



Land Alienation: Conflict And Homeland Claims In BTAD Area

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Introduction

The land disputes in Bodoland Territorial Area Districts (BTAD) created a turmoil among the indigenous communities staying in the BTAD of Assam. There was a land notification in 2017 according to which the protected classes were to be removed from the Clause X of the 1886 Land Revenue Act. Though at the later stage the chief of the Bodoland Territorial Council declared that it was a wrong decision and this notification is not going to be implemented at all, but the conflict was already in air in the region. Protests, Bandh, Dharna are the regular phenomena in the BTAD. That's how the 365 days of a year the region revolves around.

The quest for peace in the BTAD of Assam seems to be a never ending chimera. To understand the present situation in the BTAD must take into account the fact that the Bodos have been a community long accustomed to shifting cultivation and their transition to settle farming is relatively of recent origin. During the colonial days the Bodo and other Assamese tribal communities were known to be averse to acquiring permanent tenure over land. This lack of formal tenure often made them appear as encroachers on government forest land and helped the immigrant non-tribal peasants to permanently occupy the land which was once the preserve of the tribal farmer. During the initial years of migration of peasants from then East Bengal which was actively encouraged by the colonial state to meet its commercial needs, communities like the Bodos could still move within their land and practice their non commodity production. (Mishra, 2014) The colonial administration wasn't happy with such cultivators because they practiced temporary cultivation and were unwilling to pay land revenue. But as the flow on migration increased in the immediate years before and after independence, tribal land was increasingly acquired by non tribal immigrants who secured permanent tenure. Therefore, it was a losing battle for the Bodos who were pitted against the sedentary farmers who started raising cash crops. These changing patterns of the cultivation and increased demographic pressure on land have made the region more contested on land and space. Due to the presence of the non tribal groups in the region, the assertion for preserving identity, language and culture become more important for the Bodo groups.

Therefore, this paper wants to look at how the process of tribal land alienation leads to the conflict among the tribal and non tribal communities in the BTAD area? Why, do each and every day of the region face the conflicts between the Bodos and the Non Bodos and what are the structural reasons to be taken into account to solve those conflicts?.

Land Alienation:

The denial of Sixth Scheduled status for the Bodos, which would have given them constitutional protection when they needed it most to protect their land and identity, can be seen as one of the primary causes leading to the alienation of tribal land in the post-Independence years. The Bangladesh war added to the changing demographic scenario of the state, with several lakhs of immigrants, mostly Bengali Muslims, staying back in the Brahmaputra Valley. (Mishra, 2012).

Going deep into this issue, it is found that the reasons of land alienation had its roots on the other causes also. The Bodos were the Jhum cultivators, who didn't stay over in a particular place for a longer period of time. As a result of their shifting cultivation, they used to lose their land to the other settlers communities in their places. And without proper formal land document, they were unable to claim over a particular land. As a result the process of land alienation took place in their own areas. In ninetieth century most of the Bodos were still under the influence of shifting cultivation and some of them were also practicing intermediary forms like plough based agriculture with shifting modalities. (Choudhury, 2007). Amlendu Guha, who makes an intensive investigation into the problem after consulting almost all extant records comes to the following conclusion: (Guha, 1991)

- (1) The Bodos continued with their shifting hot cultivation as late as the nineteenth century;
- (2) Where they went for the plough cultivation, there too they continue with their semi nomadic habits and

opted for a settled habitation at a later stage.

- (3) It is not possible to say when actually the transition to plough cultivation began amongst them but there is recorded evidence to show that Bodos were “going through a process of learning the use of plough till late nineteenth century.

As Prabhakara argues that the land question in Assam is extremely complicated. Even more than the identity and ethnicity, it was the land question that invested the Assam agitation with a measure of legitimacy. Vast areas of the state have for years, and even decades, have been settled upon and cultivated by people who have no formal claims on the land (Prabhakara, 2012). The same and even worst things were happened to the tribal land in Assam. Under the Saadulla's scheme of “Grow More Food”, the grazings were opened for the settlement of the East Bengal origin peasant population. As the land is the exclusive identity for the plain tribals in Assam, they started losing their prime identity, i.e land to the settlers of the region. In August 1943 the Saadulla ministry adopted a new resolution on land settlement which provided for the opening up of grazing reserve areas and wastelands in the districts of Nowgong, Darrang and Kamrup to immigrants from Bengal as part of the “Grow More Food” programme aimed at helping the war economy. (Mishra, 2012). Referring to the scheme of settlement and opening up the reserved grazings for the East Bengal Origin peasants, Amlandu Guha writes, “S P Desai, a senior ICS man, was appointed Special Officer to ascertain what portion of professional grazing reserve could be declared as surplus available for settlement. Desai reported that the forcible occupation of grazing lands by immigrants had already taken place to a large scale, even in predominantly Assamese and tribal areas. His conclusion was that there was no surplus land available for new settlement. Ignoring the report, Saadulla's Muslim League Coalition government threw select professional grazing reserves open for settling immigrants (Guha, Plantar Raj to Swaraj, 1977). As a result of such schemes, the tribal land alienation continued to happen and the vast areas of Western and central part of Assam were opened for the migrants. Speaking at the budget session of the Assam assembly in March 1945, Gopinath Bardoloi put up a tough fight against the Saadulla government's policy of opening up the reserves and grazing areas to the immigrants. Referring to the anti-tribal policy of the Saadulla government, Bardoloi said: The government resolution makes no provision for Tribal Blocks in areas other than places which have been termed as Tribal Blocks. This will make the position of the tribal impossible, the tribal people will have to move to the hills if they require land for settlement and cultivation. (Mishra, 2012) The tribal people are spread all over the state apart from the designated 45 tribal belts and blocks demarcated formally as areas where transfer of land to non tribal is not permitted. But the reality on the ground is that few of these tribal belts and blocks are exclusively or chiefly inhabited by the tribal people. Alienation of the tribal land has been going on, formal legislation against it notwithstanding, thus pushing the tribal people to remote forest areas where, of course, by virtue of existing legislation covering forests, they in turn become encroachers. (Prabhakara, 2012). Though the State Congress had created a number of ‘tribal belts’ and ‘tribal blocks’ in 1950s, in which only scheduled caste and tribes can own land, but encroachment from the pre colonial period and the land grabbing is being continued till today. Due to the large number of encroachment, eviction from these tribal belts and blocks is impossible today. Bodo leaders alleged that besides the encroachment, the state government has taken six lakhs acres for the government project and maximum people (Bodos) are landless today. Thus the reduced land holding size forced them to enter in the reserve forest ultimately. On the one hand they have alienated from their own land and on the other hand, they have become the victims of different government schemes in the name of protection of the forest areas from the encroachers and which has marginalized them not only from the mainstream societies but also made them more vulnerable in their own spaces. For example, the AGP government after coming to power for the first time, passed a law legitimizing the eviction the “unauthorized persons” staying in the forests and other reserved lands. As a result, the tribals were forcefully evicted, beaten mercilessly and their houses were burnt. The Bodos therefore have now taken the lead in raising their voices against such inequities, charging that AGP is actually anti tribal and that its main target is the tribal population of Assam. (Dash, 1989) . It can be seen that whole the Bodoland land has its roots in the opening up of the wasteland schemes and become the source of misery of all problems in the regions.

Conflict and Homeland demand:

Udayon Misra (Misra, 2012) argues that the burden of history is proving so heavy for the people of Assam. Since 1930s, the issue of land, immigration, demographic change and identity have been core one's in this region.

The creation of a particular ethnic homeland without ensuring the constitutional rights of the other communities living in the region was the beginning of the conflict leading to the repeated clashes between the Bodos and the other communities, especially Santhals and the immigrant Muslims. It did not take long for the Bodos, after securing a measure of political autonomy, to realise that the demographic equation and particularly, the land factor were not in their favour. For Misra, the land question was not seriously addressed in the Bodo Accord and the encroachment in forest areas continued. The conflicts in the BTAD region is being tried to portray as Hindu-Muslim clash so as to bring polarisation along religious lines. To

him, the tragic situation in the BTAD is the outcome of wrong policies which have been pursued since Independence, all resulting in the marginalisation of the plains tribal communities and dispossession of their rights to land. What is required at this present juncture is strong steps to prevent further alienation of tribal land and forest reserves coupled with measures to protect the constitutional rights of the other communities in the BTAD area. The present clashes after the formation of BTAD cannot be seen through the usual Hindu-Muslim lenses as a communal fallout. Writing as way back as 1994, M S Prabhakara commented on the 1993 violence:

"To see the violence as merely a calculated move to drive out the non-Bodos and ensure that the Bodos would form a majority in the Bodoland Autonomous Area would not merely be a mechanical reading of a complex situation but also ignoring the hard demographical realities of the region."

In the same article, the author wrote:

.. the antagonism towards aliens of migrant origin was grounded in everyday experience of tension arising over the very fact of such settlements which came up quite illegally in areas officially designated as tribal belts and blocks.

The claim for Bodo Homeland needs to be seen as the story of resistance of a small ethnic nationality trying to preserve its identity which is attached with the land. Today the Bodo community is seized by an element of uncertainty and insecurity and, in many senses; the attendant violence is reflection of this.

Conclusion:

Land is considered to be the exclusive right for the tribal community as their livelihood as well as their cultural identity is believed to be linked to the land. Therefore it can be said that denial of land rights to the tribal community might lead to a worst situation which is still happening in the BTAD area. Due to migration and the demographic change, people were enabled to hold their own land and which is leading to the decreasing the land holding size of the tribal community.

The encroachment of the tribal belts and blocks by the non tribal people have become a common phenomena in the region and the government is unable to stop the encroachment. On the other hand, The Autonomous District Councils which was formed under the 6th schedule in the BTAD region is always dependent upon the State government for finance, the legislation requires the consent of the Governor before it attains the force of law.

The efficacy of the ADCs also suffers as they are lack of support of the people. The purpose of the Sixth schedule is to preserve the autonomy and system of self management prevailing among the tribal people, in reality the ADCs has failed to integrate traditional grass roots institutions, such as the village council in its functioning. This has prompted one administrator to say that the ADC is but an alien structure surgically grafted on indigenous soil (Singh,1995).

The recent attempt of the BTAD Council to remove the protected classes from the Clause X of the 1886 Land Revenue Act can be looked as an attempt to regain the land rights of Bodo people over their imagined or real homeland that they have lost gradually over a century due to their pre-modern land use practices as well as politically motivated government policies. Though such attempts are bound to fail the test of law, they will keep on creating turmoil among the various communities living in BTAD. Now, that the Bodo community has improved their political position vis-à-vis other communities in BTAD through decades of struggle, they will use this dominant position to reclaim the space that once historically belonged to them. But the state's inability to stop the encroachment from the tribal belts and block will be going to have a negative consequences in the region on the coming days.

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