

Power Knowledge and Environmental Resources: A Study of the Marginalisation of the Tribal Communities of Chota Nagpur

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Abstract

This paper looks at the way power and knowledge structures that seek to control use of environmental resources evolved in the colonial and post colonial period in Chota Nagpur region. The basic idea is to find out how particular knowledge systems based on newly developed scientific rationale in the western world came into being. It also seeks to understand how this knowledge was transformed into forms of governance.

The concern is with interconnections between power and knowledge regimes that regulate access and utility rights of the tribal communities over natural resources. Land is the basic resource possessed by these communities, which is also the basic requirement for industrialisation. Progressively, as the access of the tribal communities to natural resources was curtailed occupational options were reduced thereby creating conditions of marginalisation.

The paper uses theoretical constructs and data sources to situate the study bringing out the intertwined nature of power and colonial institutions. The continuance of the colonial laws in the post independence era and their impact stands forth in the details of industrialisation in Chota Nagpur and nationalisation of the Minor Forest Products trade. The final part of the paper traces the recent efforts of the government to create effective interventions.

The paper concludes that marginalisation is a process and not an event. It is a process that has been in operation in its most virulent form in the last 150 years. The paper thus investigates the processes through which the tribal communities have been pushed to the edges of survival through the power knowledge nexus. This paper is divided into four sections

- I. Systems of Knowledge and Structures of Power
- II. Land Laws and the Tribal Community in Chota Nagpur
- III. Control of Forests and Marginalisation of Tribals in Chota Nagpur
- IV. Industrialisation and Marginalisation of the Tribal Communities in Chota Nagpur

I. Systems of Knowledge and Structures of Power

This paper seeks to focus on the various forms of knowledge used during the colonial era as also after independence to establish certain power structures to control the Chota Nagpur region. Specifically the concern is with the conceptualisation of tribe as an anthropological- political category. The attempt is to find out how particular knowledge systems came into being and their relationship with the idea of modern scientific rationale. The crucial final stage of the argument looks at the transformation of knowledge systems into forms and structures of governance.

“Knowledge is Power” is the institutional crest of School of Oriental and African Studies, established in 1916. At that time ‘Knowledge’ was seen in a positivistic manner as the “knowing facts, dates and ideas”. The slogan also hinted at a wider meaning of ‘knowledge’, which referred to the prerogative of defining knowledge and the way it was articulated”.¹ Knowledge as ‘discursive practice’ implied the right to specify subjects of debate and the space in which they were articulated. The intent was to demarcate the right to ordinate, subordinate and appropriate statements and concepts.² The notion of moral responsibility of the civilised towards the uncivilised people formed the very basis of using knowledge to create instruments and structures of control to create power within the polity

Darwin’s theory of evolution and origins of life and Bacon’s philosophy of science came to provide a scientific frame of reference and argument. The idea of ‘origin’ acquired a new kind of importance. The story of origin thus became an account of classifications, genus, species genealogies, language families, ‘stages of civilization’ etc. ‘Origin’ pointed to a time “other” than the present that yet contained within it the effects and possibilities of the present.³

The development of Anthropology reflects due to the influence of science. Anthropometric measurements like the cephalic index, marking, skin pigmentation etc imparted a strong illusion of scientific rationale to what invariably tended to be a process of racial demarcation. Inevitably this kind of data and genetics acquired a certain political edge. The existence of the tribal communities was first acknowledged by in the East India Company in the latter half of the eighteenth century. The English officials were often confused by the sheer range of diverse social formations and cultural practices.

Ethnological writings of the Asiatic Society of Bengal and Government Reports enhanced and glorified the supposed ‘exotic’ element in the Indian society: the ‘aboriginals’. In 1869, Thomas Henry Huxley, president of the Ethnological Society of

¹ Engels, Dagmar (1994): Modes of Knowledge, Modes of Power: Universities in 19th Century India, in Engels, Dagmar and Marks, Shula (1994)(ed): Contesting Colonial Hegemony, State and Society in Africa and India, British Academic Press, London, p. 87.

² Foucault, Michel (1972): The Archaeology of Knowledge, Routledge, London, p. 182-3.

³ Pels, Peter (1999): The Rise and Fall of the Indian Aborigines, Orientalism, Anglicism, and the Emergence of an Ethnology of India, in Peter Pels and Oscar Salemink (ed): Colonial Subjects: Essays on the Practical History of Anthropology, University of Michigan Press, Ann Arbor, p. 87-89.

London emphasized that the attempt was to gain knowledge of the “savage hill tribes”.⁴ The colonial officer and the missionary were the two principal sources of information concerning the hill tribes. As argued by Inden and Said, they “essentialised” the reality and ‘imagined’ and constructed categories designed to exercise hegemonic control over the ‘Other’. Yet as discussed by Susan Bayly (1995) the idea of narrow self-contained, so called hegemonic knowledge and data collection is deceptive. Colonial ethnography in practice is vastly diverse in its description of “caste”, “tribes”, “races” and “nations”.⁵ Pels is of the opinion that early Indian ethnographic data classified human beings according to the “primordial ‘seat’ of their ‘race’”⁶ It tended to “reinvent caste” which became the basis of Pan-Indian surveys of “tribes and castes from the late 1860s onwards”⁷

The transformation of orientalism into ethnology happened essentially at the level of the actual encounter and engagement tribal communities.⁸ Orientalist knowledge of “foundational texts gave way to the ethnological articulation of knowledge on bodies. The suggestion that there was a part of the Indian population that was both “originally” different from, and much older than, Hindu civilization reduced the importance of both texts of this civilization and the pandits on whom the British relied for their translation”⁹

The actual relationship between colonizer and colonised in the first half of the nineteenth century - statistical and scientific supervision, military and labour recruitment and missionary activity made the bodies of colonized more important to the colonizer than their speech or writing. The emergence of ethnology of India marks the maturing of colonial practices that tried to mediate between the “practices of difference”¹⁰.

Dirks and Pels argue that the colonial forms of the knowledge progressively “deprivileged historical knowledge and replaced it with anthropological knowledge”.¹¹ An important example of this fact is found in James Mill’s ‘History of British India’ (1858). Mill disregarded ethnographic knowledge. He conceded that he had no experience of India or its languages. Such knowledge according to him was unnecessary. Mills held the opinion that “Hindu fiction” carries all the marks of a rude age. Hindus are

⁴ Huxley, Thomas. Hnery. (1869): Opening Address by the President, Special Meeting on the Ethnology and Archaeology of India, Journal of Ethnological Society of London. n.s. 1, p.89-94.

⁵ Bayly, Susan. (1995): Caste and Race in Colonial Ethnography, in Peter Robb (ed): The Concept of Race in South Asia, Oxford University Press, New Delhi., p. 166

⁶ Pels, Peter. (1999): The Rise and Fall of the Indian Aborigines, Orientalism, Anglicism, and the Emergence of an Ethnology of India, in Peter Pels and Oscar Salemink (ed): Colonial Subjects: Essays on the Practical History of Anthropology, University of Michigan Press, Ann Arbor.

⁷ Dirks, Nicholas. B. (1992): Castes of Mind in *Representations* No. 37, p. 56-78.

⁸ Ludden, David, (1993): Orientalist Empiricism, In C. Breckenridge and P. Van Der Veer (ed) *Orientalism and the Post Colonial Predicament, Perspectives on South Asia*, University of Pennsylvania Press, Philadelphia, p. 255.

⁹ Ibid.

¹⁰ Van der Veer, Peter, (1993): The Foreign Hand, Orientalist Discourse in Sociology and Communalism, In C. Breckenridge and P. Van der Veer (ed) *Orientalism and the Post Colonial Predicament, Perspectives on South Asia*, University of Pennsylvania Press, Philadelphia, p.27-29.

¹¹ Pels, Peter, opp. cited p. 83-90 and Dirks, opp. cit.

“perfectly destitute of historical records”.¹² True history therefore can only be written from a “critical” or “judging history”, an English point of view.

Settlement records, census, district gazetteers were all means of categorizing and classifying data that would help in greater control of the people. The categorization of different communities and the flora and fauna all served to enhance control over the environment in a firmer manner. The idea was that as the cataloguing was done for inanimate objects, so could the living species be better known and controlled.

Francis Buchanan, the first officer to have conducted a survey of Bengal between 1806-1813, established a pattern of colonial knowledge that holds sway till date in India: ‘statistical surveys’ came to be part of the various Gazetteers and the census documents. Pels characterises Buchanan as an example of “the intimate relationship between science and statistics” on the basis of his “botanical and zoological work”.¹³ The idea of statistics in the colonial thinking was less aligned to the modern science of quantification but more to the original meaning of the German words “staatenkunde” or “statistik” meaning statecraft. This was a departure from the earlier travelogue knowledge style and the older Orientalists’ textual content of the colony. Sir John Sinclair in nineteenth century England had begun the process of reform in society by directing statistics towards the ‘others’ in their society: the criminals, lunatics, their education, religion etc. In the context of India, the entire society was of other.

Similarly, Bernard Cohn remarked, “through the asking of question and compiling of information in categories which the British ruler could use for governing, it provided an arena for Indians to ask questions about themselves and Indians utilised the fact that the British Census Commissioners tried to order tables on caste in terms of social precedence”¹⁴.

The Settlement Reports and the Land Survey Reports were means of knowing who owned how much land as well as its quality. Surveys of forest tracts were often contrived to include a larger area. An instructive example in is the case of Porahat sub division in Singhbhum, (1906-1911). The survey officer T.S. Macpherson expressed his deep unease it caused. According to him this kind of lacunae caused the local people to distrust the land survey and with hold information and distrusts the administration. Various committee reports such as Famine Reports of the different years, the labour migration reports all point to the colonial obsession with figure/ numbers. The subtext is that figures en mass represent a body without identity and cohesion so that different categories can be made according to the understanding and needs of the colonial rule. This transformation or reconfiguration of the identities was done at all levels, political,

¹² Ibid, p. 115-116

¹³ Pels, cited above, p. 94.

¹⁴ Cohn, B.S. (1994): *The Census, Social Structure and Objectification in South Asia*, in B.S. Cohn (ed): *An Anthropologist Among Historians and Other Essays*, Oxford University Press, New Delhi.

social and economic. Strangely, the colonial government refused to accept the overlap of different spheres, thereby maintaining a strict and rigid structure of categorizing.

Thus emerged categories like advanced tribes (Santhal, Mundas, etc) and backward tribes (Baigas, Khonds etc), plains tribes (Santhal etc), or the hill tribes (Mal Pahariyas etc), and criminal tribes (Pahariyas). The basis of this categorizing was often ambiguous and designed according to the needs of governance. Various concerns and notions shaped the discourse on tribes. The dominant consideration seems to have been social and cultural changes associated with evolutionary movement from 'savagery' to 'civilization'.

Hence the assertion of James Logan in 1854 that in India, history is the "slight superstructure" while ethnology provides the "solid basis".¹⁵

The orientalist's 'Hindu civilization' was thus seen to be ruptured by the presence of aborigines. Whereas earlier, language was something that had tied them together now "language indicated racialized bodies whose interests were opposed to the "usurping Hindus" as Hodgson¹⁶ called them. This racial division can partly be interpreted as a particular phase in which a group of British traders turned into a colonial administrators which increasingly saw the cultural, political and economic involvement with an Indian elite as corrupting and compromising. Moreover it produced a paradoxical advocacy of Indian "aborigines" that lasted into the 20th century.¹⁷ The politics of aboriginality is always enmeshed in the paradox that the definition of the ethnic essence of such people seems impossible without these people moving 'ab origine' that is away from the primordial seat that had till then characterized them.

As colonialism penetrated and spread, regional societies in various provinces were studied and what came to the fore in many cases challenged classically held notions of these communities. But even then it cannot be denied that the overarching structure for understanding the society at large was caste as a monolithic institution, and in relation to it were located tribes and other groups in a complex hierarchical interplay. Certain fluidity was believed to have existed at least in peripheral regions, in that groups, ethnographically distinctive, were conceded to be outside of the stereotypes of fixed pan-Indian caste hierarchies and of an all pervading brahmanical value system. These are the areas that Sivaramakrishnan (2000) refers to as boundary zones in his analysis of the jungle mahals of Bengal.

Till today there is a debate on what is a tribe, from the studies of British colonial administrators like E.T. Dalton (1872) and H. Risley (1891) to the pioneer works of S.C. Ray (1912, 1915) and V. Elwin (1943), as well as the bulk of contemporary writings on

¹⁵ Hunter, William. Wilson, (1886): Life of Brian Houghton Hodgson, John Murray, London, Reprinted in 1991, Asian Educational Services, New Delhi.

¹⁶ Hodgson, cited above, p.143.

¹⁷ Elwin, Verrier, (1963): New Deal for the Tribal in India, Ministry of Home Affairs, Government of India.

the adivasis, the term tribe has remained vague, not adequately conceptualised.¹⁸ In general tribes were seen as homogeneous units forming undifferentiated blocks (although set in hierarchy of more and less primetime groups) marked by backwardness. Nag (1968) asserts that the notion of a tribe has generally been associated with a largely undifferentiated pre-state segmentary formation.¹⁹ Yet for the colonial officials the idea of tribes became synonymous with primitivism, animism and backwardness. K.S.Singh (1978) puts forward two ideals held by colonial ethnographers /anthropologists. One is that the “Tribal communities were treated as isolates, tribals as Noble Savages and the primitive condition was described as a state of Arcadian simplicity. Secondly the idea was that ‘tribes were a sub-system of the Hindu system and that they were being absorbed into the Hindu Society.’²⁰

Interestingly, in no Indian language does the word “Tribe” occur, defined by the Oxford dictionary as a race of people”, new applied especially to a primary aggregate of people in a primitive or barbarous condition under a headman or a chief”. In India these autochthonous communities were known as Jana and the other word to describe the Hindu system was jati’, both derived from the root ‘janm’ meaning to be born or to give birth to, thus implying a primordial community. This view given by Professor Nihar Ranjan Ray is not without its problematique. The most commonly used term of the adivasi seems to be more appropriate. K.S. Singh (1989) suggests that these categories appear rather amorphous in a fluid social situation. According to him, “The tribes in the ancient period were better known by territorial categories rather than discrete categories”.²¹ Various concerns and ideas shaped the discourse on the tribes, dominant themes being that of social and cultural changes which accompanied the broader question of evolution / movement from ‘savagery’ to civilization.

The British espoused the policy of isolation for the tribal communities, yet it was the colonial actions that ended the isolation of these communities. Land is the basic environmental resource that was owned by the tribal populace of Chota Nagpur. The process of land alienation has been in continuance here for a long time but it saw unprecedented growth during the colonial rule.

Increasing accessibility to the tribal areas that had hitherto been encircled by forests primarily caused this. The change in the mode of production (industrialisation) and the alignment of the tribal economy to the world capitalist system created a means of exploitation. The set up of the various fairs and markets to facilitate the exchange of goods in the Chota Nagpur region gave ready access to the outside business men in the hitherto jungle areas. The development of the road network was also responsible for this

¹⁸ Devalle, S.B.C. (1992): Discourses of Ethnicity, Culture and Protest in Jharkhand, Sage Publication, New Delhi, p. 13.

¹⁹ Nag, (1968):

²⁰ Singh, K.S. (1978): Tribal Situation in India, Concept Publications, New Delhi.

²¹ Ibid.

facilitation. This enabled the market system to penetrate deep into the tribal areas and the traditional forms of exchange died away. With the market come the middlemen, the 'diku' connoted as the exploiters. The windfall gains to be had from trade in these areas as the prices charged were exorbitant attracted the traders. The establishment of the Railway networks gave even more easy access to a greater number of outsiders to this region.

From the very beginning the English had considered the Zamindars as the proprietors of land. Therefore, the actual cultivators lost out. In the tribal areas the village chiefs, mankis, (majhi's) Parha Chiefs were considered the landowners. The Permanent Settlement Act of 1793 introduced by Lord Cornwallis on 22nd March, 1793 was a land mark in the agrarian history of Bengal. Bagchi (1992) comments that in the Act the "government authorized a small group of large revenue payers to collect the land tax from the occupiers or cultivators of land and then pay most of it into the government coffers, after retaining a portion (initially authorized to be 10% of the revenue) as the reward for their trouble. This system is better styled as the Zamindari rather because it was only in the case of these large revenue payers (who were usually called "Zamindars" in British Documents) that the quantum of tax on a given piece of land was fixed permanently".²²

What the permanent settlement actually did was to vest individual land proprietorship on a host of landowners taken en bloc to be Zamindars, who could freely inherit, sell, mortgage etc. It seriously weakened the common peasantry and created sharp conflicts in the countryside. The idea was to fix the rents once and forever, so that the land owners could use the surplus over time to improve land and productivity. Permanent Settlement was for the low lands of Bengal. Sen (1984) opines that it encroached into woodland Bengal though Chota Nagpur plateau inhabited by the tribal people quite distinct from the rest of the people of Bengal.

To enhance the imperial timber trade certain regulations were created so as to protect the forest wealth. This took the shape of systematic cutting down of jungles and creation of reserve forests.²³ Botanical knowledge was systematised for colonial needs. Many precious species of trees were identified. Their understanding of the forests and the tribals' relationship with it was subsumed under their military and commercial requirements²⁴.

According to Jewitt, (1998) the base of the scientific forestry in India is the evolution of "European silvicultural principles and centred around the production of

²² Bagchi, Opp. cit, p.5.

²³ Skaria, Ajay,(1999): Hybrid histories: Forests, Frontiers, and Wilderness In Western India, Oxford University Press, New Delhi.

²⁴ Fuchs. Stephen, (1992):Indian Tribals and Forests, in Buddadev Chaudhuri (1992) (ed) Tribal Transformation in India, Vol III, Inter India Publications, New Delhi, p.363.

sustained timber yields often through creation of monocultures”.²⁵ A major shaping role was played by “developments of earth and planet sciences landscape aesthetics and hunting attitudes in Europe was salient to the production of colonial forest knowledge” and the working of the forestry laws reveal “competing agendas for using power, competing strategies for maintaining control and doubts about the legitimacy of the venture”.²⁶

Forestry operates in a dual manner: first forestry as land management is involved in broader issues of land administration – agriculture, revenue, and stability achieved by continued production. Secondly, the forest departments feel the pressure to develop, standardize procedures that are universally acceptable; these should also be in tandem with the larger governmental procedures. There is then a tension between fitting forestry into a wider universe of managed landscapes of production and identifying it as a distinct professional activity. The effect of this tension suggests a constant production and transformation of science in its applications, the context of which is often development.²⁷

Therefore, forest conservancy in colonial Bengal began with the urge to directly control, systematize and regulate the extraction of timber from what was thought to be the rapidly deforested hardwood jungles. ‘The rhetoric of conservancy espoused the environmental ideas of watershed management, species conservation and wildlife protection, alongside it also expressed strident political and economic realities of territorial expansion, the establishment of British rule in strategic regions, and the laying down infrastructure for administering the empire. While both strains of conservancy ultimately facilitated the disempowering of local communities in the forests, and expedited capital accumulation through forest exploitation, they ‘created, in their discordance, interstitial spaces for the modulation of forest policy’.²⁸

The colonial rulers found the forests not being used to their optimum, (in their opinion) and also that the presence of these formed a boundary to their expansion of territory. The land revenue being exacted from the forest areas was also minimal since the soil was not of good quality so as to support intensive agriculture.²⁹ This became evident during the initial years of expansion of British rule in India, when in the Chota Nagpur region the tribals protested fiercely against encroachment in to their territory. The main problem during the Chuar Rebellion as faced by the British was that the miscreants hid in the jungles and outsiders were afraid to venture into the dark depths of these forests

²⁵ Jewitt, Sarah (1998): Autonomous and Joint Forest Mangement in India’s Jharkhand: Lessons for the future? In Roger Jeffrey (ed) (1998): The Social Construction of India’s Forests, Oxford University Press, New Delhi, p.147.

²⁶ Sivaramakrishnan. K, (1999): Modern Forests Statemaking and Environmental Change in Colonial Eastern India, Oxford University Press, New Delhi, p. 77.

²⁷ Sivaramakrishnan. K, (2000): State Sciences and Development Histories: Encoding Local Forestry Knowledge in Bengal, Development and Change, Vol. 31, pp.61-89.

²⁸ Ibid, p. 70.

²⁹ Sen. Suchibrata, (1984): The Santals of Jungle Mahals, An Agrarian History 1793-1861, Ratna Prakashan, Calcutta.

which had hitherto been inviolable. The dense forests of the Chota Nagpur plateau thus formed a barrier or rather a boundary of the British Empire at the early decades of British rule in India. The forests were considered to be infested with a lot of dangers: wild animals, diseases as well as ferocious and rebellious tribes men. Moreover, they experienced their first opposition to extending and establishing their rule in this region from the tribal populace.

So the forests presented a dichotomy, a resource that was not available to them and also as an area that sheltered the revolutionaries. It took the British administrators about 100 years since the inception of their rule in India to come up with the idea of creating reserve forests. To deal with these they created certain rules that helped them to rule and regulate these spaces of 'anomaly' (Sivaramakrishnan, 1999)³⁰ that did not fit into their conception of woodlands. Zones of anomaly are those spaces in colonial historiography that did confirm to the British idea of wood lands or the forests.

The Act of 1865 classified forests into reserved and unreserved. The reserve forests were to be state owned and the rest were left out. Notably, the privately owned forests were exempted from this rule. This ensured that the maximum of the forests held by the landowners were left undisturbed, only the common property resources were attached. By this time the Permanent Settlement Act had already been implemented. So the major revenue payers in that system, the land owners were exempted from the purview of the Act of reserving the forest lands, which were classified as the privately owned lands. To disturb them would be to cut the revenue to be generated from the land holdings as zamindaris and estates.

The only lands that were left were the communal lands owned by the tribal communities. Also, these groups did not have any formal boundary demarcating their land or formal documents regarding land ownership. It was all an understanding between the tribal communities who live in the forests and those who lived in the fringe areas of the forests. These unclassified forests were later on surveyed and progressively demarcated as reserves forests. The reserved forests were made out of bounds local populace. In fact the initial reason for creating such an Act was to counteract some local pressure from various interest groups. In the Chota Nagpur region, the prime interest groups were the forest contractors who were afraid of losing their trade profits as they were in continuous disagreement with the local adivasi³¹ communities about the limit of the forests that they could lease. Also, "There were pressures from forest dwellers, who on the other hand were losing their homeland and their very means of existence, the land settlement surveys had ignored their rights and failed to provide titles to their lands".³² Shifting cultivation was officially banned in the Central Provinces in 1867; later on this

³⁰ Sivaramakrishnan, K, (1999): *Modern Forests Statemaking and Environmental Change in Colonial Eastern India*, Oxford University Press, New Delhi.

³¹ Adivasi, literal meaning of the word is original settlers or original people. This is a synonym used to denote the indigenous communities or the tribal populace in the Chota Nagpur region.

³² Devalle, Opp. Cit, P. 85.

was also applied to the Chota Nagpur Division. The Act of 1878 empowered the government to “declare any land covered with trees, brushwood or jungle as government forest by notification” (Ghate, 1992:33)³³. This was followed by the declaration whereby all commercially viable forests were reserved. “This Act established the colonial state’s monopoly right over India’s forest lands which were to be divided henceforth into four categories:

1. Reserved Forests
2. Protected forests
3. Private Forests
4. Village Forests” (Jewitt, 1996:44)³⁴

II. Land Laws and the Tribal Community in Chota Nagpur

As the revenue demands went up due to the imposition of the Permanent Settlement Act more estates (Kingdoms and Zamindaris) were broken up to garner the revenue. An instance is gathered from some estates’ valuation of revenue demands in the areas later termed as ‘Jungle Mahals’ of Bankura and Manbhum districts in 1793. The increased revenue demands were difficult to be met as the system of land taxation in the Chota Nagpur region was substantially different from the rest of the Bengal Presidency areas.

The revenue demands were not properly assessed since the actual resources of the region was not known and the area was covered with thick jungles. The lateritic soil did not yield much production and the populace depended a lot on forest products such as mahua flowers, wax, wood, dry leaves etc. Unfortunately with the introduction of the Permanent Settlement all their right to forest products were also lost, since they were leased out to traders (the land of the villages was and that meant trees and shrubs too). For instance, a letter from one such trader Mr. Heaven wrote to Mr. S. Davis, the then collector of Burdwan (1793) “I shall.... for the purpose of an exclusive privilege of cutting what wood. I may want and to procure other produce of the jungle may afford. I know of no table of rates or duties enacted under authority of it... I shall enact name, neither shall allow any person to cut wood, take any other produce of that jungle without paying what I have been obliged to pay to pay”.³⁵

The back lash of all such processes was the Chuar rebellion of 1799-1800. The transformation of ownership in landhold rights was partly thwarted in the jungle parganas. But the gradual extension of cultivation by forest clearing after 1800 introduced new groups into the peasantry (first the Bhumij castes from North Bihar and Eastern United Provinces had replaced tribal groups between 1775-1800 and now they

³³ Ghate. R.S, (1992): Forest Policy and Tribal Development, A Study of Maharashtra, Concept Publishing House, New Delhi.

³⁴ Jewitt. Sarah, (1996): Agro- Ecological Knowledges and Forest Management in Jharkhand, India: Tribal Development or Populist Impasse? PhD Dissertation submitted at the University of Cambridge, 1996.

³⁵ Proceedings, Bengal; Board of Revenue No.21 of 6th August 1793., Letter from Mr. Heaven to the Mr. Davies, Collector of Burdwan.

were displaced by Sadgopes from lower Bengal) and spread a system of mouzawar assessment (village tenures that strengthened village heads).³⁶ The village heads were called mandals, pradhans and majhis depending on whether these were Mahto, Bhumj or Santhal villages, often lost out in the process as more powerful people usurped their positions. They often organised raiyats effectively against 'Jamabandi' (revenue assessment).³⁷

So much of alienation of tribal land in the Chota Nagpur region occurred primarily because of lack of British conception about customary rights and common property resource. Fischer and Krutilla.... have attempted to define common property resources (CPR's) as "a resource used if not necessarily owned in common by all members of the community". They further emphasised that "neither inclusion nor discrimination is permitted in respect of their access, it is therefore often referred to as open access resource"³⁸

Das (1984) opines in a paper based on the views of the English jurist Blackstone, that originally rights to property accrued to individuals from the property of nobody or **res nullius**.³⁹ According to Roy Burman (1992) from this accrues the rights of the conqueror over land.⁴⁰ They ignored that individual rights over land was embedded within communal rights.⁴¹ For the British all lands in the Chota Nagpur seemed to be *res nullius* as had happened in the European Colonisation of the Americas.

The other concept in legality of land ownership is **lex loci rei sitae** or the law of the place where the thing is situated. This "means that the general rule of the common law is that the laws of the place where such property is situated exclusively of the parties, the modes of transfer and the solemnities which should accompany them. Faced with the difficulty of applying the principle of *res nullius* in the areas of Amerindians conquered by European settlers, the colonialist argued that the original populations were too 'barbaric' to have a *lex loci* which could be recognised by Court. The British Privy Council postulated as late as 1919 that some cultures might be so 'primitive' as to create an "unbridgeable gulf" between themselves and the concept of *lex loci*".⁴² To be noticed here is the use of imagery of that quintessential "Other" in the projection of the native populace

³⁶ Sen, (1894), *Opp. cit.*

³⁷ Sivaramakrishnan, *Opp. cit.*, p.52.

³⁸ Fischer and Krutilla, quoted in Barik, B.C, (2000) (ed): *Resource Management and Contours of Development*, Rawat Publications, Jaipur.

³⁹ Das, J. N, (1984): *Land, Land Relation and Land Reforms in the Plains and Valleys of North East India*, (Paper on the same theme organised by the North East India, Council for Social Science Research, Shillong, April, 17-18, 1984).

⁴⁰ Roy Burman, B.K, (1992): *Historical Process in Respect of Communal Land System and Poverty Alleviation Among Tribals*, In Bhuddhadeb Chaudhuri (ed): *Tribal Transformation in India*, Inter India Publications, New Delhi, Vol. III, p.134.

⁴¹ Goswami, M.C, (1986): *Traditional Land Tenure and Land uses Among the Communities*, In, B.N. Bardoli, (ed): *Alienation of Tribal Land and Indebtedness*, Tribal Research Institute, Assam.

⁴² Roy Burman, *Opp. cit.*, p.142.

The agrarian discontent remained and found various expressions in the ‘mulkai larai’ ‘ulgulan’ and ‘bhumakal’.⁴³ Moreover, this period saw massive erosion in the traditional forest rights by means of the newly imposed forest reservation laws; restrictions were also imposed on shifting cultivation and the increase in begari and immigration to plantations. Further, these movements had a definite religious and political overtone. They sought to restructure the entire social system - the beginning of revitalisation Movements. The Kherwar Movement (1871-90), Santhal insurrection lead by Sidhu Kanhu, and Dupu Gossain (1856-90), the Munda Oraon Sardar Movement (1869 – 1895), Birsa Munda’s Ulgulan 1895-1900) all had these elements in their movements, aligned was the want of a separate homeland, the “tribal kingdom”.⁴⁴

After independence India set sail on the boat of development, Nehru’s views were for rapid industrialisation, and in the constitution of India the main thrust of provisions for tribal areas were

1. To protect and promote tribal interests through legal and administrative support and
2. To raise the economic condition and thereby upgrade their quality of life

For India to industrialise it required basic industries and mineral wealth. Bihar rather Chota Nagpur is known as the ‘Ruhr of India’. It has large resources of coal, iron ore, mica, manganese, copper, chromite, clay, fireclay and apatite. Logically therefore, this is the region that has maximum industrialised at the most rapid rate.

The Chota Nagpur Tenancy Act of 1908 was the only Land Act to protect the customary rights of tribal peasantry. Land transfers can only occur with the permission of the Deputy Commissioner. “The C.N.T. Act (1908) **with some modifications** is affective in the plateau region even today”.⁴⁵ Yet the Land Acquisition Act of 1894 empowers companies government authority and private persons to acquire land for mineral exploitation and public purposes. The same law applied in the Chota Nagpur region with some modifications, amended once in 1967 for changes in interest rates and once again in 1984 regarding the satisfaction of legality of possessor of the said land. Therefore, there is a legal method by which land is alienated from its original tribal possessor.

The state of Bihar passed the abolition of Zamindari Act as the Land Reforms Bill in 1950 and the Bihar Agricultural Lands – Ceilings and Management Bill in 1955. Yet all these laws could not check the continued presence and importance of the money lender despite passing the Money Lender’s Act in 1974. The Kamiti labour regulation act passed in 1920, making bonded labour a feature of rural Bihar has still not been

⁴³ These are all synonyms for revolution, used in the different revolts enacted in the region.

⁴⁴ This was Birsa Munda’s dream, that he fought to achieve, K. S. Singh mentions this in his book, the Hanging mist and the Dust Storm, Birsa Munda and his Movement, 1874-1901, A Study of a Millenarian Movement in Chota Nagpur, Oxford University Press, New Delhi.

⁴⁵ Sarkar, *Opp. cit.*, p. 101.

abolished. As Devalle (1992) comments, “All this legislation could not contain money lending and land alienation through manipulation of the law”.⁴⁶

III. Control of Forests and Marginalisation of Tribals in Chota Nagpur

After independence, India issued the first forest policy in 1952. This policy was almost a copy of the colonial policy and placed faith in the scientific forestry methods. There after some changes have been inducted. A major change was the nationalization of the minor forest produce trade in the 1974. The forest laws in Chota Nagpur were also subject to the various land laws of the state of Bihar.

The tribal communities who were expecting amelioration of the stringent forest rules were disappointed. Rather they lost out in the development stakes of the nation. In fact, the Act of 1952 is based on the Voelcker Resolution of 1894, therefore the structure and the objectives of the post colonial forest policy are similar to the earlier colonial policy.

The Indian Forest Policy stressed on ‘scientific forestry’, forest privatisation and reservation, trying to implement the colonial system of classification “with greater zeal”(Singh, 1986:3).⁴⁷ According to Guha, (1983:1888), “The Act also emphasised the importance of the ‘national importance’ over and above the needs of local people”. The driving interest behind this was to pacify India’s enlarging industrial, commercial, communications and defence needs.⁴⁸

Unfortunately, the development agenda followed by the country after independence clashed with the Forest Policy’s stated goal of conservation. The forest’s welfare gave way to the ‘national interest’, that is industrial requirements. The main aim was to enhance the forest based industrial projects. Timber and other forest products’ exploitation went on a major scale hand in hand (Guha, 1983, Ghate, 1992, Pathak, 1994). According to Pathak, (1994), between 1956 and 1967, the extraction of industrial wood increased from 4, 460,00 cubic meters to 9,260,000 cubic meters and between 1948 and 1970 the consumption of printing and writing paper increased from 100,000 tonnes to 400,000 tonnes. Similarly, the rate of revenue increase was five times from Rs.24 crore within the period of 1950-51 to 1970-71.

At times this revenue increase was made over ruling the welfare of the people as well as their rights to the forests. The example is found in the policy regarding the disbursement of bamboo for the paper industries. The policy was to sell the forest produce at concessional rates from depots run by the Forest Department. The draw back to this sound system to prevent excess exploitation of the forests was that these depots were rarely had the products preferred by the local people, and the industrial needs were

⁴⁶ Devalle, Opp. cit, p, 75,

⁴⁷ Ibid

⁴⁸ The classification of forestry presented in the Act was: 1. Protected Forests 2. National Forests, 3. Village forests and 4. Tree lands.

always given preference. This was also a loss incurred by the forest department since the industries were on a subsidy and paid less than the price that the local people would pay. The bamboo was sold at a rate of 22 paise to Rs. 22 per tonne, to the industrial houses and the local artisans had to pay Rs. 1200 on the open market, making hand made and craft paper more expensive. On the other hand the paper mills could sell their products at a much lower price.

Much of the mineral exploration was on forested land. The state of Jharkhand has a forest cover of up to 70 %, yet, the maximum of industrial development is also present there. This also implies that the forests were of secondary consideration as was their inhabitants, since the mining companies and industrial complexes where personnel were recruited from outside the region acquired much of forested land.

Chota Nagpur's chief mineral deposits are coal, iron ore, copper, mica, bauxite, dolomite, fireclay, kaolin, kyanite, and limestone. The metal mineral resources of bauxite, copper, iron and manganese constitute 22%, 24%, 18 % and 11% respectively, of the country. To assess forest cover in these areas, forest cover map prepared by FSI, based on 1997-98 satellite data was overlaid on the composite mineral maps provided by Indian Bureau of Mines, Nagpur. It has been found that in 1993, of the total 399 leases of all minerals, 93 leases of bauxite, copper, iron and manganese are being operated over 21,589 ha of area, which includes 10,151 hectare of forest cover. Table 1 shows the percentage of forested land that is used as leased land for mining purposes; the overall percentage for Chota Nagpur is 42%

Table 1. Encroachment of Leased Area on Forest Area

District (1991)	Mineral Deposits	Lease Area (in ha)	Forest Cover (in ha)		
			Dense	Open	Total
Gumla	Bauxite	06,665	2,421	631	3,052
Palamu	Bauxite	309	2	62	64
Lohardaga	Bauxite	3,070	1,943	169	2,112
Singhbhum	Copper	6,418	463	582	1,045
	Iron & Manganese	5,127	2,735	1,143	3,878
Total		21,589	7,564	2,587	10,151

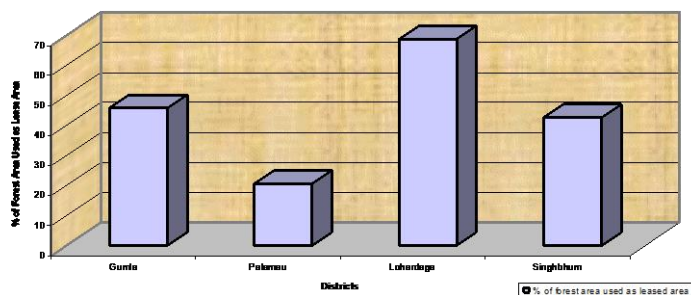
Source: A Study of Forest Survey of India (Unpublished), 1997

Computing further from the above table, the percentage of forest area used for mineral exploration is calculated. This underlines the idea that forest cover is secondary to the ideals of industrial development.

Table 2. Percentage of forest Area Used as Leased area for Mining Purpose

District	Lease Area	Total Forest Area	% of forest area used as leased area
Gumla	6,665	3,052	45.79144786
Palamau	309	64	20.71197411
Lohardaga	3,070	2,112	68.79478827
Singhbhum	11,545	4,923	42.64183629

Source: Table No 5. Figure 6 indicated the percentage in the different districts, 1997



“The extent of this exploitation had severe implications not only for forest stability, but for the livelihoods and culture of the forest dependent populations whose control over the remaining common property resources was further eroded and whose role in management of state forests remained minimal. At the same time growing populations of local people were putting further pressure on declining areas of Village and protected forests in their attempts to meet their subsistence needs for forest products” (Jewitt, 1996:49).⁴⁹ Many others became wage labourers to meet their subsistence needs, thereby unbalancing the labour market. The presence of extra labour in the market further depressed the wage rate prevalent.

The Forest Bill of 1981 barely saw any change in its composition, the commercial basis of British forestry tradition was kept alive, when 81 out of 84 provisions of the Act of 1894 was incorporated in the new bill. Also introduced were further restrictions on peoples use of forests and more heavy punishment for forest crimes. It also recommended the enhancing the powers of the forest officials to contain forest crimes, despite the previous evidence of the preceding years when the forest officials had corroborated with the contractors illegally and destroyed forests (Guha 1983). Finally the bill was not

⁴⁹ Jewitt, Sarah, (1996): Agro- Ecological Knowledges and Forest Management in Jharkhand, India:Tribal Development or Populist Impasse? PhD Dissertation submitted at the University of Cambridge, 1996.

accepted due to steady opposition from both the forest dwellers and the intellectuals from all over India. The Sixth Five Year Plan (1979-1984) emphasised the need to protect forests to help sustain agriculture and significant financial outlays were made for forest conservation, afforestation, fuel wood creation, and establishment of environmental stability. "The plan also reflected wider environmental concern for genetic diversity in its emphasis on the need for complete protection for representative sample of land, water, flora and fauna in sanctuaries and biosphere reserves. Project Tiger had been set up in 1973 and between 1970 and 1988 the area under wildlife reserves increased from 2.3 % to 4 % of India's land area. Palamau has the only tiger reserve in the region. The Tiger project in Palamau has caused the displacement of many tribal communities living in the area. The extensive displacement has resulted in loss of livelihood of the people. All that resulted in the tribal populace's involvement in the naxalite movement in the region.

Social Forestry and Joint Forest Management showed some livelihood enhancement results in the 1980s, this was attributed to the changed attitude of the government in giving increased attention towards community forestry. Yet, the emphasis on commercial forestry did not decrease. This was a 'top down' approach, where the learned were going to teach the illiterate; and ended up serving the interests of the rich farmers. Marginalized communities (tribals and other people living near the forests) have often been excluded from the benefits of social forestry schemes. The rich afforded both the necessary inputs and the time lag required for trees to mature. Landless people, by contrast, have often been forced into losing their traditional access to village common property resources by appropriation of village commons 'wastes' by the state for social forestry programmes. This was a method of non economic coercion by the rich people of the village in connivance with the officials who were only too happy to benefit from the underhand deals.⁵⁰

The twist in the tale here is that in 1975 the trade in minor forest products was nationalised. Therefore, only the villagers can now collect those items that have not been put on the protected list. But this move has instilled a sense of belonging in the villagers and they are less inclined towards committing forest crimes (Jewitt, 1996). This is an indication of participatory forest management techniques and quite a lot of degraded sal forests have thus been revived. Yet, the states control over the natural resources has not lessened, rather it is tightening the control.

The result of this policy is visible in the increased reclamation of degraded forests and increase in forest cover in the region. The result might also be attributed to the fact that for the first time the government has acknowledged the fact that the people living near the forests are not always hindrances to progress, that their involvement is necessary in the path of development. Moreover, there is increase in use of indigenous knowledge in the forest management process and less of imposition of scientific techniques; what has been

⁵⁰ Sharma, R. A, (1991): Socio Economics of Participatory Forest Management in with Particular Reference to Orissa, In, R. Singh (ed), *Opp. cit.*

achieved is a compatible mix of the knowledge systems, keeping in view what is good for the growth of the trees.⁵¹ The current status of forests in Jharkhand shows less than 30 % of land as forested.

Minor Forest Products or MFP has an extremely important role to play in the tribal economy. MFP indicates all forest products, other than timber. Therefore these form “important raw materials for cottage, small and village industries and contribute to national economy through export and import substitution” (Kumari and Sinha, 1994: 348).⁵² Tribal communities depend primarily on forests for their livelihoods and collect various forest products for their food, medicine and building materials. Many studies have brought out the fact that about 10 % - 15 % of the income budget of an average tribal family is financed through sale of MFPs in the local markets.

The first phase of nationalisation began with the nationalisation of the trade in Kendu (bidi) leaves in 1973. This was a very important Act since Kendu leaves have about 40 % share in MFP trade. This was done with the help of Bihar Tribal Economic Condition Improvement Act, by whose sanction the state has a monopoly of MFP trade in tribal areas, the collecting authority being BSFDC. The process of Nationalisation was repeated in 1977-78 when the collection of Sal seeds came under its preview. The order on Kendu leaves was reiterated. Slowly, during the 1980s trade in almost all the important MFPs like the Mahua seed, Karanj, Kusum and Hurra nut has been nationalised.

The intention behind the nationalisation of MFP trade was to help the tribal communities that were engaged in MFP collection and were being swindled by the middlemen. The price fixed by the Government was intended to be sufficient, so that the tribal communities did not lose out, and paid the right value for their labour. Unfortunately, this has not happened. There were outbreaks of violent oppositions from the tribal communities, protesting against the nationalisation and asking for the orders to be repealed. There were even shootouts in the Simdega (Ranchi) in 1978 and the Gua protests had a similar reason behind it.

The collection of MFPs, especially the Sal seeds and Kendu leaves did rise, as did the price paid for the goods procured by the government. Yet, the tribal communities kept on protesting against the order. The prime reason behind this was that, they were facing a whole lot more problems than they had earlier in the non- nationalised period. The main cause was that there were no well established procuring centres for the MFPs in the region. The lack of agents to purchase the MFPs meant that the tribals' labours were lost, since these are durable goods.

⁵¹ Shiva, V., Saratchandra, H.C. and Bandopadhaya, J (1983) Social Forestry For Whom? In D.C. Kortan (ed): Community Mangement, Asian Experience and Perspectives, Kumarian Press, New Delhi, pp.48-75.

⁵² Kumari. Punam, and Sinha. A.K. (1994): Role of Minor Produce in Tribal Economy, in Buddhadeb Chaudhuri, (1994) (ed) Tribal Transformation in India, Vol III, Inter India Publications, New Delhi.

Moreover, the process did not have immediate payment status, the payment was made later by the forest officials. This lessened the ready cash value of the good, since then the adivasis could count on the sale money for buying necessities. In Simdega subdivision, where there used to be 100 haats (markets), not even 10 procuring centres were set up. Moreover, the men employed by the Forest Department turned out to be those employed by the contractors who had earlier purchased MFP goods from the tribals. Also, the actual contractors to whom the state was selling or gave the lease to procure from the tribal communities did not change in composition at all. The forest officials were also involved as contractors, or were working hand in glove with the contractors. In all this it was the poor tribal who lost out.

A study conducted by Gupta et al of the Centre for Management in Agriculture, Indian Institute of Management, Ahmedabad in 1981 holds the Forest Department responsible for the fact that the well meaning scheme went completely awry and resulted in alienating the tribals further from the government as well as increasing their marginality by reducing their economic bargaining power.

The intention was to transform the tribal economy in one go, without caring for the fact that the recipient people may not like the transformation. When the conflict came up, the forest officials armed with governing powers wielded the baton and forced a further deterioration of the situation. Now, the traders could cheat the tribals at ease and not worry about any forest office intervention, since they now were contracted through the forest department, which blessed all their activities. One fact that came out was the schism between the officials and the governed that were mostly the tribal communities. The officials held them in huge contempt and exploited them completely. The ignorance and the illiteracy of the tribal communities completed the exploitation scenario. There was also a clash between the newly educated tribals, who refused to give the bribes. They faced a whole lot more harassment at the hands of the local officials.

IV. Industrialisation and the Process of Marginalisation in Chota Nagpur

Finally came the mining companies completing the process of exploitation by gradually gaining control of the primary resource - land. Mining was a new venture that had to be encouraged to raise the revenue generation from land in the region. Also, there was extra revenue generated for the grant of the mining lease. Alienation as economic and social processes saw a huge out migration of the tribal communities from Chota Nagpur to the tea plantations in Assam and as indentured labour in other colonies.⁵³

A large number of development projects, industrial mining, irrigation and hydel are located in tribal area. Jharkhand receives a fifth of the total public sector investments in industrial pursuits.⁵⁴ Pandit Nehru while inaugurating the Damodar Valley Corporation hydel power plant at Maithon, Panchet (Dist. Dhanbad) called them “temples of modern

⁵³ Guha, A, (1977): *Planter Raj to Swaraj*, Oxford University Press, New Delhi.

⁵⁴ *Ibid.*

India”; unfortunately the people who gave up their lands for these temples to be built and help the nation progress have now become destitute. Chota Nagpur has steel mills at Jamshedpur and Bokaro, coal mines in Jharia, Karampura Ranchi, Ramgarh, Heavy Engineering plant at Ranchi, Copper plant at Ghatshila, mica industry at Giridih, mica mines at Koderma and Hazaribagh, aluminium plant at Muri and Uranium mining in Jaduguda.

The backlash of these projects has been most acute and painful for the adivasis. This rapid pace of industrialisation saw an overwhelming rise in the population Chota Nagpur; the tribal population of the region has been slowly declining. The amount of immigration is staggering. But this has resulted in “increasing land alienation and displacement”.⁵⁵ According to Fernandes (1989), this gives the industrial location in Chota Nagpur an “enclave character” so that the area itself is materially developed and the infrastructure built, but the beneficiaries are mostly outsiders who come into the area to exploit its resources for their own benefit. The local population is marginalized”.⁵⁶

Marginalisation caused by industrialization is visible in the Chota Nagpur region in the changes in the occupational structures of the tribal communities. These show that for a people whose basic resource is land no longer show their presence as agriculturists or even agricultural labourer. The indication is towards migration in search of gainful employment.

Table 3. Change in Tribal Occupational Structure in Chota Nagpur 1971-1991(Percentage)

District	Cultivators		Agricultural .Labourer	
	1971-81	1981-91	1971-81	1981-91
Dhanbad T	-24	-20	-9.05	-5.22
R	-32	-30	-10.82	-4.72
U	6	13	-2.27	-6.66
Hazaribagh T	10	-59	2.51	-30.66
R	14	-64	-38.68	-32.51
U	20	-6	-3.57	-10.04
Palamau T	-3	-1	-2.58	0.91
R	-5	-1	-2.30	1.08
U	-2	8	-27.03	-14.24
Ranchi T	3	-17	-4.56	17.40
R	4	-19	-4.40	18.34

⁵⁵ Ibid, p.143.

⁵⁶ Fernandes, Walter (1989) (ed): Introduction, In National Development and Tribal Deprivation, Indian Social Institute, New Delhi, p. 7.

U	4	-6	-5.94	-2.88
Santhal Pargana T	-49	-47	-3.92	-42.38
R	-50	-47	-3.86	-5.41
U	2	-10	-15.57	-4.26
Singhbhum T	2	12	-6.49	0.558
R	2	13	-6.58	0.091
U	-3	1	-13.03	0.63

Source: Census of Bihar, Special Tables for Scheduled Castes and Scheduled Tribes, Primary Census Abstract for the Scheduled Tribes, 1971- 2001.

Land use change is also an indicator of the land development. Chota Nagpur shows a trend wherein area not cultivated has a positive growth along with fallow lands. Correspondingly, the net sown areas, gross cropped area along with irrigated areas show a negative growth rate. Tribal communities whose basic livelihood is centered on cultivation are lost in the scenario, indicating severe encroachments on their way of life. They have not benefited from the industrial development. Rather this has resulted in the accelerated loss of their basic resource.

Table 4. Change in Landuse Pattern in Chota Nagpur 1971-1991 (Percentage)

Categories of Landuse	1971	1991	Change	Growth Rate
Forest	29.21	29.24	0.03	0.19
Area not available for cultivation	13.77	15.47	1.7	12.43
Degraded Land (Other uncultivated land)	7.52	6.22	-1.3	-17.29
Fallow	19.23	31.61	12.38	25.09
Net Cropped Area	30.27	25.03	-5.24	-17.23
Gross Cropped Area	33.74	27.38	-6.36	-18.78
Area sown more than once	3.53	2.36	-1.17	-33.15
Net irrigated Area	8.07	7.51	-0.57	-23.03
Gross Irrigated Area	7.74	8.57	0.83	-10.05
Cropping Intensity	111.5	109.42	-2.08	-1.87
Irrigation Intensity	106.9	124.92	18.02	16.85

Source: Indian Agricultural Statistics, 1971-1992, Vol II, directorate of Economics and Statistics, Ministry of Agriculture, Government of India.

Conclusion

The basic character and direction of the modern state of independent India represents a stark and grim continuity with its colonial predecessor. During the last 50 yrs, the pace of development has acquired a vigorous momentum. The first early phase of land alienation

began in the early decades of the 19th century. As the remote tribal regions came to be more efficiently linked through modern communication and colonial institutions of administration and governance access of tribal communities to land and natural resources began to diminish in the same proportion.

Mining and industrialisation in the tribal regions has indeed generated considerable wealth. But its benefits have for the most part been denied to the local communities. Deprived of their traditional sources of livelihood in land and forestry, bereft of modern skills they face a grim future. Government's attempt to improve their conditions has been feeble, limited and for the most part ineffective. But, even the few instances of limited success as in the case of social forestry clearly attest to the possibility that things could be done differently and if it were to be done differently it would not only help the local tribal communities but help nurture the ecological resources which in the final analysis sustains us all.