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## Contents

Pr	eface	$\nu$
	knowledgement	хi
Lis	st of Table	xv
Int	troduction	1
	SECTION I	
	POLITICAL DYNAMICS OF NORTH EAST INDIA	
1.	Looking at Contemporary Governance in North East India Abhijit Choudhury	9
2.	Pangs of Proximity: India's North East and Her Eastern Neighbours  Ishani Naskar	26
3.	North East India Planning in the Winds of Change <i>Toki Blah</i>	81
	SECTION II	
N	ORTH EAST INDIA'S ECONOMY: DEVELOPMENT BOTTLENE	CKS
4.	Challenges of Natural Disasters Shyamananda Bhattacharjee	91
5.	Development of Infrastructure in Mizoram: Problems and Prospects  James L.T. Thanga	113
6.	The Dynamics of Economic Change and Good Governance: Issues of Development <i>T.C. Nunga</i>	120
7.	Regional Structure: Income and Growth in India's North East Rakhee Bhattacharya	126
	SECTION III	
	NORTH EAST INDIA'S ECONOMY: REVIVAL STRATEGY	
8.	Rethinking Development Paradigms: Issues and Perspectives Vanlalchhawna	147

## xiv Development Dynamics in North East India

9.	Towards a Professional Identity : Soccer as a Career Option in Contemporary Manipur Kausik Bandyapadhaya	163	
10.	An Exploration into the Possibility of Economic Development through India's Look East Policy: A Mizo Perspective L. H. Rawsea	186	
	SECTION IV		
CONFLICTS IN NORTH EAST INDIA: HINDERING DEVELOPMENT			
11.	Conflict and Insurgency: Historical Perspective; Threat to Security and Development  Lt. Gen. J.R. Mukherjee	205	
12.	Challenging the Nation-State: Secessionism and Insurgency Sajal Nag	255	
	SECTION V		
	ROLE OF INSTITUTIONS AND MEDIA IN		
NORTH EAST INDIA'S DEVELOPMENT			
13.	Religion and Colonial Politics: Assam, Myanmar and Buddhism	309	
	Swapna Bhattacharya (Chakarborti)  Mizoram and the Role of the Presbyterian Denomination	330	
14.	Mizoram and the Role of the Fresbyterian Benefitians		
15.	Challenges Before the Media Subir Bhaumik	340	
16.	Educational Indicators of Human Development: An Analysis  Lalhmasai Chuaungo	351	
17.	Female Work Participation Rate in Mizoram: An Analysis from Development Perspectives  Lalhriatpuii	361	
<i>a</i>		372	
Con	Contributors		
nde	ndex 37		

# Looking at Contemporary Governance in North-East India

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If one examines the map of Asia one may notice the importance of India's North Eastern region on two counts. Geopolitically, it is situated on an international frontier zone predominantly marked by a chain of mountain ranges. Besides, it is a virtual 'cultural' buffer between several civilizational systems of South, Southeast and East Asia. Historically, it has seen population movements accompanied by cultural and social transactions. From the ethno-cultural angle, therefore, it represents a 'plural' entity. This complex mosaic demands special attention from the point of view of 'governance'. The paper attempts a brief study of at least two issues in the context of governance for development with particular reference to the hill people. These are:

- a) What is the pattern of governance in this region as we experience it today? What is its historicity or, in other words, is it a product of the Indian experience with the British Colonial practices?
  - b) To what extent the post-independence Indian State experimented with the mode of governance suitable for this region?

Governance in India is based on the principles of parliamentary democracy. Until the 1990s, the Nehruvian model of 'welfare' state functioned with a large degree of governmental role in the national economy which was 'protectionist' by nature. Developmental processes were directed by the State. However, since 1995 'globalization' started working on this system of governance, beginning with the gradual withdrawal of the State from a virtual 'Command' economy,

and with it, from the 'welfare' role. But the full impact of 'globalization' is yet to become visible in the North Eastern region since its economy still remains largely subsidized.

If 'governance' in our present understanding means management of polity and society by way of adjustments of contesting claims and interests of different groups within a heterogeneous structure, then developmental issue would definitely assume centrality in 'political' discourses. How far these discourses are translated into mobilization would depend on actual commitments of the participants. Given the erstwhile 'Third World' matrix<sup>1</sup>, within which India has been posited this fact dominated the Indian scenario for long in view of the pulls involving the so-called 'forward' and 'backward' sections of the larger society. One may remember that India has emerged from its colonial past only recently.

As far as the colonial practices in North Eastern India were concerned, examining the primary records, one would find two 'guiding' principles behind its governance. One, to secure the eastern-North Eastern frontiers of the empire from the standpoint of their strategic locations. In fact, one of the records talks about how to build up a special cadre for frontier police duties<sup>2</sup>. Two, to exploit the region's rich resources especially minerals and forest products and expand the British Commercial interests in terms of both internal and external trade<sup>3</sup>. Naturally, the system of governance was not oriented towards wholesale development of the people concerned. The infrastructures like roads, railways, and aerodromes were built to a bare minimum, and with the aim of serving the strategic and commercial requirements. As with the colonial pattern, industrialization was neglected. The sectors which were given importance were plantations and, from the late-nineteenth century, oil, education, health services, and social upliftment were left largely to the Christian missionaries. If it is argued theoretically - unlike Hobson - that 'civilizing mission' was a major (and not secondary) motive for imperialism and its ideological justification<sup>4</sup>, then indeed these missionaries did a commendable job in the sphere of 'colonial' modernization. Of course, how far it succeeded in 'de-tribalization' of the so-called 'tribes'—a category that came along with the colonial ethnographic exercises—remains debatable. It appears that the colonial regime used such political expedients as the 'Partially Excluded Areas' and 'Excluded Areas' in order to segregate them from the plainsmen with the ostensible purpose

of protecting them from exploitation. The 'non-regulation' status of the administrative apparatus might have helped preserving their 'tribal' identity. But it is actually difficult to comprehend the nature of this 'tribal' identity within modernity. [Because modernity emphasizes reason above impression and passion, one truth and, above all, secular enlightenment<sup>5</sup>.] Rather the colonial policies encouraged tribalism. The above said priorities defined the colonial policies.

Since this paper stresses the mode of governance for 'tribal' development, our next problem is : how far the post-colonial Indian State has been marked by any radical departure from the colonial regime. India began with the so-called Nehruvian model, which professed that the tribals of this region should develop "along the lines of their own genius"6. Nehru raised the issues of maximum possible autonomy as well as safeguarding the interests of the Nagas in his letter to T. Sakhrie, Secretary of the Naga National Council<sup>7</sup>. This philosophy of Governance was also reflected in his participation in the debates on the Sixth Schedule in the Constituent Assembly. It is possible that this philosophy was a product of the necessity to consolidate the infant Indian State facing tribal assertions for their identity and rights, which Nehru could not have been unaware of8. As a result, the Sixth Schedule [Articles 244 (2) and 275 (1)] of the Constitution granted large degree of autonomy for the developmental governance to the tribals of Assam, which was then a composite state. Its purpose was to protect tribal identity, culture, and traditions. However, it was not extended to the hill areas of Manipur, Tripura, and the then NEFA (now Arunachal Pradesh). The Naga Hills were given a separate system under Article 371-A, which established the Village Development Councils. Interestingly, for other tribal areas of India, the Fifth Schedule [Article 244 (1)] was granted, which provided for Tribal Advisory Councils in the Scheduled Areas.

It was only with the reorganization of the North Eastern region in 1971 that District Councils were granted to the Manipur hill areas. But these have so far remained outside the purview of the Sixth Schedule<sup>9</sup>. Later, however, the scope of this Schedule has been extended to Tripura, and to the Bodoland Tribal Council through amendments of the Sixth Schedule (the latter in 2003), while the bill concerning the Gorkha Hill Council in West Bengal is yet to receive the nod from the Lok Sabha. The Sixth Schedule empowered the autonomous District Councils and Regional Councils to administer

not only in the sphere of developmental governance, but also in preserving 'tribal' identity, rights, and culture. These Councils were given the rights to manage education, forests, and tribal lands. The tribal customary laws were to be the guiding force in managing forests, lands and rural judicial dispensations. The District Councils by nature are primarily rural bodies of self-governance.

The Sixth Schedule, on the surface of it, appears to have been a departure from the colonial mode of 'paternal' governance. But in reality, the post-colonial state offered a mixed baggage in that it signified the colonial tradition of 'conditional' legislation<sup>10</sup>. On the other hand, in NEFA it retained the 'single line' administration of the colonial era. Under this system the executive, judicial and developmental functions were welded into an 'all-in-one' form, which was managed by a basically Nehruvian bureaucracy. Much later on, the three-tier Panchayati system was introduced. My field experiences there suggest that developmental programmes from the Gaon Panchayat and Anchal Samiti to Zilla Parishad can be successful, provided there is active community participation in governance. The participation of the bureaucracy cannot be done away with since it executes the programmes. But active interaction involves a mechanism for monitoring implementation of the programmes. Community participation in monitoring is a must. It is here that problems lay. A joke was current in Arunachal Pradesh official circle at one time that if one calculated the total area covered by road (including village paths) construction programmes under the various governmental agencies in square kilometers, it would exceed the total geographical area of the state.

There was, of course, a radical departure in that the post-colonial State had done away with the institutional practices of the 'Partially Excluded Areas' and 'Excluded Areas' in order to ensure participation of the tribals in the new political processes. The concept of democracy for development, through the institutionalization of the Sixth Schedule, started functioning with promises for the future. In NEFA, Nehru's tribal policy adviser, Verrier Elwin, guided the developmental processes in spite of his detractors like Ghuriye and others. Like other Nehruvian members of the elite, Suniti Kumar Chatterji and Nirmal Kumar Bose, believed in pluralism. However, in the process, Elwin was accused of devising a state policy, whereby the 'tribal' cultures of NEFA were treated as museum pieces even as 'modernity' might

be ushered in with administrative initiatives. Indeed, inspite of good intents of the Nehruvian line, certain contradictions became apparent. Chatterji tried to provide an ideological basis to the Nehruvian polity structured along the theme of 'unity in diversity', through such works as The Place of Assam in the Indian Civilization and Kirata-Jana-Krti. [though he may face criticism for his apparent orientalism]. I have dealt with it elsewhere. All said, however, a fundamental question may appear here. That is: How far these experiments have gone to achieve the goal of the Indian State—development of the hill people.

The conclusions of this paper are as follows. Let us first look at our achievements on the developmental front in the last fifty-five years (taking 1952 as our starting point with 'democratic' processes for development). The UNDP released its Human Development Report (HDR) 2006 on 09 November, 2007. It says India in general has achieved much success in providing equitable distribution of water and sanitation services through community-government partnership wherever access and management rights are transferred to the communities themselves. In the romping Human Development Index (HDI), based on calculation of average life expectancy, educational attainment and adjusted real GDP per capita as its indices, however, India's position is 126 among a total of 177 countries. It has gone up from 0.602 in 2005 to 0.611 in 2006. India's rank on the Human Poverty Index (HPI), is now 55 among a total of 102<sup>12</sup>. The recent NSSO (National Sample Survey Organization) findings state that as in 2004-2005, 22.5 per cent of our population still live in abject poverty<sup>13</sup>. It reveals that while the GDP grew at around 06 per cent between 1999 and 2005, poverty has actually declined by 0.75 per cent, clearly indicating 'mismatch' between growth and distribution 14. It is known that a large number of villages go without basic sanitation and health facilities. Of our legislators, at central and state levels, 20 per cent have criminal records. More than 40 per cent people are illiterate, and budgetary allocations for education are yet to reach the level of 0.4 per cent<sup>15</sup>.

As for the North-Eastern region, the HDI is as follows. Against the national average of around 0.590 this region has recorded a dismal 0.431. Meghalaya's current standing is at 0.393, with Arunachal Pradesh's being the lowest at 0.358. Only Mizoram, Nagaland and Tripura are in a better position by virtue of high literacy rates. Mizoram

made progress in health sector. Out of the eight states, these three show conscious policy efforts<sup>16</sup>. In Meghalaya school dropouts are quite large in number. If one looks at the rate of literacy, the Census of 2001 shows that against an all-India average of 55.18 per cent, Arunachal Pradesh has the lowest, 44.71 per cent, while Mizoram (74.44 per cent), Tripura (63.81 per cent), Manipur (59.85 per cent) and Nagaland (57.65 per cent) surpass the all India average. Out of a total of 1,61,722 'problem villages' (where drinking water is not available within a radius of 1.6 km in plain areas and within elevation difference of 100 metres in hilly areas), the NER has 18,592. By 1997-98, this region could cover only 775 of such villages, against an all-India figure of 2,908. While the all-India percentage of surfaced road to total road length is 54.68, for the NER, it stands at 24.96. Total railway network in this region (as on 31 March, 2002) combining all three gauges (broad, metre and narrow) stands at 2,577.94 km. In rural electrification, however, the NER has done generally better than the all-India average of 73.39 per cent<sup>17</sup>.

The data above clearly show that except in certain sectors, the performance does not match the fund allocated to this region since 1952. The then Union ministers from L.K. Advani to Shanta Kumar, Kumari Selja and Jairam Ramesh were, therefore, justified in their statements that many of the centrally sponsored schemes remain either under-implemented or unimplemented<sup>18</sup>. In recent times nexus between politicians and underground elements, siphoning off funds allocated for developmental programmes, have been established<sup>19</sup>. What do all these reflect? Well, the developmental governance has not percolated down to the masses in spite of the importance given to the NER in this respect. One has to agree with the historians, Bipan Chandra et.al., that the tribal society 'almost everywhere' has been developing 'class differences', with the tribal elites reaping major gains from developmental processes<sup>20</sup>. This is visible in both the Fifth and the Sixth Schedule areas. Elsewhere, I have dealt with the problems inherent in the Sixth Schedule's functioning with particular reference to Meghalaya<sup>21</sup>. Here, I shall indicate a few. These are: inefficient handling; jurisdictional friction with government departments; governmental obstructions in releasing funds; endemic corruption<sup>22</sup>; the emergence of new types of pressure groups, masquerading as NGOs; and facilitating an alternative haven for those politicians who lose out in state-level politics (and who do not mind to start again as MDCs).

Factionalism in state politics, as it has recently been reflected in the happenings in Meghalaya and Arunachal Pradesh, exposes the fact that developmental governance occupies only a remote corner in the politicians' schemes. It has been seen that the district councils in Meghalaya could not handle primary education, nor manage non-reserved forests<sup>23</sup>. Even an active MDC, Bindo Lanong, admits that there are issues relating to the Sixth Schedule which are controversial<sup>24</sup>. Though the district councils are expected to adjudicate such issues as land, property, inheritance, marriage and divorce, etc., on the basis of customary laws, their actions generated more complications.

In fact, an observer, Valentine Ladia, feels that the existence of two systems of law—state and customary, has created confusion and that the district councils often show a propensity to move towards the state Law. Locality based variations in customary law have, so far, prevented both codification of customary laws and cadastral survey of land in Meghalaya. Emergence of private property in land has compounded the situation<sup>25</sup>. Another observer, Toki Blah, points out that the district councils have failed to set up courts at village and other levels. Most of their courts are manned by people without any judicial background<sup>26</sup>. However, Bindo Lanong thinks that the district councils can handle the customary laws better, since as a 'local indigenous' tribal body it knows "the culture, tradition, local conditions, etc". According to him, the subject is not with the State Government, because in the state administration the officers of the level of, say, Deputy Commissioners "may come from outside with different customs and traditions who know less about the indigenous tribal people"27.

Yet another observer, J.M. Phira, argues that the modern-day circumstances such as disruption of the close-knit clan and family structures, urban way of life, etc., have made it difficult for rigid enforcement of customary laws. Moreover, no serious work is done as yet on codification of customary laws<sup>28</sup>. Considering the above said issues, therefore, one has to agree with Lt. Gen. Sushil Pillai's observation that the autonomy envisaged in the Sixth Schedule is only "part of the problem and not the solution"<sup>29</sup>. Other observers like H. Ghonglah believe that rampant corruption and "absence of public accountability" have made the district councils redundant<sup>30</sup>. In Meghalaya two phenomena are visible. These are: one, conflict

has surfaced between the 'new' leadership emerging through the district councils and the 'traditional' ones in the Syiemships and Doloiships. Two, after the re-organization of the NER in 1971-72, Mizoram has transferred the operation of the Sixth Schedule to the minority tribes—Lai, Mara and Chakma, from the majority Mizo tribes. Whereas Meghalaya appears reluctant in accepting the logic that once a 'tribal' majority state is granted the Sixth Schedule would become redundant. Polarization has appeared on the questions of doing away with the District Councils and restoring the powers of the traditional Chiefs in the context of developmental governance and preservation of tribal customs/and identity.

But such issues as well as the State Governments, policies in these directions are holding back the emergence of a 'modern state' in a state like Meghalaya with a truely Civil Society by encouraging excessive 'tribalism' in a now 'heterogeneous' society<sup>31</sup>. Moreover, the very existence of a Ministry of District Council affairs in the State Government nullifies autonomy of these councils as it signifies the continuance of bureaucratic interventions which often lead to friction<sup>32</sup>. In the three-tier polity of Meghalaya – that of the State, the District Councils and the Syiemships, Doloiships, etc., –there appears a system of 'States within a State', which blurs the vision for actual priorities before society. It is viewed that the district councils have become a "training ground for secondary rung politicians who want to enter state politics". This is, however, "not a part of the mandate" of the councils. The state-level politicians feel threatened by these 'new' politicians. Since the state has overwhelming powers over these councils, the state-level politicians have a "hand in preventing the latter from being effective"<sup>33</sup>. Thus it may be observed that a noble principle and experiment as the Sixth Schedule has not only succeeded in creating a new elite among the hill people, but has also been a factor in the feuds within ruling elites of a tribal state like Meghalaya.

Yet many communities kept on demanding 'tribal' status within the Sixth Schedule, such as the Koch-Rajvanshis, Tiwas, Rabhas and others. Among them the Tiwas, Hasongs and Rabhas have already been granted autonomous tribal Councils, but outside the Sixth Schedules. This explains their dissatisfactions. In the case of the hill areas of Manipur, one may see disagreement among the experts (Profs. Meijinglung Kamson and M. Horam, and Dr. B.K. Roy Burman) as to the number (and pattern) of the autonomous District Councils.

However, they agree on one issue. That such Council, whether single or more, would be necessary for the development of the hill areas<sup>34</sup>. On the other hand, the autonomous state demand movement in Assam's Karbi-Anglong perhaps also shows the functioning of the district council there in a negative light<sup>35</sup>. The problem is: how to look at these issues? Do we see in the first case of growing demands for 'tribal' status a genuine cause, since the state could not deliver the goods? Or, is it only mobilization of 'tribal' cause to satisfy the whims and ambitions of a few elites from these communities? And, in the second case (involving autonomous state movement), is it, to borrow from David Hardiman's concept of 'faction', 36 that new/political cliques at district levels demand a share in the system of governance? Or, in both these cases, is it a matter connected with getting a share of the spoils of the special constitutional provisions such as reservation, etc. meant for the tribals? In either of these possibilities one may discern political mobilization with tribalism working as its ideological justification that, in reality, brings out the issue of 'otherness' as a consequence of grievances. We need to see deeply whether a social and political psychology that develop from this constant 'othering' is an expression of cultural difference and therefore, whether the subsequent mobilization emerges from a real sense of alienation, or is it a method which mutates into a new materiality of social life<sup>37</sup>.

Finally, if the model of developmental governance presented by the Sixth Schedule has failed, then can there be an alternative? It is, indeed, a difficult issue to decide. A section of the Khasi-Pnar intellectuals holds the view that the traditional chiefs should be restored to their powers so that they could fulfill the functions of local governance<sup>38</sup>. In fact, a few years ago, in a public congregation in Shillong this demand was raised. It repeated the 1968 plea of the Sviems to the President of India that Syiemship was an essential condition of preservation of the Khasi way of life and that in accordance with the agreements of the Syiems with the Dominion of India, their rights should be protected<sup>39</sup>. Other intellectuals from Meghalaya think that, in spite, of their weaknesses, the district councils are an agency which has helped the people to participate in them and thereby raise their levels of political awareness. This group believes that the Schedule has given a fair degree of autonomy to the people<sup>40</sup>. Thus Toki Blah thinks that, despite many limitations of the district and regional councils, alternatives to this Schedule cannot be recommended due to its strong political base. A suitable amendment to scrap the overriding powers of the state government would be necessary to restore the autonomy of the district councils<sup>41</sup>. There is a view that these councils have at least done some work. That was why the S.K. Dutta Committee of 1984 recommended that in spite of their weakness they should not be dissolved since there was no alternative to them<sup>42</sup>. Yet another group suggests a synthesis between these councils and Panchayati institutions which are extensively empowered under the 73rd Amendment to the Constitution<sup>43</sup>. It is argued that this Amendment has exposed the "extremely limited power of self-government" conferred under the Sixth Schedule<sup>44</sup>. Assam, Manipur and Arunachal Pradesh have adopted this Amendment. Even the Concept Paper of the National Commission for Reviewing the Working of the Constitution (NCRWC) appears to subscribe to this synthesis, albeit with local variation<sup>45</sup>.

Earlier I took a stand that there could be a suitable amendment to the Constitution empowering the traditional institutions of Meghalaya, such as the Raid Dorbars and Village Dorbar Shnong, for the developmental governance by way of such a synthesis<sup>46</sup>. I continue with this stand. It is vindicated by successful experiments in Nagaland since 2002, whereby communitization of elementary education, grassroot health services and electricity management has empowered the people to take initiatives in developmental works. They have formed the village education committees (VEC), village health committees (VHC) and village electricity management boards (VEMB)<sup>47</sup>. However, even here the success would depend on communitygovernment interaction. To end this exercise, I may cite Subrata Mitra's observation that in India, unlike many other 'changing societies', political institutions show a high level of innovativeness and elasticity. Interestingly, he also highlights this elasticity in accommodating the embedded cultural values on the part of the modern institutions as well as in utilizing the 'historical memory' of the traditions of the colonial state in India. Thus, in the spheres of law and governance, the post-independence Indian State has been able to maintain balance between coercion and persuation<sup>48</sup>. While looking into the district and regional councils, there is consensus; there is, however, doubt as to his view about the Indian State's 'orderly conduct' of its affairs. This is in the context of the confusion and multiplicity of claims and counterclaims in the NER. This argument

is further corroborated by the very recent admission by Assam government that 'social chaos' might overtake the balance unless help was taken from both the public and the private sectors to generate employment among the tea tribes<sup>49</sup>. It reflects the gap between the avowed aims and purposes of 'governance' and their translation into reality over the decades after independence.

This admission confirms another aspect of our public life: that of our tendency, through more than five decades, to seek solutions to every major problem "by means of administrative apparatus". Nirmal Kumar Bose had already warned us as far back as in 1967. We have seen that such dependence led to corruption in bureaucracy. It is an open secret that the money-game is rampant in certain centrally controlled nodal agencies for developmental funding specifically for the NER. One of them would not mind granting several crores to a private educational institution under dubious bona/fides in Meghalaya. It is not understandable as to how corruption and the so-called "orderly conduct" of affairs can go together.

#### NOTES AND REFERENCES

- 1. Very recently the Western agencies classified India as a "transforming economy".
- 2. Records from Home (Police) and Foreign (Political) departments are extant. For this specific case see Home Police, September 1873, 55-73(A). Notes of Home Department vide Bengal No. 2804 of 24 June 1873, referring to correspondence from E.B. Baker, District Supdt. Of Police, Champaran. Baker suggested that the European officers for the frontier should be selected from the "most active, energetic and hardy". Such officers should have a "natural liking and ability for military police duty, which to them will be a labour of love". The Foreign Department endorsed this view. Accordingly, Baker was asked to proceed to Assam to do the needful (No. 55 of 12 June 1873). These concerns were reflected earlier too. See File No. 305 Bengal of 1866 Assam Secretariat Progs. The subsequent formation of the Chief Commissionership of Assam under the Govt. of India in 1874 has been consequent to this concern among others. See Foreign Deptt. Secret India 1871 37-39.
- 3. See Foreign FC 11 May 1840 128-129. Letter from Rev. Miles Bronson to Francis Jenkins, Governor General's Agent on the North East Frontier. See also Foreign FC 9 November 1840 81-83, for Bronson's suggestion on the scope of tea and salt-trade on the Naga frontier. See

- further Foreign FC 22 November 1841 124-125. Bronson's views, endorsed by Jenkins, reflected the general interests of the Colonial State in this regard. Almost all correspondences on the frontier touched this issue.
- 4. See Foreign FC 22 November 1841 124-125 for Bronson's proposal for the "civilization of the Nagas". That Jenkins was pursuing this mission for quite sometime, is evident from his letter to H.T. Prinsep, Secretary to the Govt. of India in the Secret Deptt (vide No. 41 of 3 April 1838). He wrote that by bringing these hill tribes under "our management" all the frontiers would be tranquilized and the passages through the mountain passes on the frontiers would be secured. Jenkins added that with a British officer in charge of the area and with the "means we possess of instructing and humanizing the Nagas there seem to be every reason to hope that these unfortunate races may be soon raised in the scale of civilization". On the margin of the letter, he noted that with the establishment of a Missionary family (obvious reference to Rev. Bronson) at Jeypore for the instruction of the Nagas, he hoped to increase the Mission and plant it in the hills "were the country in our hands". See Foreign\_PC 16 May 1838 53-58. Interestingly however, the Foreign Deptt. of the Govt. of India did not openly endorse Bronson's project. But the Govt. of India sanctioned a small grant to the school set up by Bronson. See India Political Despatch to the Secretary of State No. 71 of 13 November 1840 (Foreign Deptt.) The records extant reveal, on close examination, that 'civilizing' the "wild, savage" tribes was an essential condition for security of the frontiers as well as for commerce (italics within quote are added for emphasis on our point).
- 5. The colonial records and the monographs prepared by officials used such terms as *Hillmen, barbarians, semi barbarians* and *wild tribes / savages*. The colonial regime never defined as to what was a 'tribe'. It appears that the regime's use of qualified categorizations such as the "savage tribes" would never provide a *space* for these people within the *matrix* of 'modernity'. The use of certain types of expression as the "criminal tribes", in the larger Indian context, actually placed the so-called 'tribes' as *outsiders* under control of the system. Hence there was no question of modernizing them!
- 6. See his 'Foreword' to the First edition of Verrier Elwin's work, A Philosophy for NEFA. Shillong: NEFA Administration (Research Deptt.), 1957.
- 7. Nehru's letter, dated 1 August 1946. See for details Sajal Nag, Contesting Marginality. Ethnicity, Insurgency and Sub nationalism in North East India. New Delhi: Monohar Publishers & Distributors, 2002, pp. 125-127.

- 8. The Naga National Council demanded independence. The Mizos were divided on the question of whether to join the proposed Indian Dominion or not. Assertions in various forms were articulated by other organizations like the Khasi National Dorbar. The Syiem of Nongstoin, U Wickliffe, opposed joining India and ultimately left to live in East Pakistan.
- 9. See the *Manipur (Hill Areas) District Councils Act, 1971*. This *Act* provided for division of Hill areas into *not more* than *six* autonomous districts (Section 3, Chapter II). These councils are given at least seventeen functions including management of primary schools and dispensaries [Section 29 (iii) & (iv), Chapter-3].
- 10. The idea of 'conditional' legislation is used here from B.L. Hansaria's work, Sixth Schedule to the Constitution of India A Study. Gauhati: Ashok Publishing House, 1983. 'Conditional', because certain conditions were set for the executive and judicial administration of these tribal areas. Such legislations differentiated the tribal areas from the adjacent 'Regulation' provinces, considered more advanced. In fact, the long series of 'conditional' legislations began with Cleveland's experiments in the Raj Mahal Hills in the 1780s, which inaugurated the system of non-regulatory control over the tribal areas where the normal regulations meant for the plains were not applicable. See E.T. Dalton, Tribal History of Eastern India Delhi: Cosmo Publication, 1973. See for my analysis of the 'civilizational' mission aspect of conditional legislation in Abhijit Choudhury, "The Contextual Dimensions of the Sixth Schedule", in Contemporary India, Journal of the Nehru Memorial Museum and Library. New Delhi, 1(4), Oct –Dec. 2002, pp. 1-55.
- 11. Abhijit Choudhury, "The North Eastern India in the Perception of Suniti Kumar Chatterji" Paper presented at the *Workshop on Historiography of North East India: Critical Perspective*, Guwahati, (Cotton College; Gauhati University & CENISEAS, OKD Institute of Social Change and Development), 27 February, 2004.
- 12. The Mainstream. 11 Nov. 2006.
- 13. The Times of India, N.E. Edn., 20 Oct 2006.
- 14. Prof. Tapas Mazumdar, "The Probability Game", in *The Telegraph*, Guwahati Edn., 21 Sept. 2006.
- 15. *Ibid*. The facts vindicate an *Editorial* titled, "A Ritual Foretold" (The Telegraph, Guwahati Edn, 17 Aug. 2003) which said, "speeches on ceremonial occasions by the President or the Prime Minister are imbued with more optimism than reality yet warrants."
- 16. The Times of India, Guwahati Edn., 11 Oct. 2006.
- 17. These data are culled from *The Basic Statistics of NER*. Shillong: The North Eastern Council, 2002.

- 18. Their interactions with the media during visits to the region including Meghalaya between 2000 and 2007 AD.
- 19. See media reports, with increasing evidence, since 2000 AD.
- 20. Bipan Chandra, Mridula Mukherjee & Aditya Mukherjee, *India After Independence*, 1947 2000. New Delhi: Penguin Books India (P) Ltd. 2000, p.110. The *implication* of this observation becomes obvious, if one sees what G.K. Pillai has to say. That 90 per cent of the budget of the Karbi-Anglong ADC are controlled by only 12-14 families. See his essay, "Misgovernance and its Impact on Economic Development in the North Eastern States" in *Dialogue Quarterly*. 4 (1), July Sept. 2002, New Delhi: Astha Bharati, pp. 75-84.
- 21. See Abhijit Choudhury, 2002, Op. cit.
- 22. Let us cite a very recent instance. The Jaintia Youth Federation submitted a *memorandum* to the Meghalaya Chief Minister, demanding enquiry into the "incomprehensible disappearance of *Rs. 4.79 crores*" from the Jaintia Hills Autonomous District Council. They alleged that this public money was squandered in paying advances to the MDCs and the JHADC officers. See *The Meghalaya Guardian*, 15 June 2007.
- 23. See J.M. Phira, The Autonomous District Councils of Meghalaya under the Sixth Schedule of the Constitution of India. Shillong: Techno-Quip, 1993; Patricia Mukhim, "of dummy tribals and policies" in The Telegraph, Guwahati Edn., 28 Nov. 2002. She suggests that community efforts are necessary to break the tentacles of Timber Mafia. In fact, a visit to Meghalaya-Bangladesh borders would reveal the truth of her observation on the necessity of such efforts. Toki Blah's interview to my students, 2006.
- 24. Bindo Lanong's interview to my students, 2006.
- 25. See O. Deo Valentine Ladia, *The Administration of Justice in Meghalaya*, Guwahati: Assam Law House, 2006, especially Ch. VI, pp. 151-67. See also Abhijit Choudhury, 2002, *Op.cit.*, for discussion on the *correlation* between inhibitory land laws and development in Meghalaya. In very recent times, tea *plantations* under *private* initiatives of the local tribals have been coming up in certain areas of Meghalaya. But the planters are facing problems regarding acquisition of land under the prevailing customary laws. As a result, the North Eastern Council, has not been able to provide funds to them (interview with the persons concerned on strict condition of anonymity). See further Patricia Mukhim, 2002, *op.cit*. She writes that some areas are so far-removed from the present system of governance that people there follow only traditional land laws. Under comparable circumstances in Nagaland, for instance in the Ao-Naga areas, land ownership pattern has been inhibiting development. See 'Keynote Address' to a seminar by

Alemtemshi Jamir, Development Commissioner, Nagaland, in C.J. Thomas & Gurudas Das, *eds.*, *Dimensions of Development in Nagaland*. New Delhi: Regency publication, 2002, pp. 1-8.

- 26. Interview with Toki Blah, 2006.
- 27. Interview with Bindo Lanong, 2006.
- 28. J.M. Phira, 1993, *Op. cit*, pp. 38-42. All said, however, the district councils in Meghalaya have passed a few *Acts* related to social customs and usages. Some of them have been struck down by the State. See for details Abhijit Choudhury, 2002, *Op.cit*.
- 29. Lt. Gen. Sushil Pillai, "Three Matryoshkas: Ethnicity, Autonomy and Governance," in KPS Gill & Ajai Sahni, *eds.*, *Faultlines*. Vol. 12. New Delhi: Bulwork Books & ICM, 2002, pp. 28-32.
- 30. Interface with Dr. H. Ghonglah, a social activist. He believes, without public accountability corruption cannot be checked.
- 31. Ibid.
- 32. Interface with Dr. Omarlin Kyndiah and A. Ghosh. In the recent *The Week/C-Voter* nationwide poll on the occasion of the 60th anniversary of Indian independence, 30 per cent (the highest) of the votes cast have indicted the bureaucracy for being the worst element in our democracy. See *The Week*, 19 August 2007, p. 58. In case of the district and regional councils in the NER, the bureaucrats obstruct the release of funds and processing of legislations. In Tripura, for instance, the Tripura Tribal Autonomous Council demanded a *role* in the State Finance Commission, because of these reasons. See *The Telegraph*, 27 Nov. 2002. However, there are instances where a well-intentioned bureaucrat can contribute towards the enlargement of democratization of developmental processes as in Nagaland. See *Kurukshetra*, 55 (8), June 2007, pp. 40-41.
- 33. Interview with Toki Blah, 2006. Bindo Lanong (2006), however, thinks that weak executive committees and "too much politics", instead of development, are factors behind the failures of the district councils.
- 34. See "The 6th Schedule Imbroglio", in *The North East Sun*, 15-30 Nov. 1995. In the context of the debate on whether the Sixth Schedule should be extended to the Manipur Hills, it is *doubtful* if Prof. M. Horam's hope of *narrowing down* ethnic tension between the Nagas and the Kukis, with its extension, will ever be fulfilled. Who knows there would not be ethnic conflict within a 'single' ADC that Horam advocates! In course of an interface, Dr. Robert Tiba (Assam University, Silchar), who hails form Manipur and is a historian, expressed his belief that introduction of District Council(s) in the Hills might ease many of their problems.
- 35. See *The Asian Age (N.E. Age)*, 3 Dec. 2002. The Autonomous State Demand Committee rejected the *ADC* on the ground that it "failed to

- fulfill the hopes and aspirations of the people due to its institutional shortcomings.
- 36. This view is based on ideas derived from reading David Hardiman's critical essay titled, "The Indian 'Faction': A Political Theory Examined", in Ranajit Guha, ed., Subaltern Studies 1. New Delhi: OUP, 1982, pp. 198-231.
- 37. Interface with Dr. Rajesh Dev, a Shillong based Political scientist and analyst.
- 38. See E. Jyrwa, "Critical Assessment of the working of the Khasi Hills Autonomous District Council", in M.N. Karna, L.S. Gassah & C.J. Thomas, eds., Power to People in Meghalaya (Sixth Schedule and the 73rd Amendment). New Delhi: Regency Publications, 1998, pp. 85-100; L.S. Gassah, "A Critical Assessment of the Role and Functions of the Jaintia Hills Autonomous District Council", in Ibid., pp. 116-29.
- 39. See *The Shillong Times*, 15 Aug. 1971, for a reference to the 1968 plea. The Khasi Chiefs contested the jurisdiction of the district council on the "appointment and succession of chiefs and headmen" on the ground that *Entry 5* of the *Seventh Schedule* placed it as a *concurrent* subject of the Union and the Meghalaya governments over and above the existing authority of the Council in this regard. The Khasi Chiefs regarded the creation of Meghalaya as "a manifestation more of a special kind of *regionalism* than of a 'tribal' *identity*" (Italics within quote are mine)
- 40. See M.S. Sangma, "Working of the Garo Hills Autonomous District Council (An overall view)", in M.N. Karna *et.al.*, *Op.cit.*, pp. 130-37; & Kshirode Marak, "Critical Assessment of the GHADC", in *Ibid.*, pp. 138–56.
- 41. Interview with Toki Blah, 2006.
- 42. Interview with Bindo Lanong, 2006.
- 43. See Pascal Malngiang, "The Khasi Hills Autonomous District Council and the 73rd Constitutional Amendment", in M.N. Karna, et.al., op.cit.,pp. 101-08; & P.M. Passah "The working of the Jaintia Hills Autonomous District Council", in *lbid.*, pp. 109-15.
  - See also B.K. Roy Burman, "Constitutional Framework for Tribal Autonomy with Special Reference to North East India", in M.K. Raha & A.K. Ghosh, eds., North-East India: The Human Interface. New Delhi: Gyan Publishing House, 1998, pp. 81-114.
- 44. B.K. Roy Burman, Ibid.
- 45. See Abhijit Choudhury, 2002, op.cit.
- 46. *Ibid.* Toki Blah, during the interview (2006) with him, pointed out that the district councils have not been able to do much in establishing village councils and town committees, administration of village, public health and sanitation, use of water sources, etc. Moreover, these councils were

- autocratic in appointing the headmen, he regretted. On the other hand, Bindo Lanong (Interview, 2006) did not think that Panchayat Raj would be suitable for the hill people. It was suitable for the plains areas since it had been "working there for many years".
- 47. See R.S. Pandey, "Communitization in Nagaland: A Unique Experiment in Empowering People", in *Kurukshetra*, 55(8), June 2007, pp. 40-41.
- 48. See for his detailed and interesting interpretation, Subrata Mitra, *The Puzzle of India's Governance: Culture, Context and Comparative Theory.* London: Routledge, 2006.
- 49. See The Telegraph, 27 March 2007
- 50. Nirmal Kumar Bose, *Problems of National Integration*. Shimla / Calcutta: Indian Institute of Advance Study / Rddhi India, 1988 (first published in 1967), pp. 64-65.
- 51. Interview with persons concerned on strict condition of anonymity.