Challenges to Tribal Land Rights in the Hill Districts of Manipur

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ARTICLE DETAILS	ABSTRACT
Research Paper	The hill districts of Manipur, inhabited predominantly by indigenous tribal communities, possess a unique and complex system of land tenure rooted in customary laws and traditional governance structures. However, these tribal land rights face numerous challenges in the contemporary socio-political landscape. This study explores the critical issues threatening tribal land rights in Manipur's hill districts, focusing on legal ambiguities, state policies, land encroachment, and development-induced displacement. The research highlights the weakening of traditional institutions, inadequate legal protections, and the absence of the Sixth Schedule safeguards as primary factors contributing to the erosion of tribal land rights. Moreover, socio-economic pressures such as commercialization of land, resource extraction, and the impact of ethnic conflicts have further marginalized tribal communities, leading to the loss of communal lands and livelihoods. Environmental factors, including climate change, also pose additional threats to traditional land-use practices. Addressing these challenges requires a multifaceted approach involving legal reforms, strengthening of traditional governance, and sustainable development strategies. This paper emphasizes the need for an inclusive policy framework that recognizes and upholds the unique land rights and cultural heritage of the tribal communities, ensuring their socio-
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economic and environmental sustainability in the face of evolving challenges.

Introduction

The hill districts of Manipur are inhabited by diverse tribal communities, each with unique customs, traditions, and systems of land tenure. For these indigenous communities, land is far more than an economic asset—it serves as the foundation of their cultural identity, social organization, and collective wellbeing. Their traditional land tenure systems, guided by customary laws and managed by village authorities, have historically ensured equitable resource distribution, community cohesion, and sustainable management of natural resources. However, these systems now face a myriad of challenges in the rapidly changing socio-political landscape of Manipur. The introduction of modern legal frameworks, such as the Manipur Land Revenue and Land Reforms Act of 1960, has often clashed with customary practices, creating legal ambiguities that undermine tribal land rights. Additionally, state-led development projects and infrastructure expansion have led to large-scale land acquisition, often without adequate consultation or compensation, resulting in displacement and disruption of traditional livelihoods. Demographic changes, including the influx of non-tribal populations, further strain the existing land tenure systems, leading to conflicts and encroachments.

Political tensions and the weakening of traditional governance structures, such as village councils and chieftainships, have also exacerbated the situation. External political manipulation and internal divisions within tribal communities have eroded these institutions, diminishing their role in land management and dispute resolution. The growing commercialization of land and resource extraction, coupled with the absence of constitutional protections like the Sixth Schedule, leave tribal communities vulnerable to exploitation and marginalization. This paper critically examines these intersecting challenges—historical, legal, socio-economic, and political—that threaten the land rights and autonomy of Manipur's hill tribes. By highlighting the complexities of tribal land governance in the region, the study underscores the need for inclusive legal reforms and sustainable development strategies that recognize and protect the unique land rights of these indigenous communities.

Aims and Objectives of the Study

This study aims to critically analyze the challenges facing tribal land rights in the hill districts of Manipur. It seeks to understand how historical, legal, socio-economic, and political factors have influenced tribal land tenure systems. The key objectives include:

1. Assessing the impact of legal frameworks, such as the Manipur Land Revenue and Land Reforms Act, on customary land rights.

2. Examining the socio-economic effects of land alienation, development-induced displacement, and commercialization.

3. Evaluating the role of traditional governance institutions in managing land disputes.

4. Proposing legal reforms and development strategies that safeguard tribal land rights.

Rationale of the Study

Understanding the complexities of tribal land rights is essential for promoting equitable development and sustainable governance in Manipur's hill districts. This study provides a comprehensive analysis of these challenges, offering insights into the need for legal reforms and policy interventions that prioritize tribal autonomy, land rights, and cultural preservation.

Statement of the Problem

The hill tribes of Manipur face increasing threats to their traditional land tenure systems due to legal ambiguities, state-led development projects, and external encroachments. These challenges undermine their cultural identity, socio-economic stability, and autonomy. The absence of constitutional protections, such as the Sixth Schedule, exacerbates these issues, leaving the tribes vulnerable to displacement, exploitation, and marginalization.

1. Historical and Legal Challenges (Colonial Legacy and Land Reforms)

The colonial era brought significant changes to the land governance structures in Manipur, with the British administration formalizing land boundaries and altering traditional systems of land ownership. The introduction of the British land revenue system marginalized tribal communities and often undermined their traditional governance structures. Post-independence land reforms, such as the

Manipur Land Revenue and Land Reforms Act of 1960, were primarily designed for the valley areas and did not adequately address the unique needs and customs of the hill tribes. This has created a legal vacuum, where tribal land rights are neither fully recognized nor protected under the modern legal framework.

1.2 Inadequate Implementation of the Sixth Schedule

The Indian Constitution's Sixth Schedule was specifically designed to protect the autonomy of tribal communities in northeastern states, enabling self-governance through Autonomous District Councils (ADCs). However, despite being eligible, the hill districts of Manipur have not been fully incorporated under the Sixth Schedule, depriving tribal communities of essential constitutional safeguards. This exclusion has resulted in significant legal ambiguities, as customary practices and traditional institutions that govern land and resource management in these areas are often overlooked by state authorities. Consequently, the absence of Sixth Schedule protections has led to conflicts over land ownership and usage, leaving tribal communities vulnerable to encroachment and exploitation. Without adequate recognition of their rights and governance structures, these communities struggle to assert their land claims and manage their resources sustainably. Thus, the lack of implementation of the Sixth Schedule in Manipur's hill districts has profound implications for the preservation of tribal autonomy, cultural identity, and social cohesion.

1.3 Overlapping Jurisdiction and Legal Conflicts

The dual system of governance—traditional customary laws coexisting with state laws—creates confusion over jurisdiction and authority, particularly in the context of land disputes. Village chiefs and councils, who traditionally manage land distribution and conflict resolution, often find their authority challenged by state authorities. This overlapping jurisdiction leads to inconsistencies in land records, lack of clarity in ownership rights, and a weakened position for tribal communities when asserting their claims.

2. Socio-Economic Challenges (Encroachment and Land Alienation)

Encroachment by non-tribal settlers and commercial interests poses a significant challenge in the hill districts of Manipur. The lack of clear legal recognition for tribal land rights has resulted in numerous instances of land grabbing, frequently facilitated by local authorities or powerful interest groups. As the demand for land increases for various development projects, including roads, hydropower, and mining,

the pressure on tribal lands intensifies. These projects often move forward without obtaining the free, prior, and informed consent of the affected tribal communities, leading to widespread displacement and loss of livelihoods. The disruption of traditional land-use practices not only threatens the economic stability of these communities but also undermines their cultural identity and social cohesion. As land becomes increasingly commodified, tribal communities find themselves at a greater risk of marginalization, as their rights and voices are sidelined in the face of external pressures and development agendas that prioritize profit over community welfare.

2.2 Development-Induced Displacement

Infrastructure and development projects, including highway construction and hydroelectric dams, have led to large-scale land acquisition in the hill districts, displacing thousands of tribal families. Compensation processes are often marred by corruption, inadequate payment, and lack of transparency, leaving displaced communities economically and socially vulnerable. Displacement disrupts traditional livelihoods, breaks social cohesion, and undermines the community's connection to their ancestral land. In many cases, displaced communities are not provided with alternative land or livelihoods, leading to long-term impoverishment and marginalization.

2.3 Commercialization of Land and Resource Extraction.

The commercialization of land, driven by external investors and real estate interests, poses a significant threat to traditional land tenure systems. The monetization of land has altered the community's perception of land as a communal asset, leading to fragmentation and individualization of land ownership.The extraction of natural resources, including timber and minerals, is often carried out without adequate consultation or benefit-sharing with local communities. This not only depletes the natural resources upon which the tribes depend but also erodes their control over their traditional territories.

3. Political and Governance Challenges (Weakening of Traditional Institutions)

Traditional institutions like chieftainships and village councils have historically been central to land governance and community cohesion in the hill districts of Manipur. These bodies not only managed land distribution and usage but also served as mechanisms for conflict resolution and social governance. However, their authority has been gradually weakened by state intervention, political interference, and internal divisions within communities. Government policies that overlook or undermine customary laws,

combined with political manipulation by external actors seeking to influence local leadership, have eroded their legitimacy and effectiveness. This weakening has created a power vacuum in land management and dispute resolution, making tribal communities more vulnerable to land encroachment and external exploitation. As a result, the diminishing role of these traditional institutions has contributed to a breakdown in local governance and increased land-related conflicts in the region.

3.2 Ethnic and Political Conflicts

Manipur's hill districts have been plagued by ethnic tensions and conflicts between different tribal groups, as well as between tribals and non-tribals. These conflicts are often rooted in disputes over land and resources, exacerbated by political marginalization and competition for scarce resources. Ethnic conflicts have led to the displacement of communities, destruction of property, and long-standing animosities that hinder collective action on land rights and development issues.

3.3 Inadequate Representation in Political and Administrative Bodies

The hill districts have limited representation in the state legislature and administrative bodies, resulting in a lack of voice for tribal communities in decision-making processes. This political marginalization means that issues related to tribal land rights are often ignored or inadequately addressed at the policy level.The absence of a strong political platform for advocating tribal land rights has also hindered the effective implementation of land protection measures and community development programs.

4. Environmental and Cultural Challenges (Impact of Climate Change on Land and Livelihoods)

Climate change poses a growing threat to the hill districts, impacting agricultural productivity, water resources, and forest ecosystems. The shifting patterns of rainfall, increasing temperatures, and more frequent natural disasters have disrupted traditional farming and forest-based livelihoods. As the land becomes less productive, communities are forced to seek alternative livelihoods, often leading to out-migration and the abandonment of traditional land-use practices.

4.2 Loss of Traditional Knowledge and Cultural Heritage

The erosion of traditional land rights is closely linked to the loss of indigenous knowledge and cultural practices central to land management and environmental stewardship. These customs, passed down through generations, encompass sustainable agricultural methods, forest management, and communal resource sharing. As younger members of these communities migrate to urban areas in search of

education and employment, or as modern economic practices supplant traditional livelihoods, the transmission of such knowledge is disrupted. The gradual abandonment of these practices results in a weakening of the community's cultural identity and a diminishing understanding of their ancestral connection to the land. Consequently, this loss undermines their capacity to collectively advocate for their land rights, making them more vulnerable to external encroachments and less able to manage their territories sustainably.

Conclusion

`In conclusion, the challenges to tribal land rights in Manipur's hill districts are complex and interrelated, arising from historical injustices, legal ambiguities, socio-economic pressures, and political dynamics. The erosion of traditional land governance, exacerbated by state interventions and external encroachments, has left indigenous communities vulnerable and marginalized. To effectively address these multifaceted challenges, a holistic and inclusive approach is essential.   This should involve legal reforms that recognize and protect tribal land rights, ensuring that customary laws are integrated into formal legal frameworks. Additionally, strengthening traditional institutions, such as village councils and chieftainships, will empower communities to manage their lands and resolve disputes effectively. Enhancing community participation in decision-making processes will ensure that the voices of tribal communities are heard, fostering a sense of ownership and responsibility towards their resources.

Finally, adopting sustainable development strategies that prioritize the environmental, cultural, and social needs of these communities is crucial. Protecting the land rights of tribal communities is not merely a legal obligation but a fundamental aspect of preserving the region's cultural identity and social cohesion, ultimately contributing to the environmental sustainability of the hill districts in Manipur.

Recommendations

1. Strengthening Legal Protections: Amend existing laws and policies to provide clearer legal recognition and protection of tribal land rights, including the implementation of the Sixth Schedule provisions.

2. Empowering Traditional Institutions: Enhance the capacity and authority of traditional institutions to manage land and resources, resolve disputes, and represent community interests.

3. Community-Based Resource Management: Promote community-based approaches to land and resource management that integrate traditional knowledge and sustainable practices.

4. Inclusive Development Planning: Ensure that all development projects are carried out with the free, prior, and informed consent of the affected communities and include adequate compensation and rehabilitation measures.

5. Conflict Resolution Mechanisms: Establish robust mechanisms for resolving land disputes and managing inter-community conflicts, involving both customary and state authorities.

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