

The Theme made on "INDIGENEOUS PEOPLES AND THEIR RELATIONSHIP TO LAND"

On behalf of

ADIVASI SOCIO-EDUCATION AND CULTURAL ASSOCIATION, ASSAM, INDIA

Respected Chairperson,

I on behalf of Adivasis Socio-education and cultural Association, Assam and on behalf of all the adivasis of Assam offer my gratitude and bring to you heartfelt greetings to all brothers and sisters, governments, and distinguished participants, I would like to state the following s on this year theme "INDIGENOUS PEOPLE AND THEIR RELATION TO LAND".

India is country of great diversities, different ecological condition, varied language and cultures and different economics. She has given settlement to a large number of population with-varied ethnicity. These people live in different geographical areas like mountain, plains, forest, coastal, deserts areas and also on islands. They have their own social organisations, own system of social control, own religious beliefs and practices and own world views. They have their own life style and definite line of thinking. They spend their life in their own territory. They have their own characteristics which make them distinct.

The indigenous or tribals who are 427 in number in India. Population according to 1991 census was about 68 million, that is about 8 per cent of the country's total population. This number is large, much more than the population of many a country round the world. Again a number of indigenous groups are recognised by the Government and they are the scheduled tribes. But since all the tribal and analogous social formations are not considered as scheduled tribe when population which is recognised by the government, the number of actual indigenous population must be much more than what is mentioned as scheduled tribes population.

The indigenous population is found in two major concentration s : (1) in the central or middle mountain tracts stretching from sea to sea on east-west axis, edging on the Ganga -Yamuna plains to the north bound by river Godavari in the South, separated from the Thar desert by the Aravalis, and spanned by the Vindya and Satpura ranges with plains, plateaus and river valleyes scattered all around and (2) in the mountainous tracts of North-East India, comprising the Eastern Himalyas and their extentions on due South-East and Khasi-Jayantia hills which join these extentions on East-West axis, the two tracts being separated by the river Brahmaputra valley lying in between.

The North-East India region accounts for 12 per cent of the countrys tribal population, the central or middle Indian region accounts for as large as 83 percent. The balance of 5 per cent is largely accountable to Peninsular south (over 4 per cent of the indigenous population is found in the western Himalays, covering the states of Himachal Pradesh and Hills of Uttar pradesh.

The North East India, comprises Arunachal Pradesh, Assam, Manipur, Meghalayas, Mizoram, Nagaland and Tripura. These states have 2,55,083 sq km. Total geographical area accounting for 8.74 per cent of the total geographical area of the contry. In 1981 total population of the North-East India was 26,607,199 including estimated population of Assam. The total population of the region is 3.88 per cent of

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the total population of the country. The total number of tribals is 35.97 lakhs, excluding the migrated indigenous population working in the tea plantations of the North Eastern region of India. All these tribal people inhabiting these areas have always considered themselves indigenous and aborigines.

Land plays a very important role in indigenous peoples economy. It is known that majority of the indigenous population in India depend on land for their survival, either directly as land owner or indirectly as agricultural labour. The indigenous people and their relation to land may be said as "the land and the tribal people are part of one thing, one old established body of relationship" (Redfield :1956). The land is foremost thing for the tillers of the soil. For the survival nothing is more important than their land holding.

Two types of cultivation are prevalent in the North- Eastern part of India— permanent cultivation and shifting cultivation. Wet paddy cultivation, terrace cultivation and cultivation of cash crops and horticultural crops like rubber, coffee, tea etc. are the permanent cultivation of this types. The shifting cultivation is mostly practised by all tribal communities inhabiting the hill areas. These systems of cultivation is commonly known as "Jhum" in the entire North –East India.

In India 233 Development Blocks of 62 administrative districts belong to 17 states are known to be affected by shifting cultivation.

Depending on the system of cultivation, the ownership with the system of tribal chieftainship. It is very important to note that the indigenous people living in the hill areas there are customs and traditions relating to specific right over land. The modern land laws provided three types of rights namely (1) right of use and occupancy (2) rights of inheritance and (3) right of transfer.

The indigenous people's life in India, today, is not what it was. Their culture and tranquillity has been disturbed due to opening up the areas of indigenous people to the outside world. Apart from atrocities on indigenous people, certain socio-economy aspects of their life –like money lending that keeps them in continuous debts and bondage, adverse impact of industrial complexes, harassment by the revenue, forest and excise officials, backwardness in the educational field also contributed to their misery.

Of all the problems faced by the indigenous people the land problem has been a fundamental problem and is directly connected to their economic upliftment. Land in the area of indigenous people has been a problem only when these areas were converted into the centres of exploitation. The main problem of indigenous people is the land alienation. It is the general notion that non-tribals have alienated lands of indigenous people is rather simplistic and evades the complex issue of dispossession. The land survey and settlement operations ignoring traditional collective rights of indigenous people contributed to the process of lose of lands. The development projects have led to large scale alienation of land and forest. The indigenous people also lost their control over land by introduction of new land use pattern.

Although certain legislative measures adopted by the government of countries like India to protect the interest on land of people of tribal belts and blocks have appeared yet to be fool-proof. Appropriate legislative measures, without loophole in respect of non-transfer of land from the indigenous tribal people to non-tribal transferees, should be urgently enacted by concerned governments to protect the right on their land with a view to safeguard the basic rights of the indigenous people in their own homeland, removing insecurity and helplessness in day to day living.

The indigenous people not recognised by the government as scheduled tribes are the worst sufferer from the interest on land. They are basically tribal people who

are treated as non-tribals. The grabbing of their land by non-tribals, traders etc. is becoming the day to day phenomena in the state of Assam in India. They loss the control over land by the Tea Planters, the small Tea groweres in the name of plantation. Likewise, the non-recognised tribal workers become completely homeless and land less after their retirement or retrenchement from their employment in the tea gardens and other industries.

The land problem of indigenous people led many events in the country in India during British regime and it still becoming a cause of unrest in many parts of India, particularly in the North –Eastern region. Indigenous people are fighting for survival, even between tribals and tribals which may endanger the very existence of indigenous people.

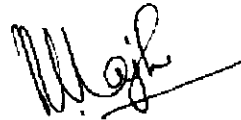
Madam, let me put forward my suggestion to this august house to exercise their mind which may help for the solution of the problems a little bit as I believe.

1. The non-recognised tribes in the state of Assam should be recognised as the scheduled tribes by the government of India. In this regard I may mention that the
2. Dhebar commission, The Patashkar commission, The Lokur commission, The Chanda commission etc constituted by the Indian Parliament from time to time recommended to recognised the non-recognised tribes i.e Santhal, Munda, Sobor, Saura, Orang, Bhumij, Tanti etc. living in the tea gardens and village areas of Assam who had been brought by the Britishers to engage them in the tea plantation of Assam. The recognition as scheduled tribes may enable them to have constitutional privileges to protect their right on land from alienation at least
3. National committee for the country and the state level committee for each state be constituted with members drawn from amongst the lawyers, adminmistrators, leaders of indigenouspeople and research workers of differen disciplenes to study the laws and also loopholes of the existing laws relating to the alienation of land of indigenouspeople and indebtedness.
4. Suitable legislation be made prohibiting transfer of land of indigenous people in the area out side the tribal belts and blocks in Assam and Scheduled areas in other states.
5. To stop the transfer of land belonging to indigenous people to non-tribals.
6. To curb the money lending by non-tribal money lenders and the land grabbing activities by mohajans or by any non-tribals.
7. The indigenous people affected by alienation of land and indebtedness are unable to seek legal assistance to recover their land, they should be provided with free legal assistance by the government so that they may be able to recover their land and be free from indebtedness.
8. The customary laws prevalent among the indigenous communities, especially those concern with land management and ownership system, should be studied and codified.
9. Tribal land reform be made to protect land rights of indigenous people from any kind of exploitation, alienation etc..
10. The legislation enacted in the states of India in respect of protection of land strictly be implemented.
11. No any industry, projects, large or small be set up in the areas of the indigenous people at the cost of their interest and welfare.

12. Elimination of exploitation including extraction by the middle men, collecting agents.
13. Improvement in the working condition of the cultivators of indigenous people in various parts of the country.
14. Policy of giving priority should be adopted in matters of allotment of cultivable waste land to recognised and non-recognised tribes of indigenous people.
15. No restriction should be imposed on indigenous people from exploiting the natural resources on which they are solely dependent for their livelihood until and unless some other alternatives are provided.

At last, I sincerely appeal to the brothers and sisters of indigenous people, that let us stand unitedly to fight against the injustice, exploitation, suppression and oppression and let us fight to preserve and protect our heritage, culture, tradition, language of ours.

Thanking you all.



(Prithibi Majhi)

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