Curriculum Vitae of Aashish Xaxa

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Home : A-202, Prakriti Apartments,
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EDUCATIONAL QUALIFICATIONS:

TATA INSTITUTE OF SOCIAL SCIENCES, MUMBAI, INDIA

Ph.D. in Development Studies, School of Development Studies

Title of Ph.D. Thesis: "Tribes and Urban Development: A Comparative Study of Greater Ranchi and New Shillong Township."

Submitted on 8th March 2021. Viva Voce held on 29th May 2021.

• Recipient of the ICSSR Doctoral Fellowship (2018-2020) for completion of the academic research.

• Qualified the UGC-NET (July 2018) in Sociology.

M. Phil in Development Studies, School of Development Studies, GPA 7.1/10

Title of M. Phil Thesis: "Urban Development and Contestations in North-East India: A Sociological Exploration of Shillong."

Degree Awarded in May 2017.

Coursework: Development Discourses and Practises, Perspectives in Development, International Development, Critical Issues in Philosophy of Social Science Research, Methodological Issues in Development Research, Changing Geopolitics in the Contemporary World, Tribes in the Contemporary World and Ethnography, Governance and the City.

M. A. in Development Studies, School of Development Studies, GPA, 6/10

Title of M. A. Thesis: "The Urban Development of Hong Kong: Lessons Transferable for Mumbai."

Degree Awarded in May 2015.

Coursework: Development Theories, Public Policy, Quantitative and Qualitative Research Methodology, Inequality and Poverty, Theories of Social Exclusion and Social Justice, Development Economics, Agrarian Questions, Gender Issues, and Industrialisation, Globalisation and Labour.

ACADEMIC PUBLICATIONS:

Articles in Double Peer-Reviewed Journals:

1. "Transformation of Tribal Hinterlands into Urban Spaces in the Fifth and Sixth Scheduled Areas of India: Issues and Challenges" (Forthcoming in September 2021) to be published in *'Social Change.'*

2. "Tribes and Urbanisation in North East India: Issues and Challenges" : Special Article published in *'Economic and Political Weekly'* published on 21st September 2019.

3. "Adivasis, The Fifth Schedule and Urban Development: A Study of Greater Ranchi" published in *'Explorations*, the eJournal of the Indian Sociological Society*'* in October 2019.

4. "Urbanisation of a Tribal City: Contestations of The New Shillong Township" published in *'Explorations*, the eJournal of the Indian Sociological Society*'* in October 2018.

Articles in Edited Volumes:

1. "Sustainable Urbanization in Tribal or Indigenous Peoples' Areas of India" published in *'Encyclopedia of the UN Sustainable Development Goals. Sustainable Cities and Communities'* (Springer); Edited by Walter Leal Filho, Pinar Gökçin Özuyar, Anabela Marisa Azul, Luciana Londero Brandli and Tony Wall, on 1st May 2021.

2. "Reimagining Urban Development in a Tribal Region – Readings on a Fifth Schedule Area of India" (Forthcoming) in *'Theorising Urban Development from The Global South'* (Palgrave Macmillan); Edited by Anjali Karol Mohan, Sony

Pellissery and Juliana Gomez Aristizabal. A project funded by the Urban Studies Foundation (Glasgow, UK).

Articles in Popular Outlets:

1. "Looking Beyond the Schedules": In *'Artha'*, the Annual Magazine of The Economics Society of Sri Ram College of Commerce (SRCC), Delhi University; 17th May 2020.
2. "New Shillong Township: A Way Forward or A Step Backward?": Special Article published in *The Shillong Times*; 21st September 2018.

<u>BOOK REVIEWS</u>:

Academic:

1. "The Changing Dynamics of Tribal Societies in India" (Forthcoming). A book review of 'India's Tribes: Unfolding Realities' (Edited by Vinay Kumar Srivastava) to be published by the *Economic and Political Weekly*.

2. "The Prism of Internal Migration: The Indian Experience." A book review of 'Internal Migration in India' (Edited by Deepak K. Mishra) published by *'eSocialSciences'*, on 16th January 2017.

3. "Mapping the South-Asian Political Landscape in the Context of Migration." A book review of Partha Ghosh's book, 'Migrants, Refugees and the Stateless in South-Asia', published by *'eSocialSciences'*, on 3rd November 2016.

4. A Review of 'Cities and Public Policies: An Urban Agenda for India' (authored by Prasanna K. Mohanty) published in *'Social Action'* in July 2014.

Non-Academic:

1. "A promising but flawed novel": A critical review of Amitav Ghosh's 'Gun Island'; *National Herald*, 14th July 2019.
2. "Minimalist etchings of a crime tale": A critical review of Keigo Higashino's 'Newcomer'; *National Herald*, 1st September 2019.
3. "Swedish Dragon Rebirth via Nepal and Russia": A critical review of David Lagercrantz's 'The Girl who Lived Twice'; *National Herald*, 3rd November 2019.

CONFERENCES AND SEMINARS:

Papers Presented:

1. "Transformation of Tribal Hinterlands into Urban Spaces in the Fifth and Sixth Scheduled Areas of India: Emerging Issues and Contestations" at the 'Asia and Africa in Transition International Conference' organised by the Asian Dynamics Initiative and Nordic Institute of Asian Studies, at the University of Copenhagen, to be held on 29th June 2021.

2. "The Fifth and Sixth Schedules of the Indian Constitution: History, Critical Reflections and Contemporary Relevance" organised by Savitri Phule Ambedkar Caravan, National Law School University of India, Bengaluru, held digitally on the occasion of Constitution Day on 26th November 2020.

3. "Covid-19, Tribal Migrants and their Future in Urban India" at the 'Pandemics, Planning and The Right to The City' International Conference, organised by Oslo Metropolitan University, held digitally, on 28th October 2020.

4. "Changing Tribal Landscapes in the Fifth and the Sixth Scheduled Areas" at the International Colloquium, 'Towards a New Tribal Studies in India' organised by the Tribal Intellectual Collective India (TICI), held via Zoom, on 12th August 2020.

5. "Urban Planning in a Tribal Region: Reflections from a Fifth Schedule Area of India" at "The 'Southern Tilt' in the Urban: Embedded Wisdom and Cultural Specificity as Pathways to Planning International Conference" co-organised by the Institute of Public Policy (NLSIU, Bangalore), URBAM (EAFIT University, Medellín) and Urban Studies Foundation (Glasgow, UK), held at the National Law School of India University (NLSIU), Bangalore on 13th – 15th February 2020.

6. "Tribes and Urbanisation in North-East India: Issues and Challenges in Meghalaya" at the National Seminar-Cum-Consultation on 'Urbanisation in North East India: Process, Governance and Inclusivity' held at the Tata Institute of Social Sciences, Guwahati Campus, on 1st - 2nd November 2019.

7. "Urban Development and Public Participation in North-East India: A Sociological Exploration of Shillong" at the 5th King's India Institute International Conference, '70 Years of Indian Democracy,' held at King's College, London, on 30th – 31st May 2017.

8. "Urban Growth and Exclusion: Contestations of New Shillong" at the Westminster-TISS International Conference, 'Cities, Identity and the Question of Democracy: Critical Reflections from South Asia,' held at TISS, Mumbai, on 13th January 2017.

9. "The State, Adivasi and Constitutional Safeguards" at the ICSSR-TISS International Seminar, 'Contesting Spaces and Negotiating Development: A Dialogue on Domestic Migrants, State and Inclusive Citizenship in India' held at TISS, Mumbai, on 24th – 25th March 2016.

Seminars Participated:

1. Participated in a Five-day 'Webinar-Cum-Celebration' of International Day of World's Indigenous Peoples, 2020, organised by the Department of Tribal Studies– Indian Social Institute (ISI) and India Indigenous Peoples (IIP) from 1st – 9th August 2020.

2. 'Social Protection: A Primer': An Online Professional Development Course, developed by the Centre for Social Protection, Institute of Development Studies, University of Sussex, and Irish Aid, Rialtas na hÉireann, Government of Ireland on 31st July 2020.

3. South Asian University (SAU) Winter School on, 'Democracy, Development and Conflict' organised by the Department of Sociology, South Asian University, New Delhi and Rosa Luxembourg Stiftung, Berlin, held from 26th November – 1st December 2018.

4. 'Urbanizing North-East India: Interrogating Questions of Sustainable Economic Development' - An Advance Course for Urban Policy Practitioners, Organized by Urban Action School (CiRiC-ActionAid India) and the Department of Sociology, Tezpur University, held from 29th July – 5th August 2018 at Tezpur University.

5. The Fourth PhD Workshop at the Indian Institute of Human Settlements (IIHS), Bangalore, held from 8th – 10th January 2018.

6. Workshop for PhD Research Scholars on, 'Resource Rights, Governance and Jurisprudence' held at TISS, Mumbai, from 8th – 10th December 2017.

Organised Public Lectures:

1. Organised the 5th Birsa Munda Lecture – 'Past, Present and Future of Tribes,' delivered by Professor Virginius Xaxa at TISS, Mumbai, on 4th December 2015.

2. Organised the First Tribal Intellectual Collective, held on at the North-Eastern Hill University (NEHU), Shillong, from 18th – 20th September 2015.

3. Organised and hosted the 3rd Birsa Munda Lecture – 'Tribal Land Rights and Alienation' delivered by Shrimati Dayamani Barla, at TISS, Mumbai, on 5th December 2013.

WORK EXPERIENCE:

Institute of Public Policy, National Law School University of India, Bengaluru, Visiting Professor, (November 2020 – February 2021)

• Designed and taught 'Social Transformation' to the batch of Masters of Public Policy (MPP) of the batch of 2020-2022.

• The core idea of the course was to teach the phenomenon of Social Transformation both from a theoretical and empirical point of view. Social change and social transformation are overlapping concepts. Often the two are interchangeably used. Yet one can discern some distinction. Change is generally is used for all kinds of change taking place in society. However, social transformation is restricted to changes that occur in important and critical aspects of society. One may treat these aspects as the core of a society that is generally delineated by observing the regular and durable elements of social relationships. These elements consist of roles, norms, values, customs, mores etc. which remain concretized in a social institution, the building blocks of any society. Economy, polity, religion, family, kinship and marriage form the key elements of any society. Hence social transformation can only be understood in relation to institutions of the society and the elements that constitute the institutions.

• The broader learning outcomes of the course was to get an idea of the types of society in the past and how it has moved from one type to another type of society. What has been the critical factors or forces that have contributed to this change? How these changes have affected the different institutions of society such as caste, gender, religion and tribes? How these have impacted our lives and our behaviour. How laws, rules and regulation governing society and its institutions have undergone a change. This course helped the students to know what laws/policies facilitate the process of Social Transformation. At the same time, awareness about Social Transformation also leads to demand for new laws and policies.

Indian Social Institute, New Delhi, Research Assistant, (May – June 2014)

• Prepared a proposal for a project called 'Social Integration of Communities through Capacity Building for Harmony, Justice and Holistic Development' in eight states of India. This project concerned with the most marginalised and excluded with special focus on women, youth and children.

• The proposal was worked out based on the blueprint of the previous project which also covered the same states. I presented weekly findings from my independent research to Institute leadership in the form of statistical and analytical information obtained from private and public forums. This information was used to deepen the investigations of the project.

Xavier Institute of Social Action, Raipur, Intern (June – July 2012)

• I stayed in a village in the Kanker district, which is a Naxal affected area, for a month and engaged in development activities with the Adivasis of the village. This included documenting of enrolment of children going to school, employment opportunities of the villagers in various government jobs, food rations of the village, documentation of the various dialects of people in the village and overseeing the construction of primary healthcare facility in the village.

• I also wrote, edited and directed three documentaries and submitted a report on the Gond tribe in Ghotiyawahi village of Kanker district with special focus on their agrarian lifestyle and how it has been affected by the construction of a nearby dam.

POSITIONS OF RESPONSIBILITY:

1. Member, Editorial Board, Adivasi Students Forum (ASF), TISS Mumbai (2020 onwards)
2. Class Representative, M. Phil in Development Studies, TISS Mumbai. 2015 - 2017
3. Literary Secretary, Department of Development Studies, TISS, Mumbai. 2013 - 2015
4. Academic Member of the Tribal Intellectual Collective India (TICI).
5. Member of Academic Committee, M.S. Gore Policy Research Group (PRG), Department of Development Studies, TISS Mumbai.

PROFESSIONAL SUMMARY:

1. Computer Skills: Experienced in GIS, SPSS, and Proficient in Microsoft Office (Word, Excel, Paint, and PowerPoint).
2. Languages: Fluent in English, Hindi and Nepali.

HOBBIES: Music (Listening and Singing), Photography, Film and Novel Reviewing.

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Sustainable Urbanization in Tribal or Indigenous Peoples' Areas of India

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Definition

Urbanization, a new phenomenon in areas inhabited by indigenous peoples of India, is marked by dispossession of their land and resources, accentuating poverty, health hazards, causing damage to the ecology and environment, and livelihood, combined with the absence of share and participation in development. Keeping these contexts, the paper examines and reflects on the challenges of inclusive and sustainable urban development in the tribal areas of India.

Urbanization in India

The emergence of cities in history has been seen as the manifestation of societal development. Pre-industrial cities were markedly different from the cities that emerged following the Industrial Revolution. Modern industrial cities have had a profound impact on the world today. Today more than half of the world population lives in cities. It is estimated that by 2030 around five billion people will be residing in urban areas. Much of this urbanization will unfold in Africa and Asia, which will have profound social, economic, and environmental implications. Although urbanization has the potential to usher in a new era of well-being, resource efficiency, and economic growth it also breeds inequality, poverty, water scarcity, air and dust pollution, as well as carbon and lead emissions, leading to climate change and health hazards. India is no exception to this. This pattern of urbanization is also engulfing the areas inhabited by indigenous peoples, thereby dispossessing them of their land and resources, accentuating their poverty, and health hazards, causing damage to the ecology and environment and their traditional livelihood, without creating an alternative source of livelihood. This poses a challenge to sustainable urban development. Hence there is a need to find an alternative to such a process of urbanization which is more sustainable. The tribes/indigenous people who have a symbiotic relationship with nature and environment can provide such an alternative vision. The paper examines the above-mentioned contestations and reflects on the challenges of inclusive and sustainable urban development in regions inhabited by indigenous peoples.

At the very outset, a distinction between urbanization and urban development needs to be made. Urbanization is defined by demographers as the increasing share of population living in urban areas in proportion to the total population of the country (Poston and Bouvier 2010). Urban areas

W. Leal et al. (eds.), *Sustainable Cities and Communities*, Encyclopedia of the UN Sustainable Development Goals,
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are defined differently in different countries but are generally taken to be settled areas that are more populous and denser than rural settlements, and more suitable for locating administrative facilities and functions. Significantly more than half the countries providing data on urban population use administrative criteria in their definition, slightly more than half use population-related criteria, and very few use neither (Buettner 2015; United Nations Department of Economic and Social Affairs (UN DESA) 2012). The administrative and population-based criteria are interrelated since urban administrative status is generally conferred on larger settlements (Tacoli et al. 2015). Urban development, on the other hand, has been defined as a technical and political process concerned with the welfare of people, control of the use of land, design of the urban environment including transportation and communication networks, and protection and enhancement of the natural environment (see "▶ McGill School of Urban Planning"). It also included a diversity of occupation, educational facilities, health facilities, greater well-being, a flourishment of arts, and aesthetics.

Sociologically, the urban phenomenon has aroused interest and attention among scholars for four primary reasons as per Kingsley Davis (1955). According to him "Firstly such phenomena are relatively recent in human history. Compared to most other aspects of society: language, religion, stratification, or the family – cities appeared only yesterday, and urbanization, meaning the that a sizeable proportion of the population lives in cities, has only developed in the last few seconds of man's existence. Secondly, urbanism represents a revolutionary change in the whole pattern of social life. Itself a product of basic economic and technological developments, it tends in turn, once it comes into being, to affect every aspect of existence. It exercises its pervasive influence not only within the urban milieu strictly defined but also in the rural hinterland. The third source of sociological interest in the cities is the fact that once established, they tend to be centres of power and influence throughout the whole society, no matter how agricultural and rural it may be. Finally, the process of urbanization is still occurring; many of the problems associated with it are unsolved; and consequently, its future direction and potentialities are still a matter of uncertainty."

While discussing the process of urban development in India, it is important to note that for a long time India was considered as a country of villages and hamlets. Countering such a notion, Ramachandran (1989) argues that with over 12,000 urban settlements, India has an urban infrastructure of a gigantic magnitude. Elaborating further, he states that in terms of the absolute number of urban infrastructures across the length and breadth of the country, India is possibly the largest urbanized nation in the world. However, it should be noted that until recently, there was little attention paid to the process of urbanization, in India, by either academicians or policymakers. Prakash (2002) makes an interesting observation that, although most of the nationalist leaders who partook in the Indian freedom struggle, hailed from cities themselves, they did not engage with the issue of urbanization in the early years of India's planning and development period. Batra (2009) carries forward this argument and states that both the Gandhian and Nehruvian visions of the nation were curiously silent, on the question of the role of the cities, for the future of India. By contrast, Ambedkar saw urbanization as a means to end the caste order that sculpts the larger section of Indian society. His often-iterated quote during the Constitutional Assembly Debates (1948–1949), "The love of the intellectual Indian for the village community is, of course, infinite, if not pathetic. What is a village but a sink of localism, a den of ignorance, narrow mindedness and communalism?" reflects his dissonance with the village social structure.

Batra (Ibid.) goes on to state that it is only in the last two decades that urban issues have become a crucial part of the government policy and the public discourse. Elaborating further, he points out that today, we find a growing body of academic work on built form, spatial relations, and on the governance of Indian cities. This shift, he says, is marked by the viewing of cities (as opposed to villages) as the engines of economic growth in the planning apparatus and has

become one of the foundational principles of the state, by the "global hegemony of neoliberalism" (Lefebvre 1968) in the last couple of decades. A key difference between Indian cities and those of Europe and even Latin America is that they never had the "same scale of publicly supplied mass housing, mass manufacturing-based economy or pre-meditated master planned infrastructure and services. Much of housing has happened via the transformation of land outside master planning around municipally provided infrastructure and services almost all of economy being "bazaar like." The "poor" like other groups are intensely involved in market transactions – "over real estate, over the production and circulation of commodities" (Benjamin 2010). The use of policy and programs to discipline and regulate these day-to-day practices in favor of big business and the elite, in the name of modernity where planned development is aimed to "control chaos," is what makes this model of urbanization as neoliberal. Till the 1990s, Indian cities were mostly invisible from the policy screen. Their "unplanned development," de facto tenures, and mixed land uses housing posed by planners as "nonconforming and illegal" were addressed from the perspective of the welfare state and social justice that formed the basis of master planning. Even if this planning was dislocated from daily life, politics was more to do with its subversion by extensive land regularization in real terms (Ibid.). The year of 1991 saw two events. First was the "liberalization" of the Indian economy. The World Bank's vision of the city as the center for economic productivity emphasized a policy perspective to move urban funding away from the basic needs approach of the 1970s and 1980s (Cohen 1990). This would in turn allow cities to fund mega infrastructure as players on the global stage. "Economic Growth" would over time alleviate poverty created in the "short term." This view effectively portrayed the poor as "marginals," inhabitants of "slums" and set in an arena where first claims would be by those who were "productive." Such a "Victorian" view can be seen central to "branding" cities and underpinned institutional change promoting fiscal prudence of municipal bodies, replacing political authority with mayor centric and specifically administrator controlled via "city managers" (Benjamin 2010; Ibid.). Secondly, thus, while Indian metro cities globalize and urbanize, one of the major issues introduced in the policy discourse was the need for infrastructure to support economic growth. Such a discourse came with an agenda to legitimize urban conservation, i.e., viewing the nerve center of economy and a popular politics as being "historical" areas. Such thinking in the high ground of urban policy and academia in the mid-1990s was focused on the two new economic growth nodes: China and India, which for donors and international financial institutions offered significant returns to investments (Ibid.). This economic and political foregrounding was the thought process behind the launch of urban development policies such as the Jawaharlal Nehru National Urban Renewal Mission (JNNURM), in 2005. Mohanty (2014) observes that until the launching of the JNNURM, the national policy did not pay much attention to the development of cities in India. JNNURM has been described as one of India's "harshest neoliberal urban development programmes" by leading Indian urban studies scholars (Benjamin 2010; Ibid.).

Problems of Sustainability

The term sustainable development was coined in the book *Our Common Future* released by the Brundtland Commission (1983). As per the definition in the paper, sustainable development is the kind of development that meets the needs of the present without compromising the ability of future generations to meet their own needs. There are two key concepts which the commission stresses upon:

1. The concept of "needs" in particular the essential needs of the world's poorest people, to which they should be given overriding priority
2. The idea of limitations which is imposed by the state of technology and social organization on the environment's ability to meet both present and future need

The commission also stresses upon the environment being something beyond physicality, i.e., going beyond that traditional school of thought to include social and political atmospheres and circumstances. It also insists that development is not just about how poor countries can ameliorate their situation, but what the entire world, including developed countries, can do to ameliorate their common situation. In this context, it becomes crucial to understand urban development in the context of sustainability. The target of a sustainable urban development process is to achieve the status of "sustainability" in urban communities and also to create or to strengthen the sustainability's characteristics of an economic, social, and environmental city. However, today's cities suffer from various problems such as pollution, traffic, crime, urban poverty, etc. These are not the features of sustainability because they are not keeping the dignity and minimum standard of life.

Among the most important planning deficits is the "issue of equity which has been largely ignored in city plans. The city masterplans show severe lack of poverty planning. The root of the problem is the reluctance to recognise the issue of urban poverty or of finding adequate space for the urban poor to live in. Indian cities have not planned for affordable housing, leaving the matter of shelter largely to the market. Other planning deficits result from the cursory treatment afforded to vital city infrastructure such as solid waste management, public transportation system, and addressing the issues of marginalised social and economic groups. A thorough, decentralised and integral system of solid waste management is a challenge that urban planning has skirted on. This has resulted in cities struggling to find space for waste and increasing eviction from spaces outside settlements. The situation with regard to public transportation systems and transit-oriented development is similar" (Jha 2019). The master plans also have huge deficits in terms of provisions relating to gender, children, the elderly, and people with disabilities.

Another point to be noted is that most of the housing policies in post-independence India failed at the fundamental level of accurately understanding the notion of "housing poverty." The understanding of adequate housing must cover electricity, water supply, sanitation and even sewage management, parks and open spaces, access to a housing loan or even renting a house, and a person's capacity to access employment and social relations. Due to these factors, major housing schemes were "constrained in the following ways:

1. Newly built units were structurally defective and lacked essential services;
2. In many cases, these units were unaffordable;
3. These units were located at a great distance from the city centre and from places of employment and livelihoods; and
4. They resulted in a loss of existing social networks.

Consequently, a large number of these newly built or rehabilitated houses were abandoned or remained vacant. Apart from that, poor air and water quality, insufficient water availability, waste-disposal problems, and high energy consumption are exacerbated by the increasing population density and demands of urban environments" (D'Souza 2019).

As per the National Geographic, some of the major environmental and ecological threats of urbanization can be seen as follows:

1. Intensive urban growth can lead to greater poverty, with local governments unable to provide services for all people.
2. Concentrated energy use leads to greater air pollution with significant impact on human health.
3. Automobile exhaust produces elevated lead levels in urban air.
4. Large volumes of uncollected waste create multiple health hazards.
5. Urban development can magnify the risk of environmental hazards such as flash flooding.
6. Pollution and physical barriers to root growth promote loss of urban tree cover.
7. Animal populations are inhibited by toxic substances, vehicles, and the loss of habitat and food sources.

Certain tribal towns which have emerged seemed to have been characterized by similar markers but of a degree which is relatively less. And hence there is a chance of reorienting that towards sustainability and build the new ones around that principle of sustainability. In this context, the paper discusses the urbanization which has already occurred in tribal areas and examines how can sustainability be built into it. Before we discuss urbanization in tribal areas, it is important to define tribes and indigenous people in the context of India.

The Context of Tribes and Indigenous People in India

The term tribe has been taken over by the "anthropologist from the ordinary usage generally meaning people who were considered primitive. They lived in remote and backward areas and did not know the use of writing. Sometimes it was used synonymous with the term race. In course of time, anthropologists have refined this concept. They define tribes as a society which is a self-contained unit with its own territory, language, culture, economic and political system" (Béteille 1977). In more recent years, tribes have been identified as indigenous people. Whereas there is an overlapping idea in the use of the terms tribes and indigenous people, there is a finer distinction. Indigenous people is used to refer to tribal people who lived in a given geographical area or territory prior to the onset of colonization in the sixteenth and seventeenth centuries. Thus, indigenous people tend to assume the form of a historical category which is not necessarily the case with the term tribe. In India, tribal communities make claim of being indigenous people (Xaxa 1999). This is reflected in the use of the word Adivasi to distinguish themselves from others. The term Adivasi means original people. India is a signatory to the United Nations Declaration of the Rights of Indigenous People. However, it denies the tribal people, the status of being indigenous people, because its position is that everyone in India is indigenous. However, a major intervention came in the form of the Supreme Court's judgement in the "**Kailas & Others vs State of Maharashtra" case,** January 2011. The jury stated: "92% of the population of India consists of descendants of immigrants. Among the most disadvantaged groups, the most marginalized are the Adivasis who are the descendants of the original inhabitants of India, but now constitute only about 8% of our total population, and as a group are one of the most marginalized and vulnerable communities in India." This judgement endorses the claims of the tribes as being the indigenous people of India. In my paper, I use both tribes and indigenous as coterminous.

Urbanization in Tribal Areas, Challenges and the Way Forward in Sustainability

Xaxa (2012) writes, "One of the marked features in terms of which tribes in India came to be conceptualized is geographical and social isolation from the larger Indian society. This meant they were conceptualized in relation to the larger Indian society and not in relation to the stage of their social formation." That explains as to why wide ranges of groups/communities at a different level of social formation have all come to be identified and defined as tribes. By virtue of the fact that tribes lived in isolation from the larger Indian society, they enjoyed the autonomy of governance over the territory they occupied. They held control over the land, forest, and other resources and governed themselves in terms of their own laws, traditions, and customs. Notwithstanding that, they were not without interaction with the outside world.

During colonial rule, tribes did come into contact with towns. These encounters were mainly for administrative reasons, such as to pay tax, appear in courts, and purchase goods and commodities for household needs and consumption. However, as modern education spread and newer avenues of employment sprung up – either with the Christian missionaries or the government – many tribal people drew closer to the town. But they also avoided severing ties with their traditional habitats. This phenomenon progressed with the percolation of modern education and the emergence of

newer, modern employment opportunities. Such opportunities entailed their movement to towns. At the time of independence, the size of the mobile population to the towns was very small. But post-independence India offered better employment opportunities, which led to a steady increase in the number of tribal people settling in towns. Notwithstanding this, the share of the tribal population inhabiting towns was still small (Khakha 2019). In 1961, only 1% of the tribal population lived in urban regions. The figure was the same in 1971. Since then, there has been a decadal increase of about 2% from 1981 to 2001, that is, from 3% in 1981 to 7% in 2001. In 2011, the share of the tribal population living in urban areas was 11%. Thus, there has been a steady rise in tribes settling in towns and cities. Despite this increase, tribes still make up only 2.8% of the country's total urban population (Ministry of Tribal Affairs 2013).

This increase in the number of tribal people in urban areas is far from uniform across regions or subregions. The larger proportion of the tribal population lives in urban areas in the northeast region than in the rest of mainland India. Overall, the urban phenomenon in tribal areas is not only visible in increasing share of tribal population, but also in the number of townships of varying types that have emerged in tribal areas in recent years. As per the Census of India, 2001, there were 4378 urban areas/towns in 593 districts inhabited by tribes. The number is likely to have increased significantly in the subsequent years.

There has been a considerable increase in the number of tribes inhabiting in towns in tribal areas. That this process is ongoing is evident from the fact that tribal areas have witnessed much increase in the number of towns. Another fact that needs to be noted is that the urbanization is far from being even or of the same origin in these areas. For example, in the case of Jharkhand, Chhattisgarh, and Odisha, most of the urbanization came about as an offshoot of industrialization that took place in the pre-and post-independence period. Cities like Jamshedpur, Bokaro, Bhilai, Ranchi, Rourkela, Dhanbad, etc. all came about as an extension of the industrialization combined with mineral extraction and expansion of transport and communication that took place in that region. Several scholar such as Vidyarthi (1969, 1970), Rothermund and Wadhwa (1978), Simeon (1995), Kling (1998), and Parry (2008) explored the industrial and mineral exploitation of tribal land. However, they did not shed much light on the eventual urbanization that came about as a process of that industrialization. Similarly, in the case of northeast India, most of the towns such as Sylhet, Silchar, and Shillong came about originally as British administrative centers. There has been a spurt of townships in the post-independence era. In areas such as Nagaland, around 28.9% of the 1.99 million of the state's population lives in the urban areas as per the 2011 Census. On examining a national overview of tribes in urban areas, it can be observed that an increase in urban tribal population is far from uniform across regions or subregions. The share of urban tribal population is larger in the northeast region than in the tribal regions of mainland India. Vidyarthi (1972: 438–456) has written that with the forces of exploitation of mineral resources, the establishment of mineral-based industries, the emergence of industrial, commercial, and administrative centers, as well as the pace of industrialization and urbanization has greatly accelerated in tribal regions. Due to these forces, most of the tribals have faced land alienation and social disruption. This is manifested in the loss of traditional occupations, traditional habitat, the traditional way of life, exhaustion of cash received by way of compensation, unemployment, keen and unfair competition with the migrants in labor markets, high aspirations, and great frustration. Chattopadhyay (1972) was one of the first to theorize about the socioeconomic location of tribes in urban societies. He postulated that the integration of tribes into an "urban, industrial society" might relegate them to menial economic activities.

As highlighted above, such a model of urban development has been built on the dispossession of land of the indigenous people through land acquisition combined with the alienation of land from tribes to nontribes. Sharan (2005) highlights, "land alienation to individuals can be divided into four cross-cutting categories: namely, alienation in urban and rural areas as well as tribal to non-

tribal and tribal-to-tribal alienation. In urban areas, alienation has been primarily demanded induced – for housing (by outsiders) and non-agricultural purposes. This type of alienation has continued and accelerated in the post-independence period, and has affected both tribes and non-tribes." For tribes, the environment not only has ecological significance but also material and spiritual significance. Nature is intertwined into the very fabric of tribal society. It manifests itself in various elements such as food, houses, domestic goods, artifacts, rites, rituals, customs, festivals, and so on. While the indigenous communities' dependence on nature is overwhelming, it is far from being passive. The communities act on nature and transform it into forms that are of use to it, without disturbing the harmony between itself and nature. There is a symbiotic relationship between tribes and nature (Xaxa 2008; Ibid.). In tribal societies, there is a realization that nature and resources nurture and support human life including its growth to realize its full potential at the same time while harnessing nature and its resources for their regeneration and growth (Ekka 2007). There is a deeper realization that harming nature and misusing the resources would lead to resource depletion, environmental degradation, pollution, desertification, depletion of ozone layers, risking resource scarcity, and climate disorders. It is for this reason that tribes look upon nature with a sense of reverence. The ideas of life and development the tribal people share conform with the ideas of sustainable development as defined by the Brundtland Commission (1983). As mentioned before, the commission defines sustainable development as one which meets the needs of the present without compromising the ability of future generations to meet their own needs.

This shows how the natural order enters the social order of tribes. The two orders are not separate, discrete, and autonomous. Rather, they are integral to each other and form a single moral order (Xaxa 1998). There is an obligation not just to fellow human beings but also to nature. It informs a large part of their lives and is an integral part of their worldview. For them, the notion of development without the inclusion of nature has no meaning. Max Weber in his understanding of rationality makes an interesting distinction between rational domination and rational adaptation (Kalberg 1980). This distinction is critical to the understanding of sustainability, including urban development. This distinction also is very pertinent for understanding development in the context of indigenous peoples.

Conclusion

Indigenous peoples are not irrational but rational people. However, their rationality in relation to fellow human beings as well as the nature are one of adaptation and not of domination. Hence their philosophy and way of life are not one of conquering and dominating nature but one of living side by side and in harmony with each other. It is the orientation of rationality that has come from modernity which has led to much of the unsustainability of development in contemporary times. This is very much the case with the urban development including one taking places in areas inhabited by the tribal/indigenous people. The sustainability of urban development demands a better quality of life for all in all spheres of urban life. This quality of life is possible only when the urban development addresses the problem of inequity in access to income, housing, water, sanitation on the one hand and the larger problem of solid waste management, traffic congestions, air and dust pollution, etc. on the other. This demands a rational approach to the problem. However, the rationality rooted in domination and exploitation will give rise precisely the problems referred to earlier. Hence there is a need for a new approach. Rational ordering in terms of adaptation is a solution to this problem. Such adaptation is built on harmony between nature and culture leading to the building of a social order characterized by equality in society, collectivity in economy, and accommodation in history, ethical living (Munda 1989). In order to achieve sustainability, there is a need to understand that the current attitude of rational mastery over the world is misplaced and the indigenous peoples offer a sustainable alternative in terms of rational adaptation.

This is the hallmark of indigenous societies which need to be incorporated into the planning process, rather than replicating the existing way of planning which is primarily a top-down approach which does not consider the local resources, environment, ecology, and people. There is a need for reenvisioning of urban development in tribal areas in an orthogenetic manner. Such a model of urban development can usher in the sustainability of urban development.

Cross-References

- Environmental Ethics and Justice for Sustainable Cities
- Planning Small Cities Toward Being Inclusive, Safe, Resilient, and Sustainable: The Case of a City in Rio Grande Do Sul, Brazil
- Resilience in the Context of Climate Change
- Rethinking Empowerment: Seeking Justice, Not Just Sustainability
- Sustainable Urban Governance: Power of Partnerships, Planning Process, Public Partnerships, and Performance Parameters
- Sustainable Urbanization in Africa: The Critical Enablers and Disablers
- Urban Farming and Its Role in Enhancing the Sustainability of Cities

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Tribes and Urbanisation in North East India

Issues and Challenges

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An analysis of urban development in post-independence India shows that the country has inherited an uneven regional distribution of city and town formations. No other region illustrates this better than the North East. This complex topic is examined with reference to the "tribal metropolis" of Shillong in Meghalaya, which is experiencing a rapidly changing urban landscape. How urban space is governed in Shillong is analysed. In doing so, contestations by various stakeholders regarding urban expansion and development along with its implications for the tribal population living in the vicinity of the city are examined.

Much like in the rest of the world, tribes in India were traditionally associated with land- and forest-based livelihoods. Accordingly, their traditional habitats have been rural and forested areas. However, this changed during the colonial period. Tribal people were not only integrated into the modern state, but also into the wider economy and society; however, this integration was far from uniform. This modernisation had a far-reaching impact on tribal society, resulting in changes in different spheres of their societal life. Following independence, the process of change has accelerated, and much has been written on the different aspects of these changes. Some of the most striking changes in the tribal society of Meghalaya are the transition from agriculture to modern occupations, the expansion of modern education and the emergence of the middle class, the switch from traditional political institutions to modern institutions of governance, and the shift from traditional religions to different denominations of Christianity.

However, there has been another form of change in tribal areas that has remained unattended. This concerns the urbanisation of tribal areas and tribal people. This process too can be traced to the colonial period. Since the region brought under colonial rule was vast, it led to the setting up of a number of administrative centres for effective administration. The colonial administration needed literate individuals to run the modern administration. As tribal people were not familiar with a tradition of reading and writing, the colonial administration encouraged educated people from the plains to settle in tribal areas to run the day-to-day administration. Soon, the emergence of such administrative

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centres gave rise to trade and commerce, which was again carried out by the people from the plains. Thus, while tribes encountered those towns during their occasional visits, they did not form a part of the town.

In post-independence India, however, the process of urbanisation has become more prevalent across tribal areas. This has largely been due to the expansion of administrative centres and the initiation of industrial and infrastructure projects. These developments opened up avenues of employment for tribal people. However, only a few became a part of this emerging habitat in tribal areas. This is no longer true today. As such, this paper attempts to situate tribes in the context of urbanisation in general and in North East India in particular. In order to understand the phenomenon of urbanisation in the region, the paper considers the township of Shillong and examines the processes through which it has grown and expanded. It also discusses the challenges and problems that the expansion of the township has posed. Thus, the paper offers an overview of the challenges that tribal areas pose to urban growth and
development in North East India.

Shillong is not only one of the oldest townships in North East India, it is also located in the tribal heartland, if one were to use such a phrase. The paper discusses tribes in the context of urbanisation in tribal areas in general and North East India in particular. It outlines the process of urbanisation in Meghalaya, the state in which Shillong is located. It later discusses the recent expansion of development in Shillong, and the challenges associated with the growth and expansion of its urbanisation. The most challenging issue in this process has been the contestations among different stakeholders over land acquisition and the nature of its usage.

Tribes in Urbanisation

During colonial rule, tribes did come into contact with towns. These encounters were mainly for administrative reasons, such as to pay tax, appear in courts, and purchase goods and commodities for household needs and consumption. However, as modern education spread and newer avenues of employment sprung up—either with the Christian missionaries or the government—many tribal people drew closer to the town. But, they also avoided severing ties with their traditional habitats. This phenomenon progressed with the percolation of modern education and the emergence of newer, modern employment opportunities. Such opportunities entailed their movement to towns. At the time of independence, the size of the mobile population was very small. But post-independence India offered better employment opportunities, which led to a steady increase in the number of tribal people settling in towns. Notwithstanding this, the share of the tribal population inhabiting towns was still small. In 1961, only 1% of the tribal population lived in urban regions. The figure was the same in 1971. Since then, there has been a decadal increase of about 2% from 1981 to 2001, that is, from 3% in 1981 to 7% in 2001. In 2011, the share of the tribal population living in urban areas was 11%. Thus, there has been a steady rise in tribes settling in towns

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and cities. Despite this increase, tribes still make up only 2.8% of the country's total urban population (Ministry of Tribal Affairs 2013).

This increase in the number of tribal people in urban areas is far from uniform across regions or subregions. The larger proportion of the tribal population lives in urban areas in the North East region than in the rest of mainland India. In Jharkhand, for example, only 9.8% of its tribal population resides in urban areas, as per the 2011 Census. That figure was 8.5% for Odisha and 10% for Chhattisgarh. In other states in mainland India, the share of the urban tribal population is even lower. As per the 2011 Census, only 3.5% of Gujarat's tribal population is urban, while the figures for Madhya Pradesh and Maharashtra are 5.2% and 3%, respectively (Xaxa 2014). It is somewhat intriguing to note this slow increase in tribal people in the urban population between 2001 and 2011 in the tribal regions of mainland India. In contrast, this increase has been phenomenal in North East India.[1] Tribes make up 27.3% of the total population of the North East region; their population share in rural regions is 28.3% and in urban areas it is 23% (GoI 2011). Urbanisation is thus catching up in tribal areas. Several new townships have emerged, resulting in an increase in the urban population.

Looking at the historical context, back in 1961, the percentage of the population in North East India that lived in urban spaces was a mere 6.5%–7% as against 17.9% for India as a whole. By 2011, these numbers had jumped to 23% as compared to 31.16% for India as a whole. However, the pace of urbanisation has been far from even. To illustrate, in 1971, Arunachal Pradesh had an urban population of just 3.7%, which had increased to 20.41% by 2001. Meanwhile, in 1971, 9.95% of Nagaland's population was living in urban regions; this increased to 17.74% by 2001. During the same period, Mizoram's urban population also increased from 11.36% to 49.50% and that of Meghalaya rose from 14.55% to 19.63%. Interestingly, it was Meghalaya that had a higher percentage of urban population in 1971 and has grown slowly since then as compared to other states in the region (Khawas 2005).

The increase in the share of the tribal urban population to the total population as discussed above is presented in **Table 1** in terms of the share of the tribal population to the total rural and urban populations of their respective states.

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Table 1: Statewise Percentage of Scheduled Tribes to Total Population, Census 2011 (%)

State	Total	Rural	Urban
Arunachal Pradesh	68.8	74.0	51.0
Assam	12.4	13.7	5.0
Manipur*	35.1	45.6	13.4
Meghalaya	86.1	90.1	70.4
Mizoram	94.4	96.6	92.5
Nagaland	86.5	92.8	70.8
Sikkim	33.8	36.6	25.5
Tripura	31.8	41.2	5.1
Overall (North East)	27.3	28.3	23.0
Overall (India)	8.6	11.3	2.8

* Excluding three subdivisions of the Senapati district.
Source: GoI (2011).

Unlike tribal areas in mainland India, where tribal people form a very small minority in the urban population, the North East region is very different except for states like Assam, Manipur, and Tripura, where tribal people are a numerical minority. Typically, the urban population of tribal people ranges from 5.0% to 5.1% of the total urban population in Assam and Tripura, and to 92.5% and 70.8% in Mizoram and Nagaland, respectively. That figure is 70.4% for Meghalaya and 51.0% for Arunachal Pradesh (GoI 2011).

However, the process of urbanisation in the North East faces umpteen challenges. These partly stem from the ecological features of the hilly terrain, and also from the land tenure system practised in the region. It is important to note that the pattern of land tenure practised in the North East is very different from that of the rest of India. Much of the land in tribal areas is either passed down a lineage or is collectively owned by the village community. Although private ownership of land exists, it is not a dominant feature of the land tenure system of the region. This is one of the aspects that distinguishes the process of urbanisation in the North East from the rest of India, and hence, it is worth exploring. As observed earlier, the region has witnessed a substantial increase in urban development. This is due to the movement of a significant proportion of people from agriculture (the traditional source of their livelihoods and identity) to emerging employment opportunities in the government, trade, businesses, industries, retail, and the informal sector. Having discussed urbanisation in tribal areas in general and urbanisation in North East India in particular, I would like to explore the process of urban development in Shillong. To begin, I will place Shillong in the larger context of the urbanisation process in Meghalaya.

Urbanisation in Meghalaya

As compared to other tribal states in the region, Meghalaya has experienced a low level of

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urbanisation in recent years. Only 20% of the state's population lives in urban areas. Furthermore, the contribution of different districts to the total urban population in the state has been varied. This is mainly because urban growth in Meghalaya has been overwhelmingly dominated by one town, Shillong. The distribution of the urban population suggests that apart from the East Khasi Hills district, where Shillong is located, all other districts have a very low level of urbanisation, far below the state average. The highest contribution to the urban population comes from the East Khasi Hills. The lowest is from the South Garo Hills. The latter accounts for only 2% of the total urban population (GoI 2011).

Even so, urbanisation in Meghalaya has maintained a steady pace of growth. Its urban population has grown from 1,47,150 in 1971 to 5,95,450 in 2011 (GoI 2001, 2011). However, the urban population continues to be concentrated in the urban agglomeration of the capital city. Shillong alone accounts for about 60% of the total urban population of the state. Moreover, Shillong and Tura together account for 71.93% of the total urban population of the state (Government of Meghalaya 2011). Presently, the state has 16 urban centres, the most important being the Shillong Urban Agglomeration (SUA). The SUA comprises seven towns: Shillong Municipality, Shillong Cantonment, and the five census towns of Mawlai, Nongthymmai, Pynthorumkhrah, Nongmynsong, and Cherrapunjee. An interesting feature of urbanisation in Meghalaya is that while the growth rate of SUA was 19.83% during 1991–2001, the growth rate over the same period for the other three towns was 61.14% for Nongsten, 21.63% for Jowai, and 28.03% for Tura. In fact, if the towns within the SUA are taken individually, it is evident that the population growth within the Shillong Municipality area has been nominal over the last few decades. However, the five smaller census towns within the SUA have grown considerably during this period, which has contributed to the SUA's overall growth (Government of Meghalaya 2011).

Shillong's Emergence and Growth

Shillong is the capital of Meghalaya, situated at an average altitude of 4,908 feet (1,496 metres) and at the coordinates of 25.57°N 91.88°E. It is on the Shillong Plateau, the only major uplifted structure in the Northern Indian Shield. Shillong is one of the oldest townships in the North East and has witnessed phenomenal expansion over the last three decades (Sengupta and Dhar 2004). In that period, the city has undergone a radical transformation from a hill station to a multifunctional service centre, capable of catering to a host of administrative and other service needs not only for the state, but for the entire North East region, comparable to Guwahati only. For me, Shillong is a unique site of study as it is a multifunctional urban centre equipped to handle administration, commerce, and education. Despite being a British creation and subsequently becoming a part of the Indian state, it has retained its own quaint nature and indigenous characteristics. Most roads, streets, and avenues in Shillong are unnamed. They are largely distinguished through points of interest and bearings by the local people. An interesting feature of the town is that planning for development has been carried out on the basis of existing community blocks. Thus, it has a long history of being a major sociopolitical centre and an

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important educational hub in the region.

Historically, it was chosen as the administrative headquarters of the British chief commissioner's province of Assam. This was mainly for its convenient location between the Brahmaputra and Surma valleys, as well as its salubrious climate, which was far cooler than the rest of tropical India. It has steadily grown in size since it was made the civil station of the Khasi and Jaintia Hills in 1864. Indeed, the importance of Shillong only grew after the partition of Bengal in 1905. When political instability broke Assam's economic ties with the Sylhet Plains in Bangladesh, Shillong became the most important commercial centre connecting the resources of the interior of the North East to Assam. It was also easy to access the ports of Dacca (present-day Dhaka) and Calcutta (present-day Kolkata) through them (Chakravarty 1991). By 1910, Shillong was declared a municipality with 10 wards and continued to thrive as a "superimposed" urban centre. This situation continued more or less unhindered till the two World Wars, when an increased exploitation of natural resources led to the improvement of road connectivity mainly between Shillong and the other border states. This instigated a huge inflow of capital, which gave the city a sudden boost, with an estimated 43.93% rise in the urban population.

Following independence, Shillong experienced a new thrust of horizontal and vertical expansion. In 1951, the Shillong agglomeration had only two townships: the Municipality and the Cantonment. By 1961, the Nongthymmai and Mawlai townships had developed and formed two additional census towns. These were localities outside of the Municipality and the Cantonment. Due to their large immigrant population, residential buildings were constructed in localities which were initially outside the Municipality but were later incorporated, such as Laitumkhrah, Laban, and Malki. On 2 April 1970, Shillong was declared an autonomous state, separate from Assam. It remained the capital of undivided Assam until Meghalaya attained full statehood on 21 January 1972. Thus, Shillong became the capital of Meghalaya and Assam changed its capital to Dispur in Guwahati. After becoming the capital, Shillong recorded its highest urban growth between 1971 and 1981. In 1991, the SUA became a conglomerate of six urban units, that is, Shillong Municipality, Shillong Cantonment, Mawlai, Nongthymmai, Pynthorumkhrah, and Madanryting; the smaller townships generally had a higher momentum of growth than the Municipality and Cantonment.

Today, urbanisation in Shillong is occurring at an unprecedented rate. It is becoming increasingly congested for want of space. The space constraint is especially felt when one witnesses the state of transportation facilities, parking, housing, and the development of commercial areas. The current situation may be attributed to high-density areas being filled with poorly built and maintained infrastructure and the constant risk of natural hazards, environmental degradation, and disasters like fires. People residing at the periphery of the city are now forced to squat in environmentally unstable areas like steep hillsides that are prone to landslides or in structures built on poor ground, which are at risk of collapsing. Such poorly planned urbanisation has posed challenges to every aspect of urban life. The

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introduction of public buses, taxis, and other cheaper modes of transport has made it possible for more people to live further away from Shillong's centre. However, even suburban areas have been subjected to an intensification of land use and urban congestion.

As a possible solution, a new township in Shillong has been envisioned. For this purpose, land has been acquired and the process of building a new township has been initiated. However, the process has been far from smooth. Currently, various stakeholders are mired in intense contestation. This primarily revolves around the need to acquire land to further develop the township. However, constitutional safeguards that ensure security of tenure for the tribal people of the region under the Sixth Schedule of the Constitution must also be considered. This is because when urban growth was underway in the 1970s and 1980s, it was within the constitutional provisions of the Sixth Schedule.[2] There was no violation of it until recent times, when land was acquired illegally for the purpose of expanding the town. The acquisition of land for urban development has given rise to intense contestations among different stakeholders.

Governance Structure

Constitutionally, Shillong is subject to the provisions of the Sixth Schedule and, hence, it comes under the jurisdiction of its Autonomous District Council (ADC). The city, or most of it, is governed by a tribal government, with customary laws as the key legal instrument (Karlsson 2018). What had historically developed in the context of village life now constitutes a central institution within the city, evolving along with two other—partly overlapping and competing—administrative structures: the district council (established under the Sixth Schedule of the Constitution) and the state bureaucracy. In terms of governance, the ADCs of Meghalaya stand on a different footing compared to those in other states. Historically, the Jaintias, Garos, and Khasis have had well-developed political systems of their own, with wide-ranging powers and authority (Lyngdoh 1996). Since Shillong is in the Khasi Hills, it is appropriate to lead the discussion with a brief note on the political structure of the Khasis.

At the time of colonial intervention, the Khasis had an organised political system constituted under 25 rajas/kings (locally called *syiems*) (Syiemlieh 1993). Each syiem state had a distinct territory of its own and was known by different names. In the case of Shillong, the territory was governed by the syiem of mylliem. The syiem administrative system had three distinct levels: (i) the *raj dorbar* or *hima dorbar* or council of a raja (or syiem), consisted of all the heads of the clans in the syiemship; (ii) the *dorbar elaka* (all the adult male members of the elaka);[3] and (iii) the *dorbar shnong*[4] at the *wahehchnong* level,[5] of which all the adult males of the village were members (Lyngdoh 2016). Drawing on this framework, Shillong also had a unique administrative layout, which consisted of three main types of legal or administrative entities: (i) tribal areas under a headman and his dorbar, as mentioned above; (ii) the Municipality area, supposedly under an elected civil board (but elections have

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not been carried out since the last board was dismantled in 1967 due to protests that the board is a non-Khasi institution); and (iii) the Cantonment area in the hands of the armed forces. Of the total metropolitan area population of 3,50,000, about 2,00,000 people live in the tribal areas, organised into separate villages, localities, or townships with their respective headmen and dorbars.

Three areas—Police Bazaar and Bara Bazaar, Jail Road, and the European Ward—fall under the jurisdiction of the Shillong Municipality, while the rest of the city falls under the jurisdiction of the syiem of mylliem. This is because of a clause signed by the British and the Khasis in 1934 that has remained unchanged. This area is governed by indigenous/tribal law and any amendments made to the city have to be approved by the syiem before they can be implemented in that area. For these reasons, the administrative structure of the city remains complex.

The municipal board administers the Shillong Municipality and Shillong Cantonment areas. However, the administration of other towns in the agglomeration is the responsibility of the town dorbars. Additionally, of the other nine urban settlements, eight are statutory towns (Shillong Municipality, Shillong Cantonment, Tura, Mawlai, Nongthymmai,

Pynthorumkhrah, Nongmynsong, and Cherrapunjee) and one is a census town.[6] The administration of the statutory towns is the responsibility of the town committee or municipal boards. A complex legal framework and the constitutional status of the state shape urban governance and management in the state. Except for the Shillong Municipality, all the areas in the state are classified as tribal areas under the provisions of Article 244 of the Constitution of India. As per this paper, the power to make laws and rules on a number of subjects is vested in the ADCs. The Meghalaya Town and Country Planning Act of 1973 and the Meghalaya Municipal Act, 1973 are in force across the entire state. While municipal boards have been constituted in some towns as per the provisions of the Municipal Act, the management of some of the towns comes under the town committees constituted by the ADCs. The administration of urban development and planning in Shillong falls under the Meghalaya State Planning Board, which was constituted in 1972. The primary department responsible for planning and executing urban development within this board is the Department of Urban Affairs.

The processes of urban development in a Sixth Schedule area in Meghalaya are vastly different from those of other areas. The clauses under the Sixth Schedule empower the state to create its own ADC for administrative purposes. As per John Kharshiing, the chairman of the Grand Council of Chiefs, Meghalaya,

> It is a form of an alternate government at the sub-state level which is responsible for taking decisions on allotment and use of land, management of forests, establishment and management of village and town, regulation of shifting cultivation and irrigation, appointment and removal of chiefs and

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village headmen, and regulation of social customs.[7]

These are indigenous rights which the state has to consider before it makes any decision regarding urban development. Failure to do so results in it being considered a direct violation of constitutional safeguards. Even though the 73rd and 74th Constitutional Amendment Acts were passed to introduce local self-governance in rural and urban areas, they did not apply to Sixth Schedule areas, as these areas wished to work independently of the supervision of municipal bodies. Thus, given the history of Shillong, its future growth seems poised at the brink of a problematic trajectory. In the view of Uttam Dutta, director of Urban Affairs in Meghalaya, Shillong was established by the British as a getaway location, capable of sustaining a maximum population of about 30,000 people. However, its population has grown to exceed 1,00,000, which has resulted in a serious space crunch for its residents. There is even a fear within the state government that Shillong might turn into a ghetto city if this problem of congestion is not resolved. The issue has even pushed the government to acquire about 2,000 acres in the area, which is now called the New Shillong Township (NST).

The New Shillong Township

The First Master Plan of Shillong was based on the First Master Plan of Delhi (1962). According to the First Master Plan (1971–91), Shillong was chosen by the British as the capital of Assam, largely because of its favourable climate and picturesque landscape. With the specific goal of shaping the future of urban development in the city, the Meghalaya Town and Country Planning Act (1973) was drafted by the Urban Ministry. However, this act became applicable only in 1989, as it underwent several subsequent changes in this period. This happened
because the Town and Country Planning Departments were divided into three separate departments: the Department of Town Planning, Department of Urban Development, and Department of Urban Affairs. The responsibility of executing these urban development plans fell upon the Department of Urban Affairs. The department drafted the Meghalaya Building Bye Laws, 2001, in order to frame and direct the process of urban development. It appointed a council of registered architects and sought their approval before implementing decisions. Having said this, it is important to mention the shortcomings of this process. Raj Sokhlet, the town planner of Shillong, mentions that even though the designated limit for the number of people occupying one hectare is 100, the real number in most cases exceeds that limit. This leads to encroachment.[8]

There are also complications in passing legislative decisions in the urban process. Any decision regarding the changes to be made in the city has to go through a four-tier system comprising the council of chiefs, followed by the syiem, the dorbar (council), and, finally, the municipal board. The complexity of the entire process has stagnated several proposals to enable the city's expansion. This complexity, however, has not obstructed the disposal of

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land for further growth of the township, as the data presented below explain.

The acquisition of land to construct the NST came about during the preparation of the Second Shillong Masterplan (1991–2011). It was observed that the holding capacity of the existing city had almost reached its maximum. The establishment of a new township became a necessity in order to accommodate 2,00,000 potential future citizens and to prevent undesirable developments within the already congested city limits. According to the government, the masterplan envisaged setting up the NST near Mawdiangdiang, covering an area of 20.3 km^2 within the Greater Shillong Masterplan area. The lands allotted to various entities from 2003 onwards are located in areas like Mawdiangdiang, Diengiong, Umsawli Mawpat, Mawtari, and Mawkasiang, all of which lie to the north of the main city of Shillong. The only way this acquisition could be done was by bypassing the syiem's authority and by persuading villagers to sell their land to foster education and development. Entities like the education department received 120 acres of land for the development of the campus of Indian Institute of Management (IIM), Shillong. The land was allotted to the campus free of cost in October 2008 at Umsawli Mawpat. The Department of Urban Affairs has also been allotted 10 acres and five acres of land, free of cost, for the construction of a housing complex and a shopping complex, respectively. These complexes have been identified for construction at Mawkasiang. The government also intends to acquire 62,84,153.05 m^2 of land in Umsohlang–Umtung, Nongkharai–Synrem, Jongksha, and Mawpdang, and another 9,65,173.23 m^2 in Wahskheh.

According to Sokhlet, the funnels mentioned above are autonomous, yet interdependent, government systems.[9] Ownership of land is under the control of the syiem, who is the head of the community (*ri-rai*). Under one rai, there are many dorbars. The clan land (*koor*) cannot be declared private land (*ri-kanti*) without the syiem's permission. The reason that such a complex framework has been established is that tribal land cannot be sold to non-tribal people in Sixth Schedule areas. Another reason for such a process, according to Sokhlet, is that there might be a "bureaucratic mess up."[10] He suggests that if the ward commissioner and chairman of the municipal body (in this case, Meghalaya Urban Development Authority [MUDA]) becomes the ultimate authority, then the syiem loses their power. It is for this reason that municipal elections for the post of ward commissioner has not been held for 25 years, as it would have created a rift between the ward and traditional constituencies.

However, an intervention in the form of a judgment from the Guwahati High Court came in 1993. It ordered for the municipal elections to be held. At the same time, it also strengthened the position of the dorbar. All the responsibilities of the dorbar and the municipality have now been codified, from a local legal standpoint. This, coupled with the Land Transfer Act, 2013, has tilted decision-making powers in favour of the chiefs. Consequently, outsiders have become wary of investing in Shillong, thus slowing its

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economic growth. There is a sense that the main city has become so congested that it is necessary to expand commercially into Laitumkhrah, Barapani, and Berninghat. Part of the congestion comes from the migrant labour population, which consists of stone masons (predominantly Muslim men from Assam, Bihar, and Bangladesh) and coal miners (predominantly Nepali men from Nepal, Assam, and Bengal).

The acquisition of land for development has led to intense contestations among stakeholders. This was evidenced by the near-daily flood of about 10 RTI (right to information) appeals to the local information office. The RTIs mainly questioned the legitimacy of the NST and the progress of its development. As a result, the situation has created a work experience which Sokhlet sums up as, "Working like a windmill, walking on a minefield!"[11] Even though there is an element of sentimentality among the local people, he says that if a city has to progress, it has to let go of its past: "We cannot cling to the past if we want to move to the future. Even I like culture but what's the point if it is stopping me from moving forward?"[12]

Agnes Kharshiing, president of the Civil Society Women's Organisation (CSWO) and one of Shillong's leading civil rights activists, offers a very different take on the urban development process in the NST. She states, "The government became a land agent by buying off land from many dubious landowners and displacing indigenous farmers and residents, then parcelling out the land to IAS [Indian Administrative Service] officers, both tribal and non-tribal people."[13] Now, in its "smart" avatar, the Meghalaya government has opened a floodgate for tribal land alienation. The Meghalaya Transfer of Land (Regulation) Act, 1971, the first ever law made by the state of Meghalaya, which "prevents the sale of tribal land to non-tribals has no meaning in [the] New Shillong Township."[14]

In a series of letters, which she uncovered with the aid of an RTI request, Kharshiing unravels the extent of the corruption that has burgeoned with the growth of the NST. To begin with, land was acquired from tribal villagers at prices as low as ₹3 per acre, which was then allotted to IAS officers at ₹1 per acre.[15] For example, John Kharkongor and Phron Kharkongor claim that 28 acres of land at Mawier–Mawtari had originally been owned by them. The two are also against the recent move of the MUDA to hand over the land to the NEEPCO (North Eastern Electric Power Corporation). According to John and Phron, the land has been registered under the office of the deputy commissioner since 1983. However, the RTI they filed revealed that the same land was registered again with the same office in 1992 under the name of Unikey Kharkongor. Kharshiing states, "The original Gazette of the Meghalaya Transfer of Land (Regulation) Act, 1971 is no longer available and has been tampered with by the state officials. This has given them free rein to abuse the Sixth Schedule." Table 2 provides the details of the applicants for landownership at the NST (Thma 2015).

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Table 2: Applicants' Details and Number of Applicants for Purchasing Land at the New Shillong Township

Category	No of Applicants
Government organisations	60
Private companies/ organisations (non-tribal)	23
Non-tribal individuals	38
Tribal individuals	24
Total	145

Source: Thma (2015).

Agnes revealed via RTI files that governmental entities seeking land in the NST are security agencies like the army, CRPF (Central Reserve Police Force), police, and BSF (Border Security Force). The NST has nothing to do with decongesting the city but is a gated haven for real estate developers and property speculators. This is further complicated by the fact that a large proportion of applicants are non-tribal people, as shown in Table 3, which categorises applicants according to the Land Transfer Act, 1971.

Table 3: Percentage of Applicants Purchasing Land at the New Shillong Township

Category	No of Applicants (in Percentage)
Government entities	41.4
Non-tribals according to the Land Transfer Act	42.1
Tribals according to the Land Transfer Act	16.5

Source: Thma (2015).

Here, we see that 42% of the applicants for landownership are non-tribal people, which is a direct violation of the clauses of the Sixth Schedule and the Land Transfer Act, 1971.

Some of the displaced families, mostly farmers, had their houses demolished on three separate occasions, in 2007, 2009, and 2013. The government cut off electricity supply to their village in 2013. They never received compensation for the lost land, and a case that was registered in the early 1990s by the village collective is still ongoing in the Meghalaya High Court. When they questioned urban development authorities about irregularities in the purchase of land in the NST, they were told that the concerned authority was the office of

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the deputy commissioner, and only he was capable of verifying the original owners of the land. This was because the 28 acres of land had already been registered before it was sold to the government. However, they added that they would also request the deputy commissioner to temporarily halt the proposed handing over of the plot of land until the matter was resolved.

Additionally, the MUDA was in the process of allotting land in the NST to various departments. This was to be done at the earliest, with the allotment of land being done by the Land Allotment Committee as per the Land Transfer Act of the state. While inquiring about the allegations of forgery surrounding the land documents, it was revealed that the office of the deputy commissioner was once again the concerned authority responsible for looking into the matter. Additionally, when questioned about allegations that people were being evicted without prior notice, the authorities defended the move by saying that they had already conducted an inquiry and found that the MUDA did not have to inform these households as these were the same families that had been evicted from the place in 2006, after the government had won a legal case securing its right to the land. Most of these families were living off the rent from their ancestral properties. “It is difficult to raise money for your family when you do not have a proper job. How do we feed them? Why does the state not understand this?” they implored.[16]

It has been discussed that land, and the relations that emanate from land—such as the relation between public authorities and citizens—are fundamentally political. Furthermore, it was revealed that the current residents’ forefathers had migrated to this area over time from other parts of the Khasi Hills. It was specifically mentioned that sacred rituals are still being performed by people to connect their new homes with their original homes at Lum-Shyllong. These rituals convey the deep importance of nature in the Khasi cosmology and traditional belief system. “As a community, we need to reflect on how to preserve our traditional beliefs. This is what will eventually bring peace and prosperity back to us.”[17]

Concluding Thoughts

It is important to note that at its core, Shillong remains a cosmopolitan city within a tribal setting. It has attracted people not just from Meghalaya, but from other parts of the North East and the rest of India. An interesting point to note here is that Shillong has been recognised as a “potential satellite town growth pole” in terms of urban expansion and potential township development (Shukla 1997: 27).

What emerges from the previous discussion is a contested discourse on urban development in Shillong. There is a deep divide between what the state wants and people’s view of urban development. There is also a discrepancy between the state’s manner of executing urban development and people’s aspirations and expectations from the state. As such, I argue that development cannot be a state-led enterprise alone. There is a critical need to listen to and incorporate people’s voices and aspirations into development policies. The policies should

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be sensitive to the cultural norms of the region and should not simply be imposed from above.

In the case of the NST, the state presents the case as a possible way out of congestion and the consequences of population rise, migration, and the general lack of space in the city. However, the state's plan is not oriented towards meeting these objectives. Rather, the state's plan is to allot the acquired land to benefit certain groups who work for the state, such as bureaucrats, government officials, and the army. This is an open violation of the provisions of the Sixth Schedule, which primarily aims to protect and safeguard the interests and welfare of tribal people. People are not opposed to urban development as such, but to the manner in which it is being executed. In the case of the NST, there has been a severe misuse of the law in favour of the state machinery and private forces and players. Policies that aim to safeguard areas under the Sixth Schedule need to be framed and enacted in a manner such that the fundamental rights of the indigenous/tribal community are protected while also planning for urban development.

Notes

1 For example, the percentage of Jharkhand's urban tribal population was the same in 2001 and 2011. Similarly, Odisha experienced a marginal increase from 8.1% to 8.5% and Chhattisgarh from 8.4% to 10%. Likewise, Gujarat, Madhya Pradesh, and Maharashtra experienced increases from 3.2% to 3.5%, 4.9% to 5.2%, and 2.7% to 3%, respectively (Xaxa 2014: 42).

2 The Sixth Schedule provides for the administration of certain tribal areas as autonomous entities. The administration of an autonomous district is to be vested in a district council of an autonomous region, or a regional council. These councils are endowed with legislative, judicial, executive, and financial powers. They have authority over matters related to landownership, control over forest and natural resources, and no external body—government or private—can purchase, sell, or exchange tribal land.

3 An administrative unit within the Autonomous District Council (The Khasi Hills Autonomous District Village Administration Bill, 2014).

4 A traditional village institution of the Khasis which is composed of all Khasi inhabitants of not less than 18 years of age, through which prevailing age-old customary and traditional governance and adjudication are carried out (The Khasi Hills Autonomous District Village Administration Bill, 2014).

5 An all-male community body for decision-making within the elaka (as per the Khasi Hills Autonomous District Village Administration Bill 2014).

6 A census town is one which falls in one of these categories (GoI 2011):

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(a) Minimum population of 5,000.

(b) At least 75% of the male working population should be engaged in non-agricultural pursuits.

(c) A population density of at least 400 people per square kilometre.

Statutory towns are places with a municipality, corporation, cantonment board, or notified town area committee.

7 Interview with John Karshiing on 18 September 2015, Shillong. Also see Clause 3 of the Sixth Schedule of the Constitution of India, which delineates the powers of the Autonomous Councils.

8 Interview with Raj Sokhlet, 11 June 2016, Shillong.

9 Interview with Raj Sokhlet, 11 June 2016, Shillong.

10 Interview with Raj Sokhlet, 11 June 2016, Shillong.

11 Interview with Raj Sokhlet, 11 June 2016, Shillong.

12 Interview with Raj Sokhlet, 11 June 2016, Shillong.

13 Interview with Agnes Kharshiing, 7 June 2016, Shillong.

14 Interview with Agnes Kharshiing, 7 Jun 2016, Shillong.

15 Interview with Agnes Kharshiing, 7 Jun 2016, Shillong.

16 Interviews with respondents on 28 October 2016, Shillong.

17 Interviews with respondents on 28 October 2016, Shillong.

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Research in Progress: Adivasis, the Fifth Schedule and Urban Development: a Study of Greater Ranchi

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Adivasis, the Fifth Schedule and Urban Development: a Study of Greater Ranchi

--- Aashish Khakha

Abstract

The Fifth Schedule of the Indian Constitution was created for special administration of tribal areas to prevent land alienation through land transfer regulation, where no land or immovable property in these areas can be transferred by way of sale or lease to persons other than the tribals/Adivasis. However, in Jharkhand, a state which falls in the Fifth Scheduled Area, when state-led urban development projects are carried out, in the name of 'progress' and 'development', one finds a blatant violation of not just the Fifth Schedule of the Constitution but also of historical laws such as the Chhotanagpur Tenancy (CNT) Act (1908). One such example of development is the creation of the new capital township of Jharkhand known as 'Greater Ranchi'. This township is being built on the outskirts of the city, in the Dhurwa area, on former Heavy Engineering Corporation Limited (HECL) land. This land had been given by the state to the corporation, after displacing the Adivasi people living in the area. This paper looks into the various contestations surrounding the urban development of Greater Ranchi and examines its impact on the above-mentioned laws and the Adivasi society living in that area.

Key words: Adivasis, Fifth Schedule, Greater Ranchi, Jharkhand, Scheduled Tribes, Urban Development

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The Fifth Schedule of the Indian Constitution: the Case of Jharkhand

By the early 20th century, following World War-I, when the British realised that they would have to leave India, they came out with the Government of India Act (Govt. of India Act, 1919)[i]. They began to form Councils, such as Bengal, Bihar and others, for participation of Indians in governance. It was during this phase that the Areas under the Scheduled districts, which were predominantly inhabited by tribals, came to be described as the Backward Tracts. This later came to be rechristened as the Excluded Areas and the Partially Excluded Areas. The areas

with the Inner Line Permit (ILP) came to be known as The Excluded Areas. The rest where there was some presence of the non-tribals were referred to as The Partially Excluded Areas. After Independence, during the Constituent Assembly Debates[ii], the Excluded Areas and Partially Excluded Areas of the Northeastern region became the Sixth Schedule Areas and the Partially Excluded Areas in the rest of India came to be known as the Fifth Schedule Areas. The Fifth Scheduled Areas were stated to be administered through the Governor and the Tribes Advisory Council (TAC). They had the power to bring about peace and good governance and prohibit the sale of tribal land to non-tribals. This provision was made following the recognition by the national leadership for protection and special administration of these areas. These were due to three key characteristics namely: distinct cultural features, vulnerability to external exploitation and development gaps between tribal people in comparison to non-tribal people (Xaxa, 2008, p. 65).

Following the provisions of the Fifth Schedule, the states which came under this jurisdiction introduced laws restricting the alienation of tribal land to non-tribals. Jharkhand, which was carved out of erstwhile Bihar in 2000 (Tirkey, 2002, p. 3) did not enact such laws, as there were already such provisions in the form of the Chhotanagpur Tenures Act (1869) (which was further amended as the Chhotanagpur Tenancy Act, 1908, after the Birsa Munda rebellion of 1895-1900)[iii]. And so was the case with the Santhal Pargana Act (1876) (which was brought about after the Santhal Hul rebellion of 1855-57[iv], and rechristened as the Santhal Pargana Tenancy Act in 1949).

Notwithstanding such historical and legal provisions, there has been continuing violation of constitutional and legal provisions. Alienation of tribal land from tribes to non-tribes and from tribes to state has accelerated in post-independence India. Under the name of nation building and development, thousands of acres of tribal land were taken away for various projects such as power dams, irrigation, mines and industries across India, and especially in Jharkhand. It is around these projects that most of the urbanisation process in Jharkhand has taken place. Jharkhand has been witness to rapid urban growth in about two decades. It provides an apt case for understanding the process of urbanisation in tribal India.

Urbanisation in Jharkhand

In 1901, the urban population of Jharkhand was 1,17,975 comprising of 13 towns. It constituted 1.94 per cent of total urban population of India (Harshwardhan & Tripathi, 2015, p. 69). The urban population in Jharkhand, as elsewhere in India, emerged mainly out of administrative centres required for effective administration of the region. However, a few of the towns had grown out of economic activity which had to do with extraction of minerals, mainly coal. The need for the transportation of minerals led to the introduction of railways which gave further boost to urbanisation. In fact, it was the access to minerals that led to the setting up of a modern industry in the form of the Tata Iron and Steel Company. This gave spurt to new economic activity leading to urbanisation and making of the city of Jamshedpur, which is the largest city in Jharkhand.

The character of urbanisation in post-independence India has moved along the same lines as in colonial period. It has developed around mines and industries that are invariably linked to exploitation of mineral resources. Alongside these, there has been steady growth and expansion of administrative centres, resulting in the push of the urbanisation process in Jharkhand. In 1951, there were 35 towns, which meant an increase of 22 towns in comparison to 13. Jharkhand saw the establishment of a number of industrial and other infrastructure projects, especially power and dams. The industrial projects were greatly contingent on minerals which Jharkhand has in abundance. The site of these economic activities attracted a large number of labour forces from outside and paved the way for the emergence of these places as towns. In fact, all important towns in Jharkhand are centred on industry. Since most of these projects came between mid-1950s and 1970s, Jharkhand experienced an accelerated process of urbanisation during this phase.

Since 1981, there was however decline in the growth which continued till 2001. But post 2001, there has been rapid growth in urban population. In 2004-05, 11 per cent of the working population in Jharkhand were engaged in mining and quarrying, utility services and in construction sites. This has increased to 23 per cent in 2009-10. The total population of the state grew by 22 per cent during 2001-11, but the growth of the urban population had been much higher at 33 per cent during this period (ibid., p. 70). In 2001, the share of urban population to the total population of Jharkhand was 22.4 per cent, which increased to 24.05 per cent in 2011. Here we see that it witnessed unprecedented urbanisation in the decade

2001-2011. Paradoxically, however, the tribal population, the natives of the region, have been missing from this process of industrialisation and urbanisation. As per the 2001 census, they formed 9.8 per cent of the tribal population. Interestingly even in 2011, their share remains the same though, as noted above, there has been rapid urbanisation during this phase[v].

According to 2011 census, there are 228 towns and urban agglomerations in Jharkhand. Yet most of the districts where these towns are located have very low level of urbanisation. Only four of the districts in the state are highly or moderately urbanised. These are East Singhbhum with 55 per cent urban population, Dhanbad with 52 per cent, Bokaro with 45 per cent, and Ranchi with 35 per cent urban population (ibid.). This clearly shows that the tribal land was already being exploited despite the CNT and SPT acts being brought in.

Urbanisation of Ranchi

Christopher Lakra mentions that 'the township of Ranchi itself has grown out of a number of tribal villages. In this sense Ranchi could be called a "tribal city"' (Lakra, 1999, p. 19). The Draft Master Plan for Greater Ranchi[vi], which was framed by 1964, states that, 'Ranchi, the Headquarters of the Chhotanagpur Division is fast growing into the most industrialised town in the eastern region. The most important phase of development of Ranchi started with the decision to locate such important undertakings as Heavy Engineering Corporation (HEC), Headquarters of Hindustan Steel Limited and National Coal Development Corporation. The rapid growth of the city is apparent from the multifarious and sporadic activities going around in and around the town. The activities in the colonies of the Heavy Engineering Corporation and Hindustan Steel etc. are well planned but the private building activities present a chaotic state of affairs. Some ancillary industries are coming up without much regard to well recognised zoning regulations. It is obvious, therefore, that a Master Plan for Ranchi should be drawn up to channelise the growth of the town in accordance with the best-known planning principles.' (Urban & Rural Development in India, 2005, p. 362).

Further it mentions that, 'During the decade 1951-1961, the population of Ranchi town showed an increase of 31.50% that is, from 1,06,840 to 1,40,253. The rate of growth is not commensurate with the potentialities of the town – firstly, because the town suffered in this decade due to the shifting of the Eastern Command Headquarters from Ranchi to Lucknow; secondly, because, full impact of

industrial growth was not felt until 1961. There has been lately a marked trend for the rural population to migrate into urban areas and this influx is likely to continue for quite some time in the near future. These developments are going to increase pressure on urban lands and other civic amenities of the town. All these factors have been taken into consideration while drawing up the Master Plan for Ranchi.' (Thakur, Sinha, Prasad, Sharma, Pratap, Mandal & Singh, 2005, p. 362).

The Case of Greater Ranchi

The acquisition of land for the development of Greater Ranchi came about soon after the establishment of Jharkhand as an autonomous state. The state was carved out from the Adivasi areas of the Chhotanagpur and the Santhal Parganas, in the southern part of Bihar, on 15th November, 2000. The birth of this state was the culmination of the century old Jharkhand Movement, which advocated for an autonomous state for the Adivasis of the Chhotanagpur Plateau (Munda & Mullick, 2003, p. 4). This is the longest such movement for an autonomous state in India. After its creation, Ranchi was chosen to be the capital of the state, as it was not just the centre of the Jharkhand Movement, but also housed key official government office buildings. The development of Greater Ranchi came about because, according to the planners of the city, it was observed that the holding capacity of the existing city, which includes the Ranchi Municipal Corporation (RMC), and the Census Towns (CT) of Kanke, Arsande, Ara, Bargarwa and Tundiul, had almost reached saturation level. The establishment of a new township was seen necessary by the state to make room for future citizens and prevent undesirable developments in the already congested city limits. As per state records, the land to the government was allotted from 2004 onwards from the land allotted to Heavy Engineering Corporation Limited (HECL) in the Dhurwa area of Ranchi. The land, measuring around a sprawling 7,200 acres, was itself gifted to HECL by the Nehru government in 1958, by displacing 23 Adivasi villages. There was further displacement of Adivasi villages from 1959 to 1973 by the then Bihar governments to make more space for HECL.

A Soviet-era inspired industrial complex, HECL was envisioned as a 'mother of industries' for producing heavy machinery, equipment and components for steel, cement, aluminium, mining, mineral processing and power industries. This was supposed to be the face of the 'development of a new India' (Vidyarthi, 1970, p. 30). However, the company grew below par in the subsequent years and did not take off as expected by the state. A large portion of the land acquired by HECL

was lying vacant and unused. This area was 'given back' to the Jharkhand government for the development of the new state capital known as 'Greater Ranchi'. The question here remains, 'Development for whom?'

In an interview[vii] with two senior architects of the Ranchi Building Construction Department, it was said that HEC was Nehru's dream base for an industrial India. This was supposed to be the 'mother industry' to every other industrial unit in the country. Around 7,000 acres of Adivasi land was acquired in the name of setting up the HEC unit. This was done in collaboration with Russia, and was even modelled on the Soviet industrial plants which had impressed Nehru. At that time, Jharkhand was part of Bihar. When the bifurcation of Bihar came about, Jamshedpur was the initial choice for the capital of Jharkhand. It was so as it was the most prosperous area of the state and hub of the Tata industries. But since Ranchi was the district capital of Southern Bihar and a major administrative centre since the British times, it was decided to make Ranchi the capital of Jharkhand. Economically, Ranchi was a predominantly undeveloped area. When the bifurcation of Bihar took place, a lot of *dikus*[viii] flooded into Jharkhand as the economic prospects were more in the new state, as compared to Bihar. They illegally took over tribal land and set up several real estate properties in Ranchi. After that they slowly penetrated the countryside and set up small shops, taking over the tribal land there as well. This was a blatant violation of the CNT Act. For this they should have been charged and dealt with; but nothing of the sort happened. It is in this backdrop, that the issue of Greater Ranchi comes into picture. This was the dream project of the first Chief Minister of Jharkhand, Babulal Marandi. He had announced the benefits of having a new capital for the state. The architects reflect that, what was the purpose of building a new capital when one existed already?

This acquisition of land by the state for the purpose of creating Greater Ranchi has raised intense contestations from the original landowners of the area. Dr.Vasavi Kiro, member and co-founder of the Indigenous Women India Network (IWIN), has been one of the most vocal opponents of this state-sponsored land grab mission. She says that the Greater Ranchi project is the biggest state violation of the Chhotanagpur Tenancy (CNT) Act in Jharkhand. The CNT Act was instituted in 1908 and is one of several laws provided by the Constitution to safeguard Adivasi lands from being sold to non-Adivasis. The law was brought about by the British government after the Birsa Munda Movement to govern Adivasi land issues and prevent Adivasi land alienation to outsiders (Britishers

and non-Adivasis). In the post-colonial era, it was meant to prevent foreseeable dispossession, and to preserve the Adivasi identity. However, as Dr.Kiro points out, more than 10 crore Adivasis have been displaced in the last 70 years of Indian Independence in the name of 'development'.

The situation has gotten worse with the coming of the BJP government in 2014. In December 2014, after the coming of the Raghubar Das government, the contract for construction on the Greater Ranchi site was given to Ram Kripal Singh (RKS) Construction Private Limited, a private construction firm. On 9th June, 2015, a local newspaper reported in a small column that the foundation stone of the new township will be laid on the site on 12th June, 2015. There was a protest outside the Jharkhand Assembly on the next day. From the narratives on the ground it has come to light that, on 11th June, around 200 police personnel and 16 magistrates descended upon the site at Dhurwa. They began demanding to know from the people that where are the people who are protesting? 'Meeting kahan hai?' they would ask. On 12th June, 2015, at 7:00 A.M. the government authorities, including the Chief Minister, quietly came to the inaugural site for the foundation stone to be laid. However, around 500 people had gathered at the site to protest the inauguration. There were also several political leaders from across the political spectrum who had come in solidarity and protest. When the Chief Minister asked what the issue was, the villagers said that he had assured them a day before that he would not inaugurate the site. They informed about several illegal people who have come from Uttar Pradesh and Bihar and have settled in the land and are also claiming rehabilitation from the government. 'Do you still want to live like Adam?' was the Chief Minister's reply.

The same day a huge procession of over 5,000 people armed with traditional weapons and farm tools and shouting slogans against the government went all over Ranchi. They came from over 18 villages of the Namkum, which also falls in the Greater Ranchi area. They first assembled at Rajendra Chowk under the aegis of Greater Ranchi Pariyojana Sangharsh Samiti (GRPSS). They then headed through Main Road and Shaheed Chowk to reach the Ranchi district collectorate at Kutchery Chowk, where they continued to protest for a while before submitting a petition to the then Ranchi Deputy Commissioner, Manoj Kumar. As Kumar was not in office, the petition was accepted by his office staff. Prafulla Linda, convener of GRPSS said in an interview on the same day that, 'There is no guarantee that peace will prevail tomorrow. Within Namkum block, the government has decided to acquire 39,682 acres under Greater Ranchi Project. All

these acres are fertile land. Agriculture is our mainstay. Land is our identity. Don't make us landless.' An Adivasi farmer said that, 'Last month, government officials came to survey our land. But we were not allowed to even visit our plots. The government is trying to acquire land in a hush-hush manner.' In fresh revelations, in a series of documents, which Dr.Kiro uncovered with the aid of Right to Information (RTI), she unravels the extent of corruption which has burgeoned with the growth of the Greater Ranchi project.The following table provides the details of the villages whose land has been proposed to be taken over for the development of Greater Ranchi:

Village Name	Total Land (acres)	Available Land (acres)	Proposed Transfer of Land for the CISF (acres)	Proposed Transfer of Land for the Government of Jharkhand (acres)
Ani	612.68	583.69	-	583.69
Murmu	685.40	670.90	-	560.90
Kute	395.61	369.31	110.00	321.31
Labed	72.37	72.37	48.00	72.37
Tiril	564.03	551.48	-	551.48
Bhusur	405.06	59.69	-	59.69
Jagannathpur	984.04	377.73	-	107.45
Total	**4865.15**	**3236.95**	**158.00**	**2256.89**

(Here HEC will be left with 270.28 acres of land in Jagannathpur Village)

Source: RTI filed by Dr. Vasavi Kiro

What we find here is that the government has systematically mapped out the areas proposed to be taken over for the CISF and the state itself. By doing so, it intends to displace the original Adivasi inhabitants in the name of 'development.' Binit Mundu, member of the Adivasi Women's Network, points out a critical point here that there can be no Municipality within a PESA area. Legally, the Municipality Extension to PESA has not yet been done. By this regard, the Ranchi Municipality is an illegal body set up to manipulate land away from Adivasis and give it to the non-Adivasis.

As of now 600 Adivasi families from these villages have filed cases of land grab in the Jharkhand High Court (which will also be shifted to the site). As per the new Land Acquisition Act (2013)[ix], if tribal land has been taken away for the purpose of development and no work has been done on it for 5 years, the land has to be legally transferred back to tribals. A legal roadblock that has come in the way is the Supreme Court judgement of March 2018, which says that High Courts cannot deal with cases pertaining to the new Land Transfer Act, specifically with clause 24 (2) of the Act which deals with the lapse of the transfer period of the land. This combined with the recent Supreme Court judgement of 21st February, 2019, which orders the forcible eviction of tribals and forest dwellers in 16 states, raises serious questions about the judiciary's role in aiding the land grabbing mechanism of the state. What comes out very clearly in the case of Greater Ranchi is not only the sheer violation of the CNT Act, but also of the Fifth Schedule, PESA as well as the new Land Transfer Act, at the hands of the state. This is a scenario of complete injustice meted out to the Adivasis of the region. Is there anything great about displacing millions of Adivasis to build a city for the dikus? This remains question for everyone to ponder upon.

Notes:

[i] The Government of India Act (1919) was an Act of the Parliament of the United Kingdom. It was passed to expand participation of Indians in the government of India. The Act received royal assent on 23rd December, 1919. This Act embodied the reforms recommended in the report of the Secretary of State for India, Edwin Montagu, and the Viceroy, Lord Chelmsford. It initially covered ten years, from 1919 to 1929, after which it was reviewed by The Simon Commission.

[ii] See the Constituent Assembly Debates (30.7.1949 to 18.9.1949).

[iii] See Rana, L. N. (2010). *Jharkhand - Aspects of freedom struggle and constitution making.* Allahabad: K. K. Publications. (p. 5).

[iv] See Rana, L. N. (2010). *Jharkhand - Aspects of freedom struggle and constitution making*. Allahabad: K. K. Publications. (p. 4).

[v] See Annual Report, Ministry of Tribal Affairs (2013-14).

[vi] This Draft Master Plan of Greater Ranchi was prepared by Syed Mobin Ahmed, Town Planner, Ranchi Improvement Trust. The consulting associates were R. L. Bawa (Chief Town Planner, Bihar) and A. K. Srivastava (Assistant Town Planner, Bihar). Interestingly enough, this draft plan did not fix any target range of time, whether it is for 20 or 25 years, nor does it have its date of publication. Normally these two are planning prerequisites of a Master Plan or Draft Master Plan. [Source: Thakur, B., Sinha, V. N. P., Prasad, M., Sharma, N., Pratap, R., Mandal, R. B., & R. B. P. Singh. (Eds.) (2005). *Urban and regional development in India* (Vol. 2). New Delhi: Concept Publishing Company].

[vii] Interview conducted on 7th February, 2019 in Ranchi.

[viii] Diku is a term used by tribals to denote non-tribals.

[ix] As per the Government of India, this is an Act to 'ensure, in consultation with institutions of local self-government and Gram Sabhas established under the Constitution, a humane, participative, informed and transparent process for land acquisition for industrialisation, development of essential infrastructural facilities and urbanisation with the least disturbance to the owners of the land and other affected families and provide just and fair compensation to the affected families whose land has been acquired or proposed to be acquired or are affected by such acquisition and make adequate provisions for such affected persons for their rehabilitation and resettlement and for ensuring that the cumulative outcome of compulsory acquisition should be that affected persons become partners in development leading to an improvement in their post-acquisition social and economic status and for matters connected therewith or incidental thereto. Within this Act, The Scheduled Tribes are defined as Land Owners.' (See the Land Acquisition Act, 2013).

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Research in Progress: Urbanisation of a Tribal City: Contestations of The New Shillong Township

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Urbanisation of a Tribal City: Contestations of The New Shillong Township*

--- Aashish Khakha

Abstract

When we analyse the procedure of urban development in post-independence India, we find that it inherited uneven regional structures of city and town formations. This has a bearing on its complex relationship with its hinterland and rural areas, industrial and manufacturing output, infrastructural access and various forms of inequalities and governance structures. No other region in India is more marked by such unevenness as the Northeast. Until recently, it has suffered from a history of socio-political-economic alienation from mainland India. The historical dimensions of the relationship of the Northeast region with the Indian state, the uneven development, the incidences of unrest and conflict, its distinct geographical and ecological landscape and the specific legal framework, form a complex terrain in which the study of urbanisation needs to be carried out. This paper delves into this complex terrain with specific reference to a 'tribal metropolis' of the region, that is, Shillong, which is undergoing tremendous change in its urban landscape. The paper analyses the contestations in urban expansion and development and reflects upon the complex and interlinked future of urban space for its tribal population.

Key words: Northeast India, Shillong, Tribes, Urbanisation, Urban Development

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Tribes in India, as elsewhere in the world have been associated with land and forest-based livelihood. Accordingly, their traditional habitat has been rural cum forest. Gradually, however, there has been change, which could be dated back to the colonial period. Under this period, tribes were not only integrated into the modern state but also with the wider economy and society, though the integration was far from uniform. This had far reaching impact on tribal society resulting in change in different spheres of the societal life. The post-independent India has

* This paper is an updated and enlarged version of an essay that was published in The Shillong Times on September 21, 2018.

accelerated those processes of change. Much has been written on those aspects of changes. However there has been another form of change in tribal areas which has remained unaddressed. This concerns the process of urbanisation in tribal areas and of tribal people. Like the other forms of social change, even this change in tribal areas could be traced back to the colonial period. Under colonial rule, the administration of tribal areas led to emergence of some towns. Tribes encountered those towns during their occasional visits. They did not form part of the town, as they were not part of the colonial administrative structure. There has been increase in the process of urbanisation in the tribal areas in post-independence India. This has been largely due to the expansion of administrative centers on one hand and setting up of industrial and infrastructure projects on the other. These developments did open up some avenue of employment for tribal people. However, only a few could make it and be part of an emerging new habitat in tribal areas. This is no longer true today.

In the case of post-colonial India, 'the fundamental objective of planned development has been to transform a backward colonial system to a developed modern industrial one' (Karna, 1990, p. 13). However, as Fernandes and Bharali (2011, p. 1) write, 'Development literature has traditionally presented development as increasing wealth and income, a higher standard of living, improved technology and industrial progress by creating incentives for investment. Its criterion is the Gross National Product (GNP) and economic growth. It relies heavily on capital investment and advance technology to harness natural and human resources. One of the main reasons is that development projects in India (as elsewhere in the world) require a huge area, most of which lie in the resource rich tribal regions. Most of these areas are inhabited by tribal societies whom the project forces to sacrifice their sustenance in the name of "national development". Land is basic to these projects and usually the state provides it to the executing agencies through compulsory acquisition. Such acquisitions displace people from their traditional habitats and sustenance.' Thus, displacement and deprivation are integral to India's development.

Tribal communities are the most affected by the process of displacement in India. It is in this context that studying their experience vis-a-vis the process of urban development occurring in their land is an interesting proposition, as it has not been studied much before. Tribes for long have been considered as forest dwellers. They have been looked upon as groups that were residing outside civilisation. Xaxa (2008) writes that, 'they lived on hills and plateaus or in forests

and survived on hunting and food-gathering or practised settled as well as slash-and-burn agriculture, followed from being outside the civilisation complex.'

In this paper, there has been an attempt to situate tribes in the context of urbanisation within Northeast India in particular. In its attempt to understand the phenomenon of urbanisation in the region, the paper takes the case of The New Shillong Township of Shillong and examines the processes through which it has grown and expanded. It also discusses the challenges and problems that the expansion of township has posed.

Historically with the outbreak of Jaintia uprising in 1860-66 the inadequacy of Cherrapunji as the location of the District Headquarters of Khasi Hills was revealed. The search for a new location for the District Headquarters ultimately led the last of the commissioner of Assam Col. Henry Hopkinson to the valley of Yeodo. The present-day Shillong was covered at that time by deep forests surrounded by populous villages, like Laban and Mawkhar. Jungles were cut; some allotments were made to Europeans and Eurasians in the core areas. The migrant business people were allotted land in what is now known as Police Bazar. With the shifting of the offices from Cherrapunji, Yeodo was renamed Shillong after the sacred peak by Col. Henry Hopkinson on April 28, 1866. With the formation of the chief commissionership of Assam in 1874, the political and administrative headquarters of the Chief Commissioner Col. R.H. Keatings was shifted after 40 days of stay at Guwahati to Shillong on March 20, 1874. Chakravarty (1991) writes that after the partition of Bengal in 1905, Shillong became the most important commercial centre connecting the resource base of the interiors of the Northeast to that of Assam. In the post-colonial period, Shillong remained the capital of undivided Assam until the creation of the new state of Meghalaya on January 21, 1972. The S.P. Shukla Committee Report (1997) identified Shillong as a, 'potential satellite town growth pole' in terms of urban expansion and potential township development. Sengupta and Dhar (2004) have written that Shillong has witnessed a phenomenal urban expansion in the last three decades.

When we look at the land system in Shillong, at the time of colonial intervention, the Khasis had an organised political system under 25 Syiems (Syiemlieh, 1993). Each Syiem state had a distinct territory of its own and was known by different names. In the case of Shillong, it was governed by the Syiem of Mylliem. The Syiem administrative system was marked by 'three distinct levels: 1) The raid

dorbar or hima dorbar of a Syiem consisting of all the heads of the clans in the Syiemship; 2) The dorbar elaka (all the adult male members of the elaka); and 3) The dorbar shnong at the Wahehchnong level of which all adult males of the village were members' (Lyngdoh, 2016, p. 6) respectively. Even post-independence, drawing from this organic framework, Shillong has maintained this unique administrative layout. The land ownership is under the control of the Syiem, who is the head of the community (Ri-Raid). Under one Rai there are many Dorbars. The clan land (Kur) cannot be made into private land (Ri-Kynti) without the permission of the Syiem. The reason as to why such a complex framework has been established is that tribal land cannot be sold to non-tribal people in the Sixth Scheduled Areas[i]. Another reason as to why such a process has been made is that there might be a 'bureaucratic mess up' according to the town planner Raj Sokhlet. He suggests that if the ward commissioner and Meghalaya Urban Development Authority (MUDA)[ii], chairman of the municipal body (in this case), takes authority then the Syiem loses his power. It is for this reason that there was no municipal election for 25 years for the post of ward commissioner. This was so as it would have created a rift between ward and traditional constituencies. An intervention came in the form of a judgment from the Guwahati High Court in 1993. It ordered for the municipal elections to be put in process. At the same time, it strengthened the position of the Dorbar. All the responsibilities of the Dorbar and the municipality have now been codified, having a legal local stand.

The acquisition of land for the construction of the New Shillong Township came about during the preparation of the Second Shillong Masterplan (1991-2011). It was observed around that time, that the holding capacity of the existing city had almost reached saturation level. The establishment of a new township became a necessity in order to make room for two lakh additional future citizens and prevent undesirable development in the already-congested city limits. The Masterplan envisaged setting up of the New Shillong Township near Mawdiangdiang, covering an area of 20.3 square km within the Greater Shillong Masterplan area, the government had stated. The lands allotted from 2003 onwards to various entities are located in areas like Mawdiangdiang, Diengiong, Umsawli Mawpat, Mawtari and Mawkasiang, all of which lie to the north-eastern side of the main city of Shillong. The new township is proposed to be developed over 2030 hectares of land. However, according to the Second Master Plan of Shillong, it was proposed that this project would acquire only 500 hectares of land, through direct Government intervention. In these 500 hectares, apart from

laying down the entire basic infrastructure, the administrative, institutional, general housing, community and commercial facilities were earmarked to be established.

The acquisition of land for development has given rise to intense contestation among different stake holders. The acquisition was done by bypassing the authority of the Syiem and by persuading villagers to sell off their land for educational and developmental agendas. Agnes Kharshiing, President of the Civil Society Women's Organisation (CSWO) and Shillong's leading civil rights activist, offers a very different take on the urban development process in the New Shillong Township. She states that 'the government became a land agent by buying off land from many dubious landowners and displacing indigenous farmers and residents, then parceling out the land to IAS officers, both tribals and non tribals.' Now in its 'smart' avatar, the Meghalaya government has opened a floodgate for tribal land alienation. The Meghalaya Transfer of Land (Regulation) Act (1971)[iii], the 'first ever law made by the state of Meghalaya' (Fernandes, Pala, Bharali, & Dutta, 2016, p. 54), which prevents the sale of Tribal land to non-Tribals, 'has no meaning in New Shillong Township' according to her.

In a series of letters, which she uncovered with the aid of Right to Information (RTI), Agnes unravels the extent of corruption which has burgeoned with the growth of the New Shillong Township. To begin with, land was acquired from the tribal villagers at Rs. 3 and allotted to the IAS's at Re 1. The original owners, John Kharkongor and Phron Kharkongor have claimed that the 28 acres of land at Mawier-Mawtari were owned by them. The two are also against the move of MUDA to handover the land to NEEPCO (North Eastern Electric Power Corporation Limited) recently. According to John and Phron, the land was registered under the office of the Deputy Commissioner (DC) since 1983. However, the RTI filed by them found that the same land was again registered under the same office in the year 1992 in the name of Unikey Kharkongor. Agnes states that, 'the original Gazette of the Meghalaya Transfer of Land (Regulation) Act 1971 is no longer available and has been tampered with by the state officials. This has given them free rein to abuse the Sixth Schedule'.

The following table provides the details of the applicants of land at the New Shillong Township (TUR 2015):

Table: 1

Category	No. of Applicants
Government Organization	60
Private Companies / Organization (Non-Tribal)	23
Non-Tribal Individuals	38
Tribal Individuals	24
Total	**145**

(Source: RAIOT, September, 2015)

Agnes also revealed via the RTI files that governmental entities seeking land in NST are security agencies like Army, CRPF, Police and BSF. Here we see that The New Shillong Township has nothing to do with decongesting the city, but is in fact a gated haven for real estate developers and property speculators. This is further complicated by the fact that a large proportion of the applicants are non-Tribals, as shown in Table: 2, which categorises the applicants according to the Land Transfer Act, 1971:

Table: 2

Category	No. of Applicants (in percentage)
Government Entities	41.4
Non-Tribal according to Land Transfer Act	42.1
Tribal according to Land Transfer Act	16.5

(Source: RAIOT, September, 2015)

Here we see that 42 per cent of the applicants for the land are non-Tribals which is a direct violation of the Sixth Schedule clause and the Land Transfer Act, 1971.

Some of the displaced families, who mostly are farmers, narrate stories of their houses being demolished 3 times – in 2007, in 2009 and in 2013. The government cut off the electricity supply to the village in 2013. They never got the compensation for the lost land, and a case registered in the early 1990s by the village collective is still going on in the courts. When they questioned the urban authorities about the irregularity in the purchase of land at the New Shillong Township, they were told that it is only the office of the DC who is the concerned authority to verify to whom the land originally belonged to. This is so as the 28 acres of land has already been registered before it was sold to government. They added that they would also request the DC to put on hold the proposed handing over of this particular land to the different government departments until the matter is resolved. Additionally, MUDA was in the process of allotting lands in the New Shillong Township to the various departments for the project to take off at the earliest and the allotment of lands had been done by the Land Allotment Committee as per the Land Transfer Act of the state. While inquiring about the allegation of forging the land documents, it was revealed that the office of the Deputy Commissioner is the concerned authority to look into the matter.

Further, with regards to the allegations on the eviction drives conducted without prior notice, the authorities defended the move by saying, they have conducted an inquiry and found that MUDA does not have to inform these households as these are the same families which have been evicted from the place since 2006 after the government has won a case on the land. Most of them are living off rent from their ancestral property. ‘It is difficult to raise money for your family when you do not have a proper job. How do we feed them? Why does the state not understand this?’ they ask me. It is discussed that land and the relations that emanate from land, such as the relations between public authorities and citizens, are fundamentally political. Furthermore, it is revealed that their forefathers migrated over time, to this area from other parts of the Khasi hills. It is specifically mentioned that sacred rituals are still performed to connect their new homes with their original home at Lum-Shyllong. The message of these rituals is to underline the immense importance of nature in the Khasi cosmology and traditional belief system. ‘As a community, we need to reflect on how to preserve our traditional beliefs. This is what will eventually bring peace and prosperity back to us.’

In the case of the New Shillong Township, the state presents the case as a possible way out for congestion, which it says is a consequence of population rise, migration and the lack of space in the city. However, the plan of the state is not oriented towards meeting these required objectives. Rather, the plan of the state is to allot the land so acquired for a class of people who work for the state such as bureaucrats, government officials and the army. This is an open violation of the Sixth Schedule provisions that aims at protecting and safeguarding the interest and welfare of the tribal people. The people are not opposed to urban development but the manner in which it is being executed. In case of the New Shillong, there has been severe misuse of the law and power in favour of the state and private forces and players.

There is a deep divide between the state's manner of executing urban development and the tribal people's aspirations and their expectations from the state. The policies aimed at safeguarding the Sixth Schedule Areas need to be framed and enacted in a manner that the fundamental rights of the tribal community are protected while planning for urban development. There is a critical need to listen and incorporate the people's voices and aspirations into the development policy. It is in this sense I argue that development cannot be a state-led enterprise alone, but should also be an organic evolution of society.

Notes:

[i] The Sixth Schedule provides for administration of certain tribal areas as autonomous entities. The administration of an autonomous district is to be vested in a District Council and of an autonomous region, in a Regional Council. These Councils are endowed with legislative, judicial, executive and financial powers. They have the authority on land ownership, control over the forest and natural resources and no external body, be it government or private, can purchase, sale or exchange tribal land.

[ii] The Meghalaya Urban Development Authority (MUDA) was constituted under the Meghalaya Town and Country Planning Act (1973). Initially as per Section 8 of the Act, The Shillong Development Authority was constituted in March 1990, with its jurisdiction over Shillong Master Plan Area. Subsequently, in 1991, its jurisdiction was extended to cover the whole state and was renamed as The Meghalaya Urban Development Authority.

[iii] This Act prohibits the transfer of land from a tribal to a non-tribal and from a non-tribal to another non-tribal. This Act does not apply to the areas in the European Wards, Jail Road and Police Bazar of Shillong Municipality and Mouza VI of the Garo Hills. Exception is granted to educational institutes and industries among others. Although, as per The Land Acquisition Act (1894), the government is empowered to acquire land for a public purpose, The Land Transfer Act (which is unique to Meghalaya) does protect tribal land from alienation to some extent.

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