



The Righteousness of the Tribes

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The autonomous status of a state brings with it the responsibility to hold onto the aspirations of the population, be it to preserve their respective cultures, providing protections from external threats or even guaranteeing immunity from the potential internal pitfall residing within its boundaries. The free and independent India witnessed many of its colonial provinces and princely states to randomly sketch its boundaries on the basis of language and culture, thus building a new and independent India. One of such demarcation was also registered during the 1970s. Prior to 1970 on 2nd April, Meghalaya was created as an autonomous state, however got the full-fledged state autonomy from Assam on January 21st 1972.

One of the major focus of the then independent India was to ensure national integration within the recently decolonized brains who in the past have suffered the constant threats against their ethnic, moral and cultural identity. The demarcation of the present day two most tourist attractive states of the country were also the result of constant demand of the Khasi, Jaintia and Garo tribes of Meghalaya for a separate state. Thus, these three tribes have been conferred the title of "indigenous tribes" of Meghalaya.

However the race to keep from the atrocities of other tribal dominance and to ensure one's supreme status has led to many resolutions within the state to urge the Centre for amending few changes. The most recent was known through many esteemed local and national prints, running bold-black headlines stating, "KHADC demands ST rights for indigenous tribes only". The headline surely persuaded many to read between the lines.



On December 20th 2023, the Khasi Hills Autonomous District Council (KHADC) i.e on Wednesday passed an official resolution urging the Centre to amend the constitution (Scheduled Tribes) Order, 1950 for recognizing only the indigenous communities as Scheduled Tribes in Meghalaya. The resolution on the first day of the council's winter session extended by the KHADC Chief Executive Member, Pyniaid Sing Syiem stated that the Part XI of the Constitution Order, 1950, when amended has provided a list pertaining to the STs belonging to Meghalaya. He even put efforts to re-examine the list while keeping in mind the increasing demographic status of the indigenous tribes of the state. Later when sought the support of the house, the chief Executive Member himself assured the members that the Executive Committee would immediately write to the State Government to take up the matter with the Centre to ensure only the inclusion of the indigenous communities to the list of the Scheduled Tribes. Even the Leader of the Opposition, Titosstarwell Chyne, expressed his gratitude towards the resolution initiated by the Executive Committee. While his stand of supporting the resolution expressed his concern that the local indigenous tribes do not get any recognition in any other northeastern state whereas the tribals from other parts of the region gets settled in Meghalaya and enjoys their rights as Scheduled Tribes. While addressing the contemporary chaos, he conveys his fears to not witness a situation in Meghalaya similar to the happenings between the Kuki and Meitei people in Manipur.

In the year 2019, Synjuk Ki Nongsynshar Shnong Ka Nongthymmai Pyllun, asked the state government to urge the Centre to amend the Constitutional Order of 1950. In this context Supreme Court clearly stated that a person belonging to a Scheduled Caste or Scheduled Tribe in one state cannot be deemed to be SC/ST in another state where they migrated to venture the opportunities for employment or education.

With vast land tracts and states hosting even large number of people with different ethnicity, moral ethics, cultures and rituals seldom put the authorities in the discussion panels to carefully constitute rights for the benefit of all. One such initiative to ensure the basic rights to the indigenous tribes of the country by our constitution makers was the Sixth schedule. According to the Sixth Schedule the constitution recognises the tribal communities' rights of ownership and absolute control over their land and natural resources as well as provide with protective provisions against external threats from the state and private actors and their counterparts in other areas as well. The Sixth Schedule makes special provisions for the welfare and advancement of the Scheduled Tribes and the tribal areas residing in the parts or the whole of the four northeastern states namely, Assam, Meghalaya, Mizoram, and Tripura. The District Council and the Regional Council under the Sixth Schedule have real power to make laws, possibility on the various legislative subjects, receiving grants-in-aid from the Consolidated Fund of India to meet the costs of schemes for development, health care, education, roads and regulatory powers to state control

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The panel discussions on the amendment of the constitutional prints to secure the rights of the indigenous tribes have been raised during the year 2019. On 26th September, a sub-committee constituted by the State government of Meghalaya decides on recommending the Standing Committee of Parliament the removal of the word "unrepresented tribes" from the amended Sixth Schedule of the Constitution of India. The 18-member committee headed by the District Council Affairs (DCA) minister, James K Sangma during its second sitting recommended erasing of the word 'unrepresented tribes', who all are nominated to the autonomous district councils within Meghalaya from the proposed amendment of the Sixth Schedule. Meghalaya is the home of three major tribal communities of Khasi, Jaintia and Garo, along with other minority tribes. The minority tribes include the Hajong, Koch, Rabha, Boro and Mann. These five minority tribes are clubbed together as "unrepresented tribes". However, sometimes such amendments do not content all the stakeholders and it only benefits some influential groups. The current fear among the minor tribes in Meghalaya with the removal of the word "unrepresented tribes" from the constitution is triggered by such experiences from other parts of Northeast India. Meghalaya's attempt to exclude "unrepresented tribes" from the provisions of the Sixth Schedule of the Constitution has left minor tribes upset and deep rooted the fear that once the proposed amendment is implemented, their rights will be violated. According to the proposed amendment, the constitutional rights to be represented in the autonomous district councils as of now will not permit the 'unrepresented tribes' to get elected on the basis of adult suffrage.

With the above appealing amendment there were many Civil Society Organisations (CSOs) who represented the "unrepresented tribes". They expressed their fear of being made unwanted and non-indigenous in their own homeland. They were not even ensured for their identity in any of the records of the Tourism Government Departments as they haven't found any mentions of them. Whereas the main ethnic communities of Khasis, the Garos and the Jaintias usually find their mentions in official records, tourism advertisements and many more thus binding all the three with a matrilineal system of family lineage. Thus the above article sights to enlighten the fact that the ensured traditional demarcation within the subcontinent on the basis of tribes, culture and beliefs is no more homogeneous in nature but with time, led the market opportunities take over and spread heterogeneous communities. These heterogeneous communities in the contemporary times depend on the sovereign authorities to ensure them security and protection from all the plausible threats.