

CHAPTER-I

THE PROLOGUE

1.1 INTRODUCTION

The procedures through which people, individually or as a group, can use land are referred to as “land access.” In other words, land access is the ability or freedom to enter, and use, a tract of land is called land access. So, it is related to the ability to use and secure land, through which individuals or groups of people get the opportunity to occupy and use land. It is overall referred to as land access (Cotula et al., 2006; Quan, 2006). In legal terms, land access extends beyond just land rights. Land rights dictate access to various usage rights. On the other side, land access is influenced by social connections or interactions. The land access is often determined by a combination of legal frameworks, social norms, and economic condition that can either facilitate or hinder the ability to secure land rights. These factors may create gap between having a legal right to use land and being able to claim and enjoy that right (Raihan, 2009; Liswanti et al., 2012; Alden-Wily, 2003). However, for the rural poor, access to land is essentially dependent on custom. In tribal societies, customary land rights are typically established by community leaders, who distribute land usage rights to members using traditional practices and customs. These access rights may stem from the long-term use of land. They are often right that have emerged as a result of ancestral habitation and usage of land by ancestor. In such circumstances, rights are asserted by the act of original land clearing and settlement by ancestors (FAO, 2002; Payne, 2001).

The land is a set of connections of interaction and human relationships, possession, or creation of harmonious and dynamic trust. The bond of land and its potential has been highly significant throughout the existence of tribal. Land and tribal are undeniable and central to understanding related to certainty, interests, and capabilities. The desperate confusion of the land related and the land possession concerns stoutly appeared to be our daily lives, and now become our major challenges. Individuals and communities are constantly threatened in the absence of protected land equities and land access (Tewari, 2018). Land provides a source of livelihood, which is a basic human need. Land possession has become a significant human endeavour. Moreover, the poor, tribals, and other genuine people are dependent on land as

their sole source of rooting on land. The land is a significant source of livelihood. Almost every rural livelihood in rural regions is dependent on land access. So, in the livelihood process necessitates efficient land access protection is necessary (Pyakuryal, 2011; Hall, 2011; Batterbury et al., 2015). Land access, in all of its forms, has consequences for people whose livelihoods are directly dependent on land (Tumushabe & Tatwangire, 2017). However, for the tribal people, survival is an issue to be addressed in a civilization that has continually denied them from the land access right. They have long struggled to secure and maintain access to this valuable resource (Stavenhagen, 2006).

The relationship between land and its possibilities has always been significant in tribal history. The provision of land access for such groups allows them to use secure land. But the uneven access affects, including housing, food, water, and work. Since, it is important to have land access safeguards such as equity or equality before the law of possession and inheritance, an extensive analysis of the legal ramifications for a wide variety of protection is needed (Wickeri & Kalhan, 2010). It considers that access to land serves as essential for both development and reduction of poverty. However, it often proves necessary to access a wide range. Rural poverty is mostly tied to the landless and require for land access. Lack of sufficient land is significantly associated with rural poverty (Ellis, 2003), and inadequate access to land is directly related to poverty in rural communities across the world (Quan, 2006). One of the most essential and helpful assets is land, so the land access restrictions or the lack of access are often recognised as a major factor in rural poverty (Hichaambwa & Jayne, 2014; Chan & Acharya, 2002; Jayne et al., 2008).

Land access rules and power allocation affect land utilization efficiency, poverty insecurity, and overall community injustice levels. They impact how effectively land is used and societal equity. The analysis of land in most of in less advanced nations is underutilised and abused in sustainability. Inadequate land access or unfavourable access terms remains a primary cause, and that unmet demands of land might lead to political instability. Around the same time, there are now unique possibilities to revisit the problem of land access the current policy, legislation, and practice to strengthen and safeguard of marginalised peoples access to rural land (De Janvry et al., 2001; Cotula et al., 2006). Thus, reflect land access is commonly understood as the mechanisms through which individuals or groups get the opportunity to occupy and use land (Quan, 2006).

Land access and effective use are vital to rural poor well-being worldwide. The land is an essential resource for all human beings as for both the rural and urban poor, so the land policies are precarious for economic activity, reducing poverty, sustainable development, and household well-being (Alden Wily, 2003). Near to such, land access is essential for sustainability and poverty reduction, encompassing various rights to possess and use land effectively. In the connection, the landlessness in rural areas is frequently the most significant predictor of hunger, hardship, poverty and jeopardises the enjoyment of a variety of basic human rights; nevertheless, non-discriminatory access to land alleviates the burden (Liswanti et al., 2012). Although it is not the only route out of poverty, sufficient evidence shows that it successfully enables rural households to produce higher earnings through the use land. The household sustains itself is meant adjacent to the land. Residents in rural areas rely on providing adequate and suitable land for shelter along with accessibility to resources. The right to food is being realised inextricably related to the availability of land to grow crops, especially in rural areas (Alden Wily, 2003).

Land access a link is closely connected to other rights like water, health, work, and shelter. Not only is that land also linked to identity, especially for tribal groups and for the others. In certain domestic cases, the citizen is often related to land ownership, restricting the right of landless people to migrate and engage in the democratic process in many areas (Cotula et al., 2006; Wickeri & Kalhan, 2010). It further encourages marginalized rural residents and strengthens connections that provide them with an opinion, which contributes to a more participative democratic culture (Blair, 2000). Arguing for the ability to use, manage, transfer rights, and derive benefits from lands and natural resources is access to land. This influences people's ability to obtain what they need to survive in the context of their livelihoods. However, lack of access represents a kind of inequality that restricts the capacity to secure the living of individuals and households (Raihan et al., 2009; Geiser et al., 2011).

Access to land is a basic and become a pivotal subject to establishing safe and sustainable access to land for all people who require it, particularly the poor (Network, 2008). In contrast to these individual strategies, governments can provide systematic land access through land reforms, often in response to past injustices or for equitable distribution (Palmer et al., 2009). Land restitution has become a significant sort of land-reform in various nations. It is the policy of land reform measures involve land redistribution initiatives, which attempt

to provide access to land to the rural poor while encouraging efficiency and development in agriculture (FAO, 2002).

The land, like others, remains an immensely significant custody for individuals in tribal groups, cultures, and communities. Other things may be relinquished, but not land for others. And that is why land becomes one of the most valuable assets (Arua & Eka, 2002). Understandably, tribals are devoted to their tribes and land. It is the land issues fluctuate from one region to another. Indeed, it is identical in every instance where Francisco (1974) states that “land is still the issue.” Land problems encompass population characteristics, movements of people, return of refugees, conflicts over land, past grievances, and disputes over land management by local authorities. The need to analyse land issues and try to explore how access to, use of, and management of land is a risk factor for future violence inside each province or district is to what degree existing programmes engage land as a role in civil strife (Huggins, 2010). For Northeast India, what others keep clarifying regarding tribal peoples does not surprisingly mind, yet land has become an identifier for them, and inhabitant rights intensify its lifeblood for survival. Issues of land rights have become the main cause of tribal strife. Although land access issues and the livelihoods in India, including Assam, have been on the rise and remain gravely unresolved (Brahma & Mushahary, 2022).

India has the world’s highest proportion of rural poor and landless households. Although landlessness is the most decisive measure of rural poverty, redistributive land policies have fallen out of favour with central policies until recently (Hanstad et al., 2008). In rural India, the land is inherited. Land access issues in Northeast India are closely linked to socio-cultural and economic aspects, greatly impacting livelihoods of tribal populations (Oinam & Sadokpam, 2018). The traditional land tenure systems in Northeast India are predominantly community-based. Customary laws and practices govern land ownership and usage, varying across different tribes and regions. For instance, in Nagaland, the village councils play a crucial role in land distribution, while in Mizoram, the Chief and village council regulate land use (Darlong, 2020). In Northeast India, community-based systems enhance cohesion but pose challenges in land rights and access. State policies clash with traditional practices, causing conflicts as land holds economic and ethnic significance. For example, the implementation of the Assam Accord led to disputes over land rights between indigenous communities and migrants (Baruah, 2018). Such conflicts are further exacerbated by ethnic tensions, often resulting in violence and displacement, severely impacting

livelihoods. Development projects like dams, mining, and infrastructure impact land access and livelihoods. Development projects have led to displacement and loss of agricultural land, affecting the livelihoods of thousands (Vagholikar & Das, 2010). While these projects are aimed at economic growth, they often neglect the socio-cultural fabric of the indigenous populations, leading to resistance and prolonged conflicts. The legal frameworks governing land in Northeast India are a mix of national laws and regional provisions. The Sixth Schedule of the Indian Constitution provides special autonomy to certain tribal areas, allowing them to manage their land and resources (Singh, 2019). Implementing forest land rights provisions in Northeast India is hindered by bureaucratic inefficiencies and lack of awareness. The Forest Rights Act, 2006, clashes with current land tenure systems and results in legal ambiguities and disputes. Nevertheless, communities in the region have devised strategies to support their livelihoods amidst these challenges. Shifting cultivation, known locally as *jhum*, remains a vital agricultural practice despite its declining popularity due to environmental concerns and policy discouragement (Ramakrishnan, 2018). Additionally, initiatives in agroforestry, eco-tourism, and handicrafts are being promoted to diversify income sources and enhance resilience (Nongkynrih, 2021). These strategies, however, require supportive policies and market access to be effective. Assam in North-eastern India has diverse tribal population. The Bodoland Territorial Region (BTR) within Assam, primarily for the Bodo tribe, has unique socio-political dynamics. Land access is vital for tribal livelihoods in Assam and BTR (Rabha et al., 2024). The traditional land tenure systems, modern legal frameworks, socio-political dynamics, and development interventions collectively influence these regions. Tribal communities in Assam and BTR have historically relied on customary land tenure systems, where land is communally owned and managed (Brahma & Mushahary, 2022; Paul, 2022). These systems promote community cohesion and collective responsibility. For instance, the Bodo tribe in BTR traditionally allocates land through community councils, which manage the land according to customary laws (Sarma, 2016). However, Transition to modern land tenure systems causes conflicts, ambiguities in ownership.

The legal landscape in Assam and BTR is complex, with a mix of national, state, and special regional laws. The Sixth Schedule of the Indian Constitution grants autonomous powers to certain tribal areas, including BTR, allowing them to manage their land and resources (Das, 2018). However, challenges in implementing due to bureaucratic inefficiencies and overlaps with Forest Rights Act, 2006. This act aims to recognize the rights

of forest-dwelling tribes but often conflicts with existing land tenure systems, leading to legal ambiguities and disputes (Kalita, 2019). Land conflicts are a persistent issue for tribal communities in Assam and BTR. Encroachments by non-tribal populations, illegal land acquisitions, and inter-tribal disputes often lead to conflicts and displacement. The BTR has witnessed significant land conflicts, with clashes between indigenous Bodos and immigrant communities over land rights (Roy, 2017). Such conflict leads to land loss, disruption of social fabric, and livelihood impacts on ethnic groups. Development projects, including infrastructure development, industrial projects, and conservation initiatives, have profound impacts on tribal land and livelihoods (Vaghlikar & Das, 2010). While these projects aim at economic development, neglect tribal communities' socio-economic needs, causing resistance and conflicts among the people. In response to these challenges, tribal communities in Assam and BTR are adopting various sustainable livelihood strategies. Traditional agricultural practices like jhum (shifting cultivation) are being supplemented with modern agroforestry, horticulture, and fishery practices to enhance income and food security (Hazarika, 2020). Additionally, initiatives in eco-tourism, handicrafts, and small-scale industries are being promoted to diversify income sources and reduce dependency on land-based livelihoods (Adhikari, 2013). These strategies, however, require supportive policies, capacity building, and market access to be effective.

1.2 STATEMENT OF THE PROBLEM

In several regions across the globe, social unrest stems from inadequate access to land. Securing land rights is difficult, especially for tribal communities in rural and forest areas. Land in the Bodoland Region is not properly settled, recorded, or demarcated. This lack of land security hinders livelihoods and leads to conflict. Land issues are often a root cause of unrest and disputes in the region. Ownership, registration, transfer, and boundary problems, as well as landlessness and ethnic conflict, are major concerns for tribal communities. The gap between land access and livelihoods remains a significant challenge for tribal communities. Even today, despite economic liberalisation, the forest economy and the agriculture continue to be the most important sources for tribal livelihoods. While most tribal peoples rely on agricultural and forest based economy, access to land is still an urgent concern for tribal livelihood and security. Processes to ensure tribal access to their lands remain necessary.

It is true that the tribal communities are grappling with severe land access issues that critically undermine their livelihoods in the region. Historically dependent on land for their

economic sustenance and cultural identity, these tribal populations face encroachments by illegal non-tribal groups, ambiguous land ownership, and ineffective legal protections. Despite constitutional safeguards like the Sixth Schedule, which aims to protect tribal lands and provide autonomy, implementation gaps and bureaucratic inefficiencies persist, leaving tribal land rights vulnerable and inadequately protected. There remains a lack of suitable methods to study tribal livelihood aspirations and conditions, hindering support for better living standards. Extensive land acts have failed to lessen the quantity of unresolved land issues in the region. Many regions of the nation and Northeast India, including Assam, may still feel the effects of the British Colonial authority's significant disruption of land patterns and possessions. Land issue remains relevant, active, and in need of valid redress.

Encroachments and the consequent displacement of tribal families lead to loss of ancestral lands, diminishing major source of livelihood and food security. Lack of clear land titles and proper documentation exacerbates this problem, making legal recourse challenging and often inaccessible. Government development projects and policies frequently neglect the traditional land rights of these communities, further marginalizing them and disrupting their socio-economic stability. Significant economic impact as agriculture is primary livelihood for BTR tribes. Forced displacement pushes people to cities for unskilled work, leading to exploitation and harsh conditions, disrupting traditional life and endangering culture.

The research focuses on the significance of land, particularly for tribal communities. Land plays a crucial role in their livelihood and well-being. The study aims to explore the challenges faced by tribal people in terms of tribal land connections, land access, tribal livelihood, and for whom land access and rights are necessary for life or livelihood. Identifies land issues causing tribal nervousness and discusses ways to address complex land problems with recommendations.

1.3 OBJECTIVES OF THE STUDY

The research study has the following objectives:

1. To investigate the relationship between land and tribal people in the Bodoland Territorial Region;
2. To investigate land access issues that affects the life of tribal people;
3. To investigate how the land has contributed to the livelihoods of tribal people in the Bodoland Territorial Region;

1.4 NEED AND IMPORTANCE OF THE RESEARCH

Studying access to land issues and livelihoods of tribal peoples in BTR is significant for several reasons, such as understanding and addressing historical and present land access disparities can help rectify injustices faced by tribal communities, ensuring their rights and opportunities are safeguarded. Research can identify sustainable approaches to land management that balance economic development with the preservation of natural resources. Understanding these issues can empower tribal communities by providing them with data to advocate for fair policies, improved livelihoods, and increased access to resources. It can contribute to conflict resolution by addressing disputes over land ownership, minimizing tensions, and fostering peaceful coexistence among different groups within the region. Research helps shape fair policy for tribal communities, taking into account their diverse challenges.

1.5 SCOPE OF THE RESEARCH

The tribal areas of Assam are among the most impoverished and perhaps most backward throughout the country, and the Bodoland Territorial Region is no exception. Land access issues are plaguing tribal lands. The growing loss of tribal land rights has been consistently overlooked due to attention being diverted to other matters, resulting in tensions between tribal and non-tribal groups. Investigating the obstacles of land access and its effect on tribal livelihoods in the Bodoland Territorial Region requires looking into various aspects. This entails researching historical land rights, current land ownership trends, obstacles tribal communities encounter in accessing and using land, the effects of government policies, socio-economic consequences, cultural connections to the land, and viable solutions for sustainable livelihoods amidst these challenges.

1.6 RESEARCH QUESTIONS OF THE STUDY

The investigation aims to identify the land access challenges and ways of making a living for tribal communities in the Bodoland Territorial Region of Assam. The following research questions are planned to accomplish the objectives:

1. How does land contribute to tribal people and what are their connections to land protection?
2. How do land access issues impact the tribal peoples?
3. How do the tribal people believe in land and their livelihoods?

1.7 RESEARCH METHODOLOGY

The methodology used in the current research study is explained below.

1.7.1 METHODOLOGY

This research study used descriptive and analytical methods. The primary data for this research include in-depth discussions with participants, questionnaires, and field observations, which serve as the basis of the research. It also investigated the published and unpublished works of different scholars, and intellectuals during the investigation process as secondary sources.

1.7.2 DATA COLLECTION METHOD

This study used mixed methods, using quantitative and qualitative methods, to collect data, allowing for a comprehensive understanding of current research. Quantitative methods focused on analysing numerical data to uncover patterns and insights, with questionnaires designed to gather data aligned with research goals (Onwuegbuzie & Leech, 2006; Dixon-Woods, 2005). The structured and semi-structured questionnaires were created to collect quantitative data. Most of the questions linked to the research were highly contentious and necessitated using a strategy to obtain appropriate responses. Because the majority of the respondents were illiterate and rural residents, it is necessary to undertake a scheduled discussion with a semi-structured questionnaire. Structured questionnaires do not always help in eliciting the truth.

Qualitative information and data were obtained by utilising or applying methods such as focus group discussions with a group of participants, observations through the systematic recoding of interactions and the events, and interviews with participants to generate rich data in detailed personal accounts and perspectives (Morrison et al., 2014; Pearson, 2004). The qualitative method is used because to understanding the meanings, experiences, and perspectives of participants, and used to gather in-depth insights into complex issues, and social phenomena. This method providing rich, detailed data that can complement qualitative findings in the proposed research study.

1.7.3 RESEARCH TEST SETTING

The research uses a primary sample field survey in the selected areas to appraise the research problem. Since the study respondents are rural residents, house to house, the face-

to-face conversation process was conducted to find appropriate responses for the questionnaire for actual data amalgamation.

1.7.4 STUDY AREA AND SAMPLE SIZE

The current research study focused on the Bodoland Territorial Region (BTR) of Assam, specifically including the districts of Kokrajhar, Chirang, Baksa, and Udalguri. The Bodoland Territorial Region has been split into 10 administrative sub-divisions, and the research area is covered in all 10 sub-divisions. In the Kokrajhar district, there are 3 sub-divisions: Kokrajhar (headquarters), Gossaigaon, and Porbotjhora. The Chirang district has 2 sub-divisions, which are Kajalgaon (headquarters) and Bijini. In the Baksa district, there are 3 sub-divisions: Mushalpur (headquarters), Tamulpur, and Salbari (Basumatary & Pathak, 2017). From Udalguri district, 2 sub-divisions are Udalguri (headquarters) and Bhergaon. In BTR, there are a total of 3,066 villages spread across four districts: Kokrajhar has 1,068 villages, Chirang has 508 villages, Baksa has 690 villages, and Udalguri has 800 villages. There are 13 revenue circles, 25 development blocks, and 415 Village Council Development Committee (VCDC) in the administrative structure of the council (Census of India 2011, 2011; Statistical Hand Book of BTC, 2016-17).

According to the 2011 census data, Assam is home to 3.88 million tribal individuals, making up 12.45% of the state's total population. In Assam tribal population is accounts for 3.72% of entire tribal population of India. Tribals are found across the state of Assam. However, they predominate in some districts in Kokrajhar, Chirang, Baksa, Udalguri, Dima Hasao, Karbi Anglong, Dhemaji, Goalpara, and Lakhimpur. The tribal people are found in over 30% of the Bodoland Territorial Region. Based on the 2011 census report, Kokrajhar has 31.4%, Chirang has 37.1%, Baksa has 34.8%, and Udalguri has 32.1% of entire population in the state (Census of India 2011, 2011; Bhattacharyya et al. 2018). With its various ethnic groups, Assam is an ethnically diverse state. The Bodo tribes make up the largest portion of the total population in Assam state at 35.1%, with the Mishing following at 17.52%, Karbi at 11.1%, Rabha at 7.6%, Sonowal Kachari at 6.5%, Lalung at 5.2%, Garo at 4.2%, and Dimasa tribes at 3.2%. In Assam, they are all make up about 90% of the Scheduled Tribes population in Assam state. Three tribal communities, the Bodo, Rabha, and Garo, make up 33.87% of the research region. The Bodo tribes constitute about 90% and 10% of the other tribal groupings in the region, respectively (Census of India 2011, 2011; Saikia et al., 2016).

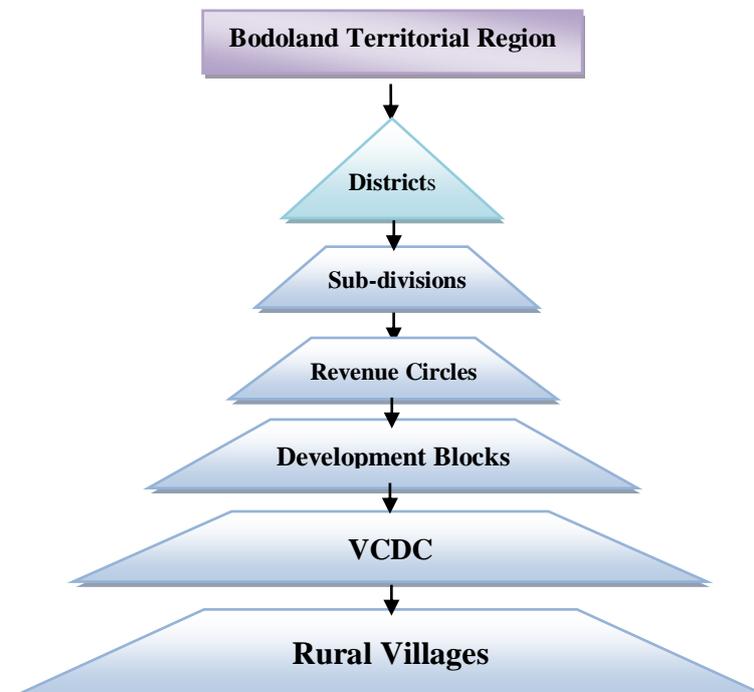
Table 1.1: Total ST Population in Four Districts of BTR, 2011

| Districts | Kokrajhar | Chirang | Baksa | Udalguri |
|---------------------|-----------|---------|--------|----------|
| Total ST population | 278665 | 178688 | 331007 | 267372 |
| Male | 139579 | 89273 | 165634 | 133550 |
| Female | 139086 | 89415 | 165373 | 133822 |
| All total (%) | 31.41 | 37.06 | 34.84 | 32.15 |

Source: Census Report of India, 2011

The current research utilised multi-stage random sampling to select respondents, but why was multi-stage random sampling chosen in this research sample? Multi-stage sampling involves dividing the population into clusters or groups for research purposes. The idea behind multi-stage random sampling is close to that of multi-stage cluster sampling (Etikan & Bala, 2017). However, in the multi-stage random sampling, the samples are chosen at random by the researcher at each point. The researcher does not establish clusters in this case but rather uses random sampling to help determine the sample (Mweshi & Sakyi, 2020). While collecting the data sources of sampling at the stages, the respondents were selected from the rural villages’ tribal peoples. The data collection stage of multi-stage random sampling is indicated as given in the following:

Fig.: 1.1: Multi-Stage Sampling



The research data collection applies to the large tribal concentration of rural villages from the four designated districts. The rural villages were randomly selected from the three

major tribal communities' concentrations. The research purposively selected rural village households from the Bodo, Rabha, and Garo communities among the rural tribal inhabitants.

The research used the “Raosoft” software calculation techniques only to calculate the minimum proposed size of the current primary sample to reduce the size of the sample (Smith, 2018). The research not used its statistical calculation methods. However, raosoft sample calculation provides research simplicity and ability to promptly establish a suitable sample size depending on population size, margin of error, and confidence level (Creswell, 2014; Fink, 2017). It also helps in insuring the sample representation of the population without needing a large sample than necessary (Mentens, 2020). As per the raosoft calculation, the sample size has been reduced to 384 out of 211,112 total numbers of rural tribal households within the four districts. The following table represents the total numbers of rural tribal households, where the present data collection and data selection start within the given tribal households:

Table 1.2: Rural ST Households of BTR

| District | ST Rural Households | District | ST Rural Households |
|-----------|---------------------|----------|---------------------|
| Kokrajhar | 54852 | Baksa | 66434 |
| Chirang | 35947 | Udalguri | 53879 |

Source: Census Report of India, 2011

In the field study, the tribal household sample was conveniently applied to an equal sample distribution for all the districts because the percentage of tribal people and households in the four study districts is almost the same. The percentage of tribal population and households in the rural villages of the region is presented in the following table.

Table 1.3: ST Population and Households in Four Districts of BTR

| Districts | ST Population & Households | |
|-----------|----------------------------|------------------|
| | ST population (%) | ST Household (%) |
| Kokrajhar | 31.41 | 25.98 |
| Chirang | 37.06 | 17.02 |
| Baksa | 34.84 | 31.46 |
| Udalguri | 32.15 | 25.51 |

Source: Census Report of India, 2011

In the research field study, the data would be taken from a sample size of 384 (three hundred eighty-four) respondent households, and a single household sample equates to one sample unit. In the research-covered districts of Kokrajhar, Chirang, Baksa, and Udalguri, the

overall sample unit for the Bodo is 192 sample households, the Rabha is 112 sample households, and the Garo is 80 sample households. Based on the population size, the sample size is divided into three parts: 50% for the Bodo, 30% for the Rabha, and 20% for the Garo. One district sample of households was collected from Bodos 48 households, Rabhas 28 households, and Garos 20 households, for a total of $48 + 28 + 20 = 96$ (selected tribal communities respondent households = total) numbers. For the entire four districts, that is $4 \times 96 = 384$ (districts x respondent households = total) numbers. All four sample districts were expected to be representative; with a sample size and target population that ensured a margin of error fewer than 5% and a confidence level of 95% in the research.

Table 1.4: Sample Units of the Study Area

| District | Total No. of Households Random Respondent | Distributed Household Sampled Respondent | Total No. of Sample Household |
|-----------|--|---|----------------------------------|
| Kokrajhar | 96 | Bodo = 48 Rabha = 28 Garo = 20 | 384 Nos. |
| Chirang | 96 | Bodo = 48 Rabha = 28 Garo = 20 | |
| Baksa | 96 | Bodo = 48 Rabha = 28 Garo = 20 | |
| Udalguri | 96 | Bodo = 48 Rabha = 28 Garo = 20 | |

In research study all respondents were given identical questionnaires to collect data. A representative of the head of each household is interrogated or questioned in every household in the sample. Regardless of whether the head of the household was a man or a woman, the participants in the study were chosen based on who ran the household.

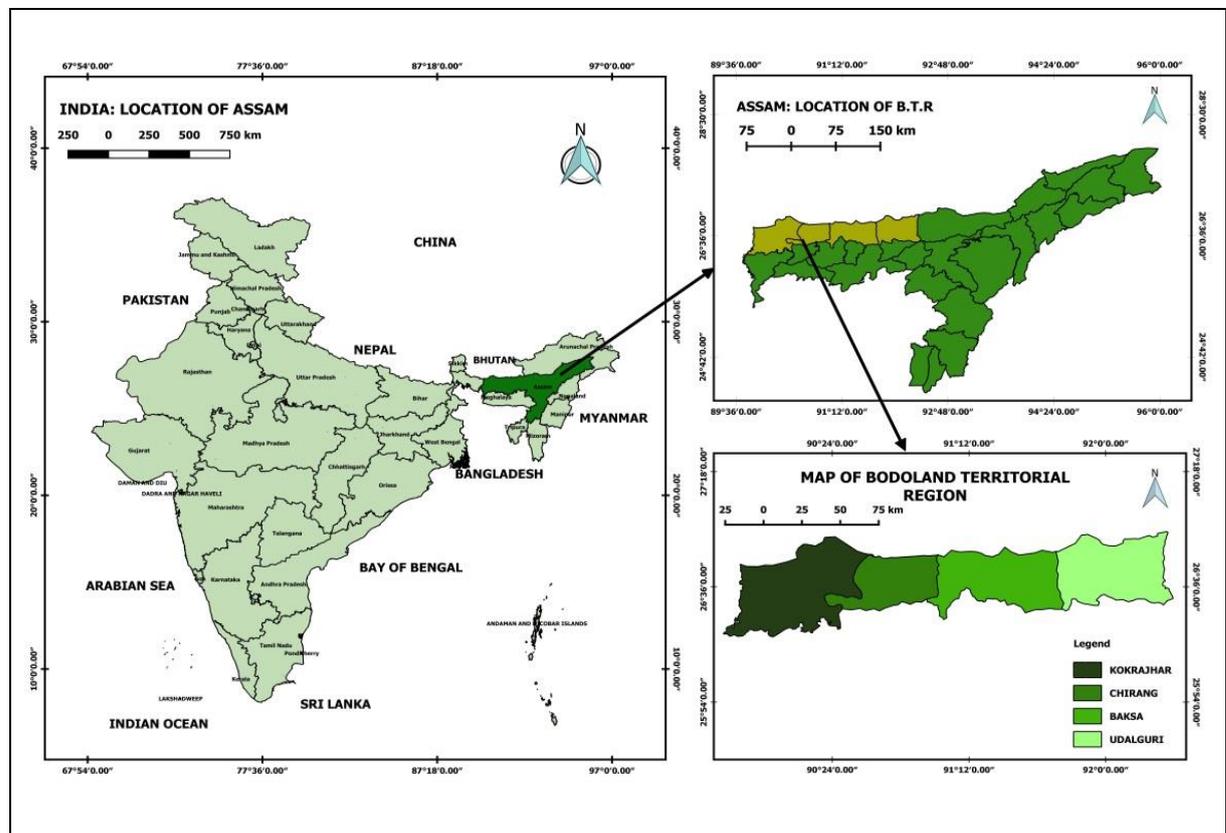
1.7.5 BRIEF PROFILE OF BODOLAND TERRITORIAL REGION

The Bodoland Territorial Region (BTR), previously known as the Bodoland Territorial Council (BTC), was established on January 27, 2020, and is now an autonomous and self-governing region in the North Eastern part of Assam, India. Kokrajhar, Chirang, Baksa, and Udalguri together make up the Bodoland Territorial Region (BTR) (Brahma, 2020; Saikia, 2020). It is an administrative entity created according to the regulations of the Sixth Schedule in the Indian Constitution (Brahma, 2020).

1.7.5.1 LOCATION

The Bodoland Territorial Region (BTR) is mainly situated on the northern side of the mighty Brahmaputra River, just below the foothills of Arunachal Pradesh and the Himalayan Kingdom of Bhutan. The southern border is adjacent to parts of the Assam districts of Darrang, Sonitpur, Kamrup, Nalbari, Barpeta, Bongaigaon, and Dhubri. The Panchnoi River of Sonitpur district lies to the east of Assam, while the Sankoch River and contiguous West Bengal are in the west (Government of India, 2003). The study map is shown in the following:

Fig.1.2: Map of the Study Area



Source: <https://www.mapmyindia.com/latest-political-map-of-india/>, designed by Researcher

The proposed research geographical area of the BTR is 8,795 square kilometres. The four districts of the BTR geographical area are located within 26°7'12" N to 26°47'50" N latitude and 89°47'40" E to 92°18'30" E longitude in the north-west region, which includes Assam. The Kokrajhar district is located between longitudes 89.46' E and 90.38' E, as well as latitudes 26.19" N and 26.54" N. Chirang district is located between longitudes 26°28' N and 26°54' N and latitudes 89°42' E and 90°06' E. Baksa is located at 23°11' N latitude and 88°55'

E longitude, while Udalguri lies between 26°46'2" and 26°77' N latitude and 92°08'2" and 95°15' E longitude (Government of Assam, 2021).

1.7.5.2 PHYSIOGRAPHIC FEATURES

The Bodoland Territorial Region is enriched with natural beauty, such as rivers, vast forested areas, a variety of plants, and an abundance of flora and fauna. It boasts virgin forests covering more than one-third of its land. The physiographic features of the BTR vary amongst the four districts. Kokrajhar is split into two physiographic units: the northern alluvial region and the southern swamps or floodplains of the Brahmaputra River. Chirang is distinguished by two landforms: Inselbergs and Alluvial plains. Physiographically, Baksa is distinguished by the many landforms formed by structural denudation hills and alluvial plains. Udalguri, district is mostly an alluvial tract in terms of location (Dutta, 2019; Sarma & Choudhury, 2018; Singh, 2021).

1.7.5.3 GEOLOGICAL FEATURES

Geologically, the BTR is inhabited by quaternary alluvial sediments, the older alluvium to the north of the region, and the younger alluvium of floodplain deposits to the south along the Brahmaputra River (Goswami & Barua, 2020). The hilly areas to the north of BTR, including parts of the Karbi Anglong and Mikir Hills, are composed of tertiary sedimentary rocks, primarily sandstones, shales, and conglomerates. These formations are part of the shillong plateau's geological extension (Sarkar et al., 2017). BTR lies in a seismically active region, influenced by tectonic forces from the collision between the Indian Plate and the Eurasian Plate. This tectonic activity has led to the uplift and deformation of the region's geological strata (Goswami, 2019).

1.7.5.4 CLIMATE FEATURES

The climate in the BTR region is subtropical, with hot, humid summers and cool, dry winters. Temperatures range from 10°C to 35°C yearly, with the peak heat usually in June, July, and August. The start of south west monsoon begins in June and continues until September and October (Chakraborty et al., 2021). The average humidity is nearly constant, ranging start from 62% in winter to 87% in the post-monsoon season. The humidity stays stable on average, beginning at 62% during the winter and rising to 87% in the post-monsoon period (Das & Ahmed, 2022). Kokrajhar experienced a mean yearly precipitation of 3102.4 mm with 110 annual days of rain on average spread over four districts. Similarly, Tangla of

Udalguri district reports that it receives an average of 1,980.5 mm of rainfall, with around 66% of the precipitation occurring in the monsoon period (Bhattacharya & Bhattacharya, 2018).

1.7.5.5 INTERNATIONAL BORDER

In the North, the four districts of BTR share an international border with Bhutan. The BTR has a 280-kilometre-long international boundary with Bhutan. Kokrajhar district is stretching for roughly 40 kilometer. Chirang has a length of around 70 kilometer, and Udalguri is roughly 80 kilometer border shares with Bhutan. Baksa district of BTR has the longest international border with Bhutan, stretching for nearly 90 kilometer long distance (Directorate of Border Protection and Development, 2024; Das, 2021; Khan, 2019).

1.7.5.6 DEMOGRAPHICS

According to the 2011 census, the population of BTR is 3,151,047 people, with 1,600,712 males and 1,550,335 females. Meanwhile, 140,094 people live in urban areas, while rural areas have 3,010,953 residents (Census of India 2011, 2011).

As per the 2011 census report of India, percentage of inhabitants of BTR represents around 10.10% population of total inhabitants of Assam state. As mentioned, the Scheduled Tribes (ST) makes up more than 33% of the entire population. The Bodos make up 90% of them, with the remaining 10% made up of other Schedule Tribes such as the Rabha and Garo in the research areas (Census of India 2011, 2011; Saikia et al., 2016; Bhattacharyya et al., 2018).

Table 1.5: Percentage of Rural-Urban, Caste-wise Population in Four Districts, 2011

| Districts | Kokrajhar | Chirang | Baksa | Udalguri | BTR |
|-----------|-----------|---------|-------|----------|-------|
| Rural | 93.81 | 92.67 | 98.71 | 95.48 | 95.17 |
| Urban | 6.19 | 7.33 | 1.29 | 4.52 | 4.83 |
| ST | 31.41 | 37.06 | 34.84 | 32.15 | 33.87 |
| SC | 3.33 | 7.29 | 7.69 | 4.55 | 5.72 |
| Others | 65.26 | 55.65 | 57.47 | 63.3 | 60.42 |

Source: Census Report of India, 2011

1.8 THE QUESTIONNAIRE DESIGN

For the research study, it has formulated the following research questionnaire design, which will serve as a guide inquiry or investigation for research. The research study

objectives guided the design of the research questionnaires, which were divided into multiple sections, as indicated in Annexure-I, which is split into five parts as follows:

1. Part I: sample household profile obtained from the field study
2. Part II: exploring the meaning of land;
3. Part III: the tribal land rights issues and land security;
4. Part IV: land access and tribal land ties;
5. Part V: land, landless and livelihoods of tribal households;

1.9 DATA COLLECTION TECHNIQUES

Data was collected using primary sources like field visits and discussions, along with secondary sources like official records both published and unpublished, using various data-gathering strategies and techniques.

1.9.1 FIELD SURVEY

While gathering primary data from the respondents, I (researcher) visited all the proposed study districts. Data was gathered manually according to the requirements to ensure data accuracy by applying questionnaire techniques. Other data gathering processes, including government reports, documents, and records at various levels in India, have been explored. This includes publications from both national and state government bodies, such as the Ministry of Tribal Affairs, the Department of Commerce, the Economic Survey of India, and Census reports from the Government of India. Data collection and analysis involved utilising various memoranda or MoUs, accords, and agreements endorsed by the Government of India, Northeast India, and Assam.

1.9.2 SURVEY OF MULTIPLE SOURCES

Collecting data from multiple sources was conducted to investigate the research study as per research criteria. It also, analyses materials sources such as books, published, national and international journals, papers of international and national seminars, magazines, discussion papers, newspapers, working papers, occasional papers and lectures internet sources of relevant articles, different events and records, and unpublished works of various authors.

1.9.3 STAGES OF DATA COLLECTION AND FIELDWORK

The periods of data collection and fieldwork have been conducted as per the following stages given below:

1. Udalguri district- March to April 2022
2. Baksa district- September to November in 2022
3. Chirang district- January to March in 2023
4. Kokrajhar district- April to July in 2023

1.9.4 CHALLENGES OF DATA COLLECTION

Collecting primary data and information is a challenging task especially when it comes to less educated, backward, and conservative societies. As the study areas are conducted in tribal societies, the individuals in such areas often underestimate the value of the research study. Similarly, the current researcher had to face problems gathering data and information from the field.

In the first place language barrier is a big challenge while conducting field research. In the current research, the researcher also faces similar challenges while gathering data from the field.

1.9.5 TECHNIQUES OF DATA ANALYSIS

Information from both primary and secondary sources was thoroughly examined and recorded before being organised into tables. Editing was performed to verify that the data was valid, compatible with the other factual information obtained, and carried out as efficiently as possible. The entire data set has been systematised, analysed, and represented using tabulation. The data was analysed using descriptive methods as percentages and framed in tables.

1.9.6 ADOPTED CITATION

For the adoption of research, the current research study uses the ‘American Psychological Association’ (APA) 7th edition 2020 citation form for both in-text and reference citations in the research.

1.10 APPLICATION OF THEORY AND APPROACH

The theoretical framework is based upon the “Land Tenure,” “Constitutional and Legal Security of Tribal and Land in India” and “Sustainable Livelihoods Approach” of the research study.

1.10.1 LAND TENURE

“Land tenure” involves the terms under which individuals hold and use the land. The land tenure holds multifaceted significance to individuals, and it serves land “as property, as a source of income, as a place of residence, and as a place of family life.” So, it must evaluate the tenure terms based on how effectively individual suit the requirements. This includes examining aspects like access, security, rights, and the sustainability of land use. Aspects like equity, adaptability, and the capacity to adapt to changing societal demands are also key factors in evaluating how effective tenure terms are in meeting the needs of the people. Thus, the prevailing ideology emphasizes “human rights, individual dignity, and equal opportunity for everyone regardless of what tenure conditions security of land occupancy” (Schickele, 1952). As a result, land tenure assurance is today seen as a multifaceted concept, with the conveyance of land as an indication of utmost safety (Brasselle et al., 2002).

More applicably land tenure can be defined as “the relationship, whether legally or customarily defined, among people, as individuals or groups, concerning land” (Network, 2008). Apparently “land tenure can be determined as the mode by which land is held or owned, or the set of relationships among people concerning the use of land and its product” (Payne, 1997). Thus, land tenure specifies who gets access to land and the ability to remain permanently. In a different context, tenure demonstrates the close connections people have with their land, and the relationships that form between individuals and groups through their interactions with land and other essential natural resources. The fundamental norms of land tenure determine how property rights- “use, control, and transfer” are to be assigned within communities and are often specified by statute or customary law (Kasimbazi, 2017).

Land tenure should be understood primarily as a social relationship governed by an intricate system of norms that control land usage and ownership (Payne & Durand-Lasserre, 2012). Land tenure is discussed by Fouries (2000), with an emphasis on the rights of people or groups concerning the land. The specific shape and substance of these rights, the extent to which individuals anticipate their enforcement, and the differing levels of acknowledgement by relevant authorities and the community will all directly influence land utilisation. Quan

and Payne (2008) specific as the extent of certainty that land users' rights to land and the economic gains that flow from them would not be arbitrarily revoked; the assurance that an individual's land rights would be recognised and preserved in the event of a specific lawsuit; more precisely, all persons and groups have the right to adequate government safeguards against forcible evictions.

La Croix (2002) defined land tenure as the "bundle of rights and responsibilities" that governs how "land is held, used, transferred, and succeeded." The concept of tenure relates to the enforcement of land ownership through various legal practices and customs in a particular historical setting. Therefore, the ownership of land can be affected by various factors, such as the presence of an official land title, which involves registering ownership with the government; the ability of landowners and landholders to bargain for land use; and the variety of property rights to land, whether communal or private. Krajisnik (2011) tenure may always be influenced in various ways, all dependent on the legal and constitutional frameworks in place. Doebele (1983), land tenure or the right to utilise land is linked to legal ideas.

A contradiction exists at the heart of land tenure at all eras and in all nations (Doebele, 1987). Although land laws and policies have developed throughout time, a large number of land tenure challenges in emerging nations across the world have their origins in colonialism. The majority of the issues that arise are arguments regarding land tenure and the land reform quandary. And it is also certainly true that Augustinus (2010) states that most developing nations have land that is typically not registered. Legal land tenure gives individuals or communities formal status and documents to dwell in their settlement or land. Many inhabitants in underdeveloped countries do not have a legal land registry, limiting their capacity to interact with the official sector, whether to obtain finance for trade, access services, find work, or prevent evictions (Udry, 2011). Thus, diverse perspectives and dimensions are encouraged from throughout the world, developed and developing or rural and urban, Carter et al. (1995) tenure systems have two significant dimensions- "property rights definition" which refers to the security of land rights connected with tenure possession, and "property rights distribution" that refers to who receives these land rights.

The early literature does not provide any definitive comments on land tenure. The earliest literary monument, the Vedic Hymns, demonstrates that diverse tribes at various times are involved in whatever evidence may be acquired (Hopkins, 1898) in India. There is no stated national policy on tenure regularisation in India (Durand-Lasserve & Royston, 2002).

The land tenure rights of settlers on government lands are extended as a welfare effort and are locally referred to as “*patta*” (land deed). “Tenure rights can be given in situ or in alternative locations on freehold, lease or license basis.” Although there are occurrences of collective tenure, individual tenure is the norm (Bhatnagar, 1996). It is assumed that by ensuring the land rights of the poor masses in rural regions, people who rely on land as their main means of livelihood will help (World Bank, 2003). And we also understand that land tenure refers to legally recognised rights to access and utilise delineated parcels of land (FAO, 2016). Due to this fact, land tenure is a legal structure containing a series of rights created and upheld by societies or communities to ensure reliable land access. It pertains to the process by which a person receives land from a governing body.

The following table outline how land tenure theory provides applies to land access and livelihoods with practical examples for each point.

Table 1.6: Application of Land Tenure Theory with Examples

| Aspect | Description | Applied in Example | Source |
|---------------------------|---|--|------------------------------|
| Definition of Land Tenure | Refers to the legal and institutional arrangements defining land rights and responsibilities | In Ethiopia, land tenure systems are used to allocate and manage land among farmers | Davis & Holt (2015) |
| Types of Tenure Systems | Includes private, communal, and state ownership, influencing how land is accessed and used | In Tanzania, communal tenure systems are prevalent in rural areas, impacting agricultural practices | Deininger (2003) |
| Security of Tenure | Provides legal assurance and protection for land users against eviction and disputes | In Rwanda, land registration has enhanced tenure security and encouraged investment in land improvements | Bromley (1991) |
| Access to Land | Involves the ability to obtain and utilize land, influenced by legal, economic, and social factors | Land reforms in India have aimed to improve access for marginalized communities | Meinzen-Dick et al. (2014) |
| Impact on Livelihoods | Secure land tenure is linked to improved livelihoods through enhanced investment and economic stability | In Bolivia, secure land tenure for indigenous communities has led to increased agricultural productivity | Place & Migot-Adholla (1998) |
| Economic Investment | Secure tenure encourages investment in land improvements, boosting productivity | In Thailand, secure land tenure has led to investments in soil conservation and irrigation | Ellis (2000) |

| | | | |
|---|--|---|------------------------------|
| Social Stability | Affects community relationships and social stability, impacting land access and management | In Uganda, integrating traditional and formal tenure systems has enhanced social stability | Davis & Holt (2015) |
| Legal Framework | Governs the enforcement and protection of land rights, influencing tenure security | Ghana's Land Registration Act formalizes land rights and reduces disputes | Deininger (2003) |
| Institutional Role | Institutions shape land tenure policies and practices, affecting land access and security | The World Bank's land reform projects in Latin America focus on strengthening institutions | Bromley (1991) |
| Challenges and Conflicts | Conflicts over land tenure can arise from competing claims or inadequate legal protections | In Kenya, land tenure conflicts among ethnic groups have led to social and economic instability | Meinzen-Dick et al. (2014) |
| Customary Tenure | Traditional land management systems often coexist with formal legal frameworks | In Nigeria, customary land tenure governs land use in rural areas, influencing local practices | Davis & Holt (2015) |
| Formal Tenure | Legal ownership and rights recognized by state laws and institutions | In Brazil, formal land tenure involves legal documentation and registration to secure rights | Deininger (2003) |
| Informal Tenure | Tenure systems not formally recognized but widely practiced | In Indonesia, informal land agreements are common in urban areas despite lacking legal recognition | Bromley (1991) |
| Land Registration | The process of formally recording land ownership and rights | In Mozambique, land registration programmes aim to formalize land rights and reduce disputes | Meinzen-Dick et al. (2014) |
| Land Certification | Issuing certificates to individuals or communities confirming land rights | In Malawi, land certification provides legal recognition of land rights to rural families | Place & Migot-Adholla (1998) |
| Tenure Reform | Changes in land tenure systems intended to improve land access and rights | In South Africa, land tenure reform aims to address historical injustices and improve access for disadvantaged groups | Ellis (2000) |
| Land Tenure Security and Investment | Secure land tenure is associated with increased investment in land and improvements | In Kenya, secure tenure has led to enhanced agricultural practices and investment in land development | Davis & Holt (2015) |
| Land Tenure and Agricultural Productivity | The relationship between land tenure security and agricultural output | In Uganda, secure land tenure has resulted in higher agricultural productivity due to increased investment | Deininger (2003) |

| | | | |
|--|---|---|------------------------------|
| Land Tenure and Poverty Reduction | Secure land tenure can contribute to poverty reduction by improving livelihoods | In Ghana, enhancing land tenure security for smallholders has been linked to poverty reduction and improved livelihoods | Bromley (1991) |
| Gender and Land Tenure | The impact of land tenure systems on gender equality and women's land rights | In India, reforms have focused on improving women's land rights to enhance economic empowerment | Meinzen-Dick et al. (2014) |
| Urban Land Tenure | Land tenure challenges in urban settings, including informal settlements | In the Philippines, urban land tenure issues in informal settlements have led to land regularization efforts | Place & Migot-Adholla (1998) |
| Rural Land Tenure | Tenure systems in rural areas, often governed by customary practices | In Malawi, rural land tenure is largely governed by customary practices, influencing agricultural productivity | Ellis (2000) |
| Land Tenure and Environmental Management | The influence of land tenure on environmental sustainability and management | In Costa Rica, secure land tenure has promoted conservation and sustainable land management practices | Davis & Holt (2015) |
| Land Tenure and Conflict Resolution | Land tenure systems can address and resolve land-related conflicts | In Colombia, land tenure reforms aim to resolve land rights conflicts and enhance stability in post-conflict areas | Deininger (2003) |
| Land Tenure and Indigenous Rights | Recognition and protection of land rights for indigenous peoples | In Canada, land tenure reforms address historical injustices and recognize indigenous land rights | Bromley (1991) |
| Land Tenure and Economic Development | Land tenure plays a role in fostering economic growth and development | In Vietnam, land tenure reforms have supported economic development through enhanced agricultural productivity | Meinzen-Dick et al. (2014) |
| Land Tenure and Social Equity | Impact of land tenure systems on social equity and inclusion | In Kenya, tenure reforms address historical land injustices and improve access for marginalized communities | Place & Migot-Adholla (1998) |
| Land Tenure and Infrastructure Development | Relationship between land tenure security and investment in infrastructure | In Ethiopia, secure land tenure has led to increased investment in infrastructure such as roads and irrigation systems | Ellis (2000) |
| Land Tenure and Rural-Urban Migration | Impact of land tenure systems on migration patterns between rural and urban areas | In India, land tenure insecurity in rural areas has driven migration to urban centers for better opportunities | Davis & Holt (2015) |
| Land Tenure and Health Outcomes | The effect of land tenure security on health and well-being | In Kenya, secure land tenure has been associated with improved health outcomes due to better access to resources and services | Deininger (2003) |

1.10.2 CONSTITUTIONAL AND LEGAL SECURITY OF TRIBAL AND LAND IN INDIA

There is must require way forward straight protection concerning the land rights of tribal or Scheduled Tribes (ST) in India. India became a republic in 1950, and all of its inhabitants are equally entitled to civil, political, and social rights under the Constitution of India. Aside from that, tribals enjoy certain rights as members of a separate group. The Constitution includes measures to protect and advance the rights and interests of Scheduled Tribes in various areas, allowing them to integrate into the larger population (Parveen, 2024).

Several provisions are in place to safeguard the land and livelihood rights of tribal or Scheduled Tribes in India, ensuring their constitutional and legal security. The relevant articles include Article 14, which guarantees equality and protection under the law in India, and prohibits discrimination based on religion, race, caste, sex, or place of birth. Article 15 bars discrimination based on religion, race, caste, gender, or place of birth. Article 15(5) gives the state the authority to create specific measures to promote the admission of Scheduled Castes and Scheduled Tribes to educational institutions. Article 16(3) permits the parliament to create laws that require living in a specific state or union territory for certain jobs or positions in the state. The protection of land for the Scheduled Tribes is encouraged by the Indian Constitution of 1950. Article 19(1)(f) was originally in place to ensure the right to own, possess, and control property. Even though it has been revoked, Article 300A now regulates property rights to guarantee that no individual can be stripped of their property unless authorised by the law. Article 29 ensures that minorities can preserve their culture, language, and script, thus protecting their interests. Article 31(1) and (2) (Repealed) initially granted the property right. Property rights are now recognised as a legal right, not a fundamental right, under Article 300A. Article 46 supports the educational and economic well-being of Scheduled Castes, Scheduled Tribes, and other marginalised groups while safeguarding them from social injustice and exploitation. Article 275(1) allows for the provision of unique financial aid to states for executing programmes that enhance the well-being of Scheduled Tribes and improve the governance of Scheduled Areas. Articles 339 and 340 of the Constitution pertain to the governance of Scheduled Areas, the well-being of Scheduled Tribes, and the authority to conduct investigations within the states (India, 1949; Wahi & Bhatia, 2018; Choubey, 2023). The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act of 1989 provides social protection for indigenous communities. Together, these measures guarantee the safeguarding and advancement of the rights and well-

being of the Scheduled Tribes in India, with a particular emphasis on their land, income, education, and socio-economic progress (Mathur, 2009).

Part X of the Indian Constitution addresses the Scheduled and Tribal Areas. This section comprises Articles 244 and 244A, which address the governance of regions populated by Scheduled Tribes (Rakshita, 2021). Article 244 discusses the management of Scheduled Areas and Tribal Areas: Article 244(1) addresses the administration of Scheduled Areas and Tribal Areas in states excluding Assam, Meghalaya, Tripura, and Mizoram. It is stated that these regions will be managed according to the regulations of the Fifth Schedule. Article 244(2) addresses the governance of tribal regions in Assam, Meghalaya, Tripura, and Mizoram. It is stated that these regions will be governed according to the regulations of the Sixth Schedule. Article 244A allows for the establishment of a self-governing region within Assam, comprising specific tribal territories. It allows for the establishment of a local parliament or cabinet, or both, in that state. The National Commission for Scheduled Tribes was created in 2004 as per Article 338A of the Indian Constitution to oversee and evaluate the effectiveness of protections for Scheduled Tribes under the Indian Constitution and other laws or government directives (India, 1949; Sharma, 2002).

Several policies or procedures have been undertaken in India to preserve and restore tribal land rights. In most states where tribal people or scheduled tribes live in significant numbers, legislation has been adopted to deal with land issues and protect tribal-specific needs. The British government implemented various legal measures for tribes due to land issues, such as Transfer of Property Act of 1885, Bengal Tenancy Act of 1885, Bihar Tenancy Act of 1885, Assam Land and Revenue Regulation of 1886, Indian Stamp Act of 1899, Chotanagpur Tenancy Act of 1908, Registration Act of 1908, Central Provinces Land Alienation Act of 1916, and Santhal Pargana Tenancy Act of 1940. During the post-independence period: Rajasthan Tenancy Act 1955, MPLP code of Madhya Pradesh 1959, Assam Land (Requisition & Acquisition) Act of 1964, Bihar Scheduled Areas Regulation 1969, Assam Land Revenue and Rent (Surcharge) Act 1970, Kerala Scheduled Tribes (Restriction of Transfer of Lands and Restoration of Alienated Lands) Act 1975, Financial Sector Reforms Committee 2009, Committee on State Agrarian Relations and the Unfinished Task of Land Reforms 2009, Land Titling Bill 2011, Standing Committee on Commerce on Ease of Doing Business 2015, Jawaharlal Nehru National Urban Renewal Mission 2018, and

Assam Land Policy 2019 to identify a few that have been implemented to preserve tribal rights to land (Sarma & Sharma, 2022; Ashokvardhan, 2006; Gupta, 2009; Pevar, 2012).

The administration or the government authority of Scheduled and Tribal Areas prohibits or restricts transfer of land and regulates land allotment. The Indian government enacted the “Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006,” aiming to acknowledge and grant forest rights and land occupation to forest-dwelling Scheduled Tribes (ST) and Other Traditional Forest Dwellers (OTFDs) with long-standing ties to forests. According to Section 4(5) of the FRA of 2006, forest dwellers cannot be evicted until the identification process is finished (Bose, 2010; Choubey, 2023). The Act of 2013 has put in place sufficient measures to provide fair compensation and prompt and adequate rehabilitation to Indigenous people displaced throughout the nation. According to Section 41 of the Act, it is not allowed to purchase any land within the scheduled area. The 2013 Act’s Section 48 forms a national monitoring committee to assess and oversee the execution of rehabilitation and resettlement efforts, addressing concerns like displacement, compensation, rehabilitation, resettlement, and land acquisition progress (Saravanan, 2009; Aggarwal, 2011).

Tribal people reside in the forest. In India, specific policies have consistently disregarded the needs of indigenous communities residing in forests and mountainous regions as stated in the Forest Policy of 1952, the Wild Life Protection Act of 1972, and the Forest Conservation Act of 1980. Nevertheless, later laws made an effort to predominantly address the issue. During British rule, disparities in land ownership increased, particularly following the British government’s acquisition of forest land. The Indian Forest Act of 1878 aimed to protect forests, the Land Acquisition Act of 1894 allowed the colonial administration to acquire private land for public use, and the Indian Forest Act of 1920 declared all government-owned forest land. So, colonial authority treated the Indian forest as a commodity, and several forest acts steadily restricted tribal access into the forest and forest land. In the Forest Act of 1855 imposed the first restrictions on tribal forest use. As a response, acts passed in 1878, 1898, and 1927 seized control of the forest, denying tribal members’ access. It is the Assam Forest Policy 2004 of Assam ensures that the bona fide or genuine livelihood needs of all rural poor people, especially the tribal people, however, the result is not encouraging (Sonowal, 2007; Tripathi, 2016).

In general, the constitutional protections defend tribal people against social injustices and exploitation, and the development initiatives support education and economic interests.

1.10.3 SUSTAINABLE LIVELIHOODS APPROACH

The concept of the Sustainable Livelihoods Approach (SLA) involves considering the objectives, scope, and investment priorities of programmes or projects. It is said that the process or strategy places individuals as the focal point of progress, thereby increasing its effectiveness in supporting sustainability. The sustainable livelihoods approach aims to contribute to an understanding and analysis of impoverished rural people's livelihood strategies and situations to best support their efforts and create an environment favourable to encouraging improved livelihoods through development interventions (Christensen & Pozarny, 2008; Baumann, 2002 Ashley & Carney, 1999).

When it comes to how people make a living, "livelihood stability" means having enough consistent income and resources to meet basic needs. People's livelihood strategies are the actions they choose to take to attain their livelihood goals (Chambers & Conway, 1992). People combine activities to fulfill their changing demands in a dynamic strategy selection process. The positive aspects of development have failed to reach the poor tribal people, who are frequently marginalised. Developing the poor rural boosts tribal people's self-esteem, dignity, and ability to self-determine, allowing them to overcome hidden and visible socio-economic constraints and, as a result, improve the success of policy reform efforts and initiatives (Begum, 2015; Prajapati et al., 2014).

The assets possession an individual or household have a substantial influence on their capacity to earn an adequate living. Tangible assets for survival consist of food reserves, money, trees, land, livestock, tools, and various other resources. Intangible assets encompass needs for food, employment, support, availability of resources, innovation, medical care, schooling, and career opportunities. These resources are crucial for implementing a livelihood approach. For the study of livelihoods, several frameworks have been proposed. The theory proposes that households create a livelihood by combining five different types of assets: natural, physical, human, social, and financial in a setting impacted by institutional and structural variables (Carney, 1998; Scoones, 1998, Ellis, 2001).

A household livelihood strategy refers to a set of resources, activities, and decisions made to attain livelihood targets. A socially sustainable lifestyle can withstand and recover from stresses and disruptions, while also meeting the needs of future generations. Sustainable

livelihoods are stable, lasting, adaptable, and strong in the face of external and internal challenges. The household heads consider addressing urgent consumption demands, managing long-term resources, investing in new technologies, and personnel management as objectives while managing livelihood plans (Sallu et al., 2010; Rijn et al., 2012; Chambers & Conway, 1992; Scoones, 2009; Whitehead, 2002). If a person's livelihood becomes unsustainable, they are more likely to change it. The transition to other activities reduces the vulnerability caused by income risk and uncertainty in meeting current and future needs and aspirations (Swargiary & Mahanta, 2020).

The diversification of livelihoods strategy is a significant necessity for rural survival. Flexibility, resilience, and stability are all directly linked to diversity (Ellis, 1998; 1999). Diversification is the single most significant source of poverty reduction, especially for marginalised groups. Because of its significant influence, the function of livelihood diversification has come under increased attention (Bernstein et al., 1992; Ellis, 1998; Carswell, 2002; Dixon et al., 2001). The strategies of rural development have a lot of potential for promoting positive aspects of diversification (Farrington et al., 1999). Tribal people faced many challenges in their secure livelihood strategies, such as inadequacy caused by a lack of food security, environmental deterioration, a lack of an organisational framework, and a lack of access to other forms of sustainable development (Baumann & Sinha, 2001). However, the diversification of a family can be a purposeful household strategy or an unintentional crisis intervention. Diversification of livelihood is influenced by aspects of land area, access to resources, household size, education, and training. The farm and non-farm and Government and non-government incentives are valuably imperative aspects of encouraging households to diversify their livelihood strategies.

The following table indicates that the Sustainable Livelihoods Approach provides a holistic approach to understanding how land access provided to people sustain their livelihoods in the face of environmental challenges.

Table 1.7: Sustainable Livelihoods Approach and Land Access

| Component | Description | Land Access on Livelihoods |
|------------------|---|---|
| Human Capital | Skills, knowledge, and health status of individuals and communities | Improved land access can lead to better agricultural skills, increased knowledge of land management, and improved health due to better nutrition from home-grown food (Scoones, 1998) |

| | | |
|---------------------------------------|--|---|
| Natural Capital | Natural resources such as land, water, and biodiversity | Secure land access ensures sustainable use of natural resources, enhancing agricultural productivity and biodiversity conservation (Chambers & Conway, 1992) |
| Financial Capital | Financial resources available to people, including savings, credit, and income | Access to land can increase financial capital through agricultural income, enabling investment in other livelihood activities and assets (DFID, 1999) |
| Physical Capital | Basic infrastructure (transport, shelter, water, energy, and communications) and the production equipment and means that enable people to pursue their livelihoods | Improved land access can lead to better infrastructure development, such as irrigation systems and storage facilities, enhancing agricultural efficiency and productivity (Ellis, 2000) |
| Social Capital | Social resources (networks, membership of groups, relationships of trust, access to wider institutions of society) upon which people draw in pursuit of livelihoods | Secure land tenure can strengthen social networks and community cohesion, facilitating collective action and access to broader support systems (Bebbington, 1999) |
| Vulnerability Context | Shocks, trends, and seasonality that affect people's livelihoods | Secure land tenure reduces vulnerability to shocks (e.g., eviction), stabilizes income sources, and mitigates the impacts of adverse trends and seasonality (Moser, 1998) |
| Transforming Structures and Processes | Institutions, policies, legislation, and culture that shape livelihoods | Favourable land policies and supportive institutions can enhance land access, ensuring equitable distribution and sustainable use of resources (Carney, 1998) |
| Livelihood Strategies | The range and combination of activities and choices that people make in order to achieve their livelihood goals | Diversified livelihood strategies become more feasible with secure land access, promoting resilience and long-term sustainability (Scoones, 1998) |
| Livelihood Outcomes | The achievements of livelihood strategies, such as more income, increased well-being, reduced vulnerability, improved food security, and more sustainable use of the natural resource base | Secure land access leads to positive livelihood outcomes, including higher income, better food security, reduced vulnerability, and sustainable resource management (Chambers & Conway, 1992) |

Source: Sustainable Livelihoods Approach, article from: Scoones, 1998; Chambers & Conway, 1992; DFID, 1999; Ellis, 2000; Bebbington, 1999; Moser, 1998; Carney, 1998.

1.11 ETHICAL CONSIDERATIONS

Being native, the researcher attempted to be an impartial observer devoid of any prejudices and made a point of not disclosing some of the facts. I tried to protect

the informants' privacy and obtained free and informed consent from research participants to safeguard human well-being, and prevent, and avoid harm or wrongdoing to the persons involved.

1.12 LIMITATION AND DELIMITATION OF RESEARCH

The main drawback of the research is its reliance on government reports and the necessity to use census data from 2011. Current research on access to tribal lands and livelihoods in the BTR is limited to the specified points.

1. The study is limited to tribal peoples, primarily those in the Bodoland Territorial Region.
2. The research is delimited to the Kokrajhar, Chirang, Baksa and Udalguri districts of the Bodoland Territorial Region.
3. Analysis is restricted to the tribal rural villages in the study.
4. The research model is mainly focused on land access issues and livelihoods of tribal.
5. The limitation in the study area is that the household size of the Rabha and Garo tribes are relatively small size in contrast to the Bodo tribes in the region.

1.13 SCHEME OF CHAPTERS

The thesis is split into seven chapters, each dedicated to expanding on the main research findings.

The first chapter prologue presents an introduction, statement of research, objectives, need and importance, and scope. The other aim is included such as research questions, methodology, questionnaire design; data collection techniques, application of theory, ethical considerations, limitation and delimitation, and scheme of thesis.

The second chapter represents review of literature of the related literature study of theoretical basis and concepts. The chapter is separated into the section-wise and research gap for current research.

The third chapter represents the understanding and an overview of tribal people and land. The importance of tribals and land in India, including North-East India, Assam, and the Bodoland Territorial Region, was separately framed.

The fourth chapter is connected to the land access issues in the Bodoland Territorial Region, explores the research problems, and attempts to analyse the concepts. As a vital section, it includes an introduction, land access perception, land tenure security,

encroachment, eviction, and displacement, conflict, violence, social unrest, land and governance, land reform and inequitable land, immigration and its impact on land access, and gender disparities.

The fifth chapter analyses the importance of land and livelihoods for tribal of general findings from the various government reports for the research areas. The chapter examines the importance of socio-economic conditions related to land, which are essential tribal livelihoods. The section on agriculture and livelihood activities examines land access and livelihoods, landholding, and landlessness. The non-agriculture and livelihood sections are enterprise and industrial trust areas, the sericulture sector, and forest resources.

The sixth chapter is significantly devoted to the research. It easily links the core of the ongoing research with the examination and understanding of data collection or field study in the research areas.

The epilogue of the seventh chapter serves as the conclusion, recommendations, and findings of the entire research study.

1.14 CONCLUSION

This research will offer a valuable understanding of the land access and livelihoods of tribal communities in the four districts of BTR. It is necessary to make advancements in the implementation of optimal land policies and laws in order to ensure the continued prosperity and stability of the Bodoland region. Legislation and actions must consider every aspect of land rights and usage. To ensure that tribal interests and rights are upheld and safeguarded, tribal members need to take part in the process of policy development. The study recognizes the impact of regulations and rules in supporting the stability of tribal residence and suggests potential policy adjustments to strengthen tribal connection to the land and address land-related challenges. Additionally, it is important to mention that by reviewing relevant literature, I have been able to have more flexibility in conducting thorough research on the subject.

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