
Article: Land Alienation and Rural Development in Northeast India

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Abstract

While Northeast India experiences the rural crisis as the rest of India does, it has not had farmer suicides. Specific to the region is land alienation and conflicts resulting from it. Much investment has been made in education and health but the best institutions are located in Guwahati and Shillong. One of its results is land alienation and the conflicts resulting from it because that is the only resource the tribes have. When a family needs money it sells its land to send children to colleges away from their home or to address a medical emergency. Because of these needs much of the land alienation today is within the tribe. Some rich individuals buy land from members of their own tribe. Strengthening of patriarchy, class formation, internal conflicts and rural impoverishment are among its consequences.

Amid this apparent crisis some State governments and voluntary agencies have attempted alternatives to the dominant development practices in the region. The paper analyses these alternatives in Nagaland and Meghalaya and the issue of cross border trade. It is based on the belief that the alternatives can be revived and that the civil society-run educational and health institutions can be turned into private-public partnership (PPP) between the State and the NGOs, in order to build this infrastructure in the rural areas.

Key words: Civil Society, Communitisation, Development, Land alienation

Northeast India (NEI) does experience a rural crisis but it is different from that in the rest of India. The region has not had farmer suicides but has witnessed land loss and conflicts resulting from it. Much investment has been made in education and health but most good quality institutions are in Guwahati and Shillong and very few of them are located in the district headquarters or even in the remaining

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State capitals. As a result, many families in the hill areas and even in the plains are forced to sell their land which is their only resource, to send children to colleges or take the sick to health care institutions. Thus, much of the land alienation is within the tribe. Some rich individuals buy it from other members. Among its consequences are class formation, rural impoverishment, and conflicts.

Some States and civil society groups have attempted alternatives to counter this apparent crisis. From the 1980s Nagaland encouraged village development boards (VDB). Communitisation, one more experiment, involves handing supervision of schools, water supply and electricity over to the village council. Despite shortcomings, they are steps in the right direction. Many civil society-led self-help groups (SHGs) have successfully brought women together for alternatives. There are voluntary sector and Churches run schools and health centres, but they get no support from the State. In Meghalaya, on the contrary, rich individuals and private entrepreneurs are involved in uncontrolled coal mining that provides jobs and income to many families but also destroys its land and affects food security. Villages on the Indo-Myanmar border have lived on barter trade with their counterparts but the Centre does not recognise it though official trade which is why it is moribund.

The first hypothesis of this paper is that these and other efforts can become alternatives in rural development. Its second assumption is that the civil society-run educational and health institutions can be turned into private-public partnership (PPP) between the State and the NGOs, in order to build the infrastructure in the rural areas, and prevent land alienation. In Meghalaya, restoring land destroyed by mining can be its basis. SHGs are basic to this transition. Barter trade which is beneficial to both sides can be revived in the border areas.

Nature of Rural Development in NEI

Planned development in India is based on the principle of modernisation that requires freedom from tradition and superstition (Planning Commission, 1956, p. 236). The plan was implemented through industries in the urban areas and modern agriculture in the villages. Initially agriculture was identified with rural development to such an extent that till the 1970s there was a single ministry known as the *Ministry of Food, Agriculture, Community Development and Cooperation*. Agriculture is obviously basic to rural development but to be

beneficial to all the communities it has to go hand in hand with other components. But as a study of agricultural research shows, its focus is on higher production that favours big farmers and does not reach the small farmers (Chandy, 1993, pp. 313-316) or communities beyond settled agriculture. This approach ignores the fact that most Indian villages are not homogeneous communities but are alliances of many castes with unequal power. Ignoring it can result in caste-based inequality in land and other asset ownership and in access to education and other services. There are indications that the failure of planned development to deal with this system has resulted in growing inequalities between dominant and subaltern castes and the rich and the poor (Kurien, 1997, pp. 134-135).

It is, however, not fully true of NEI where the tribes do not have a caste system and it is weak among the rest except the immigrants. The difference is reflected in land ownership and forms of agriculture. Even Assam with only 12.94 percent tribal population, shows a community trend that is a leftover both of its tribal past and of tenancy emanating from the Tai Ahom tradition and the colonial *zamindari* and *ryotwari*. One does not have accurate data on land ownership in Assam but according to estimates only a third of the land has *pattas*, a third is under *eksonia* (annual) patta and the rest is predominantly community managed by the tribes or fishing and other backward groups (Fernandes & Pereira, 2005, pp. 10-11). Patta land prevails in Tripura since Hindu peasants from the erstwhile East Pakistan who came in search of land have occupied much of it. The law was changed in 1960 to recognise only individual ownership and deny the tribes right over much of their community land (Bhattacharyya 1988). In Manipur, the tribes who are 34 percent of the population live on 90 percent of its land and that is a major cause of tension in the State. Amid these differences common to the tribes is land management under the community based customary law. Each tribe has its own law but most of them combine individual family cultivation with clan or village management. Even family land is managed under the community based customary law (Nongkynrih, 2009, pp. 16-37). The formal law, on the contrary, is individual based. Modernisation results in the formal-customary law interface which often facilitates land alienation because of lack of preparation for the interface.

Process of Land Alienation

Official schemes are the first cause of land alienation as one witnesses in the experience of the Garo, Jaintia and Khasi, the main tribes of Meghalaya, all three

of whom are matrilineal but patriarchal. Succession is through women but men control society and political power from the village council to the State level. Most Central and State institutions do not respect their community based system but impose individual ownership on them through official schemes. For example, in the 1980s the Rubber Board encouraged rubber plantation in the East Garo Hills district. Individual land ownership in the name of heads of families understood as men in their matrilineal tribe was a condition for subsidies and bank loans. Transfer of much community land to individual men resulted from it, thus weakening both the community and women who had limited power in their tribe. A study done two decades later found that 30 percent of families in the district had become landless (Fernandes & Pereira, 2005, pp. 113-115). Similar encouragement given to coffee plantation among the Karbis (Bathari, 2009, pp. 142-159) and to tea plantation among the Dimasas of Assam (Barbora, 2002, pp. 1285-1292) has resulted in monopoly of much common land by a few powerful individuals thus depriving the majority of this livelihood resource.

The individual orientation of the formal law and the ambiguity resulting from its interface with the customary law are basic to internal land alienation. Some individuals use this ambiguity to alienate land for themselves. For example, in some Khasi villages men who control the village council use the formal-customary law interface to transfer the village commons to their own individual name (Mukhim, 2009, pp. 38-52). Among the community based Dimasa tribe, a family is allowed to treat some clan land as its own for some time in order to grow trees on it. Because of the encouragement given by the State to commercial crops, some of them grow long-term crops like oranges, tea and coffee, and turn it into almost permanent individual land (Fernandes & Pereira, 2005, pp. 192-193). Traditionally the Akas of West Kameng district of Arunachal Pradesh, who are shifting cultivators, lacked even the concept of individual ownership. They get usufruct rights over community land for a season but individuals can cultivate land on the river banks as their own during a year. Some powerful individuals among them cultivate it every year and in practice turn it into their permanent property. The formal law supports this abuse (Fernandes, Pereira & Khatso, 2007, pp. 37-38).

This change marks the transition of the view of land as sustenance in their shifting cultivation based subsistence economy to its commercial value as a commodity. The customary-formal interface pushes them into the new system with no preparation for it. A few like the Khasi leaders who transfer land to themselves,

internalise the commercial value. Even then some of such leaders do not get its benefits. For example, those who grow commercial crops like tea, coffee and rubber lack control over their marketing because the market is controlled by outsiders who do not give them a fair price. Thus many of them lose out because of it, but the community loses much more since its sustainable management system comes under attack. One does not state that their tradition should remain unchanged. It has changed in the past and will change in the future. The problem is caused by the system changing without the people being prepared for it. When change is imposed on them with no preparation for it, a few individuals use it to their own advantage, though they too may not get its benefits.

Land Alienation to Development Projects

Development projects are the third mode of land alienation. An example is minerals in Meghalaya. They have become major sources of profit for the private sector. A study of development-induced displacement in Meghalaya 1947-2010 found only 586 acres used for mining till 2000. More might have been used but it could not be identified. It would not have been more than two or three thousand acres. But 25,747.53 acres used for coal, uranium and limestone mining were identified during the 2001-10 decade, 21,151.76 acres of it forest land (Fernandes et al. 2016, p.358). Deforestation by mining began in the 1970s and 56 sq. km of dense forests and 28.9 sq. km of open forests were lost to mining and to related schemes like settlements between 1975 and 2005 (Sarma & Kushwaha, 2007). Much of the coal mining land is not counted in this total because in Meghalaya coal is mined under the customary land holding pattern. The community allots plots to individuals some of whom also take private land on lease. No official records are kept. Mining is done with no safety measures, through "rat holes" (D'Souza et al. 2013). That land is uncultivable when it is returned to the original owner. It raises questions about the economy of NEI in which some 70 percent of the population depends on the primary sector and over 20 percent on the tertiary sector. The secondary sector is weak. Total land alienated in the name of development is not less than 2.4 lakh acres in Meghalaya, 54,000 acres in Nagaland 1947-2010, 52,000 in Mizoram, 2.1 lakh in Tripura, and 14.1 lakh acres in Assam 1947-2000. Land used in the name of national development has deprived more than 30 lakhs people of their livelihood in these States but has not replaced the jobs lost in the primary sector. Rehabilitation is all but non-existent in the region (ibid: 24-28). Even many schemes that are part of rural development

add to rural poverty. The combination of possible land loss and neglect of the productive sector shows the need for a people-centred development paradigm.

Land Loss to Immigrants

Migration to the region too results in land loss because the ambiguity in the formal law can encourage the immigrants to encroach on common land. For example, both common and eksonia patta land in Assam are considered State property. It is easy for immigrants to encroach on it and then bribe officials to give them a patta. As interviews with many of them show, they as well as immigrants from Bihar are landless agricultural labourers living in poverty and low wages in their feudal society, and come in search of land (Majumdar, 2002, pp. 91-101). Their poverty is the push factor. The pull factor is fertile land in the Brahmaputra valley, lax laws governing it, and the possibility of getting pattas by bribing officials. Being agricultural labourers they have skills required to prosper by cultivating that land. Most of them grow three crops, including the best commercial varieties like ginger while the local tradition is of a single crop in shifting cultivation or as a consequence of the share cropper system. Land loss to the immigrants is a major cause of conflicts between the local communities and the immigrants (Fernandes & Pereira, 2005).

It may be noted that this ambiguity with regard to the common land in the formal law is an important cause of high migration to the region. Assam, for example, had 19,44,444 direct migrants during 1951-2001 which is the difference between what would have been its population if its growth had followed the national average and the excess population counted in each decade. With natural growth the number of immigrants had grown to some 40 lakhs in 2001, around 17 lakhs of them Bengali speaking Muslims and 23 lakhs Hindi, Nepali or Bengali speaking Hindus (Registrar General & Census Commissioner, 2001, pp. 108-109). Also the remaining States of NEI experienced high growth. It began in the 1890s when the British regime encouraged East Bengal peasants (90% of them Muslim) to cultivate land in Assam in order to grow more food on what they called wasteland and also raise higher revenue for the administration (Roy 1995: 64). Bihari and Nepali Hindus were encouraged to join their ranks from the 1930s (Zehol, 2008, p.60). That trend continued after 1947. As a result, against the all India growth of 178.1 percent 1901-2001, it was 771.2 percent in Meghalaya and was similar in the rest of the region (Registrar General & Census Commissioner of India, 2001, pp. 123-128; census CDs 2011).

Land Loss for Education and Health

The poor health and education infrastructure in the rural areas, particularly in the hills, causes land alienation within the tribe or community. The region has some good quality educational and health institutions, but, most of them are in cities like Guwahati and Shillong. Hardly any good institution exists in the hill areas or in the rural areas of the plains. As a result, parents have no choice but to send their wards to colleges in these cities or outside the region. Some civil society and church groups are running good institutions in small towns and even in some rural areas but with no aid from the State. So they have to charge fees which many parents find difficult to pay. For example, when a school opened in the 1970s in the Southern Angami area of Nagaland, many families went beyond their single paddy crop in their terraces and vegetables in the *jhum* fields, and grew a second crop of potatoes to earn money for school fees. That amount was inadequate to send their children for higher studies outside the State, so they began to cut forests that they had protected till then (D'Souza, 2001, p.38).

In most other areas sale of land to richer members of the community is the common way of paying for higher education or for medical emergencies. The sellers may be able to negotiate its price to some extent while selling it for children's college education. But to rush a patient to a city they have no choice but to sell their best land at a throwaway price. Land is their only resource and its sale sets the process of conflicts in motion (Kekhrieseno, 2009, pp. 207-209). Rural impoverishment, class formation and internal conflicts are among its consequences. It thus shows that there is a close link between the absence of a rural infrastructure and land alienation.

Some Alternatives

What has been discussed till now shows that one cannot impose on NEI the type of rural development that is not in consonance with its economy and society. Far from resulting in development, it can take its people towards land alienation and an economy that does not create productive jobs. The individual value superimposed on their communities with no preparation for the change is basic to the processes that lay the foundation of conflicts, most of them land related (Vanderkherkhove, 2010, pp. 110-111). That picture looks bleak. But on the other side, some governments and civil society groups in the region have attempted grassroots level alternatives. In Nagaland, they are the Village Development

Boards (VDB) established in 1980 and communitisation of 2002. During their 35 years of existence, VDBs have played a role in rural development and have functioned as financial intermediaries. For over a decade, communitisation has attempted to deliver services like education, health, power and water supply at the village level. They have some shortcomings but have also met with success.

As conceptualised by Mr A. M. Gokhale, the then Deputy Commissioner (DC) of Phek District, the VDBs formed under the Nagaland Village and Area Council Act 1978 were an attempt at bridging the gap between the State and the people. The VDBs were to be a body different from the Village Council, the powerful traditional self-governing institution consisting of the Village Chief, clan elders and *Gaonburas* (officials appointed by the British), but working in close collaboration with it in order to look after development of the village by formulating and implementing its development programmes (Borthakur, 2008). Later, as Secretary, Rural Development in 1980-81, Gokhale introduced VDBs in all 918 recognised villages of the State.

[\(http://villagedevelopmentboardnagaland.blogspot.in/\)](http://villagedevelopmentboardnagaland.blogspot.in/).

All permanent residents of a village are its members and the DC is its ex-officio chairperson. It is to have a 5 to 25 member management committee chosen by the Village Council, 25 percent of them women who are otherwise excluded from the male controlled council. In practice, each ward is represented in this committee normally for a term of 3 years. The Department of Rural Development controls its funds and guides the VDB through the DC and the District Rural Development Agency. The BDO has to visit the village and supervise its work, prepare and submit a tentative village Plan and the report of the project to the Chairperson. A major function of the VDBs is proper use of funds allotted to the village as grant-in-aid and of matching cash grants. In most villages, the Village Council and VDB work together with the former as the supreme body that maintains law and order, administers justice and is the customary law court under Art 371(A) of the Constitution. The VDB is accountable to it. There has been tension between the two in some villages. Some allege that because of corruption the quality of bridges and roads of some VDBs construct is poor. Among other problems is their failure to stop the migration of educated unemployed youth to the urban areas by helping them start income generation alternatives in the village. Poor gender representation is one more concern. But the VDBs have also shown signs of success (Pereira, 2016).

Communitisation is State-community partnership for managing education, health services and electricity. These public resources are transferred to the community for service delivery through decentralisation and delegation. It requires trust in the community, and its training and capacity building to manage the services. It has shown signs of success. Before communitisation government schools were known for their poor infrastructure and maintenance, teacher absenteeism and poor attendance of students. The community-based Village Education Committees (VEC) has overcome many of these problems. Three months' advance salary of teachers is drawn and kept in the VEC account and disbursed to the teachers on the first of the month. The VEC oversees the attendance of staff and students, maintains buildings, furniture and other assets and implements the Mid-day Meal Scheme. As a result, most villages have witnessed a reduction in dropout rates, improvement in teacher attendance, in academic results, and shift of students from private to government schools. There is similar improvement in health care, attendance of the medical personnel and maintenance of the health as well as the electricity infrastructure and of payments (Pandey, 2008).

Some civil society groups (voluntary agencies) also provide alternatives in much of NEI. Among them are SHGs many of which have successfully brought women together. The voluntary sector and church bodies also provide good schools and health services but without any support from the State. They keep their school fees low but even that small amount is too high for the poor so they are excluded from their schools. Poor roads in the district and between villages further limit access to the schools, health centres and markets. Because of the low fees the schools are unable to pay the teachers the type of salaries that the State pays. Because of low salaries, staff turnover is high since teachers tend to move to government schools and college where they get a much higher salary. The health care of their institutions reaches the poor but they have to depend on charity or foreign aid since they get no grants from the State.

Cross Border Initiatives

A recent study of the present author and his colleagues on communities separated by the Indo-Myanmar border found similar initiatives across the borders (Fernandes et al. 2015). It showed that schools and medical institutions in Myanmar's Chin State bordering Mizoram and the Sagaing Region bordering Manipur, Nagaland and Arunachal Pradesh, are not different from those in the villages of NEI. Many institutions exist on paper but do not function properly.

Access to those that function is limited by the hilly terrain and lack of transport between villages. Because of poor communication links between their region and the rest of Myanmar, the Konyak, Tangkhul and Thangshang tribes living in the Naga Autonomous Area of Sagaing Region depend on the Indian side for trade, education and health care. Some children of the Thadou-Kuki tribes attend schools through legally recognised channels. They have a hostel at Tamu on the border and go daily to a school in Moreh in Manipur. The immigration rules allow them to enter India daily and return to Tamu in the evening. But most Nagas studying in Arunachal, Nagaland and Manipur are not legally registered. The rules governing the entry permit allow them to enter India on a few days in a month for trade and to visit relatives. Their stay in India is limited to three days which is inadequate for students. Most of them, therefore, enter and live in India 'illegally'. Their families do not consider their stay illegal because they think of the tribe on two sides of the border as one. So they pay no attention to the international boundary. Respecting legalities would not allow them to come to the Indian side for health emergencies since they cannot wait for the day set aside for entry permits. So they come through 'illegal' routes. Moreover, exactly as families in NEI do, also their counterparts in the Sagaing region sell some of their land in order to invest in the future of their children or for medical emergencies.

Even that possibility is non-existent in the Chin State bordering Mizoram and Manipur. Its infertile land with very few springs is losing its fertility further because of deforestation and environmental degradation. Families that can't afford it, send their children "illegally" to schools in India. Some families are involved in trade with Mizoram but many Mizos allege that they monopolise trade in their part of the State. Even that possibility is available only to a few. The solution for the rest is migration to India and Southeast Asia. Mizoram has an estimated 100,000 Chin migrants doing the lowest paid unskilled work in exploitive conditions and Delhi has around 10,000 of them (Xavier & Moraes, 201, p. 2). Their migration is also a cause of much tension.

Mutual dependence in trade is stronger between most tribes separated by the border but official decisions are rarely supportive of it. For example, the 22 items recognised for exchange at the border by the 1997 Indo-Myanmar trade agreement do not include those in which the tribes trade on a daily basis since formal trade gets priority. The rules on entry permits do not recognise their mutual dependence. Recently, the Government has decided to stop barter trade though official trade is declining. In 2011-12, it was only USD 13 million, i.e. a

little over one percent of the Indo-Myanmar trade of 1.28 billion, most of which is in favour of Myanmar (Ghosal, 2014, p. 23). Official circles ignore the fact that these people-to-people contacts are their contribution to the economy of the region and should be included in the Look East Policy. Policy makers limit themselves to a corporate sector oriented infrastructure that can turn NEI into a corridor to reach ASEAN but does not create the conditions required for people oriented rural development. The infrastructure created by the state does not reach the rural areas.

Towards an Alternative

It is clear that an understanding of the processes of land alienation is crucial for rural development in NEI. Another factor which should be borne in mind is the relations of the tribes with their counterparts in Myanmar. Study shows that when the soil is fertile and has many springs, some tribes like the Angami and Tangkhul practise terrace cultivation or combine it with jhum and even wet rice cultivation (Shimray 2009). Some like the Tangsa tribe of Arunachal Pradesh also practise both wet cultivation and jhum, and have a system of the community recognising individually owned land (Nongkynrih, 2009). But most tribes of the region as well as across the border depend on jhum, land for which is managed as a common property resource (CPR) of the clan over which the individual family has usufruct rights. Health care too is conditioned by poor transport and environmental degradation.

Alternatives have, therefore, to be found to the processes of land alienation. In education and health one needs to go beyond high status urban institutions. Sustainable development involves making the services inclusive and accessible to the villages, particularly to the rural poor. The big institutions may be needed as specialised centres but basic to the approach is respect for every citizen's right to a life with dignity which is how the Supreme Court has interpreted Article 21 of the Constitution on right to life (Vaswani, 1992, p. 158). Education can be a tool to protect this right, for example, by countering the causes of land alienation, impoverishment and ethnic conflicts. One has to go beyond prestigious colleges and cater to villages and small towns. As long as their population lacks access to good colleges in each district, families will be forced to sell their land in order to send their children or the sick to cities.

That is where PPP can provide a solution. Today it is limited to industries and big institutions. It can be made real in villages and small towns. In NEI, free education is limited to mostly poor quality State-run schools. Communitisation, however, has made a beginning in the direction of an alternative. The State can establish a similar partnership with the voluntary sector and Church bodies that provide quality education in villages and small towns. Grant-in-aid is a possible alternative to provide access to poor children to their good institutions and to make Article 21 and the right to education real to the poor. The State can pay the salaries and maintain all the schools coming under the State Board.

The grant-in-aid scheme is not a dream. It has been implemented in the Southern States, Maharashtra and a few others since the 1960s. The State pays teacher salaries and pension and even funds for the maintenance of the buildings of private institutions coming under the State Board. Liberalisation, basic to which is privatisation of services, has started destroying this scheme. Private schools founded after 1992 are not entitled to the grants. If it is adapted to the region it can become a model to the entire NEI too. Its first step is a commitment to inclusive education and to the imperative of preventing land alienation and the conflicts that follow from it. PPP with agencies that impart good quality education can be its tool. The State needs to pay teacher salaries, fund the maintenance of the buildings and other facilities run by them and for mid-day meals. The objective of this approach is to protect the right to education of children who are unable to buy education. The VDBs and communitisation can be models of cooperation between the State and the civil society.

PPP can be a tool also of making health services accessible in the rural areas, particularly to the poor. City based health institutions can provide specialised services but priority has to go to the villages where most health centres exist only in name. PPP with private agencies providing good services can respond to the human right of health care. Besides, transport is also equally important. Focus today is on six lane roads and Asian and National highways. They are required but for the poor to gain access to the market and to the centres of education and health care, it has to give priority to the rural areas. To be inclusive, rural development has thus to go beyond its present form whose benefits tend to remain with 'Shining India'. It has to steer education, health care and transport towards small towns and villages particularly their poor inhabitants. This approach can prevent land alienation and the conflicts that result from it.

One cannot stop at it because education, health and transport can only provide the social and physical infrastructure that the people require. Economic changes beginning with agriculture have to support this process. Today priority in agriculture is accorded to settled cultivation on the assumption that it is the only acceptable form and that shifting cultivation is destructive of nature. One cannot deny that because of causes like deforestation it has become destructive today but in the past it was environmentally the best method for that terrain (Ramakrishnan, 2001). Because of this assumption the trend is to ban it and impose commercial crops on the people over which they have no control. Instead, ways have to be found of modernising their tradition by introducing crops that are within their control and training them to process and market them. Technology has to be invented that takes work in agriculture beyond drudgery. In Meghalaya, food security demands that the land that has become uncultivable is restored. It can provide the employment that the people need in one season till the productivity of that land is restored.

Conclusion

The paper suggests that the type of modernisation of the tribal societies of the NEI on which the present form of rural development is based, results in land alienation and conflicts. Alternatives have to be developed that make it possible for the people to own their development. It has to include not merely agriculture in its limited form but also education, health care and a rural infrastructure and ensure that they go hand in hand in order to make the right to a life with dignity under Article 21 real to every rural inhabitant in the region. It requires a people-centred, not a corporate sector centred understanding of development.

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