

Conundrums of Northeast India and Constitutional Safeguards for the Tribal People of Northeast India

Divyarchana

Department of Political Science, Lakshmibai College, University of Delhi, Delhi, India.

Corresponding author email id: dr.pramodksingh@yahoo.com

Date of publication (dd/mm/yyyy): 15/01/2017

Abstract – The problems of the tribals of northeast India is the gift of the conspiracy hatched by the colonial rulers before they left India in 1947. In fact, northeast region was created as an independent political authority separate both from India and Burma as a special colony ruled directly by British crown. The problems of northeast India compounded after independence due to the legacy of British rule and their policy of divide and rule. Before, the British could have left India, they have allowed the princely states either to merge with the dominion of Pakistan and India or to follow their independence course. Moreover, in northeast India, they had misguided the tribal people and encouraged them to have their independent status. When the Constitution of India is in the making the country was crossing through a number of national problems. The biggest of that was to protect the integrity of the nation through the Constitution. The need of the time was to provide special Constitutional safeguards to tribal, backward and suppressed people of India. This article analyses the conundrums of northeast, framing of Indian constitution and constitutional safeguards for the tribals of northeast India.

Keywords – British, Constitution, Northeast, Safeguards.

I. INTRODUCTION

India has inherited intractable and protracted problems since independence due to dependency on the constitution made by the British. The immediate need was to constitute a constitution of India by the Indian people and give suitable direction for the path of progress and prosperity. The problem which was more complex was to protect the unity and integrity of the country which were left at stake by the British government. Even after partition of India the country was not at rest. The sinister design of the British rulers had begun to work in the country. Some powerful and viable princely states, while making their option clear, declared that they would merge neither with India nor with Pakistan. Rather they would follow an independent course of their own. All these posed serious danger to safety and security of the country. Tribal leaders of northeast had submitted several memorandums before the government with the demand of independence and separate political units for them.

II. CONUNDRUMS OF NORTHEAST INDIA

The basic problem of northeast was to develop economic standard of the people and change the ugly shape of the region. The British has done a little for the economic development of the area. Moreover, there was need to convince the tribal leaders that independence was not necessary for them, but they needed economic development and it could be done only when there is

peace in the region and tribal people accept the leadership of India. Indian political leaders got vast hill territories occupied by the tribes who were sensitive and separatist by attitude. Communal rights which were going on in the country created the feeling among them that they being Christians by faith might not be cooperated and they might be exploited by Hindus and Muslims both. Again, the hilly region was fully undeveloped and people were half fed and half clothes. Nothing viable had been done in the field of education, agriculture, road, communication, health, etc. Entire region was economically backward and politically excluded from the mainstream of the country due to inducement given by the British officials. Some of the hill leaders had been thinking to separate their territories from the rest of the country and have their own sovereign independent status. The people of northeast India differed in their culture, habits, behaviours, ethics, customs and languages. Their anxiety was to preserve their cultural, social and political identities. The territories of India needed immediate reorganisation to adjust people's according to their language, culture, religion and history. The boundaries of the states drawn by the British needed modifications because these were done by British keeping in view their administrative convenience. In the northeast many of the tribes were not satisfied with their territorial divisions which were done by British rulers. There was an urgent need to readjust territories keeping in view the willingness and conveniences of the people occupied the territories.

III. NATIONAL INTEREST AND CONSTITUTION

Indian political leaders, keeping in view the aforementioned imbroglio, had formed the Constituent Assembly under the Chairmanship of Pandit Jawaharlal Nehru. The Committees and Sub-committees of the Constituent Assembly had to visit different parts of the country, meet the leaders or representatives of the people, discuss with them their problems, seek their advice or suggestions to be incorporated in the new constitution and lastly to make them understand the problem of national integrity and convince them that they had to cooperate for a greater and powerful India.

The Constituent Assembly of India was sponsored on the proposals made by the Cabinet Mission, which had proposed that there should be an Advisory Committee on the rights of citizens, minorities and tribal excluded areas. Sir Stafford Cripps, the Chairman of the Cabinet Mission, was of the view that an influential committee should be set up to make proposals for the administration in the tribal area. Following the suggestion of Sir Cripps, the Constituent Assembly set up an Advisory Committee on

the tribal areas under the Chairmanship of Sardar Vallabhbhai Patel with a view to considering the problems of Assam, as well as the grievances of the tribal people of northeast India. The Advisory Committee further constituted a Sub-Committee under the Chairmanship of Gopinath Bardoloi, the then Chief Minister of Assam, with the purpose to assess and advise on further administrations of the Tribal and Excluded Areas inhabited by the hill tribes of undivided Assam [1]. The Bardoloi Sub-Committee co-opted two more members from each of the hill districts of Assam, but no member was co-opted from Sadia, Balipara, Lakhimpur, Tirap Frontier Tracts, with the result that the people living in these areas remained unrepresented. The tribal people of these areas mostly backward and not much conscious to their future administration. Perhaps that was the reason they could remained silent and went without representation.

In fact, the Assembly was sovereign representative body of the people of India, though no separate elections were held to elect its representatives. It consisted of two types of representatives-elected and nominated. The elected members were those who were elected by the Provincial Legislatures of states while the representatives from the princely states were nominated by their respective rulers. One more category of the members was co-opted who were taken by the members of the Committees or Sub-Committees for their conveniences.

Congress party had the monopoly in Constituent Assembly due to their dominance over the Indian political scene all over the country after independence. Even in the area of northeast region no other party was known to the people except the Congress. Its big leaders like Pandit Jawaharlal Nehru, Dr. Rajendra Prasad, Abul Kalam, Sardar Vallabhbhai Patel, etc. established their reputation even before India's independence because they were the most popular freedom fighters in India. Thus, the future political status, administrative provisions and the rights of Indian people right from Himalayas to Kanyakumari went into the hand of Congress leaders. The status of Congress party in the Constituent Assembly can be inferred from these remarks: The Assembly, the Government and the Congress were like the points of the triangle, separate entities, but linked by overlapping membership. They assume a form infinitely meaningful of India [2]. The task before the members of the Constituent Assembly to frame a Constitution for not less than 400 millions people, who differed in their faiths, languages, culture, religion, behaviours, castes, races etc. They have to protect the interests of 40 million untouchables, numerous other minorities and backward tribal people living in the hills and mountains. More arduous and upsetting problem was to protect the integrity of nation by making just and satisfactory provisions for more than 556 Indian states that had been given free option to follow the course of their own choices [3]. The Constituent had some basic objectives upon which the Constitution of India was to be laid down. These objectives were passed by the Assembly by passing a resolution. The objectives which are worth mentioning here are: Wherein shall be guaranteed and secured to all the people of India justice,

social economic and political equality of status, of opportunity, and before the law; -----association and action subject to law and public morality; and Wherein adequate safeguards provided for the minorities, backward and tribal areas, -----Whereby shall be maintained integrity of territory of the Republic and its sovereign rights on land, sea and air according to justice and law of the civilized nations ; and -----[4].

Thus, it is very much obvious that the framers of the Constitution were and conscious of the rights and status of the minorities and the backward as well as tribal people of the country. That is why they passed the resolution with a view to removing all doubts from the mind of such people that they would be neglected over their interests would be overlooked. At the same time, they had to think seriously about the integrity and unity of the country.

When the Bardoloi Sub-Committee having the task to take the viewpoint of the people of northeast India including the tribal and suggest the framers of Constitution to make provisions for them, entered into the zone of northeast India. Firstly they had to meet the leaders of the tribal people and note down their viewpoints. The members while discussing the problems of the tribal people patiently heard them. They had the patience to go through the memorandums what they had placed before the Bardoloi Sub-Committee. These memorandums demanded so many things including improvement in their economic field, education, health, forest, roads, etc. Moreover, they also expressed their doubts about their mingling with the plains people. They expressed the view that if they forced to go with the Indians without any reservation, their cultural, social, religious and ethical identities would be nowhere. Most of the hill people wanted separation from Assam and to have their own political units having separate administrative base in their best interests [5].

Thus, almost all the hill tribes of the northeast wanted to have their at least separate administration so that they would have not been subjected to exploitation and suppression by other people. For example, the Naga leaders placed the demand before the Bardoloi Sub-Committee that the Nagas should be given a separate state under the Republic of India at least for ten years and after expiry of that period, the Nagas would be free to decide the future political status of their security [6]. The Naga leaders were representing their case for the separation of their territory from Assam by placing several memorandums to the British Government and also to the Government of India. The Naga club, which was formed a Naga platform was converted into the Naga Nationalist Council (NNC), a form of political party which comprised of all the politically conscious Naga leaders. It was the NNC which became pioneering to fight for the cause of the Nagas. "Mr. Shakharia, the General Secretary of the NNC, met Pandit Jawaharlal Nehru and raised the issue with him. Pandit Nehru told Shakharia that the Naga Hills was too small to stand by itself politically or economically and they should be isolated there between India and China"[7]. Pandit Nehru assured him that, "It is our policy that tribal area should as much freedom and autonomy as

possible so that they can live according to their own customs and desires. Thus the solution should be being the integral part of Assam and yet there would be certain areas of autonomy for its own purposes” [8].

Even the people of Khasi and Jaintia hills expressed their desire to be separated from Assam and put emphasis on their economic development. They agreed to be with Assam for better future but without interference from the peoples of Assam in their local affairs. The people of Khasi and Jaintia hills suggested the members of Bardoloi Sub-Committee for the formation of a new state comprising of the Khasi hills, Jaintia hills and Sardarsahib and this federated state should be federated to Assam. It was further suggested that the federated state should have a national council and its members would be elected on the basis of adult franchise. It should send four elected members to the Provincial Legislature but the Provincial Legislature would be debarred from the authority to legislate on the subjects given to the federated state. The national Council should have the authority to apply or not to apply any Provincial legislation.

When the Bardoloi Sub-Committee entered into the areas of Lushai hills, they found that the Mizo people had no unity with regard to future political status of their own. The Mizo union was a divided house with two factions. The first faction was led by Pachunga and the second one by Dongthuama. The former was in favour of having a District Conference while the latter opposed it. In fact, the Mizo people wanted more autonomies for their internal administration and financial support from the Government of India. The anxiety of the Mizos was how to protect the Lushais from exploitation by the sophisticated plains people.

The leaders of Mikir hills appeared with the Bardoloi Sub-Committee for the establishment of a separate district for the Mikir people so that all the Mikirs could be placed under single administration. The representatives of the people of North Cachar hills and Garo hills also demanded local autonomies with the Bardoloi Sub-Committee.

The members of the Bardoloi Sub-Committee also visited the extreme frontiers of the northeast and met several small tribes who were not in prominence so far. The Kachin Nagas of the Tirap Frontier Tract demanded educational facilities roads, hospitals etc. for their economic progress and prosperity. The Khamtis, the Mishmis and the Abors expressed their desires that they should be represented in the Assam Legislative Assembly. The Miniyongs and the Padams desired separate representation to the Hill Council and also in the Legislative Assembly of Assam. Moreover, they wanted a separate Tribal representative for each tribe under the supervision of a Joint Council of all the Councils.

IV. CONSTITUTIONAL SAFEGUARDS FOR THE TRIBAL PEOPLE OF NORTHEAST INDIA

The members of Bardoloi Sub-Committee left no hill area unvisited and note down patiently the viewpoints and demands of the hill people. The Sub-Committee got convinced that the hill people are basically different

people and they were too much sensitive to their local affairs and their social and cultural life which they had been accustomed to centuries. Moreover, due to British negligence their economic condition was very much pathetic. They all wanted to have their separate political and administrative units because they lacked integration among themselves. Each tribe was proud of its supremacy and culture what they had been carrying from the early days. They all had apprehension about the safety and the security of their cultural as well as social values. They knew that they were not in a position to maintain separate state of their own. Hence, they desired to be with India and get the economic benefits. However, it was the Nagas and Mizos who were more advanced and politically more conscious. That is why they had in their mind to have a state of their own either under the Union Republic of India or a sovereign one.

The Bardoloi Sub-Committee, after assessing and observing the demands of tribal people and political, economic and topographical situation of northeast India, prepared its report wherein it included several recommendations for the Constitution and administrative points of the tribal belt of northeast India. The members of the committee found that the entire territories of northeastern region was put under four categories by the British – the plain districts of Assam, the Excluded areas, the partially Excluded areas and the Frontier Tracts. For the hill tracts, the Governor of Assam exercised his powers as the agent of Governor-General. Central government was responsible for meeting the cost of administration for these hill areas. The policy of the British government was to take gradual steps to introduce administration in these areas with the consent of the tribal people.

The Bardoloi Sub-Committee taking into the account the acute backwardness of the tribal people and their tribal attitude recommended that: “All the tribes of province other than Assam, whether living in the plains or in the Partially Excluded Tracts, should as a whole be treated as minority. As regard Assam, condition in hill districts of the Naga Hills, the Lusai Hills and the North Cachar Hills have been excluded on a totally different footing and the atmosphere particularly in the Excluded area is one which is not to be found elsewhere. These areas must, therefore, be treated separately from the rest” (9). It further recommended that the areas of northeast frontier should be classified into two regions : autonomous region and non-autonomous region. The Khasi and the Jaintia Hills, the Naga Hills, the Lusai Hills, the Mikir Hills and the North Cachar Hills should be put under the autonomous region while the Sadia, Balipara and the Tirap Frontier Tracts and the Naga Tribal Area should be brought under the non-autonomous region. For the administration of autonomous region it was suggested that an Autonomous District Council should be formed for each hill district and comprehensive political and administrative authorities should be given to the Autonomous District Council. For the administration of the non-autonomous region recommendation was made that a Regional Council or Local Council should be formed for each frontier track

[10]. By recommending for the formation of Autonomous District Council and the Regional Council the Bardoloi Sub-Committee protected the hill tribes of Assam from undue interference in their local affairs from Assam Legislative Assembly on the one hand and enabled the tribe to evolve politically on other. That is why the Sub-Committee recommended to give much autonomies and authorities to the District Council and the Regional Council. It recommended that the District Council should have power of legislation over the occupation and use of land, other than land comprising reserved forests. It said that, "The only limitation, we would place upon is to provide that the provincial government need not pay for the occupation of vacant land for public purposes or prevent acquisition of private land also for public purposes, on payment of compensation" [11]. Regarding the forest management, the Sub-Committee recommended that the actual management including appointment of forest staff and granting of contract and leases must be according to the desire and needs of the local people. To provide social and cultural autonomies, the Sub-Committee recommended that the people should have full authority to administer their own social laws with the power to codify and modify them. In the view of the Sub-Committee it was not possible to practice the general code of criminal procedure and civil procedure in the backward tracts or area. Therefore, it suggested that except suits arising out of special laws all ordinary suits should be disposed of by the tribal council or tribal court. In the case of involvement of the non-tribal, they should be tried under regular laws and the provincial government would make special provision for the disputes of the cases [12]. For financial matters, the Sub-Committee recommended that the government of Assam should prepare a development programme for the economic development of the hill areas and the scheme should be financed liberally by both the central and the provincial governments.

Observing the strategic importance of the frontier tracts, the Bardoloi Sub-Committee wanted to give some extraordinary powers to the governor of Assam. Therefore, recommendation was made that the governor may declare any act of the Autonomous District Council null and void if he thought that such an act was, in fact against the national interest or national integration. Realizing the futility of exclusion of any area either Partially Excluded or Excluded, the Sub-Committee expressed the view that all these areas should be represented on the basis adult franchise in the legislature and representation should be given to them in the federal legislature also (Lok Sabha and Rajya Sabha). It was said that, "It is our considered view that the representation for the hills should be guaranteed by statutory provisions if possible". [13] Such view of the Sub-Committee was based on the point that without tribes' representation in the Indian parliament, their view about Indian nationalism would not be strengthened. The members knew well that the exposure of tribal was confined to the hills only. Hence their representation in the central legislature would bring them near to the national view. Regarding the boundaries of hill districts of Assam, it was stated that the boundaries should

be drawn so that all the tribal people of the same stock be brought together. The non-tribal people were forbidden to seek elections especially for the provincial legislature on behalf of the tribal people.

Lastly, the Bardoloi Sub-Committee recommended that the Autonomous District Council and Regional Council should be given authority to take up the steps to establish schools, dispensaries and have control and command over them. It was further recommended that the Chairman of the Autonomous District Council of the Mikir Hills and the Cachar Hills should be the Deputy Commissioner or the Sub-Divisional Officers as the case may be as the Ex-officio President. In regard to the District Council of other hill districts, it was said that the Chairman should be elected by the members of the District Council. The District Council should be vested with the power to impose taxes on their people. Regarding the control of mines and minerals, the Tribal people had demanded that these would be under the control of the district council and the revenues accruing from the exploitation of mines should not go entirely to the provincial government. The sub-committee said that "We have considered that the best policy is to centralise the management of minerals in the hands of the provincial government subject to the sharing of revenues from minerals and mines. Further, license or lease shall be granted without consultation to the district council concerned." [14]. The district council was given too much power and authorities to handle their local affairs keeping in view their backwardness. The autonomous district council and regional council were to act as the main administrative figure of the hill districts and tribal areas of Assam.

When the Bardoloi Sub-Committees report was placed before the constituent assembly for its consideration and final approval, several members opposed to the formation of the autonomous district council and the regional council on the ground that these provisions would create separatist feelings and attitude among the tribal people. In support of the view Rohini Kumar Chaudhary, member of the Constituent Assembly said that "We want to assimilate the tribal people. If you want to educate the tribal people in the act of self-government, why not introduce the municipal act. If you want to keep them separate, they will combine with Tibet, they will combine with Burma, they will never combine with the rest of India" [15]. Laxminarayan Sahu expressed the view that the district council and the regional council of the hill areas of Assam would certainly move the tribes towards the aloofness with the result that the opportunity for assimilation of those tribes would be missed. One another member of the Assembly said that "The responsibility of the parliamentary life can be shouldered by those who are competent, wise and literate. To views wide political powers into the hands of tribal is the surest method of inviting chaos, anarchy and disorder throughout the length and breadth of the country." [16]

There were some members of the Constituent Assembly who, of course, expressed their views in favour of the report of the Bardoloi Sub-Committee. They expressed the view that the tribal people had been living in prolonged

isolation. The British, too, who had won over the tribes by force did not like to interfere in their internal affairs and autonomies. Moreover, these tribes were doubtful and suspicious about the honesty and sincerity of the plains people in their dealing with the tribes. Hence it was essential to give them more autonomies by creating Autonomous District Council and Regional Council.

Ambedkar, the chairman of the Drafting Committee of the constitution, too, expressed his views and favour of granting the hill people more autonomies by creating the Autonomous District Council. He said that the hill tribes basically different with other tribes of India in several matters. Hence, they must be given certain cultural, social and religious and customary autonomies. Refuting the apprehension that the autonomies granted to the hill people encourage them towards separation, Dr. Ambedkar said that the Governor of Assam would be given some special power to check up the separatist tendency if they had. The Legislative Assembly of Assam and the Indian parliament, too, have the power to Legislate for these areas on all matters except a few points. The most effective measure for controlling the tribal administration was that the governor had the authority to suspend, annul, dissolve or suspend a district council. Hence it was futile to think that the creation of the autonomous district council would pose danger to the unity and integrity of India.

After a great deal of discussions and debates the recommendations of the Bardoloi Sub-Committee in regard to the future administration of the hill people of Assam, the Constituent Assembly finally adopted and passed the recommendations with a few modifications. All the tribal areas including Sadiya, Balipara, Lakhimpur and Tirap Frontier Tracts were mentioned in Article 244 of the Indian Constitution which made provisions for the Fifth and the Sixth Schedules. The Fifth Schedule of the constitution laid down a number of provisions for the administration of the Scheduled areas and Scheduled Tribes other than the state of Assam, while the Sixth Schedule included provisions for the tribal areas and tribal people of Assam [17]. The Sixth Schedule was further categorised into two parts, Part 'A' and Part 'B'. Part 'A' deals with the hills district of Assam such as the United Khasi-Jaintia hills, the Lushai Hills and the Naga Hills. Part 'B' deals with the Northeast Frontier Tracts such as the Balipara, Sadiya, Tirap Frontier Tracts of the Naga tribal area.

The Sixth Schedule of the constitution made all the hill districts of Assam autonomous with district councils. Much autonomy was given to the tribal people in social, religious, cultural and economic fields. The tribal areas which were put under the Sixth Schedule Part B were declared autonomous region and separate regional council were provided for them. The governor of Assam was empowered to administer the areas mentioned in the Sixth Schedule Part B as the Agent of the President of India. The governor was also empowered to include, by public notification, any area in the list of autonomous areas, create a new autonomous district, increase the area of any autonomous district, diminish the area of any autonomous district, unite two or more autonomous districts or parts

thereof, so as to form an autonomous district, define the boundaries of any autonomous district and finally exclude any area from the list of the autonomous districts.

The most important feature of the Sixth Schedule was that it provided for formation of an autonomous district council for each hill district incorporated in the constitution. The maximum strength of the council was prescribed twenty-four. Three-fourth of the members of the council were to be elected on the basis of universal franchise. Rest of the members were to be nominated. These hill districts were made autonomous with a view to protecting the cultural, religious and social interests of the hill people and give them religious autonomies and manage their own respective affairs as they had demanded. The tribal areas which had been placed under Part B of the Sixth Schedule were also given much more autonomies. The governor of Assam who was made responsible for "to make rules for the constitution of the district council and the regional council in consultation with the existing tribal Councillors other representatives of the tribal organisation within the autonomous districts or regional council was put as controlling and supervising authority over the district councils" [18].

According to the constitutional provisions, both the district council and the regional council were granted to make rules for the composition of subordinate local councils or bodies, the appointment of officers and officers of the district councils and the regional council and also to fix the qualifications for the members of these councils [19]. These councils were also authorised to regulate agriculture, the allotment of occupation of land other than reserved forests, the use of any canal or water resource for agricultural purposes and the establishment of village or town committees or councils and their powers [20]. They were also given powers to manage affairs concerning election of the civil chiefs or village headmen. For the welfare of the people and the growth of the hill areas, the district and regional councils were given enormous powers in matters such as inheritance of property, marriage laws and social customs, maintenance of trade and education, construction of roads and bridges, hospitals, dispensaries, markets, cattle pounds etc. [21]. Besides all these, the constitution also made provisions for the Nagas representation in the legislature of Assam. Some of the hills representatives were to be appointed as ministers or deputy minister for the affairs of the hill people in the government of Assam. It is notable that though the Naga people were given representation in the legislative assembly of Assam, it could not make any law for the Naga people without the consent of the Nagaland district council. The Sixth Schedule provided that "no act of state legislature in respect of the tribal affairs should apply to any autonomous district unless the district council so directs" [22].

No doubt, the constitution of India made by the constituent assembly provided numerous autonomies for the hill people, the district council and the regional council were authorised to act freely so far the local tribal affairs were concerned. But they were not supreme authorities. For their supervision, control and direction the governor of

Assam was given some discretionary powers whereas he may “by public notification, direct that any act of the parliament or of the legislature of the state shall not apply to such district or any part thereof subject to such exception or modifications as he may specify in the notification” [23]. Again the governor was entrusted with the authority to appoint a commission any time to examine and to report of any matter specified by him relating to the administration of autonomous district and autonomous region [24]. He was also authorised to annul or suspend an Act or resolution of the district council or regional council if in the opinion of the governor such an act would endanger the safety of India [25]. He had the authority to dissolve both the district council and the regional council if it was recommended by the commission appointed for the purpose and decide a new date for reconstruction of the dissolved council or might take the administration of the area under his direct control or he might place the administration of such area under the control of a commission appointed by him [26].

Besides all these, the framers of the Indian constitution also inserted some more articles in the constitution for the welfare of the tribal people. For instance, according to Article 275 special fund can be made available from the Consolidated Fund of India for the development of the tribal areas of Assam. Part XVIII of the constitution provided for the representation seats in the Lok Sabha and the Rajya Sabha for the members of Scheduled Tribes [27]. Article 365 provides that the claim of the member of the scheduled tribes shall be taken into consideration consistent with the maintenance of efficiency of administration in appointment to central and state service. Article 336 empowers the President of India to appoint a special officer to investigate the working of safeguards which are made to protect the interests of the tribes. According to article 329 the President of India also may appoint a commissioner after expiry of ten years from the commencement of the constitution to report on the administration of the scheduled areas and the welfare of the scheduled tribes. Under such power of the President, commissions have been appointed several times and the interest of the tribal people have been protected. After the implementation of Mandal Commission some more seats have been reserved in the government services for the tribal people. Besides all these, the constitution or under the provisions of the constitution many welfare schemes have been made for the development of the tribal people and their land. For instance, the students right from the lower level to the higher education, are given good amount per month in the name of the scholarships or stipends. The seats for the tribal students in the higher technical education have been reserved which have enabled them to obtain technical certificates and degrees which help them to obtain good government jobs. The government of India spends a lot of money on the travelling and touring of the tribal students to the rest of the country with a view to exposing them outside of their respective states. In their respective states more than eighty percent native people are appointed in the government jobs.

V. CONCLUSION

Thus, it is quite obvious that the framers of the Indian constitution keeping in views the backwardness of the hill people have provided a lot of safeguards for the tribal to protect their interests and preserve their identity. For their welfare, the constitution has specific provisions. The makers of the Indian constitution fully considered the report of the Bardoloi Sub-Committee and most of their recommendations were given place in the constitution. It appears that the makers of the constitution were of the view that the constitutional safeguards for the tribal people and autonomies given to them would definitely please them and their prolonged habit of separation would gradually decrease and they would willingly accept the mainstream They would develop the sense of participation and be integral part of the country. When these provisions were brought in practise in northeast, it was the Naga people first to challenge them and boycott the constitutional provisions. The constitution made by the Indian people came into being on 26 January, 1950. Meanwhile the Naga people had prepared their mind not to accept anything other than a sovereign Nagaland. No doubt, the Indian leaders by making personal visits to the Naga Hills or by sending various deputations tried to convince the Naga people that their demand was futile and it could not be accepted. They were asked or rather requested to accept the mainstream of the nation and work for the development of the people of their people under the constitutional provisions, but all in vain because nothing could convince the Naga leaders. As a result, the history of Nagaland took a different decisive turn where no way was left other than to shed blood. The lead given by the naga militants encouraged other hill people to come ahead with more demands refuting the constitutional safeguards and autonomies. However, the people of the Khasi and the Jaintia Hills, Frontier Tracts, and North Cachar happily accepted the constitutional provisions. The autonomous districts councils were formed in these areas soon after implementation of the constitution.

REFERENCES

- [1] Rao, V.V., “A Century of Tribal Politics of North East India”, 1874-1974, New Delhi, 1996, pp. 158-76.
- [2] Kapoor, A.C., “Select Constitution”, Delhi, 1979, p.80.
- [3] Memorandum of the Cabinet Mission on, “States, Treaties and paramountcy”, 12 May, 1946.
- [4] The Constituent Assembly Debates, “Text of the Resolution” Clause 5, New Delhi, 1948, pp.60-62.
- [5] Constituent Assembly Debates, Vol. VII, No. 1, Appendix ‘C’, Report of the Sub –Committee.
- [6] North Eastern Frontier of Assam, Tribal and Excluded Areas, Part-II, Delhi, 1948, pp.109-10.
- [7] *Ibid.*, pp.132-33.
- [8] *Ibid.*
- [9] Alemchiba, M. “A Brief Historical Account of Nagaland, Kohima”, 1970, pp.166-67.
- [10] Constituent Assembly Debates, Vol. VIII, No. 1, Part II, *op. Cit.*, pp.132-33.
- [11] *Ibid.*
- [12] *Ibid.* pp.133-35.
- [13] *Ibid.*
- [14] *Ibid.*, 137-38.

- [15] *Ibid.*
- [16] *Ibid.*
- [17] Constitution of India, Allahabad (1965), Part II, p.68.
- [18] *Ibid.* Sixth Schedule, Para 11(6), p.129.
- [19] *Ibid.*, Sixth Schedule, *op. Cit.*, Para 3 (a), (b), (c), (d), (e), (f) and (g). Also see Para 4, pp. 123-30.
- [20] *Ibid.* Sixth Schedule, Para 3, *op. cit.*, p.130.
- [21] *Ibid.* Sixth Schedule, Para 6 (a) *op. Cit.*, p.131.
- [22] Constitution of India, Allahabad, Sixth Schedule Para 12 (a) *op. Cit.*, p.133.
- [23] *Ibid.*, (b), p.134.
- [24] *Ibid.*, Para 14 (i), p.134.
- [25] *Ibid.*, Para 15 (a), p.134.
- [26] *Ibid.*, Para 16 (a), (b), p.135.
- [27] *Ibid.*, Article 320(i) (a), (b), (c), *op. Cit.*, p.76.

AUTHOR'S PROFILE



Dr. Divyarchana (M.A., M.Phil., Ph.D.), is an Assistant Professor, Department of Political Science, Lakshmibai College, University of Delhi, Delhi (India). At present, she is teaching Political Science to undergraduate students.

Email: divya95singh@gmail.com