

# Historical Roots And Constitutional Evolution Of Reservation Policy For Scheduled Tribes In India

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## Abstract

**Background:** Reservation policy for Scheduled Tribes (STs) in India is rooted in a long historical process shaped by pre-colonial autonomy, colonial disruption, and post-independence constitutional commitment to social justice. Tribal communities historically maintained egalitarian social structures and collective control over land and forests, which were severely disrupted under British colonial rule.

**Materials and Methods:** This paper is based on a qualitative, historical, and documentary method. Primary constitutional documents, colonial administrative records, commission reports, and secondary scholarly literature were systematically reviewed and analyzed.

**Results:** The study finds that colonial forest laws, land revenue systems, and political exclusion resulted in land alienation, economic exploitation, and cultural marginalization of tribal communities. While colonial administrative reforms recognized tribal distinctiveness, they remained largely paternalistic. Post-independence constitutional provisions marked a decisive shift toward a rights-based framework through reservations, political representation, and special governance mechanisms.

**Conclusion:** Reservation for Scheduled Tribes emerged as a constitutional corrective measure rather than a privilege. Despite strong constitutional safeguards and post-independence policy initiatives, persistent implementation gaps necessitate participatory governance and culturally sensitive development for meaningful tribal empowerment.

**Keywords:** Scheduled Tribes (India); Tribal Reservation Policy; Colonial Legacy; Constitutional Evolution; Social Justice Framework

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## I. Introduction

Reservation policy for Scheduled Tribes (STs) in India is the outcome of a prolonged historical process shaped by marginalization, colonial intervention, and the post-independence vision of social justice. Tribal communities, commonly referred to as Adivasis, are among the earliest inhabitants of the Indian subcontinent. For centuries, they lived in relative autonomy, relying on forests, land, and customary institutions for subsistence and social organization. Their societies were largely egalitarian and closely integrated with nature.

This balance was severely disrupted during British colonial rule. Colonial forest laws such as the Indian Forest Acts of 1865, 1878, and 1927 declared forests as state property, criminalizing traditional tribal practices such as shifting cultivation, hunting, and forest produce collection. Simultaneously, land revenue systems and commercialization of agriculture resulted in large-scale land alienation, pushing tribal communities into indebtedness and exploitation by moneylenders and traders. These developments laid the foundation for tribal resistance movements and later constitutional interventions.

## II. Materials And Methods

This study adopts a qualitative historical-analytical approach. Data were collected through an extensive review of primary sources such as colonial legislation, Government of India Acts, Constituent Assembly debates, and post-independence commission reports. Secondary sources include scholarly books, peer-reviewed journal articles, and official policy documents related to tribal studies, constitutional law, and social justice. The analysis is interpretative and thematic, focusing on historical continuity and policy evolution.

### **III. Results**

#### **Tribal Society in Pre-Colonial India**

In pre-colonial India, tribal societies were largely self-governing and regulated by customary laws and kinship-based institutions. Economic life revolved around shifting cultivation, hunting-gathering, pastoralism, and forest-based livelihoods, ensuring ecological sustainability. Leadership was informal and based on age, wisdom, and experience rather than hereditary hierarchy.

#### **Impact of British Colonial Rule**

Colonial rule marked a decisive rupture in tribal life. Land alienation through Zamindari and Ryotwari systems undermined communal land ownership. Forest laws restricted access to ancestral resources, criminalizing livelihoods and disrupting indigenous knowledge systems. Market integration exposed tribal communities to debt bondage, displacement, and wage labor. Political exclusion and lack of education further marginalized tribal societies.

#### **Resistance and Early Administrative Recognition**

Tribal resistance movements such as the Santhal Rebellion (1855) and Birsa Munda's Ulgulan (1899–1900) reflected collective opposition to colonial exploitation. These uprisings compelled the British administration to recognize tribal vulnerability, leading to special administrative arrangements under the Government of India Acts of 1919 and 1935.

### **IV. Discussion**

The Government of India Act, 1919 introduced the concept of "Backward Tracts," while the Act of 1935 classified tribal areas as Excluded and Partially Excluded Areas. Although intended to protect tribal interests, these measures were paternalistic and excluded tribal participation in governance. Real power remained with colonial administrators, reinforcing dependency rather than autonomy.

A significant transformation occurred after independence. The Indian Constitution adopted a rights-based approach by recognizing Scheduled Tribes under Articles 366(25) and 342, and by providing reservations in education, employment, and political representation through Articles 15(4), 16(4), 330, and 332. The Fifth and Sixth Schedules established special governance mechanisms to protect tribal land, culture, and autonomy.

Post-independence initiatives such as the Kaka Kalelkar Commission, Dhebar Commission, Tribal Sub-Plan, and the creation of the Ministry of Tribal Affairs strengthened institutional support for tribal welfare. However, gaps in implementation, displacement, and limited tribal participation continue to undermine outcomes.

### **V. Conclusion**

The historical roots of tribal reservation in India lie in the disruption of autonomous tribal systems under colonial rule. While colonial policies acknowledged tribal distinctiveness, they failed to empower tribal communities. The Indian Constitution marked a decisive shift toward social justice by embedding reservation and protective measures as fundamental rights. Nevertheless, meaningful tribal empowerment requires effective implementation, participatory governance, protection of land and forest rights, and culturally sensitive development strategies that recognize tribal communities as equal stakeholders in India's democratic framework.

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