

Applicability and Relevance of Inner Line Permit (ILP) in Arunachal Pradesh.

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I. Brief Historical Background Of ILP

The state of Arunachal Pradesh which has lately granted as full-fledged statehood on 21st February 1987, popularly known as the Land of Dawn lit Mountain is first to greet the rising sun. The land has rugged grandeur, serrated ridges criss-crossed by mighty gorges and turbulent rivers tumbling over one another from the snow wastes of the high Himalayas to the steamy sub tropical plains of the Brahmaputra valley. Arunachal Pradesh is situated in the North-Eastern tip of India approximately between the latitudes 26°28'E and 29°30'N and longitude 90°30'E and 97°30'E. It is bounded on the North by China, on the East by Myanmar, on the South by Assam and Nagaland and on the West by Bhutan (State Gazetteer, p. 03). Arunachal Pradesh is the largest state of the North-East region with an area of 83,743 sq.km with a total population of 13, 83,727 a density of 17 persons per sq.km as per census 2011 (Census 2011). There are 23 major tribes belonging mainly to the Tibeto-Burman linguistic family who entered the land at different periods from different directions (Chaube-1973, p. 186). Each tribe has a distinct culture, traditions, faith and beliefs, custom and practices, different social and economic pattern.

The political and administrative growth of Arunachal Pradesh may be traced back to the year 1838 when British Indian Government took over the control of Assam (Riddi-2006, p.01). The British came to Assam during the Anglo-Burmese war of 1824-26 and occupied it as a conquered territory (Bose-1997, p.111). However, they pursued the isolationist policy towards the North-East-Frontier Tracts (now Arunachal Pradesh) and intending to leave "the tribesmen alone". The state has been reorganized and renamed since 1914 when hill areas of Northern districts of Assam were separated from the plains to form North East Frontier Tract. The tract was divided over a period of years into administrative units called Balipara, Lakhimpur, Tirap and Sadiya Frontier Tract. During 1954 these administrative units were further reconstituted and renamed as Kameng, Subansiri, Siang, Lohit and Tirap Frontier Divisions and collectively renamed as NEFA (North East Frontier Agency). In the year 1972 the Frontiers Division, which had in the meantime being renamed as districts, were formed into the Union Territory of India and again its name was renamed as Arunachal Pradesh which ultimately was declared a full fledged state of Union of India in the year 1987. The first administrative policy of the British government concerning to Frontier Tracts areas was the introduction of Inner Line Regulation Act, 1873 by identifying Frontier Tracts as distinct from administrative unit of Assam. The present Inner Line Permit (ILP) system is offshoot of the British regime which was introduced first time in 1873 popularly known as the 'Bengal Eastern Frontier Regulation by which an "Inner Line" was prescribed for the frontier tribal areas (Swain-2008, p.45). This regulation of 1873, called a 'Regulation for Peace and Good Government' of certain district on the Eastern Frontier commonly known as the "Inner Line Regulation of 1873. The idea of imposing Inner Line Permit at hill region of then Assam was to protect the culture and identity of indigenous tribes residing in the region as well as the commercial interest of the colonial government. This ILP has become an essentially official travel document issued by the state government of Arunachal Pradesh, Nagaland and Mizoram to any Indian citizens who wants to visit these restricted state/areas. The foreigners require the Protected Area Permit (PAP) to visit these states. However, a validity and legality of this ILP system have been a great debate over the years by different scholars, writers, legal practitioners and especially the one who needs to obtain ILP to visit these areas. With this objective the present paper is intending to analyze the validity and relevance of Inner Line Permit in this modern globalization era in respect of the state of Arunachal Pradesh.

II. Relevance Of Inner Line Permit System In Arunachal Pradesh

Once the Verrier Elwin wrote to our first Prime Minister Pt. Jawaharlal Nehru, " We must approach the poor with the mind of the poor'- so too we must approach the tribesman in mind of the tribesman' in his philosophy of NEFA. In his forward letter Nehru put forwarded five fundamental principles for the various way of development in Arunachal Pradesh then NEFA (North East Frontier Agency). Five principles are:-

1. People should develop along the line of their own genius and we should avoid imposing anything on them. We should try to encourage in every way of their own traditional arts and culture.
2. Tribal rights in land and forests should be respected.

3. We should try to train and build up a team of their own people to do the work of administration and development. Some technical personnel from outside will, no doubt, be needed, especially in the beginning. But we should avoid introducing too many outsiders into tribal territory.
4. We should not over-administer these areas or over-whelm them with a multiplicity of schemes. We should rather work through, and not in rivalry to, their own social and cultural institutions.
5. We should judge results, not by statistics or the amount of money spent, but by the quality of human character that is evolved (Nehru's forward letter to Elwin's Philosophy of NEFA, 1958).

Since independence the entire development strategies in Arunachal Pradesh were revolved around these five principles of the Nehru. However, Chinese aggression of 1962 in region shocked the policy makers of country and marked a swift changed in the administrative policy of government of India towards NEFA. Although government has changes the some of earlier policies but Inner Line Regulation still remains in state. In a recent past with the emergence of globalization era and free economic investment policy many critics have been pouring against imposition of Inner Line Permit to outsider visitors in state which they criticized for infringement of their fundamental rights of freedom of movement under the constitution of India. On the other hand another pro-ILP indigenous people argued that "progress everywhere breeds new tension". They believe in the Nehru's idea of five principles of development in areas. Chaube has rightly pointed out that with the spread of administration and development the area is becoming monetized. Money lending, land alienation, refugee issue, immigrants issue, drugs smuggling, insurgency militants problems are increasingly cropping up in the state. According to Verrier Elwin, 'the justification for continued separation after independence especially the retention of the inner line lies in the need for protecting the indigenous culture and genius of the tribes. This argument has been criticized as the "Museum of Specimen Approach". The celebrated geopolitician, K.M. Panikkar, has gone to the extent of suggesting settlement on the Himalayan range, including NEFA (now Arunachal Pradesh). The National Council of Applied Economic Research (NCAER) has suggested a relaxation of the inner line restrictions (Chaube, p. 195). The introduction of railways serviced in April 2014 has been received a mixed response from the people of state and subsequently it's service were suspended due to ILP issues which was protested by some students and civil society organizations. The local people feared that their indigenous identity would be threatened due to massive ingress of non-indigenous arunachalees entering the state without ILP. This responses of the people once again made compelling to policy makers in the state and the across the country to revisit the discourse on the ILP system. The All Nyishi Students' Union (ANSU) and All Papumpare District Students' Union APPDSU spearheading a protest against the State Government failure to check the influx of countless outsiders to Arunachal Pradesh without possessing ILP after the state capital was connected through railways (Arunachal Times, April-2014). They demanded to the State Government to adopt proper mechanism to regulate ILP by introducing effective mechanism, like deployment of special task force or creation of a particular department to deal exclusively with illegal immigrants. Though many believe that the ILP is an infringement of the fundamental rights of people, the indigenous people of state like Mizoram, Nagaland and Arunachal Pradesh treat it as a constitutional measure to protect their indigenous culture and identity. Construction of Mega Dams' issue of the state is another controversial point as it is alleged that government signed more than 100 Memorandum of Understanding (MoU) with different Private Corporations across the country without concerned to indigenous people. While the local tribes in Arunachal considered dams as an existential threat to their socio-cultural fabric, where development is divorcing them from their cultural heritage. If these dams are built in state there would be an influx of large number of non-indigenous laborers which may not be possible for the state government to properly check and issue ILP to each individual.

Why does ILP necessary for Arunachal Pradesh? To give this answer we must know some of the reasons that validate the operation of ILP in the state. The influx of large number of migrants in state is one of the major reasons which validate the imposition of ILP to non-tribal visitors. With movement against illegal immigrants taking place in neighbouring states like Assam and Tripura, etc, the fear of illegal immigration has always hounded the people of Arunachal Pradesh. And it is for this reason that the people have been demanding strict implementation of the Bengal Eastern Frontier Regulation 1873. Constitutionally, the state does not have special constitutional provisions like Article 371(A) and Article 371 (G) applicable to the states of Nagaland and Mizoram respectively, protecting their religious, social and customary laws, ownership and transfer of land, administration of civil and criminal justice, etc. Thus, in absence of such kind of constitutional provisions, protection of indigenous tribal identity and culture is a major concern among people of state. It is rather early to think about lifting the ILP at this stage, as the state is yet not in a position to accommodate the inflow of outsiders. There is a common perception that ILP may hamper economic growth of the state but on the other hand it as means to protect the indigenous tribes from exploiting and to preserve their fragile cultures and traditions. Further, there is an apprehension that removing of ILP can lead to a mass influx of non-residents, especially from neighbouring countries like Bangladesh and Myanmar due to porous border which will greatly

change the demography and the practices of the local indigenous tribes who had been co-existing there for many decades.

Batskhem Myrboh viewed that “The tribal communities are the under-privileged, marginalized and in most of the states in India are the minorities. Unless special mechanisms are in place to protect them from mass movement of people into their habitat, they are under the threat of being overwhelmed by the majority communities demographically, culturally and economically. On August 2007 the All Arunachal Pradesh Students’ Union (AAPSU) had launched a “clean operation drive” against influx of illegal migrants into the state. The AAPSU activists detected more than 5000 persons without possessing ILP, most of them were illegal migrants from Bangladeshi and deported them back near Bunderdwa police check gate Assam. It was the first massive operation movement against non-indigenous settlers (Achieve Aru. Times-2007). The refugee issues of Chakma-Hajong and Tibetans is another factor which people of the state and mainly spearheaded by AAPSU pressing for non-lifting of ILP system. It is very difficult to figure out the exact numbers of refugees in Arunachal Pradesh. As per a report of February 1995 from the govt. of Arunachal Pradesh, the Chakma refugee population was 34,493. One more recent estimate, however, indicates that their number may be larger and in the range of 46,000 to 50,000.

III. Conclusion

Now the question of lifting of ILP from state is a serious concern for people of the state. It is not all about its validity and relevance in modern global era but it is for question of their culture, identity and rights of the tribal people. People needs certain constitutional mechanism to protect their indigenous identity however the constitution of India have not granted any such mechanism other then the ILP. The IPL system is not a mechanism to curtailing the freedom of movement; ILP is only legal permit which is issued by the Government of Arunachal Pradesh to mainland Indian visitors in order to prevent any kind of anti-social elements that would harm the peace loving people of the state. Mainland Indians consider the ILPS as a racist restriction. But in ground reality it’s not the case. It is provision embedded in the Indian constitution which protects the identity and culture of the tribal people. It’s quite different from prohibition restricted area. This doesn’t mean that non-Arunachalees are not welcomed. It’s just that a concrete and practical system to maintain for preserving the indigenous people from losing their identity and becoming endangered to the verge of extinction as enshrined in the Indian constitution. In this global economic era development is an important area to be pushed by the government; however development without exploiting the tribal rights is more appropriate in context of Arunachal Pradesh. It has been experienced that the so called development that took place after independence did bring little or no benefit to the tribal’s of many states and, therefore the development path offered by globalization is even more dangerous as it is operationally proved to benefit more corporations and the urban middle class while sidelining the already marginalized section of the society. Therefore lifting of ILP from state at this stage may create more dangerous for extinction of tribal culture and rights. This should be kept in mind as Arunachal Pradesh is a sensitive border state located in a conflict prone region. States like Manipur and Meghalaya also have intensified their demands for the ILP system.

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