvgang, in Guwahati.



**A newly married Karbi couple  
The Mikir, now recognized as Karbi,  
constitute an important ethnic group in the hill areas of Assam.**



**Jhum cultivation (Shifting Cultivation)**

**The hill tribes who practice jhuming or shifting cultivation very often shift their villages to new jhum sites which might be 10 to 20 kms away from the present site.  
In the hills they practice jhuming by cleaning the forests.**



**A front view of Karbi house**

**The traditional housing pattern has more or less been abandoned by the Karbis. Instead of having raised bamboo platforms, the houses are constructed on grounds. Building materials required for construction of the houses, whether traditional or modern, are procured from the nearby forests, markets.**

