

Concern over threat to tribals' survival

By Our Special Correspondent

MUMBAI, DEC. 29. Environmentalists have expressed concern over the fate of tiny groups of indigenous peoples living in the islands of Andaman and Nicobar, which have been devastated by the tsunami.

The Negritos are among the oldest inhabitants of these islands. There is already a threat to the survival of the people of the Jarawa, Onge, Sentinelese and Great Andamanese tribes in the Andaman Islands. While officially nothing is known about the fate of these people, there is widespread anxiety about their survival.

Pankaj Sekhsaria of the Pune-based Kalpavriksh Environmental Action Group and author of "Troubled Islands," a book on the Andaman and Nicobar islands, told *The Hindu* that the Great Nicobar Island was a stone's throw away from the epicentre of the earthquake near Sumatra — about 180 km away, and that could pose a threat to the Shompen tribe, which belongs to the Mongoloid group, of which are only 200 people are left. The Shompen inhabit this one large island in the Nicobar group but they also live in the interior parts of the island.

Mr. Sekhsaria said their survival depended on whether they were near the coastline at the time of the calamity. It would be difficult to assess the situation as the area was very remote and the damage potential was high. It may be recalled that after the first big earthquake around 7 am on December 26,

there was another massive earthquake with its epicentre in Great Nicobar and 25 to 30 aftershocks in the area.

The indigenous Nicobarese people, who number approximately 10,000-15,000 on Central Nicobar comprising ten small islands, may also be badly affected. There are already press reports that half of the over 40,000 population of the Nicobar Islands bare untraceable. Samir Acharya of the environmental group Society for Andaman and Nicobar Ecology based in Port Blair said there was little information on the tribes and it was the vocal non-tribal communities which were being rescued and had more access to relief.

The Negrito tribe of Jarawa, which inhabits Middle and South Andamans, number about 270 and they have been pushed into the Jarawa reserves in dense forests. Till about six years ago, they had very little contact with the outside world. The Onges inhabit the island of Little Andamans and there are only about 100 or so left of this tribe. They have been facing massive problems regarding their cultural traditions and control over natural resources.

On the Sentinel Islands, there are about 100 Sentinelese left who are also a Negrito tribe. Mr. Sekhsaria said the island was flat and therefore the future of this small tribe was of great concern. About 30 Great Andamanese inhabit the Strait Island, which is northeast of Port Blair. These tribes with their minuscule populations were already under threat of survival.

30 DEC 2004

THE HINDU

Most Andaman tribals safe, says Government

30/12
By Our Staff Correspondent

NEW DELHI, DEC. 29. The Government today claimed that the fate of members of two aboriginal tribes — the Shompens and the Sentinelese — was not known while it had been able to establish contact with four other primitive tribes in the Andaman and Nicobar Islands. A special relief package is being prepared by the Union Tribal Affairs Ministry and will be announced soon.

A Tribal Affairs Ministry team will visit the islands for a thorough assessment of the damage caused by Sunday's tsunami strike.

According to the Union Ministry of Tribal Affairs, the fate of the 100-strong Shompens, who live in Campbell Bay, and the Sentinelese, inhabitants of North Sentinel island, is not known.

All bridges to these areas have been washed away and the

areas have to be surveyed by boats.

The Jarawas, who inhabit the middle Andaman, are unlikely to be affected because they live on hilly terrain and forest areas and the Andamanese live on a bigger landmass, the Strait Island. A Tribal Affairs Ministry spokesperson said that food was being sent to the Andamanese, and 40 or so Onges had been rescued. The Onges — only 100 in number — live in Dugong Creek and efforts are on to trace the others.

However, it is the most prosperous Nicobarese who are believed to have been the most affected. Most of the 26,000-strong community are feared to have been killed.

The Ministry is finalising a relief package to assist the primitive tribes. It is in touch with the local administration to ensure that relief and assistance reaches the six tribal communities in the region.

30 DEC 2004

THE HINDU

Indigenous groups reject draft National Tribal Policy

By Aarti Dhar

NEW DELHI, SEPT. 23. A national assembly of tribal and indigenous people has rejected the draft National Tribal Policy, saying that "mainstreaming and assimilation" violated the rights of the tribal, indigenous and Adivasi people and that it was indicative of the complete absence of respect for the "unique culture" of these communities.

'Offensive'

The language of the draft policy was unacceptable, offensive with derogatory definitions and descriptions, which showed a lack of consistency and clear recognition of rights to ancestral lands, territories and natural resources, said a declaration adopted at the end of the three-day deliberations on the policy. There was also no recognition, protection or promotion of tribal, indigenous and Adivasi customary laws, practices and governance systems and adverse impact of liberalisation, privatisation and globalisation, it said.

The declaration was adopted on the day when the Union Tribal Affairs Minister, P.R. Kyndiah, and the Union Panchayati Raj Minister, Mani Shankar Aiyar, also participated in the meeting along with several tribal rights leaders and environmentalists.

Coming down heavily on all political parties for not doing enough for the welfare of the indigenous groups, C.K. Janu, tribal rights activist from Kerala, spoke of political empowerment of these communities to improve their lot. "The tribal groups should block the roads of the capital for 10 days to ensure that their interests are not neglected. Only then will they realise our importance," she said.

The Narmada Bachao Andolan activist, Medha Patkar, called upon the tribal communities to wage a war for their territorial rights at the local level and strive harder for self-governance to protect their identity. "We are not demanding territorial rights as charity but as a right. When a small population of the Vatican City can have an identity of its own, tribals constitute a huge population in India and [they] can certainly claim their own territory."

CPI warning

The Communist Party of India general secretary, D. Raja, called for a collective fight for the rights of the tribal population while blaming the Sangh Parivar for adopting a 'fascist' approach towards the indigenous people. "The Sangh Parivar describes them as 'Vanvasi' or residents of the jungle; even animals live in jungle," he

pointed out, while advocating better educational, and health facilities and poverty eradication schemes for them. Warning that "mainstreaming" of the tribal population — as mentioned in the draft policy — had ideological connotations, Mr. Raja said it could also mean 'Hinduisation', 'Islamisation' or 'Christianisation' of these people as has happened in Gujarat, Jharkhand and the north-east.

Mr. Raja said the Left parties had a role to play in accommodating the tribal welfare in the National Common Minimum Programme of the United Progressive Alliance but the question of implementation depended on the bureaucracy. "Unfortunately, we do not have a pro-people bureaucracy here," he said.

Addressing the meeting, Mr. Kyndiah said the draft policy attempted to provide ways and means of documenting the rich traditional wisdom of tribals while admitting that many indigenous groups had been adversely affected by resource depletion, reduction or curtailment of their common property rights and, above all, displacement of and inaccessibility to their habitats. The consequence has been abject poverty, compounded by poor health conditions, lack of proper nutrition, sanitation and environmental hygiene.

Draft tribal policy: Where is the North-east?

By Walter Fernandes

THE draft tribal policy of the ministry of tribal affairs, Government of India, has three features. First, its condescending attitude towards tribals. Second is the almost total absence of the North-east and third is its silence on tribal women, except for a word on their low literacy rate, though they are the worst victims of the present processes.

The draft begins by stating that till now we only have Nehru's Panchsheel which is "long on generalities and short on specifics" and adds that the "policy seeks to bring Scheduled Tribes into the mainstream... without disturbing their distinct culture" but ends by saying that assimilation is its objective. This is a contradiction in terms. Assimilation involves a community merging with another by abandoning its past while integration is unity while retaining one's identity. Then follow statements that sound condescending - the reference to "Primitive Tribes" or that tribal land is alienated because they are "simple people". One can give many more examples. "Primitive" has been used in most official documents till now but a ministry that claims to uphold the interest of the tribal communities is expected surely to end this obsolete and discriminatory tradition.

On assimilation, experience and studies show that tribal impoverishment is caused by the "mainstream" that has alienated their resources to its own benefit. For example, tribals are around 40 per cent of those whom the "mainstream" has displaced in the name of national development. The draft says that tribals "suffer from malnutrition and disease and are vulnerable to displacement" as though displacement were a disease for which the state need not accept responsibility since they are "vulnerable to it". So the draft ignores it except to say that their displacement "amounts to violation of the Fifth Schedule" (applicable to the non-North-east tribes) and should be minimised but does not say how. It gives some guidelines on resettlement, hardly any of which have been accepted in the Rehabilitation Policy advertised by the Government of India in February 2004.

Ignored too is the fact that displacement is a major threat in the Sixth Schedule areas of the North-east. It says rightly that the tribals are being neglected but its statement that as a result, a majority of them live below the poverty line and their literacy rate is low is true

of Middle India, not of most of the North-east where they are capable of holding their own as equals without the patronising attitude of outsiders. However, displacement and land alienation can impoverish them. Some 48 massive dams are being planned in this region. Most north-eastern tribes depend on common property resources. Their customary

laws and the Sixth Schedule recognise their community control but the Land Acquisition Act, 1894, according to which land is acquired, is based only on individual ownership. There is not even a passing reference to evictions though at least 15 lakh tribal families are being evicted. Failure to note these issues turns the statement about the need to minimise displacement and prevent impoverishment into a pious wish.

The worst insult comes in the section on shifting cultivation. Twenty-five per cent of India's tribes practise *jhum* but in the North-east, most hill tribes live on it. After acknowledging that "it's widely practised in whole of North-Eastern region", the draft adds, "the tribals involved in shifting cultivation don't seem to have any emotional attachment to the land as an asset or property needing care." The policy makers don't seem to have heard of ethnic conflicts based on land. It's true that to them it's not primarily property or a marketable commodity, but their livelihood around which they have built a culture and identity. It's an insult to say they lack emotional attachment to it. One needs no emotional attachment to treat land as property but none would lay down life for it as the tribes in this region do unless one is emotionally attached to it.

Tribal knowledge systems are another major issue in the North-east. It's one of 25 mega-biodiversity zones of the world and one of 18 biodiversity hotspots. However, intellectual property rights are treated only in passing when it says that the policy "will aim at making legal and institutional arrangements to protect their intellectual property rights." It does not mention that the Patents Act and the Biodiversity Act do not protect it, though the ministry for tribal affairs was in existence when the present government enacted them.

As a result of this shallow analysis, the solutions suggested are nothing but more of the same. Thus like Panchsheel, the draft too is "long on generalities and short on specifics" and needs drastic redrafting, reflecting the real needs of tribal ethnics.

(The author is Director, North East Social Study Centre, Guwahati.)



Tribals killed in bloodbath at dawn

**JAHANSHER FIROZE
AND SARAT SARMA**

Dimapur/Nagaon, March 24: Militants claiming to represent the Kuki tribe massacred 33 villagers of the Karbi community in Assam's Karbi Anglong district today, fuelling the cauldron of ethnic hatred in which scores of people from either group have perished since last year.

The killings took place in three villages, which were attacked within a few hours of each other. Less than a week ago, the militant Kuki Revolutionary Army (KRA) had threatened to resume

its offensive in retaliation to the killing of five Kuki villagers by militants of the rival United People's Democratic Solidarity (UPDS)'s anti-talks faction.

The number of casualties in the attacks is the highest in Karbi Anglong district on a single day since the KRA and the UPDS began hostilities. The Holiram Terang faction of the Autonomous State Demand Committee called a 10-hour Karbi Anglong bandh tomorrow in protest against the killings.

No senior police official was available in Diphu, which is the district headquarters, for com-

ment. An official said all of them were at the two incident sites to supervise combing operations.

Sources said a group of 30 KRA militants raided Uden Tiso and Sarpo Terong villages in the Karbi-dominated Delai-Kailajan area, 32 km from Diphu, around 4 am and separated the men from the women and children. The assailants then sprayed bullets on the men, killing 27 of them on the spot and injuring eight. The victims included the two village headmen after whom the villages had been named.

Another group of KRA militants attacked a third Karbi vil-

lage, Jari Teron, around noon and killed six villagers.

Over 10 houses were set ablaze and five villagers killed by militants belonging to the anti-talks faction of the UPDS at Thongbong on Friday. KRA militants had gunned down three labourers belonging to the Nepali community near the Singhasan Hills two days earlier.

Before the incident on March 19, there was a two-month lull in Karbi Anglong, brought about by a series of meetings between community leaders under the gaze of the civil administration and the police. On December 27,

they assembled in Diphu and signed a peace agreement.

The KRA accuses Karbis of trying to chase out Kukis from Karbi Anglong. There are about 100 Kuki villages in the district. The Kukis claim that the Karbi community is jealous that members of their community have prospered by cultivating ginger in the Singhasan Hills.

Karbi organisations, on the other hand, say that the nomadic Kukis have no place in Karbi Anglong. The Kukis have been accused of importing a gun culture from their homeland, Manipur. Last year, there were reports of Kuki ginger farmers hiring the services of a militant group of Manipur to protect them from the UPDS. Kuki farmers based in the Singhasan Hills, so named because the range resembles a throne, said they decided to seek help after failing to sell their produce because of the UPDS-imposed ban on sale of agricultural produce from Karbi Anglong outside the district.

Intelligence sources said the KRA leadership went into a huddle a few days ago and resolved not to remain a silent spectator to the UPDS attacks against Kuki women and children.

Tribal communities keep their options open

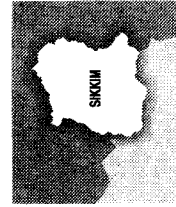
The Bhutias and Lepchas of Sikkim, who claim to be the original inhabitants of this Himalayan State have been, over the decades, reduced to a minority in most of the constituencies reserved for them; but their support is critical to any contender for power in the coming seventh Assembly polls. Ever since the State's merger with India in May 1975, it is the elected representatives of these ethnic groupings who have determined the formation of governments here. It is expected to be no different this time around too.

Twelve of the 32 seats in the State Assembly are reserved for those of Bhutia-Lepcha origin. But a steady change in the demographic pattern has meant that though they comprise 21 per cent of the total electorate in the State, they are predominant in only three of the reserved constituencies — all of them in the North Sikkim district.

"Our very existence is at stake," says Chetan Tashi Bhutia, convener of the Sikkim Bhutia Lepcha Apex

Committee (SIBLAC), formed five years ago. The committee which today claims to be 'the true' representative forum of the two communities, has emerged as a potent force in the State. "We will once again prove to be the deciding factor in the polls; our concerns are such that we have to be increasingly politically assertive. We have approached both the ruling Sikkim Democratic Front (SDF) and the main Opposition party, the Congress, the two main players in the coming elections, for support to our cause. Who we will align with depends on how they respond", Mr. Bhutia adds.

SIBLAC leaders point out that Article 371 F, which had been incorporated into the Constitution at the time of Sikkim's merger, was designed to safeguard the political rights of the people of Bhutia-Lepcha origin through seat reservation. "But the Article has, subsequently, been violated. The reserved seats exist only in name and there have been an increasing number of settlements of



POLL THEME

Ethnic Identity

Though reduced to a minority in their own homeland, the Bhutia-Lepcha community still holds the key to government formation in Sikkim, writes Marcus Dam.

The SDF leaders are hopeful of retaining the allegiance of most of the tribal leaders who helped the party return to power in the 1999 Assembly elections. The Congress, on the other hand, is confident of getting the support of the Bhutia-Lepcha communities with its leader and former Chief Minister, Nar Bahadur Bhandari, having already responded positively to the SIBLAC's political programme.

In a State where caste and ethnic loyalties determine political alignments, the leaders of both the SDF and the Congress are vying for the SIBLAC's support which will be crucial to the electoral prospects of both the parties.

The SIBLAC's criticism of the SDF, which has been in power for the past two terms, has sharpened over the years, particularly since the formation of the Gorkha Apex Committee (GAC) last year. The GAC espouses the cause of the non-tribal Nepali population and is widely seen as a threat to the interests of the tribal communities. Mr. C'wang goes by

the adage 'the enemy's enemy is a friend', though he is not quite ready to officially admit that this implies support to the Congress. "Maybe we will be left with no other alternative", he, however, hastens to add.

While its political detractors believe that the SIBLAC is no more than a casteist formation of disparate tribal groups having conflicting interests, its supporters view it as an alternative force in Sikkim politics that "is no longer going to take lying down years of political and social marginalisation in the very land of their origin." Its leaders point out that 30 years of change and development have distorted the identity of the indigenous people of Sikkim. They say they are waiting to see whether the new political order fulfills the urges and aspirations of the Bhutia-Lepchas.

How they choose to define and shape the agenda of 'the new political order' will be evident in their choice of electoral partners for the coming polls.

Inventing a tribe to further political ends

Last month, a group of young men gathered outside the Gujjar Hostel in Poonch, raised slogans, and then started throwing stones at the students housed inside. No one was hurt in the incident, which barely made it to even the inside pages of local newspapers — but it could hold the key to the outcome of the Lok Sabha election in Jammu province.

The elections to the two Lok Sabha seats in Jammu province are generally regarded as a communal face-off. This representation is misleading, more so now than in the past. Perhaps the most important political dynamic this Lok Sabha election will see is the contest between Gujjars, a pastoral tribe who rear buffaloes, and the Paharis, a tribe recently invented by executive fiat.

Both groupings are mainly Muslim — the showdown evidence that caste and class are at least as important to politics in Jammu and Kashmir as communal questions and regional identity.

In February, the People's Democratic Party-led coalition govern-

ment in Jammu and Kashmir recommended that those who speak the Pahari language be included, like the Gujjars, in the official list of Scheduled Tribes. The action has provoked a furious reaction from Gujjar voters, who hold the keys to power in an estimated 15 Assembly segments. Gujjar leaders say the Government's recommendation is intended to strip them of the benefits of Scheduled Tribe status by the expedient of extending the privilege to all.

On the face of it, the Jammu and Kashmir Government's assertion that the Paharis are a tribe is absurd. Not one census has identified Paharis as a distinct ethnic group; nor did anyone claiming to represent such a tribe appear before the successive Commissions which dealt with caste backwardness. The Jammu and Kashmir Government itself has offered no definition of who a Pahari might be. The Pahari Advisory Board constituted by the State Government last month includes Hindus and Muslims from elite castes like the Rajputs, Mahajans, Rajas, Peerzadas

means of creating a constituency for itself in Jammu, among the upper castes in the mountains. Many of these caste groups are ethnic Kashmiri Muslims, closely linked to villagers across the Pir Panjal mountains, the PDP's core area of influence. The move to give Paharis Scheduled Tribe status has also helped the PDP in Anantnag, which has a substantial mountain population.

As with almost everything else in Jammu and Kashmir, the issue has become embroiled in the politics of terrorism. Gujjar leaders note that the Pahari movement has the patronage of Pakistan-occupied Kashmir leaders Sardar Qayoom Khan and Sikandar Hayat Khan. The fact that one Pahari leader in Poonch, Sardar Rafiq Khan, is a relative of Sikandar Hayat Khan has led to energetic polemics on the cross-border linkages of his cause. Gujjar leaders claim Paharis have used such linkages to engineer terrorist attacks their community's leadership, which have claimed dozens of lives over the years.

Given that Gujjars have been at the receiving end of terrorist assaults in Poonch and Rajouri, and also at the cutting edge of resistance to it, the stakes are high. Gujjar vigilantes have long played a key role in operations against terrorist groups in Poonch. Their community has long borne the price for doing so. In 2001, for example, 15 Gujjars were killed by terrorists in the village of Kot Charwal for having set up an armed self-defence committee. Last month, when the Indian Army deferred plans to name Territorial Army units raised from Poonch the Gujjar Scouts, a concession to Pahari resentment, Gujjars claimed they had been denied their due.

Gujjar leaders — along with representatives of the Bakkarwals, a closely-allied tribe of shepherds — have taken an aggressive posture on the issue. "We have won our pride and self-respect back after centuries," says Poonch Gujjar leader Wali Mohammad Chechi, "and we will not tolerate efforts to force us to become servants and tillers of the upper castes' fields again."

POLL THEME The Gujjar Question



The move to give Paharis Scheduled Tribe status is motivated by the PDP's electoral compulsions, not by any real concern over backwardness, says Praveen Swami

and Soodans, bound together by nothing other than their claim to speak Pahari. Lack of evidence for the existence of a Pahari tribe led the Government of India, acting on the basis of recommendations by a panel of Parliament, to reject calls for its inclusion as a Scheduled Tribe in 2002. A state government panel had done exactly the same thing in February 2000. Indeed, even the evidence that a Pahari language exists — distinct from the regional dialects of Gojri or Dogri — is thin. Linguists from George Grierson onwards have used the term Pahari to refer to a welter of mountain dialects, not a specific tongue. No census survey until 1971, the last for which data is available, identified Pahari as a distinct language.

Politics, not concern for real backwardness, seems to be behind the Jammu and Kashmir Government's course of action. The PDP sees the February recommendation as a

SC stays orders on tribal sops

Our Legal Correspondent

EC curbs on Advani

NEW DELHI, Feb. 23. — The Supreme Court (coram, Khare, CJ, Sabharwal, Pasayat, JJ) today stayed a series of orders passed by the Union ministry of environment and forests regularising all encroachments made prior to 31 December, 1993, on forest lands, involving over 15 lakh hectares of forest land, and grant of land rights to tribals in two lakh hectares in Madhya Pradesh and Tripura.

Taking serious note of the orders issued over the past six months, the court issued the

NEW DELHI, Feb. 23. — The Election Commission has grounded the proposal to allow Mr LK Advani to travel on Air Force aircraft after the model code of conduct comes into effect. But Mr Advani and 39 of his party leaders could be exempted from filing their travel expenses in the candidates' expense account. — SNS

Details on page 4

notice to the Union seeking an explanation for it after the amicus curiae, Mr Harish Salve, drew its attention to an advertisement brought out by

the ministry on 14 January in a Rajasthan daily proclaiming grant of land rights to tribals as a major achievement of the NDA government.

The application filed by Mr Salve pointed out that the ministry had taken these steps in "defiance" of several orders passed earlier by the Supreme Court, which was monitoring regularisation of these encroachments.

It referred to a 5 February, 2004, notification that had taken a decision to regularise all encroachments on forest lands up to 31 December, 1993, as against the earlier cut-off date of 10 October, 1980.