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## THE ISSUE OF SCHEDULED TRIBE (ST) STATUS OF THE MATAKS OF ASSAM: AN ANALYSIS

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**Ishani Senapati**

Research Scholar, Department of Political Science, Gauhati University  
Guwahati, Assam, India

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### ABSTRACT

The Matak tribal people who has inhabited in a region known as Saumar prior to the invasion of Sukapha in 1228 AD has been neglected and disregarded in every spheres of life even today. Even after independence the Mataks were deprived of their due share in the society. In the post-independence period they had to struggle and fight for their due rights and opportunities. Under the banner of their voluntary, non-political organization they carried out their demands, memorandums and discussions with both the Central and State government and one of their significant demand is the Demand for Scheduled Tribe (ST) Plains status.

**Keywords:** Mataks, Scheduled Tribe (ST), Indian Constitution, Demand, Status, Tribal groups.

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### I. INTRODUCTION

The Indian Constitution provides two types of safeguards to its citizens. One is the Fundamental Rights which is enshrined in Part III of the Indian constitution and is applicable to all the citizens of India while the other constitutional safeguard is provided to those classes of people who are economically and socially very backward. The issue of socio-economically and politically backward classes and their developments has gained significance in the contemporary times. As such certain safeguards are provided to the people belonging to these categories, by giving them constitutional recognition as Scheduled Caste (SC), Scheduled Tribe (ST) and Other Backward Classes (OBCs) of people for their all round development. According to Article 15 Clause 4 of the Indian Constitution, the state is entrusted upon some responsibilities to initiate certain measures for the development of the socially and economically weaker sections of the society. From time to time even the Supreme Court of India while giving its various judgements stated that it is logical and legal to initiate certain measures for the safeguard of these sections of people in the society. But one of the major problems concerning the application of this article is the lack of a proper standard or measuring rod to identify the socio-economic and politically weaker sections of the society (Neog, 2017). In most of the times it is seen that while providing constitutional safeguards, importance is given only in one element i.e. caste which is not sufficient. But in the case of K.S Joyri Bonam Kerala State and Sutelal Bonam Uttar Pradesh (AIR 1976 SC. 2381 and AIR 1979 Allahabad 135) the Supreme Court gave the judgement that while providing

judgements in regard to constitutional safeguards to the weaker sections of the society the elements of both caste and poverty should be taken into consideration (Neog, 2017).

Taking into account the scenario of India, it is observed that although some of the ethnic tribal groups are recognized as Scheduled Tribe officially but there also exist some other ethnic groups which are deprived of this recognition. In Assam there exists some tribal groups of people who are socio-economically as well as politically very backward but are deprived of those arrangements which the Indian Constitution has made for the safeguard and protection of tribal people of the society due to the politics of division and differentiation (Neog, 2017). One such tribal group of Assam is the Matak. In Assam six tribal groups are demanding for their ST (P) status namely- Matak, Moran, Chutiya, Tai Ahom, Koch Rajbongshi, Tea Tribe communities but this study will basically take into account the demand of Matak Tribal Group for ST (P) status. The Matak is one of the 'Son of Soil' of Assam who has been inhabiting in this part of the region from pre-historic period. In laying the foundation of Assam's society and culture as well as in India's independence movement the contribution of this tribal group of people is very noteworthy. Even Sukapha and his team were able to lay the foundation of their Ahom Kingdom with their help and support. However due to times whirlpool they began to lose their identity and sovereignty. Nevertheless during the British Rule, in their census reports and in their records and documents the Matak was identified as a tribal group. But during 1921, 1931, 1941 and 1951 census this tribal identity of the Matak became extinct due to some evil endeavours of some societal and religious groups. The powerful tribal group who retained its sovereignty and independence even after the Yandaboo Treaty, when the whole of Assam was annexed by the Britishers and which possessed the ability to change the history of Assam suffered from untold miseries during the Ahom and British rule in Assam which made them alien in their own land. Those atrocities, sufferings and discriminations continued even in the contemporary times. If this tribal group is not given adequate constitutional protection and facilities then this tribal group will survive only in the pages of Assam's history.

## II. METHODS

The method used in preparing this paper is descriptive and historical analytical in nature. Both primary and secondary sources of data are used. Secondary sources like books, journal articles, PhD and M.Phil thesis as well as the resources available on internet have been judiciously along with primary sources such as ministries reports, memorandums, government reports etc.

**III. DISCUSSION** The special protection which is provided to the ethnic and tribal citizens of India is in the form of Scheduled Tribe status. When a particular tribal group is included within the scope of Scheduled Tribe, then constitutionally that particular tribe is entitled to various socio-economic and political safeguards, privileges and opportunities. However, there is a procedure through which a particular tribal group acquires ST status constitutionally in India. In the first instance, the proposal for acquisition of ST status needs to be approved or sanctioned by the Registrar General of India and the Census Commission of India (Gohain, 2017). After that the approved procedure goes to the Central cabinet. If the Central Cabinet

gives approval then the proposal is placed before the Lok Sabha in the form of a bill. The Lok Sabha then forms a Special Committee for conducting field study and enquiry. After that the committee indepthly carries out its investigation and submits a report in the parliament. The report is then taken into consideration and after the bill is accepted in the Lok Sabha it is send to the Rajya Sabha for its approval. When the bill is passed in both the houses of the Parliament, it is send to the President for his assent. After the president gives his assent in the Bill, the bill becomes a law and that particular group is given the ST status by the constitution as per Article 342 of the Indian Constitution (Gohain, 2017). Besides these the Indian constitution has laid down five distinctive characteristics or criteria which a group must possess inorder to avail the ST status. Those characteristics are:

1. Primitive Traits
2. Distinctive Culture
3. Impact of Shyness in social behavior
4. Geographical Detachments/ Isolation
5. Problem of Backwardness (A memorandum to the Chairman, North-East MPs Forum submitted jointly by All Assam Matak Sanmilan and Sadou Asom Mottock Yuva Chatra Sanmilan, Head Office-Sarbananda Singha Nagar, Borguri, Dist: Tinsukia, State: Assam, 2015)

The Matak tribal group who has been suffering from various problems, hindrances in their paths towards development has been carrying out agitations and struggles for self assertion and self establishment alongwith acquiring due shares and rights in the society from pre-independence era under the banner of All Assam Matak Sanmilan and its two allied organizations. Amidst their various demands one of the most significant and key demand is to provide Scheduled Tribe (Plains) status to the Matak. However, this demand is very old and they have been carrying out their various democratic agitations and discussions with the government in regard to fulfilling this demand from pre-independence period till the present times. However, it has now become necessary to have a thorough and detailed examination that to what extend the characteristics which are mentioned in the Indian Constitution for the acquisition of ST status are reflected in case of the Matak tribal group because prior to independence AAMS and AAMYCS has been carrying out the demand for granting ST status to the Matak as their main demand from the government. But the Honorable Registrar General has been rejecting their demand by claiming that they donot possess those requisite characteristics which are prescribed in the Constitution for acquiring ST status. As such under the initiative of the above mentioned voluntary organizations an expert committee was formed by the Government of Assam to review the conditions for acquisition of the ST status of the Matak as per the directions of the then Chief Minister Sri Tarun Gogoi on 18-07-2008. The honorable Chief Minister of Assam suggested preparing an ethnographic report, recommendations to be based on five (5) criteria and replies to the queries made by the Office of the Registrar General of India with the help of the experts. Accordingly, Government of Assam through a notification had constituted a three member expert committee with the following members to prepare the report on Matak. 1) Sushil Kumar Gogoi, Member, Advisory Council, Sri Sri Aniruddhadeva Chair, Dibrugarh University. 2) Tarun Kumar

Gogoi, Lecturer, D.D.R. College Chabua. 3) Satyadhar Matak, Advocate, Gauhati High Court (A memorandum to the Chairman, North-East MPs Forum submitted jointly by All Assam Matak Sanmilan and Sadou Asom Mottock Yuva Chatra Sanmilan, Head Office-Sarbananda Singha Nagar, Borguri, Dist: Tinsukia, State: Assam, 2015)

The Committee on receipt of the letter to that effect in the last part of Sept. 2008 vide No. AIRTSC (Ethno-RS) 68/08/25 dated Guwahati 15th Sept, 2008 called for its first sitting, commenced works w.e.f. 4.10.2008 and completed satisfactory the same on 16.08.2009. To shoulder the responsibility as well as the vulnerable task of determining the tribal identity of the 'Matak', the committee has gone through every aspect to the extent of its capacity so that nothing cohesive to the subject matter left unlooked and unturned. It has consulted more than 40 (forty) books in different libraries and in individual's possessions and many journals, research papers during its altogether 32 (Thirty Two) nos sittings (A memorandum to the Chairman, North-East MPs Forum submitted jointly by All Assam Matak Sanmilan and Sadou Asom Mottock Yuva Chatra Sanmilan, Head Office-Sarbananda Singha Nagar, Borguri, Dist: Tinsukia, State: Assam, 2015). Extensive Urban and Mafussil Tours also undertook in places of importance for archaeological and ethnological field study. Some 25 (Twenty Five) expertise and resource persons were interviewed. Thus the ethnological report prepared was based primarily on study of Ahom chronicles translated from Tai language to English, research articles of eminent scholars of the very recent time, histories of medieval and modern period apart from experiences and knowledge of the faculty members nominated by Government for the Expert Committee. A first and preliminary draft report so prepared was also submitted to the Director, AIRTSC, Guwahati for his review and comments (A memorandum jointly submitted by All Assam Matak Sanmilan (AAMS) and Sadou Asom Mottock Yuva Chatra Sanmilan to Shri Rajnath Singh, Honourable Home Minister of India on 9<sup>th</sup> March, 2015). It was after careful study and incorporation of some important suggestions received from his end, the final Draft report of the ethnic identity of the Matak and replies to the queries appertained thereto was prepared and made ready on 2.10.2009. The Committee also put forwarded recommendations based on the five (5) criteria which a tribal group must possess in order to be included within the scope of ST list of Assam.

As per the direction of the then Chief Minister of Assam Sri Tarun Gogoi, in the meeting with the delegates of the six tribal groups of Assam demanding for ST status, on 18.07.2008, the expert committee which was formed to prepare a report on the Matak were also asked to reply to the queries put forwarded by the Office of the Registrar General of India (RGI). Complying with the direction the expert committee prepared a report in response to the queries made by the RGI. It was often witnessed that RGI rejected the demand for the inclusion of the Matak in the ST list on the ground that it fails to fulfill the 5 criteria prescribed in the Indian Constitution and also due to some misconceptions regarding Matak tribe. Honorable Registrar General of India has expressed in his comment that 'Matak is a generic term' and it implies a cluster of various ethnic people belonging to Moamoriya Religion faith and therefore 'Matak' cannot be considered outside the religious community as an ethnic group or tribe'. He has further opined that 'in the last report submitted by Tribal Research Institute (TRI), the facts, data and clarification given in connection with the ethnic identity of the Matak has not been able to offer a proper or acceptable concept in this

direction' (A memorandum to the Honourable Tribal Affairs Minister, Shri Juwel Urang in 2015, submitted jointly by All Assam Matak Sanmilian and Sadou Asom Mottock Yuba-Chatra Sanmilian). In this regard the expert committee stated that 'on the basis of the data, information gathered through study and enquiry it is affirmed that, the view that Matak is a generic term is non historical and incorrect and it is a consequence of a myth not founded on facts'. The experts stated that 'the RGI had to take such a negative view as because the included facts and data in the earlier TRI report were not placed systematically according to purpose and that the words *Matak*, *Motek*, *Moamoriya*, *Moran* were often used indiscriminately in the histories written with medieval thoughts and the origin, derivation and practical meaning of these words were not explained as they should have been; and proper attention was not given to place methodologically the long history of the tribal identity of the Mataks'(A memorandum to the Chairman, North-East MPs Forum submitted jointly by All Assam Matak Sanmilian and Sadou Asom Mottock Yuva Chatra Sanmilian, Head Office-Sarbananda Singha Nagar, Borguri, Dist: Tinsukia, State: Assam, 2015). Further it was also stated that through assimilation or mingling with other ethnic groups they have lost their tribal characteristics. Nevertheless in this regard a point is to be mentioned that although for a tribal group in order to attain ST status certain criterion has been prescribed in the constitution but the conditions on the basis of which tribal status is given has become obsolete and outdated and time has come for its reconsideration. The reason is that those conditions were formulated by the Britishers and as the society is dynamic it would be unjust to stick to those age old conditions. In this respect it is noteworthy to mention that in order to properly investigate the demand for tribalization of the Gujjar tribe; the Rajasthan Government has formulated a committee under Justice Jasraj Chopra known as Chopra Committee (Neog, 2017). In the Chopra Committee's report submitted to the Rajasthan Government it was stated that the criteria for determining the ST status in India is very obsolete and outdated and steps should be taken to modify and amend those criterias. Till today the Registrar General of India has been following those conditions prescribed by the British administration. With the passage of time everything has changed and as such for inclusion within the ST list those five criteria are not necessary. On that ground it is not justified to deny any tribal group from acquisition of their ST status (Neog, 2017). Moreover in today's world it is not possible to maintain pure racial traits without assimilation. But, then also the Mataks to a very large extent are successful in maintaining it. In Upper Assam, particularly in the districts of Dibrugarh, Tinsukia, Lakhimpur, Sibsagar, the Matak villages are particularly inhabited by the Matak people and the existence of people belonging to other groups are hardly witnessed (Senapoti, 2017). So far as the criteria of geographical isolation is concerned it is a known fact that with the advancement of science and technology and due to globalization, no society or group in reality can completely remain isolated from the rest of the world in the true sense of the term. But even though the Mataks are able to fulfill this norm to a very great extent. They prefer exclusiveness in socio-religious occasions and in the rural areas intra community mixing is scrupulously avoided (Senapoti, 2017). Thus, the expert committee stated that considering the above scenario, the Mataks deserves to be included within the Scheduled Tribe (Plains) list of Assam.



Furthermore, the rate at which migration and aggression of foreigners are increasing in Assam, the identity and existence of the indigenous people are at risk and they are even suffering in every aspects of their life. If the people belonging to the Matak tribal group are given constitutional safeguards in the form of ST status then it will help them to uplift their status in all the aspects of their life may it be social, political, economical etc. Although Mataks are a part of Greater Assamese society but being Assamese doesnot grant them ST status because the very definition of ‘Who is an Assamese is?’ is subjected to various controversies and debates. Although the contributions of the Mataks in the formation of larger Assamese society is quite evident nevertheless, they are always deprived of their due slice of the bread in the greater Assamese society which put them into a compelling situation to trace their steps back to their original position. This is the reason of rising of the Mataks again.

One of the significant indigenous tribal organization which was successful in laying its implications upon Assam’s political field was the ‘Tribal League’. The Tribal League was formed in 1933 (Neog, 2017). The founder secretary of this organization was Bhimbor Deori, a very powerful and eligible tribal leader. It would probably be not correct to call him only a tribal leader. In real sense, he was the lifeline of Assam. It was Bhimbor Deori who raised his demand for the inclusion of Matak and Moran in the ST (P) list. In 1947 from Tribal League a very important memorandum was being prepared and it was through the efforts of Bhimbor Deori that a clause was included in the memorandum demanding for Scheduled Tribe (Plains) status for the Morans and Mataks of Assam. On behalf of the Mataks, Lankeshwar Gohain signed the memorandum. In the words of Gopinath Bordoloi ‘Bhimbor Deori was the peoples’ leader of Assam’. Since then the legacy of submitting memorandums to the government for the fulfillment of various demands including the demand for ST (P) status to the Mataks started. In 1984 the All Assam Matak Sanmilan and All Assam Matak Yuva Chatra Sanmilan jointly submitted a memorandum to the then Chief Minister of Assam Hiteshwar Saikia. In the memorandum besides several demands the demand for ST (P) status of the Mataks was given vital importance. Further, in 1989 the All Assam Matak Sanmilan submitted a memorandum to the Indian Prime Minister where they demanded for their inclusion in the ST (P) list. Further, they also demanded the formation of a Matak Belt with autonomous self governance in that belt. In the memorandum they stated that- “ i) Under the provisions of the Indian Constitution, Article 244 (1) pray to declare Matak tribe as Scheduled tribe and under Article 244(A) (1) to constitute Matak belt in the areas of Matak-Moran dominance and to declare Autonomous council under the provision of 6<sup>th</sup> Schedule of the Indian Constitution. (ii) All Assam Matak Sanmilan begs to request your honour and the Government of Assam as well as to promulgate the special ordinance under Article 244(1) of the Indian Constitution, declaring the Matak tribe as Scheduled tribe pending the amendment of Articles 244(1) and Article (A) (1) & (2) of the Indian Constitution” (Das, 2019). In 1990, the AAMS and AAMYCP jointly submitted a memorandum to the President and Prime Minister of India. Through that memorandum they demanded ST (P) status for both the Mataks and Morans of Assam. Further, they also mentioned in the memorandum that although the Indian government asked for a report in regard to the demand of ST status of the Mataks from the Assam government but the state government repeatedly turned a deaf ear to

the issue. Furthermore, in the memorandum which was submitted in July 2014 to the then President Pranab Mukherjee, Prime Minister Narendra Modi, Home Minister Rajnath Singh, Minister of Tribal Affairs Dhanjibhai Vasava, Minister of Youth Affairs and Skill development Sri Sarbananda Sonowal, Registrar General of India, Northeast MP Forum also mentioned about the demand for inclusion of the Matak tribal group in the ST (P) list. In the memorandum it was stated that –“It is pertinent to mention that unabated influx of illegal migrants into Assam led to a perceptible change in the demographic pattern of Assam and has reduced the aboriginal people to a minority in their own state. It is a unique type of bloodless aggression. It is a contributory factor behind the outbreak of insurgency in Assam and illegal migration has not only affected the people of Assam but has also created a serious threat to national security. The enlisting of Matak Tribe into the Scheduled Tribe along with five other tribes of Assam will help to stop illegal land encroachment of aboriginal people of Assam.” Moreover, in 2019, the All Assam Matak Sanmilian submitted a memorandum to the ‘Chairman of the High power Committee for the implementation of the long pending Clause 6 of Assam Accord’ on the subject, expressing their views in regard to providing constitutional protection to the indigenous tribal groups of Assam (Das, 2019). In the memorandum, the AAMS on behalf of the Matak people stated in brief about their plight in all the aspects of life and how they were deprived of their due shares in the society. Among the various demands put forwarded in the memorandum the demand for ST (P) status to the Mataks is given due significance. It was mentioned that on the basis of historical data and records the Matak should be provided ST (P) status alongwith it an Autonomous Council should also be provided to them.

#### **IV. CONCLUSION**

Although demands and agitations were carried out and discussions are going on with both the state and central government in regard to providing Scheduled Tribe (Plains) status to the Matak tribal group however a question often arises that whether the Mataks will be given the ST (P) status or else will the issue be used as a political instrument as the government is dealing with the issue in a very hap-hazard way. Often allegations are raised that it is a tactic of the government to engage the people with the issue and to sideline it at the same time (Sarmah & Hazarika, 2020). A lengthy movement, agitations, different rounds of discussion with the Central and State government took place yet the demand for ST (P) status for the Mataks has not been fulfilled.

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