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CHAPTER-I

Introduction and Methodology

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 continent¹. 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 Orissa². 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'³. 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 chief⁴. The Oxford Dictionary of Sociology⁵ 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 though 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"> • Guarantee for the projection of the tribals 	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"> • Grant-in-aid from consolidated fund of India to States (Article-275) 	Article-275 provides grant-in-aid from consolidated fund of India to States.
<ul style="list-style-type: none"> • Special multi-purpose tribal projects in selected areas. 	For the tribals for their intensive development.
<ul style="list-style-type: none"> • Tribal development 	
<ul style="list-style-type: none"> • Training-cum-production centres & subsidies. 	Development of cottage and small scale industries to provide employment.
<ul style="list-style-type: none"> • Colonization of tribals 	Tribal colonies
<ul style="list-style-type: none"> • Establishment of cooperative farming 	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 18th 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)⁷ '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)⁸ 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)⁹. 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)¹⁰ 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)¹¹ 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)¹² 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)¹³ '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)¹⁴ 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)¹⁵ 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)¹⁶ 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)¹⁷ '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)¹⁸ 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)¹⁹ 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)²⁰ 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)²¹ '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)²² 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)²³ '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)²⁴ 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)²⁵ 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)²⁶ 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)²⁷ "The working of the Sixth Schedule in North-East" studied the working of the Sixth Schedule in North-East India.

Bordoloi's (1990)²⁸ 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)²⁹ 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)³⁰, 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)³¹ 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)³² '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)³³ 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)³⁴ (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)³⁵ 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

Notes and References

1. Shah, V.M., "Tribals and Cooperatives", Kurukshetra, Vol. XXXIV, January, 1986, p.4.
2. Government of India, Ministry of Tribal Affairs, 2006 (Official Website).
3. Stephen Fuchs, The Aboriginal Tribes of India, Mc. Millan India Ltd., Deldi, p.26.
4. Patnaik, Satyendra, Changing Profile of the Tribes of Orissa, Seminar Paper, Deptt. Of History, NBU, 2009, p- 1.
5. Marshall, G.(ed.): Oxford Dictionary of Sociology, Oxford Dictionary press, Oxford, New York, 1998, p.674.

6. Ramaiah, p.: "Issues in Tribal Development", Chugh Publications, Allahabad, 1988.
7. Maharanta, Arup: "Demographic Perspectives on India's Tribes", Oxford University Press, New Delhi, 2005.
8. Bhushan, Chandra: "Terrorism and Separatism in North- East India", Kalpaz Publications, 2004.
9. Das, G.N.: "Tribal Tradition and Development in the Hill areas of Assam", Tribal Research Institute, Guwahati, 2006.
10. Das, S.T.: "tribal Life of North Eastern India", Cosmo Publications, Delhi, 1973.
11. Sharma Thakur, G.C.: "Selected Essays on Tribes and Castes of Assam", Tribal Research Institute, Guwahati, 2007.
12. Atreya, Harka Bahadur Chhetri: "The Bodos of Assam- a Socio-cultural Study", Maulana Abul Kalam Azad Institute of Asian Studies, Kolkata, 2007.
13. Mohanty, P.K.: "Encyclopaedia of Scheduled Tribes in India", 5 Vols. Saujanya Books, Delhi, 2006.
14. Mishra, S.N. and Bhupinder Singh (ed.): Tribal Area Development, SSRd, New Delhi, 1983.

15. Das, N.K.: "Ethnic Identity, Ethnicity and Social Stratification in North East India, Intra India Publications, Delhi, 1989.
16. Sen, S.: "Flok-Lore in North-East India, Osmons Publication, Guwahati, 1985.
17. Rath, G.C.: " Tribal Development in India: The Contemporary Debate", Sage Publications India Pvt. Ltd., New Delhi, 2006.
18. Srivastava S.: "Shifting cultivation in India", Man in India, Vol.51, No.4, 1977.
19. Ramaiah, P.: "Issues in Tribal Development", Chugh Publications, Allahabad, 1988.
20. Tribal Development in India: The Contemporary Debate, edited by Govinda Chandra Rath, Sage Publications India Pvt. Ltd., New Delhi, 2006.
21. Prakash, Ved (Col.): "Encyclopaedia of North-East India", 5 Volumes, Saujanya Books, Delhi, 2007
22. B.N. Mohanty: "Encyclopedia of Scheduled Tribes of India" Gyan Book Publications, New Delhi, 2006.

23. B.N. Mohanty: "Encyclopedia of Primitive Tribes in India" Gyan Book Publications, New Delhi, 2003.
24. Pataskar, H.V.: "Report of the Commission on the Areas of Assam" (Pataskar Commission) Ministry of Home Affairs, New Delhi, 1966.
25. Bhuyan, M.D.: "The North Easter Council" DVS Publishers, Guwahati, 2005.
26. Bhuyan, Kusumber: "Sixth Schedule in North-East India", DVS Publishers, Guwahati, 2008.
27. Bordoloi, B.N.: "Dimasa Kacharis of Assam" Bulletin, Tribal Research Institute, Guwahati, 1984.
28. Reddy, P.S.: "The working of the Sixth Schedule in North-East", Unpublished Doctoral Thesis, Guwahati University, Assam, 1976.
29. Bhattacharjee, K.K.: "Land under Legislation in Karbi Area of Assam" Bulletin, Tribal Research Institute, Guwahati, 1990.
30. Sharma, B.D.: "Planning for Tribal Development" by B. D. Sharma, Purni Prakashan, New Delhi, 1984.

31. Das, G.N.: "Status of Primary Education in the Hill Districts of Assam: A Special Assessment Study of Karbi Anglong", Bulletin, Tribal Research Institute, Guwahati, 2002.
32. Hazarika, N.A.: "Health and Education among the Tribes of Assam: problems and prospects", Tribal Research Institute, Guwahati, 2002.
33. Bhuyan, B.C.: "Personnel Policy and the Tribal Development Administration in Karbi Anglong", Bulletin, Tribal Research Institute, Guwahati, 1989.
34. Goswami, Atul: "Traditional Self-Governing Institutions among the Hills Tribes of North-East India", Akansha Publishing House, New Delhi, 2002.
35. Singh, P.: "North-East: Frontier in Ferment", Dialogue, Vol.1, No.4, April-June, 2000.
