CHAPTER III

POST INDEPENDENCE PROBLEMS
Post Independence Problems:

Independence brought an euphoria among the tribals also like others. They thought that their problems would be solved and could lead a better life. The tribal life of North-East India has been changed which developed political consciousness among them. The growth of administration and administrative centres, spread of education and christianity offered opportunities for inter-tribals interaction.

At the time of advent of independence two political trends were clearly visible. The first was in favour of asserting more tribal autonomy within the Indian Union and other was motivated by ideas of independence. The first trend was more stronger for which most of the tribal leaders rallied around the Congress to solve their problems and accordingly placed demands in the Constituent Assembly.

(a) The Constitutional Provisions:

On the eve of independence question of protection of minorities in free India attracted the attention of the leaders and founding fathers of the Indian Constitution. A Constituent Assembly was formed under the Cabinet Mission Plan to frame the constitution of free India. Assam was represented in the Constituent Assembly by Bibaran Chandra Laskar,
Dharanidhar Basumatary, Gopinath Bordoloi, J.J.M. Nichols Roy, Kuladhar Chaliha, Rohini Kumar Choudhury, Mohamamd Sadulla and Abdur Rouf of whom Dharanidhar Basumatary and J.J.M. Nichols Roy were from Scheduled Tribes (Plains & Hills). The Tribal League nominated Bhimbar Deuri who was defeated by the Congress nominee Dharanidhar Basumatary supported by the then Premier Late Gopinath Bordoloi. Consequently the Tribal League's viewpoints could not be represented to the national forum. A resolution for setting up an Advisory Committee on fundamental rights, Minorities, Tribal and Excluded and partially Excluded areas was moved by Govinda Ballabh Pat on 24 January 1947 and the Constituent Assembly after a threadbare discussion adopted it. He laid emphasis on the issue of minorities and said: "The question of minorities everywhere looms large in the constitutional discussions. Many a constitution has founded on this rock. A satisfactory solution of the questions pertaining to minorities will ensure the health, vitality and strength of the free state of India that will come into existence as result of our discussions here. The question of minorities cannot possibly beverted. It has been used so far for creating strife, distrust and cleavage between the different sections of the Indian nation. Imperialism thrives on such strife. It is interesting in fomenting such tendencies. So far, the minorities have been incited and have been influenced in a manner which has hampered the growth of cohesion and unity. But now it is
necessary that a new chapter should start and we should realise our responsibility. Unless the minorities are fully satisfied we cannot make any progress, we cannot even maintain peace in an undisturbed manner\textsuperscript{3}. He also added: "The voice of the minorities and the representatives of the Excluded and Tribal Areas will preponderate in this committee. They will be in a position to record their decisions and no section will be in a majority. So this committee will fully reflect the opinion of the minorities and the backward tracts and will, hope, be able to reach decisions which will fully secure their position and ensure the protection of their rights"\textsuperscript{4}.

The Advisory Committee set up a Sub-Committee on the minorities headed by H.C. Mookerjee which also dealt with the Plains Tribals. Rupnath Brahma was included in this committee from the Plains Tribals of Assam\textsuperscript{5}.

The Advisory Committee at its meeting on February 27, 1947 set up three Sub-Committees on (1) The North-East Frontier (Assam) Tribal and Excluded areas, (2) The Excluded and Partially Excluded areas in the provinces other than Assam and (3) The Tribal areas in the North-West Frontier province and Balucistan\textsuperscript{6}. The Sub-Committee on the North-East Frontier (Assam) under the Chairmanship of Gopinath Bordoloi consisted of J.J.M. Nichols Roy, Rupnath Brahma, A.V. Thakur
and Aliba Ingti. The Sub-Committee co-opted the following members from the various tribal areas: Khawtin Khuma and Saprawing for Lushai Hills; Harison W. Momin and Mainram Marak for Garo Hills; S.S. Ingti and K.S. Terang for Mikir Hills; Kezehol and Khelhoshe for Kohima area; Swad Danlagopu and C.T. Thanga Bicte for Haflong and Jesing Rynja, Larsing Khyriem for Jaintia Hills.

A memorandum on the safeguards for the Plains Tribals People of Assam was submitted by Rupnath Brahma in March 1947 to the Minority Sub-Committee where the following demands were made: (1) Equal rights with others, (2) Proportionate representation in Central Cabinet and Legislature, (3) 25 P.C. of the total seats to be reserved in the provincial Legislature, (4) Legitimate and due shares in Central Services, contracts and other economic activities, (5) Freedom of Religion and Culture, (6) Specific sums for education, reservation of Scholarships, (7) Special statutory provision for protecting land and (8) formation of a board comprising of one Minister with the MLA's (Plains Tribals) to advice the executive head of the province regarding the development of the Plains Tribals to see that the safeguard were observed. Besides, another memorandum was submitted on behalf of the Assam Plains Tribes to the Minority Sub-Committee on 20 March, 1947 by Satish Chandra Basumatary, General Secretary, Assam Plains Tribal league with the following
demands: (1) Fundamental Rights shall be equal in the same degree to all the tribal people, (2) Reservation of seats in Legislative bodies - Central, Provincial, Urban and rural, (3) consideration of Kacharis - Boro, Kacharis, Sonowal Kacharis, Mech Kacharis, Dimasa Kacharis, Thangal Kacharis, Deoris, Miris, Lalungs, Hajongs, Motacks, Morans, Abors, Misimis, Duflas, Singhphos, Khamptis, Akas, any Naga of Kuki Tribes and Tea-Garden Tribes living outside garden areas as Plains Tribes, (4) Separate electorate system, (5) Adequate representation in Central and Provincial Cabinet in proportion to their members in the Legislatures, (6) Sufficient share of State, Local, Urban and rural budgets for education religious or charitable purposes, (7) Mother tongue as medium of Instruction specially in the Primary Stage, (8) due share in all Public Offices, trades and commerce, (9) Protection of Land and (10) to empower the tribal members in the Central and Provincial Cabinet together with the members of the Legislature to see the effectiveness of the safeguards. In addition, the Tribal League demanded the creation of scheduled areas in the plains districts of Assam under the 5th schedule of the draft constitution of India and submitted a memorandum before Constituent Assembly and the Minority Sub-Committee.

On May 18, 1947, Karbi-A-Durbar, the lone organisation of the Mikirs submitted a memorandum to the Sub-Committee on Excluded and Partially Excluded areas (Assam) which was popularly
known as Bordoloi Committee. Besides, Samsing Teron, Chatrasing Teron, Soisoi Terang, Barelong Terang, Bonglong Terang and several others gave evidence before the committee. They demanded: (1) a separate district comprising of Mikir Portion of Nowgaon, Sibsagar, North Cachar Hills and the Khasi and Jaintia Hills to place all the Mikirs under a single administration, (2) protection of Land, education and social customs for the Mikirs of other areas, (3) autonomy in the local matters and the Mikir as the language of the district, (4) formation of a local council with legislative, executive and judicial functions and reservation of seats in the council for the tribals in proportion to population, (5) Introduction of central and provincial legislature with the consent of the local council, (6) representation of the district in the Assam Assembly at the ratio of one member for every 50 thousand population by rotation in the Central Legislature and also reservation of seats in the provincial cabinet, (7) Franchise to village head men pinpos, Habes, those passed lower Primary, the head of each family paying a house tax or land revenue of the age of 18 for provincial legislature and to members of the legislature, local council, Mauzadars and those passed middle school for Central Assembly, (8) Judicial Power on thefts, Land disputes, disputes involving social customs etc. to the local council, (9) introduction of free and compulsory education, Mikir language as medium in the primary stage and provision of foreign scholarships to the Mikir Student, (10) Reservation of posts within the district to Mikirs and also a proportion of
provincial services, (11) introduction of co-operative farming (12) reservation of all revenues derived from the district to spend in it and (12) compulsory military training for all Mikirs.

On behalf of the Tribal Council, a body consisting of representatives from all tribes of North Cachar Hills, a memorandum was submitted to the Bordoloi Committee with the following demands: (1) abolition of forced labour and begging and the right to follow one's customs and usages, (2) protection of land by prohibiting outsiders from acquiring land, (3) participation in political life of the Sub-division by the bonafide residents, (4) preservation of village administration and respect for social institutions with social customs and usages, (5) application of land regulation passed by the central or provincial legislature with the consent of the MLA's of the area concerned, (6) separate portfolio in the provincial cabinet for the administration of tribal affairs in charge of a tribal member, (7) less qualification for public appointment, (8) appointment of a boundary commission to fix the boundaries of the sub-division to bring together all the Kacharis, (9) reservation of 2 seats in the Assam Legislative Assembly, (10) right of franchise to tax payers or literates, and (11) provision of liberal grants and the continuation of common holding system.
The Sub-committee on Minorities recommended inter alia, that the plains tribesmen in Assam were to be recognised as minority, reservation of seats in legislature for 10 years, reservation of seats in the cabinet and provision for administrative machinery to ensure minority rights.

The report of the Sub-committee was discussed in the Advisory Committee for 4 days (28-31 July, 1947) and was accepted and submitted its report to the president of the constituent Assembly on August 8, 1947.\footnote{12}

The report of the Advisory Committee on Minority Rights was considered by the Constituent Assembly on August 27 and 28, 1947. Introducing the report on Minority Rights Sardar Vallabhbhai Patel described it as - "the result of a general concensus of opinion between the minorities themselves and the Majorit\footnote{13}. The Assembly accepted the recommendations with slight modifications. The discussions mainly centred round the issue of joint or separate electorate system and ultimately separate electorate system was rejected. There decisions of the Constituent Assembly were incorporated in the Draft Constitution. The other decisions of the Constituent Assembly on Minorities were included in "Miscellaneous" part XIII which contained 5 clauses - 226 to 230.

These provisions were considered by the Drafting Committee on February 5 and 6, 1948. The Committee accepted all the provions in substance but made re-arrangement of them. The
Draft Constitution as finalised by this Committee was published in 1948 which contained special part (part XIV) under the title "Special Provisions relating to Minorities". This part contained the Articles 292-301 setting out in detail and with meticulous care the decisions taken by the Constituent Assembly on Minorities and the recommendations of the two Sub-committees on tribal people.

Meanwhile as the work of the Advisory Committee proceeded, the feeling grew among the minorities themselves that special rights on religious ground would be inappropriate in a democratic constitution. The committee therefore, decided that special safeguards would be necessary only for the backward and depressed sections of the people including S.C & ST. This epoch making decision was adopted by the Constituent Assembly on May 25, 1949. The Drafting Committee did not affect any change in the course of revision and re-arranged the Articles as 330-342 in part XVI. When the revised draft came up for discussion on Nov. 16, T.K. Krishnamachari suggested an amendment for the word "Minorities" as "Certain Classes". The amendment was accepted by the Constituent Assembly and the heading was changed to "Special Provisions relating to Certain Classes" in the Indian Constitution.

The Bordoloi Committee recommended mainly: (1) the existing tribal institutions should be retained until there is a change in the way of life of the tribesmen, (2) District Councils should have power of legislation, occupation and use of
land other than reserved forests, (3) Nature of cultivation of land should be left to the tribesmen themselves, while the committee felt that Jhuming should be discouraged, its control should be left to the Local Council, (4) the people should have full powers of administering their own social laws and all ordinary points should be disposed of by the tribal council or courts, (5) primary schools and dispensaries and such other institutions should be managed by the District Councils, (6) District Councils should be endowed with legislative powers over the use of land, village forests, agriculture and village and town management, (7) Primary Education should be administered by the District Councils and not secondary or higher education, (8) The Chairmen of the Mikir and N. Cachar Hills District Councils should be the D.C. or S.D.O. as the case might be for a term of two councils whereas others should be elected by their members, (9) The District Councils should be allocated certain taxes and financial powers, (10) The Govt. of Assam should prepare a development programme for the hill areas and the schemes should be financed liberally both by the central and provincial Govts., (11) The District Councils may by 3/4th votes introduce system of licensing to money lenders and traders, (12) Regional Councils in the autonomous Districts should be established where there were a number tribes, (13) Provincial Govt. would be vested with emergency powers, Governor should
have the power to dissolve the District Council if necessary, (14) Adequate representation for all districts in provincial and federal legislature, (15) Representation of the hill districts in the provincial cabinet at least by one, (16) Governor would appoint a commission to review the development work periodically.

Again a joint meeting of the Committee on Excluded and partially Excluded areas (other than Assam) and the Bordoloi Committee was held on 25th August, 1947, wherein it was stated.

(1) The common proposal for Assam and other province is that of provision of fund by the central and the separate financial statement in the budget for the hills districts (Assam) and the scheduled areas (other provinces).

(2) The Plains Tribals of Assam should be recognised as a minority and should be entitled to all the privileges of a minority including representation in the legislature in proportion to population and in the services and that their land should be protected.

(3) Subject therefore, to the special provisions for the representation of the Hills Districts of Assam, all tribals should be recognised as a minority for the purpose of representation in the legislatures and in the services.
The Sixth Schedule was taken up for discussion by the Constituent Assembly on 5, 6 and 7 Sept, 1949. During the discussion some members opposed the creation of District and Regional Council because they might ultimately lead to the establishment of another Pakistan. But it was defended by various members like Jaipal Singh, Nichols Roy, Ambedkar and ultimately accepted their creation. As regards other recommendations, the Constituent Assembly and the Drafting Committee accepted these with some alterations, modifications and ultimately 6th schedule was included to the Constitution which provided for the administration of hills areas of Assam.

Thus the Constitution of India makes special provisions under Articles 330-342 (Part XVI) for certain classes which include Plains Tribals of Assam also and the 6th schedule for the administration of hills areas of Assam.

As noted earlier the founding fathers have allotted importance on the question of minority and as such certain special provisions are made for protection and development of the minorities. Accordingly, besides the special provisions under Part XVI, other Articles like 15,16,29,30,248,348 and 350 are included in the Constitution by which the ST are given some special amenities in regard to protection of their language, culture, religion, reservation of seats in the House of the People and the legislative assemblies and Govt. posts and services, appointment of commission to report on their development and of special officer to look into their interests and to report from time to time.
Besides, for the administration of hills areas of Assam, separate provisions are made in the 6th schedule. The hills areas are recognised as scheduled areas. In these areas the Hills Tribes have been given the right to administer themselves with autonomy and enjoy special rights with protection. But outside the scheduled areas the Hills Tribes are not even recognised as ST not to speak of enjoying other special protection. Under the 6th schedule, the hills districts are divided into autonomous districts and regions and according District Councils and Regional Councils are constituted. They are vested with development works of the districts. Moreover certain Acts of the Assam Assembly have been restricted in their implementation in these hills areas. Of late, the District Councils of Karbi-Anglong and North Cachar are vested with 40 development departments including some financial powers.

After the Constitution was brought into force, the immediate constitution of the District Councils in all the hills districts was not possible. Therefore, Tribal Advisory Committees were constituted in all the hills districts. A new civil district comprising of the North Cachar Hills Sub-division of the United Mikir and N.C. Hills Dist. was inaugurated on 2nd February, 1970 with Haflong as its Headquarters. Ultimately two autonomous hills districts were brought into existence in
1970, the Mikir and the North Cachar in 1979 Mikir Hills District is renamed as Karbi-Anglong.\textsuperscript{19}

For the formulation of state level policies and programmes for the development of tribal areas backward classes, a separate department "Tribal Areas and Backward Classes Department" was set up in 1950. It dealt with Hills Tribals, Plains Tribal and Backward Classes. Later on, it was realised that there should be two departments for this purpose. Therefore, two separate departments - "Department of Welfare of Plain Tribal and Backward Classes" and the "Hills Areas Department" were created. The Department of Welfare of Plain Tribes and Backward Classes is responsible for the formulation of state level policies and development programmes for the Backward Classes of the plains districts. This department has been placed in charge of a Minister of cabinet rank. It is headed by a secretary who is assisted by two Deputy Secretaries. A separate Directorate styled - "Directorate of Welfare of Plains Tribes and Backward Classes" has also been created to give special attention to affairs of those classes and to ensure timely and effective implementation of various welfare schemes for these communities.\textsuperscript{20}

The development and other matters relating to the ST of the two Hills Districts - Karbi-Anglong and North Cachar, are being looked after by a separate department known as "Hills Areas Department" under a different Minister of Cabinet rank and also by a Development Commissioner.\textsuperscript{21}
(B) Other Protective measures including Land, Trading and money lending:

As we have the occasion to refer earlier, that a line system was brought to check infiltration and protect land of the tribals. But it was found that the line system did not give effective check to the entry of the immigrants and therefore more stringent measures were necessary through effective legislation. As such a law was codified which is known as known is law the "Tribal Belts and Blocks". It was annexed to the Assam Land and Revenue Regulation Act, 1886 under chapter X and came force in 1947. The Principle followed in constituting the "Belts and Block's" was that majority of the population in these areas must be tribals and there should be sufficient wastelands. Areas found in contiguous stretches of land having the tribal population as majority were constituted as Belts and those areas areas compact in nature having the tribal population as such are called as 'Blocks'. Under the authority given to this new law the Government notified the following classes as 'Backward classes' for the purpose of Chapter X, namely - (1) Plains Tribals (II) Hills Tribals (III) Tea-garden Tribals (IV) Santhals and (V) Scheduled Castes. The Government also constituted 38 Tribal belts/blocks throughout the state. All rights in land including the restriction on transfer and possession of land within belts so constituted are governed by the provisions of this chapter and the rules made there under - the outside the Belts and Blocks, the tribals do not enjoy the right to protection of land but
other protections are enjoyed by them. This Act was amended again in 1964 when specific provisions were inserted that notwithstanding anything to the contrary to any law, usage, contract or agreement, no person shall acquire or possess by transfer, exchange, lease, agreement or settlement any land in any area or areas constituted into Belts and Blocks in contravention of the provisions of Sub-section (i) of section 162 of Assam Land and Revenue Regulation, 1886. This amendment further provides that no document evidencing any transaction has been effected in contravention of the provisions of Sub-section (ii) of section 162 of the same. To plug the loopholes in the existing enactments another amendment to the Act was passed in 1981 which imposed restrictions on the transfer of patta land and provided for the ejectment of unauthorised person from the Belts and Blocks areas. It has been amended in 1990 by which penal provision has been made for both the transfer and transferee of land in a belt or block, if the transfer of such land is affected in any way in contravention of the provision of the Chapter X.

In the Hills Districts, the problem of land is dealt with by the District Council. The Karbi Anglong District Council has passed the District. Transfer of land
Act, 1959 by which no land can be sold, mortaged, leased, bartered, gifted or otherwise transferred by a tribal to a non-tribal or by a non-tribal to another non-tribal except with the previous permission of the Dist. Council.

The Mikir Hills District (Trading by Non-Tribals) Regulation, 1953 has provided that a non-tribal can't carry on wholesale or retail business in any commodity unless a license is issued by the District Council. Another Regulation known as Mikir Hills District (Money-Landing by Non-Tribals) Regulation, 1953 was passed by which no non-tribal can grant any loan without a license issued by the District Council. The North Cachar District Council also passed the Land and Revenue (adoption of Assam Land and Revenue Regulation) Act, 1953 and Trading by Non-Tribals Regulation, 1953 to restrict the transfer of land and money-lending respectively.

Besides, the Assam Tenancy Act, 1971 and the Assam Rural Indebtedness Relief Act, 1975 have given tenancy rights to the poor and landless and relief of debt to them.

Again, the Assam Tribal Development Authority Act was passed to provide for the setting up of a Tribal Development Authority to accelerate development in the plains, tribal areas in Assam.

As per provisions of the Constitution the ST order was passed in 1950 wherein 14 tribes were scheduled in the
autonomous districts, 12 in tribal areas other than autonomous districts and 9 in the plains of Assam. This order was amended in 1956, 1960 and 1976. According to the order (Amendment) 1976 14 tribes were scheduled in the autonomous districts and 9 in the Plains of Assam.

Seats are reserved for them both in the House of the people and in the Legislative Assembly of Assam. The Representation of People's Act, (Amendment) 1956 made provision for reservation of 2 seats for ST in the House of the people and 23 in Assam Legislative Assembly. In the 1978 Assembly 14 seats were reserved for ST in the Assam Assembly.

The State Government also passed Acts and rules providing for reservation in posts and services. The latest Act, the Assam SC & ST (Reservation of Vacancies in services and posts), 1978, provides for - (a) Reservation of 7 p.c. for SC, 10 p.c. for ST (Plains) and 5 p.c. for ST (Hills) candidates who qualify for selection on merit shall be included in the general list. The same applies to judicial services Grade II and III, (b) In case of promotion reservation is same. Besides, a separate 20 point roster in the form given in the schedule shall be maintained by every department, (c) In the absence of qualified candidate in a particular year the vacancy shall be carried forward till the requisite percentage in that cadre is filled up.
The Assam SC and ST (Reservation of vacancies and posts) Rules, 1983 lays down (i) certificates should be issued by MLAs, MPs, Members of Advisory Council, Chairman of the Sub-divisional Development Board. Certificates so issued must be countersigned by the D.C. or the S.D.O. except that of MLAs and MPs, (ii) Separate list should be maintained by APSC, Selection Committee, Board both for reserved and unreserved posts, (iii) if the posts are not filled up then the second advertisement should be made and after that dereserved, (iv) An annual report showing the position regarding appointment of the candidates of SC and ST by direct recruitment and by promotion shall be submitted by each administrative deptt. to the deptt. of WPT and Backward Classes.

In case of Central Services, the percentage varies from 6 p.c. in 1950 to 7½ p.c. in 1970 by direct recruitment and age limit increase to 5 years. In case of promotion, orders are issued from time to time for the reservation of posts for the ST in case of Grade II, III, IV Services. Recently examination fees for Central Services have been abolished.

But there is no provision of reservation in Defence Services.

It may be recalled here that Hills Tribes living in plains and the Plains Tribes living in hills are not recognised as ST. Naturally these tribes are deprived of the benefits enjoyed by
the 'ST' and consequently they are aggrieved of and represented serval times before the Govt. As a result the Govt. has made an arrangement by which they are eligible to all economic, educational and employment benefits announced and by the State Govt. from time to time for ST, but no electoral reservation. For the purpose of giving these benefits "Hills Tribes in Plains" will be considered against quotas, if any, reserved for ST (Hills) while "Plains Tribes in Hills" against quotas. if any, reserved for ST (Plains). 28

Besides, the formation of North Eastern Council in 1972 comprising the seven units of the N.E. Region under the N.E. Council Act, 1970 is also worth mentioning. One of the objectives of the council is to bring the units under one common platform for their development.

(C) Schemes for development initiated by the Centre and the State including 5 year plan objectives and strategies:

With independence and adoption of the Constitution, the philosophy Welfare state has cast a heavy responsibility on the Govt. with regard to the protection and advancement of the interests of the backward and weaker section of the society. The Tribal Communities in India are regarded as the weakest section of the society although it is an admitted fact that a few Tribal Communities are at a far advance stage of development. Each Tribal Community is a distinctive unit with its own socio-cultural background and values. As a matter of fact, the
tribes differ each other ethnically, linguistically and socio-culturally. Their problems differ from tribe to tribe and from region to region. Even among the members of the same tribe the local problems have different dimensions. Loss of basic resources like land or forest, prolonged exploitation in various forms, tapping of natural resources of tribal areas by external agencies, non-tribal cultural arrogance, a psychological feeling of being ignored or injured, low level of nutrition, illiteracy and such other problems faced by the tribal communities have made it rather obligatory on the part of the Govt. to formulate separate development strategies for the tribal communities.

Tribal development, as we understand today, has taken its root from the Constitution of India itself. The Directive Principles of the state policy laid down in the Constitution (Article 46) provides that the state shall promote with special care, the educational and economic interests of the weaker sections of the people and in particular of the ST and SC. The state shall protect them from social injustice and all forms of exploitation. Article 244 empowers the President of India to declare an area as Scheduled or Tribal Area under the 4th Schedule and (or) the 6th Schedule separately. It is also very interesting to note that the 6th Schedule was created only for the hill tribal areas of Assam (undivided). Among the northeastern states, only recently the hill tribal areas of Tripura have been brought under the 6th Schedule. Since the hill tribal communities of Assam had their
own system of administration through their traditional socio-political institutions, the founding fathers of the Constitution of India created this special provision with a view to allowing the Autonomous District Councils to manage their own affairs including the development aspects according to their likings.

Article 339(2) lays down that the executive powers of the Union extend to the giving of directions to a state as to the drawing up and execution of schemes for welfare of the scheduled tribes in the state.

Article 275 provides for financial assistance to the states for implementation of schemes of development for scheduled tribes and raising the level of administration in the scheduled areas. The Constitution also makes a provision of appointment of a Commissioner for Scheduled Castes and Scheduled Tribes. He has to oversee whether the Constitutional guarantees have been properly implemented. He makes an Annual Report to the President and this report is presented to the Parliament so that its members can have an idea regarding the progress in the tribal areas.

The founding fathers of the Constitution of India under Article 339 provide for the setting up of a Commission at the end of 10 years of the commencement of the Constitution to review the tribal situations and recommend measures of their development. This Commission set up in 1961 under the Chairmanship of Shri U.N. Dhebar made extensive recommendations. The Constitutional
provisions refer to the tribal development strategies in an implicit way only. In July 1958, our Late Prime Minister, Jawaharlal Nehru explicitly enunciated the strategies for tribal development in more clear terms summarising them in five fundamental principles which are commonly known as 'Panchasheel' for tribal development. They are quoted below:

1. People should develop along the lines of their own genius and we should avoid imposing anything on them. We should try to encourage in every way their own traditional arts and culture.

2. Tribals rights to land and forests 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 form outside will, no doubt, be needed especially in the beginning. But we should avoid too many outsiders into tribal territory.

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 own social and cultural institutions.

5. We should judge results, not by statistics or the amount of money spent, but the quality of human character that is evolved.
The above five Principles may be regarded as an integrated approach to tribal development. The strategies and objectives laid down in different five year plans reflect the underlying idea of the Panchasheel for tribal development. However, the strategies and objectives very often become square pegs in round holes and do not suit the changing panorama of tribal situations. In other words, when these strategies are translated into actions they rather fail to deliver the goods. A resume is given below:

I) During the first Five Year Plan emphasis was on education and economic development, improvement of roads and communication, provision for medical and public health facilities. An extensive rural development programme, commonly known as community development programme, was launched in early fifties aiming at total development of the rural masses. It was considered to be people's programmes with government participation. As the community development was a flexible model, it was thought expedient to apply this model to the development of tribal areas also with slight modifications.

II) Thus during the Second Five year Plan, Special Multi-Purpose Development Projects/Blocks numbering 43 were created in the tribal concentrated areas on the same model as Community Development with a higher investment of Rs.27 lakhs for each Project/Block. Emphasis was given on economic development like agriculture, cottage industries, forest, Co-operatives, etc.
A Study Team headed by Dr. Varrier Elwin reviewed the workings of these S. M.P.D. Projects/Blocks and recommended a comparatively less intensive programme for tribal development blocks but extensive in coverage.

The Scheduled Areas and Scheduled Tribes Commission (1961), popularly known as the Dhebar Commission while endorsing the Panchasheel of tribal development enunciated by Late Jawaharlal Nehru observes Thus: "The problem of problems is not to disturb the harmony of tribal life and simultaneously work for its advance; not to impose anything upon the tribals and simultaneously work for their integration as members and part of the Indian family".

During the 3rd Five Plan 489 Community Development Blocks where the percentage of tribal population was 66 or above were converted into Tribal Development Blocks. Thus the Tribal Development Block programme was rather an intensification of Community Development programme with higher investment of resources. The T.D. Block programme was expected to take care of all the problems in the tribal areas. By the end of the 4th Five Year Plan the number of T.D. Blocks was increased to 504. Although a third stage of intensive development was added to the T.D. Blocks, this programme had failed to deliver the goods because of a few major factors. First, the budgets of T.D. Blocks were so schemetic and rigid that flexibility to suit the felt
needs of the people was rather a difficult proposition. Secondly, a larger section of the population was left out of this programme although another stage of five years of intensive development was added without there being any geographical expansion. Thirdly, there had not been any integrated approach for tribal development. Fourthly, macro-level or grass-root planning for tribal development was more or less absent. And lastly, not but the least, is the dearth of adequate trained personnel with missionary zeal to work in the tribal areas.

A Study Team on Tribal Development headed by Dr. T. Shilu Ao, (1969) comprehensively reviewed the T.D. Block programme. This team suggested that there should be no attempt to transform the tribal people who are at various stages of development (from food gatherers to advanced ones) overnight into carbon copies of sophisticated plainsman but by fostering all that is good and beautiful in their culture—aesthetic within a reasonable distance of time. The period of time has necessarily to vary from tribe to tribe depending on the degree of advancement of the tribe.

Whatever development strategies were undertaken for the upliftment of more than 250 tribal communities in India till 4th Five Year Plan, the fact remains that due consideration was not given to treat each tribe separately basing on the fact that there has been wide divergence in their socio-economic, cultural and technological milieu. That is why we have witnessed
voice of protests, dissent and divisive tendencies among some tribal communities in the north-east. Economic backwardness with fear psychosis of losing ethnic or group identity has compelled them to think in terms of getting away from national polity.

The Renuka Roy Committee, even as early as 1959, emphasised integrated programmes based on agriculture, forestry, handicrafts and villages industries, their degree of emphasis depending upon the systematic survey of needs and possibilities in each tribal area. The Dhebar Commission (1961) also stressed an integrated approach; The Shilu Ao Team (1969) suggested an integrated perspective for development for each tribal community.

The Expert Committee set up in 1972 headed by Prof. S.C. Dube to formulate new strategy for tribal development in the country during the 5th Five Year Plan has equated tribal development as social and economic development of tribal people through fast and time bound area development and other programmes suiting the genius of the people, progressive elimination of all force of exploitation and ensuring a move towards the goal of equality and justice.

On the basis of the recommendations of the Dube Committee mentioned in the above para, the new strategies for tribal development were spelt out in the 5th Five Year Plan document.

Two important strategies are:

i) In integrated approach to tribal development with a view to bridging the gap between the level of development of tribal areas and other areas.
ii) Improving the 'Quality of Life' of the tribal people.

The strategy for integrated approach to tribal development led to the launching of the Tribal Sub-plan during the Fifth Five Year Plan period. The concept of Tribal Sub-plan is based on three fundamental facts.

Firstly, there are variations in social, political, cultural milieu among the scheduled tribes communities in India.

Secondly, these communities are concentrated in some parts of some states and dispersed in other states.

Thirdly, the most backward tribes or primitive tribes live in secluded regions.

The immediate objectives of the tribal sub-plan have been envisaged as the elimination of exploitation, accelerating the pace of socio-economic development, building inner strength of the people and improving their organisational capacity.

The compact areas where the percentage of tribal population is 50 or above have been demarcated and brought under tribal Sub-plan. As the basic unit of planning and execution, Integrated Tribal Development Projects have been created to cover the entire Sub-plan Area. At present there are 181 I.T.D.Ps. in India and in the Tribal Sub-plan Areas of Assam there are 19 I.T.D.Ps. For each I.T.D.P., a Project
Report has to be prepared where the perspective development schemes of various development departments for a span of 5 years are incorporated after proper co-ordination. The Report also contains interalia the topography of the region, natural resources and their exploitation, core problems of the people, profile of the tribal communities, special Sub-Region, growth centres and so on.

The Tribal Sup-plan strategies evolved during the Fifth Plan period were continued during the Sixth Plan period also with greater emphasis on specific objectives, namely, (a) raising of productivity levels in production fields of tribal activities with a view to enabling a specific number of tribal families to cross the poverty line, (b) development of human resources and upgradation of education, (c) elimination of exploitation of tribals in the field of alienation of land, money-landing, debt-bondage, trade, excise, forest and (d) development of adequate infrastructure. The shifting of emphasis from infrastructural development during the Fifth Plan to family oriented schemes during the Sixth Plan Period is another landmark so far as the formulation of strategies for tribal development is concerned.

Food, work and productivity are the basic goal-priorities of the Seventh Plan. The proximate objectives in the field of tribal development in the Seventh Plan are primarily two (1) to raise the socio-economic condition of the
the tribal people and (2) to strengthen infrastructure in the tribal areas. The approach document calls for a mix beneficiary oriented, infrastructure and human resource development programmes as the essential elements of planning process. Beneficiary oriented programmes and infrastructure development should be oriented in such a manner that 50% of the scheduled tribe families including those that spill-over from the Sixth Plan target could cross the poverty line. The Tribal Sub-plan concept is not applicable to States and Union Territories like Arunachal Pradesh, Nagaland, Mizoram and Meghalaya in the north-east where the majority of the population belong to scheduled tribes. Here all development schemes may be termed as tribal development programmes.

The Tribal Sub-plan area of Assam covers an area of 10,991 Sq. kms which accounts for about 14 per cent of the state's total area of 78,523 sq. kms. As no census could be carried out in Assam in 1981, we have to rely on the projected population only, assuming a growth rate of 36.09 percent during the decade 1971-81. The projected plains tribal population of Assam on 1st March 1981 would be 18.13 lakhs. Although during the Fifth Plan, the tribal Sub-plan area of Assam covered 73.4 percent of the total plains tribal population, during the Sixth Plan period, this could be increased to 80.57 percent by including some additional contiguous small pockets in the Sub-plan area under the Modified Area Development Approach commonly known as MADA. The entire Sub-plan area of Assam cov
constituted into 19 Integrated Tribal Development Projects for the successful formulation and implementation of Tribal Development schemes.

It now appears that Assam's Tribal Sub-plan could not cover 19.43% of the total plains tribals as the villages inhabited by them are scattered and dispersed. Under Backward Sector Plan, some funds have been provided for the dispersed tribals. Some schemes under Education, Economic Upliftment and Health have been formulated and implemented for the dispersed tribals since the Fifth Plan. But these schemes are few and far between and unlike the Tribal Sub-plan Sectoral quantification for dispersed tribals is totally absent.

The core strategy of development for Assam's Tribal Sub-plan during Sixth Plan was to achieve an accelerated rate of development within the sub-plan areas with a view to bringing up the level of development of these areas to that of adjoining other advanced areas within a reasonable span of time and 140.48 crores allocated for it. To achieve this, following objectives were visualised:

(I) Socio-economic infrastructure development in the form of education, health, watersupply, housing nutrition, communication, electrification, etc.

(II) Diversification of occupation from agriculture to secondary and tertiary sectors by developing human resources through vocational education and training.
(III) Modernization of traditional agricultural practices by providing required infrastructure in the form of irrigation, power, credit, marketing and extension services.

(IV) Development of entrepreneurship with a view to enabling tribal youths to set-up small scale and village industries.

(V) Motivation of small and marginal farmers to take up subsidiary occupations like animal husbandry, poultry, fishery, sericulture etc.

(VI) Removal of chronic indebtedness by ensuring regular and timely flow of institutional finance.

(VII) Strengthening and toning up of the administrative machinery for the effective implementation of tribal development programmes.

Development strategies for the Tribal Sub-plan during seventh plan are (1) coverage of greater number of ST families under family orientation programme (2) infra-structure development and (3) human resources development. These strategies are sought to be achieved by strengthening the project administration, improvement in the quality of implementation, better supervision, proper and timely evaluation and decentralisation planning.30

The most important development strategy so far as the plains tribal areas of Assam is the creation of tribal development authority in 1983. Its functions are - To prepare short term and long term plans, to formulate schemes of development and to review the schemes etc.
During Eight Plan the objectives and strategies for tribal Sub-plan is to emphasise all round development within shortest possible time. Priority has been given for promotion of self-employment by family oriented 'income generated schemes in sectors like agriculture, dairy, veterinary, sericulture, handloom and textiles, small village and cottage industries, fisheries with institutional finance of the bank.

Till the end of the Third Plan. Special schemes in hills areas of Assam were undertaken under the head of development "Welfare of Backward Classes". But since 1966-67 all the schemes for hills areas are integrated and a separate "Hill Plan" has since been formulated to give a better deal in the sphere of socio-economic development to the Hills areas. The District Councils in the two autonomous districts have been entrusted since 1970 with developmental functions in respect of most of the schemes.

There is a separate planning board for hills areas for policy decisions and review the plan activities. The 6th Five Year Plan for hills areas consisted of a state plan which involved an outlay of Rs. 80 crores and additive plan (Central Assistance) of Rs. 71.28 crores. Considering the present state of development of the hills areas and the availability of resources, the 7th Five Year Plan has emphasised on the following to reduce the dependence upon the traditional method of Jhum cultivation by undertaking multidisciplinary "Integrated Jhumia Development Programme"; to bring improvement in
agricultural production; to provide new avenues for subsidiary income by taking up programmes of small scale industries; to give attention for aforestation of all degraded forest land and to extend social service facilities like education, socio-cultural activities, health, water supply etc.

The 7th Five Year allocated a total outlay of Rs. 185.35 crores under the state plan and Rs. 144.45 crores under the additive plan of special central assistance. Besides for the purpose of regional development, development blocks are constituted in the hills districts also to undertake the development schemes. The 8th Five Year Plan allocates Rs. 319.00 under the State Plan and Rs. 194.34 crores under the additive plan.

Again the Govt. of Assam has taken steps for plantation of coffee, Rubber etc. under the Assam Plants Development Corporation and for the development of small industries under the Assam Hills Small Industries Development Corporation and for integrated Jhum Cultivation.

The strategies for tribal development in the hill areas of Assam do not fundamentally differ from the national and state strategies envisaged in the plan document.

There are serious allegations against the measures meant for tribal development. Above all, the state administration is responsible for failures of the development programmes. Most of
the schemes designed to improve the socio-economic conditions are defective and non-functional. Apart from defective framing, implementation suffers from inefficiency and corruption. Many of the schemes have been implemented in black and white but not in reality. It is surprising to observe that the administration is interested only in doling out the grants and subsidies but not at all in examining the fruitfulness of the grants. For want of supervision and follow up action many of the schemes have totally failed involving huge wastage of money. There are of course, different committees and boards but they have neither effective authority nor responsibilities to supervise and take necessary steps. Often these committees and boards are plagued with party politics, nepotism and favouritism. The various development grants have become an easy prey of corruption for unscrupulous tribal as well as non-tribal people. It is high time to review and examine the effectiveness of the various tribal development schemes. Alongwith it, the socio-cultural system of the tribal societies must be changed to encourage entrepreneurship, in addition to that the vigilance of the tribal leaders for proper implementation is also essential.
Footnotes:

4. Ibid -------- P- 310.
15. Ibid -------- P-764.


29. Fifth Five Year Plan - (Tribal Sub-Plan), Department of Planning, Government of Assam, P-5.

30. Seventh Five Year Plan - (Tribal Sub-Plan) Department of Planning, Government of Assam, PP-10-11.

31. Eight Five Year Plan (Tribal Sub-Plan), Department of Planning, Government of Assam, PP-10-11.

32. Seventh Five Year Plan for Hills Areas, Department of Planning, Hills, Government of Assam, PP-5-6.

****