

The Zeme of Assam and Land Holding System

Chiraibe Kuame*

Haflong, Dima Hasao, Assam, India

Abstract: Land occupies the highest position in any given society whether agrarian or industrial society and in any economy which is predominantly agricultural, the government's land policy is closely connected with its revenue policy. As the Zeme and the other tribal's group who inhabits Dima Hasao district of Assam practices shifting cultivation which is considered as the worst form of doing agriculture and primitive in nature as it requires large area of forest land to be slash and burnt for cultivation which directly or indirectly destroy the ecosystem. It is very important to have a clear concept and deeper understanding of the traditional Land holding system among the Zeme of Dima Hasao, Assam.

Keywords: Land, customary law, zeme, heram mpua, mpuarak, hepak, penget, kadeseube, hepumme, mmimakme, peddai gaibe.

1. Introduction

Zeme is one of the kindred brother/tribe of Zeliangrong Naga and a sub-tribe of larger Naga tribes, distributed in three north-eastern states viz. in Dima Hasao district of Assam, in Tamenglong and Senapati district of Manipur and in Peren district of Nagaland state. Linguistically the Zeme belongs to the Tibeto Burman stock of the Mongoloid race. The Zeme of Dima Hasao (erstwhile N.C.Hills) district is divided into eight clans of equal status; they are Kuame, Riame, Newme, Pame, Zanne, Panme, Ngame and Daime. The Zeme follows a patriarchal system of family. In the word of C. A. Soppit (1885) '(Nagas)...not being a wandering race, like the Kacharis and Kukis, and rarely, except for some very pressing reason, changing the site of the village, and even on these occasions, never moving more than a mile or so from the old location, would lead one to conjecture that they are descended from the earliest inhabitants of the parts they now occupy'. Referring to the Nagas loves for their ancestral land unlike the other tribes, R. Steward also mentioned that they are more attached to the sites of their habitations than the rest of the other tribes and 'nothing short of direct necessity will force the Nagas of the hills to relinquish their native spot ground'. They have made this reference while talking about the Nagas of North Cachar (now Dima Hasao) areas.

Apurba K. Baruah (2012) in his article 'Tribal traditions and land as property in composite Assam: consequences of the sixth schedule of the constitution of India' in the book '*Aspect of Land Policy in Assam: continuity and change (edt.)*' said that in the composite state of Assam, mainly, the two hills districts, i.e., Karbianglong and North Cachar Hills practiced shifting cultivation. The total area under shifting cultivation is estimated at 4, 90,000 hectares out of which, the average area under

shifting cultivation in a year is estimated at 70,000 hectares. The task force of the ministry of agriculture on shifting cultivation (1983) reported that the annual area under shifting cultivation in Assam is 696 sq. Kms. The minimum area under shifting cultivation at one time or other is also estimated at 1,392 sq. Kms. The fallow period in Assam is estimated in about 2-10 years. The task force further observed that the total number of families practicing shifting cultivation in Assam is around 58,000. It is rather obvious that such practices are not compatible with the market based, capitalist agricultural system that came to be pursued by the state of Assam. The state and its development planners therefore began to look at shifting cultivation as a major problem and began to adopt policies that would bring an end to this form of agriculture.

2. Objective

The main objective of the paper is to look into the land holding system of Zeme Naga living in Dima Hasao (erstwhile N.C.Hills) district of Assam and the role of North Cachar Hills Autonomous Council in the land management which is under the sixth schedule to the constitution of India.

3. Methodology

The methodology used in developing the paper is primarily based on primary data which is the direct outcome of ethnographic study and empirical research on Zeme of Assam and personal interview of some renowned personal from Zeme community who are well versed with the oral history and clan land holding system among the Zeme living in Assam along with the available secondary data which are in written forms like books, articles etc.

4. Findings

Migration: Though there is no written record, oral history says that all the Naga tribes once lived together at Makhel before their desperation to different direction. The Zeliangrong moved to the south and came to deep gorge called Ramting Kabin and to Chawang Phungning and reached Makuilongdi. The chief of Makuilongdi had three sons- Lengba, Chipa and Rang who were the great grandfathers of the Zeme, Liangmai and Rongmei. It is said that the Zeme, Liangmai and Rongmei got their respective name from Makuilongdi. Makuilongdi also called Wilong in present day Manipur state of India is the starting point of the Zeme migration. In Zeme dialect, the word

*Corresponding author: chiraik9@gmail.com

Zeme or Zemena or Zena means “man” or the “people”. In search of land, the Zeme moved out en masse from the central region of Makuilongdi. In groups they crossed the Barak. From the bank of the river, they moved to direction of their choices. Some of the group proceeded north until they reached Apaona peak (present Peren town in Nagaland) and settled there. They sustained their northward expansion until they encountered the Angamis, their kindred from Makhel. The last settlement of the Zeme to the North is Heiningkunglwa village and the village still stands today. Even today, the Zeme occupies the Zalukie valley, Bakeh valley and the surrounding hills of the present Nagaland state. They are called the northern Zeme people. Another group of Zeme migrants went west from the Barak River. After moving together for some time the group split into two parties. One followed the range between the Barak and the Jiri rivers, which is also called the Barail range. The second party moved towards the far west. They went down to the Longmang area, now called Haflong. From there they moved further west towards present day Meghalaya and Bangladesh border near Sylhet. Many Zeliangrong folk stories that are woven together with history has their origin in this area like Asalu (Asaa’s field) and a mountain called Nrimbanglwa where Asaa the hero ‘plucked’ fishes from a tree for passing Burmese travellers. The last of the Zeme village this side is Melangpeuram, also called Malangpa. Some of them proceeded towards Silchar valley. The village of Nkangnam at the hilltop of the valley is one of them. The area is still inhabited by the Zeme. Even the area on the other side of the rail track falls under them, it is called Kumbuingram. After many years the Indian Government constructed an airport in the same area and named the airport Kumbigram (derived from Zeme word Kumbuingram).

Land holding system among Zeme: Dima Hasao District (erstwhile N.C. Hills) is under the provision of the Sixth Schedule to the constitution of India and the land revenue is looked after by the Revenue Department of the Autonomous Council. However, the land holding system of Zeme Naga living in North Cachar Hills is base on Clan system. Though the Autonomous Council have given a clear demarcation of village boundaries under the Assam land revenue acts, the Zeme does not use such boundaries and has no much significance. They have a different land holding system, which follow Clan land holding system. Therefore, the concept of village boundaries has nothing much to do with them. They have common land, clan land and individual land which are interpreted through the customary law. Common land is such land where many Clans have their share. Nevertheless, it does not mean that the people from different Clan who does not own a land cannot cultivate on those land. They can cultivate on a land which is owned by another clan. However, they have to pay ‘*Heram mpua*’ (*land tax*) to the land owner in terms of cash or goods produced from that land. The amount or quantity of goods which is given to the land owner depends on the goodwill of the cultivators. They can sale or transfer a land however under a strict condition. The sale or transfer of land is within different clan of the Zeme community. It is not allowed to transfer or sale the clan land to other community. If any land disputes arise, the village elders

come together and decide according to the oral history of forefathers (‘*Peirei*’ or Clan history) along with the witness and through the interpretation of customary law. Though they do not permit patta for all the areas they allow annual khiraj patta for paddy field in rural area too. The reason for allowing to get patta is that if there is any damage due to natural calamities like floods and erosion, they could claim the compensation from the government. Issuing patta does not mean that the particular plot of land becomes the property of the one who cultivate over it, it still belongs to particular clan. Government has been insisting them to get the patta however they do not consider it necessary. According to *Samsadinbe Newme*, the Zeme land holding system is much older than any of the government land policy including the British government land policy. They had been living on this land since many centuries and their customary law is above everything. If there is any dispute or conflict between the clan land owner and the one who cultivate over that land on some issues like Patta, his/her patta will be ceased by the villagers and will be decided by the village elders on who is the rightful owner of that land through the interpretation of customary law, which is above everything. Majority of the Zeme living in North Cachar Hills practices Jhum cultivation and every year they clear one forest area where all the villagers cultivate according to their capacity. It is a rotation system; they cultivate the same land again after a gap of 15 to 16 years.

Heram mpua (land tax): The one who own the land gets a *Heram mpua (land tax)* from the villagers who cultivate on that land, even the neighbouring villagers is allowed to cultivate on that land, if there is enough of land in the area. This tax is not given every year but only for the cultivated year. *Heram mpua* has fixed price but it is categorized according to the production of goods from the Jhum field, the family who produce more pays more and the family who produce lees pays according to his/her capacity depending on their produce in terms of *Mpuarak (basket)*, *Rehi/Ntui* and *Hedun (small basket)* and sometimes they measure even with *Kebuie (mithun Horn)*. The land boundary can be from river/stream/brooks and *Hepak (jhum field)*. Though an individual can be the land owner of certain areas but within that area, there can be many *Hepak (jhum field)*. And the outsiders can request the owner of that hepak to allow him to cultivate on that land and in return he/she pay *Penget (Penget is a share/tax within the Mpua which is paid just for the jhum field, it is paid for only cultivated year. He/she who cultivate on that Hepak also still need to pay Mpua to the actual land owner)* to the owner of that *Hepak*. However, he/she can’t become the owner of that *Hepak* unless the owner of that jhum field grants permission. And as long as he is from same village, he doesn’t need to pay *Penget* to the jhum field owner but he does need to pay *Heram mpua* to the land owner. But if he/she is outsiders, they need to pay both *Penget* and *Mpua*. The owner of the *Hepak* has no land right over the *Hepak* as it belongs to the land owner of the area. It is impossible not to pay *Heram mpua* or *Penget* to the actual owner of the land and owner of the *Hepak* respectively. It is a must otherwise it is a disgrace to the family and entire clan. He/she will remain as a low standard person without responsibilities and principles in the village. He/she will be taken as a bad example in the village

and society. Even if he/she only cultivate chilli or yam, he/she needs to pay even if it is only one chilli or one yam. Paying *Heram mpua* to the land owner signifies the importance of land owner.

Transfer/selling of Clan Land: Transfer or selling of clan land is done within the Zeme community and not with other communities. It is mostly sold to people who are very close to the land owner, mostly within the same village and same clan. If the land owner does not have any kit and kin and wishes to sell his land, it is open to all, anybody can buy it but that too it is within the same community. The land Owner can give a piece of land known as *Penam heching ria bam* (A designated place to collect firewood) for her daughter who is married off to other. If it is a successful marriage, the land belongs to her and her descendents but if there is divorce because of some reasons then the land will be taken back by her father. *Heching ria bam* is not Just a small piece of land. One whole mountain or more is given to the married daughter. Since the land is given to his daughter, she can take back the land to her father after her divorce, whatsoever the case maybe. If the land owner daughter died in her husband home without divorce, then the land will belong to her husband family. Her father has no right to reclaim over it. Her descendent has every right over the land.

The Autonomous Council and Land management: The North Cachar Hills Autonomous Council which was established in 1951 under the Sixth Schedule to the constitution of India looks after the Land management in Dima Hasao district. There are two types of land i.e., surveyed and un-surveyed areas under the North Cachar Hills Autonomous Council. Umrangso, Haflong, Maibang, Mahur and some parts of Harangajao are under surveyed areas. Most of the settlement in Dima Hasao district is done without surveying. The Revenue Department under North Cachar Hills Autonomous Council looks after the un-surveyed land and accept all those who are enjoying the land rights through the customary law. When it comes to Zeme society, they do not follow the village boundaries, as they follow the clan land holding system. The Revenue that the Department charged for the assessed land as settlement fee is Rs. 1000/- per bigha for annual khiraj patta in urban areas, and for rural areas it is different. The Autonomous Council do not issue periodic patta at the first settlement; first they issue annual khiraj patta and after construction of permanent structure, if there is no disputes on that land then only the Autonomous Council issue periodic patta, which is done after the survey by the Revenue Department under the Autonomous Council because that land has to be given in lease for 30 years. There is no specific year as to when the annual khiraj patta could be converted to periodic patta; annual khiraj patta can be converted to periodic patta if that land has permanent structures and out of disputes as reported by '*Patowari*'. Land value is different according to the places, for proper Haflong town, land value for one bigha is Rs. 5 lakhs and they have to pay 15 % of the land value to the Autonomous Council for converting annual khiraj patta to periodic patta which is called as land premium. Settlement fee is already paid when he/she is enjoying annual khiraj patta, so after conversion it is called as land premium. Land valuation in rural area falls under ordinary cultivation. So,

they have settlement fees different from the urban areas.

The Autonomous Council appoints Mauzadar for each community living under the administrative control of North Cachar Hills Autonomous Council to collect the land revenue on behalf of the Autonomous Council. From the day he is appointed as mauzadar, he is under the Revenue Department of the Autonomous Council. The council clarified that any boundary disputes have to be settled by mauzadar which falls under his area. The mauzadar has to bring such disputes into understanding and settle the disputes and some other pity issues which may crops up in the village or between the villages etc. In case if the boundary disputes could not be solved by the mauzadar, the Autonomous Council subordinate court through the interpretation of customary law settles the disputes. Asalu, which is a Zeme village, was the first British sub-divisional headquarter in North Cachar Hills where initially the mauzadars of N.C. Hills from each community submit the land revenue. The mauzadar do not issue land patta but he is entrusted to renew the Annual Khiraj patta along with the collection of house tax by issuing the money receipt. The Mauzadar collect Rs. 50/- per bigha for paddy field and Rs. 40/- as house tax from each house every year. The headmen collect the house tax on behalf of the mauzadar and submit to mauzadar and in return they submit to the Revenue Department under the North Cachar Hills Autonomous Council. Assessment of land revenue is done by the North Cachar Hills Autonomous Council. The mauzadars get 35% of the total revenue collection as commission. Mauzadar issue no objection certificate to the people of the revenue villages for applying permanent residential certificate, scholarship, old age pension, pension for widows and scheme for handicaps etc only if they pay house tax and he charge Rs. 50/- for issuing such certificate. The mauzadar also exercise some judicial power in their respective area but their decision cannot override or go against the decision made based on customary law and oral historical facts (Clan history). Sometimes the mauzadar issue no objection certificate stating in favour of the right one in support of such decision and even the Autonomous Council recognise such decision. The primary duty of Mauzadar in Zeme community is to collect the house tax and land revenue.

5. Conclusion

Hepumme (*people from other clan or the clan who is not the owner of that land*) plays an important role in resolving the land conflict among the Zeme society. If the conflict could not be resolved by the village elders' forum along with *Hepumme*, then the conflicting parties usually swear/solemn oath called *Kadesseube* in the name of God (*kedei kedi be nai ting kehube*). There are many types of *Kadesseube*; everyone has their own way of *Kadesseube*. Swearing with egg is the most common one which is lighter and *Milui Mihai Mihik ga ra Kadesseube* is the worst form of *Kadesseube* where the false Person and his family will be cursed (*Peddai gaibe*) to death and they fixed certain months and even years to see the result in the name of God (*Kedei Kedi be nai Ting Kehube*). In fact, *Kadesseube* is considered as the last stage to prove oneself either right or wrong. This type of case usually happens among the kit and

kin's and between two villages. In the process of swearing, if the conflicting parties are swearing with eggs, whoever is wrong his egg will not be broken when it is thrown on the ground and they swear in front of the whole village. In Zeme customary law, whenever there is a discussion to settle the land conflict, the village elders and the people from the other clan *Hepumme* negotiate and settled the disputes by bringing both the parties at the saddle point. When the conflict cannot be resolved by the *Hepumme* of the area, they usually go to the government court which is rare. There can also be a conflict because of jhum field or garden within the land own by different person. Such cases are also settled by the person including *Hepumme* who knows the boundary very clearly. In Zeme society, wife's brother plays an important role. They accompany his brother-in-law in every aspect of life; they called them as *Mmimakme* and play an important role in resolving such conflicts.

References

- [1] Apurba K, Baruah, (2012) Tribal traditions and land as property in composite Assam: consequences of the sixth schedule of the constitution of India in Dinesh Ch. Baroowa, Priyam Goswami, Shiela Bora and Sujatha Nayak, (ed.) Aspect of Land Policy in Assam: continuity and change, (pp.169-170) Guwahati, Vivekananda Kendra Institute of Culture, the secretary, Vivekananda Kendra Institute of Culture.
- [2] Assam Land and Revenue Regulation 1886, <https://landrevenue.assam.gov.in/sites/default/files/The%20Assam%20Land%20and%20Revenue%20Regulation%201886.pdf>, accessed on 17/04/2022.
- [3] Barpujari H.K (1992). The Comprehensive History of Assam, (Vol. II), Guwahati: Publication Board Assam.
- [4] Bhattacharjee J.B. (1977). Cachar under British Rule in North East India, New Delhi: Radiant Publishers.
- [5] Bordoloi, B.N., (1972), District Handbook: United Mikir and North Cachar Hills. Shillong: Tribal Research Institute.
- [6] Bordoloi B.N. and Thakur Sharma G.C., (March 1988), Tribes of Assam Part-II, Assam: Tribal Research Institute.
- [7] Bordoloi B.N, G.C. Sharma Thakur and M.C. Saikia (1987). Tribes of Assam, part-1, Guwahati: Tribal Research Institute.
- [8] Bower U.G., (October, 1950) Naga Path, London: Butler and Tanner Ltd.
- [9] Elu Raitu, Ndang N. Haisoyi & Pouheu N. H., (2012), Zeme Cultural Heritages & Customary Laws, Haflong, Zeme Council North East India.
- [10] Gait Edward (1926). A History of Assam, (2nd Edition Reprint), Guwahati: Khagendra Narayan Dutta Baruah, Lawyer's Book Stall.
- [11] Gangopadhyay D.K (1990). Revenue Administration in Assam, Revenue Department: Govt. of Assam.
- [12] Mali D.D. (1985). Revenue Administration in Assam, New Delhi/Gauhati: Omsons Publications.
- [13] Newme Pautanzan, (1st March/2009), Zeliangrong Customary Laws (in English), Haflong, Zeliangrong Heraka Association.
- [14] Pamei Namthiubuiyang, (2001), The Trail from Makuilongdi: the continuing saga of the Zeliangrong people, Joyousgard, Tamenglong, Manipur: Girona Charitable Foundation.
- [15] Panme Inchekambe, (2015), The Nagas of North Cachar Hills (Assam), Kohima Road, Dimapur. Zeme Pui Baudi (Zeme Mothers' Association).
- [16] Samsadinbe Jeme, (2018) N.C. Hills (Dima Hasao) ge Zeme lungbe reha in Zeme Students' Union 'Souvenir- The 66th Foundation Day cum 33rd Biennial Conference of Zeme Students' Union', (pp. 1-24) Haflog.
- [17] Soppit, C.A., A short account of the Kaccha Naga (Empeo) tribe in the North Cachar Hills, 1888, pp.1-20, as reproduced in Verrier, Elwin. The Nagas in the Nineteenth Century, Bombat 1 BR: Oxford University Press, (1969).
- [18] Stewart, R., Notes on Northern Cachar, Journal of Asiatic Society of Bengal, vol. 24, 1855, pp. 607-17, as reproduced in Verrier, Elwin. The Nagas in the Nineteenth Century, Bombat 1 BR: Oxford University Press, (1969).
- [19] The North Cachar Hills Autonomous District Council Code, (1992), Haflong: The N.C. Hills Autonomous District Council.