

## The Khamtis

### Habitat, and population

The Khamtis are a small tribe inhabiting the plain portions of Lohit District. But they are an important tribe, as they are culturally far advanced and have many special characteristics. They can hardly be called a "hill-tribe", as they live entirely in the plains areas near Noa-Dihing and Tengapani rivers.

According to the 1971 census, their total population is 4087. They form 0.87 per cent of the total population of Arunachal Pradesh and 1.10 per cent of the total tribal population of the Union Territory.

Among all the Arunachal tribes, the Khamtis are supposed to be the latest migrants to India. Originally, the Khamtis were inhabitants of a locality called Barkhamti which lies in Burma, near the source of the Irawati river. It was a part of the old Pong empire of the Shans, which broke into pieces after the invasion of the Burmese King Alomphra about the middle of the eighteenth century. It is at this time that the Khamtis began to leave their old home in Barkhamti area and entered Assam, horde after horde. The Ahom King of the time allowed one such section to settle on the banks of the Tengapani river. During the reign of Ahom King Gaurinath Singha (1780-90), the Khamtis crossed the Brahmaputra and pushed forward to Sadiya. Taking advantage of the decline and weakness of the Ahom rule, in 1794 they ultimately threw out the Ahom Sadiyakhowa Gohain who was administering that area. Their leader assumed the title of Sadiyakhowa Gohain. When the British annexed Assam they found a Khamti chief ruling as the governor of Sadiya (or Sadiya Khowa Gohain) and they acknowledged him as such. They, however, stationed a British garrison at Sadiya. Later on the Khamti Sadiya-Khowa-Gohain was removed and his post abolished, as a result of his defiance of the British order restraining him from taking forcible possession of a disputed tract of land attached by the British officer till disposal of a pending dispute. This infuriated the Khamtis who ultimately rebelled in 1839 and killed 80 sepoys of the Sadiya Garrison and the Political Agent, Col. White. The rebellion was promptly put down and the Khamtis were dispersed in four different localities, namely, Chunpura, Dhemaji, Narayanpur and Saikhowa.

In 1850, a fresh batch of about 300 to 400 Khamtis migrated to Assam under a chief from Barkhamti area. They settled a few miles above the old outpost of Saikhowa, not far from the Noa Dihing. E.T. Dalton, visiting them after 6 months, found them established rapidly and admirably in their

own fashion. It is this batch which is now settled in Chaukham village and its neighbourhood under the chief Chowkhamon Gohain.

### **Agriculture**

The Khamtis are good agriculturists and expert at wood-carving. As agriculturists, they grow all types of crops that are common in the plains areas of Dibrugarh district. They use plough and bullocks unlike most other tribes of Arunachal Pradesh. They practise permanent cultivation like the Apa Tanis and have no inclination for jhum.

### **Religion**

The Khamtis profess the Buddhist religion (Hinayana branch form). They are devoutly attached to their religion and scrupulously follow the Buddhist tenets and practices. The Buddhist temple at Chowkham village is remarkably beautiful and well-maintained.

### **Chieftainship**

The most important institution among the Khamtis is the chieftainship. There is a paramount chief over a group of villages, and below him is a village chief for every village.

The office of the chief is not strictly hereditary, though it is confined to the royal families. The chief is selected from among the members of the ruling families by the village chiefs and village elders gathered together. Once selected, however, he continues for life or till incapacitated. He is assisted by a council of elders, known as *Mulijum*, the members of which are nominated by him.

The village chief is also selected in the same manner by the village elders from among the members of the families of the ruling clans. He is assisted by a village council known as *Mokchup*.

### **Powers of the chief and the council in respect of land**

In olden days, the chief was considered to be the controlling authority over the land. Now-a-days, he, along with the village council, allots land to a needy person. Neither the paramount chief nor the village chief is considered to be the absolute proprietor of the lands and forests under his jurisdiction. He has no power by himself to alienate or encumber any land.

When a new village is established within the Khamti territory, the permission of the paramount Khamti chief is necessary. However, once it is established the detailed allotments, etc. are made by the village chief in consultation with the village council.

All disputes go to the village council first, but those which cannot be settled there go up to the paramount chief.

### Visit of team of officers

A team of officers from the Institute visited 6 villages, details of which are given below:-

TABLE 28  
Population and area in selected villages (Khamtis)

Name of the village	Inhabiting tribe	Population	Area under WRC (in hect.)	Area under jhum (in hect.)	Area under home-stead (in hect.)	Remarks
1	2	3	4	5	6	7
1. Chowkham	Khamti	1002	67	---	24	
2. Momong	-do-	700	147	---	28	
3. Kherem	-do-	120	51	---	8.4	
4. Lathoo	-do-	51	17	---	6	
5. Manmow	-do-	285	40	---	12	
6. Payong	Singphow & Khamti	930	67	---	24	
			389		102.4	

In the Khamti region of the Lohit district, there are 33 villages inhabited by the Khamtis and 8 villages by the Singphos.

During the period when officers of the team visited these villages, there were incessant rains and the fields were under water. No plot-to-plot study could therefore be made. The officers, however, met all the leading persons, including the Khamti Chief, C. Gohain, and the village chiefs of the villages. Interview schedules were canvassed and detailed discussions held. As a result of interviews and discussions, a clear and representative picture of the customary land system emerged, which is briefly set out below.

### Permanent cultivation is the rule

It will be seen from the above table that the Khamtis and the Singphos practise permanent cultivation only. In none of the six villages was there any jhum plot seen. The Khamti country is purely plain and level land and is well-watered by a number of streams and rivers. Khamti agriculture

suffers from flood-water rather than from scarcity of water. Where there is destruction of crops due to flood or pests, the Khamti cultivators now and then resort to temporary jungle clearing and cultivation of dry crops for one year, after which they leave the area and retain no claim over it. As there is no regular cycling of this kind of cultivation, they themselves do not regard it as jhum cultivation of the purer type. The Khamtis are, therefore, a tribe devoted to permanent cultivation.

Where permanent cultivation is practised the plots are fixed and well-demarcated. Each one knows his own plot and the plots of others. Each one cultivates his own plot by his individual labour and enjoys the crops grown thereon. So long as he continues to cultivate a plot, he remains its exclusive owner and no one can take it away from him.

### **Three ways to acquire land rights**

Rights over land are acquired chiefly in three ways, namely, (1) by clearing of jungles and occupying it, (2) by inheritance and (3) by transfer.

#### *Rights by clearing of jungles*

According to Khamti custom, all vacant lands belong to the village community. The village chief and the village council in consultation, give permission to a permanent resident of the village to clear jungles from a common forest according to his necessity. There is no ceiling put to his new clearing. 'To each according to his need is the rule.

No outsider is ordinarily given permission to clear jungles from the common forest, though a new-comer to the village, with a view to become permanent resident, may be given permission to clear jungles by the chief in consultation with the village council. Nor does a villager, once he leaves the village for settlement elsewhere, retain any right over the clearing made by him. As soon as he abandons the village, the land reverts to the common forest. But as long as a villager continues to use and occupy the land cleared from jungles, he enjoys full occupancy right, and this is permanent and heritable. It is permanent in the sense that nobody can disturb the occupant from his possession. The boundaries of his plot are fixed, definite and well-demarcated, and he can exclude others if they encroach upon it. He can use it in any manner he likes and grow any crop he desires.

#### *Right acquired by inheritance*

The individually owned plot is heritable. It descends according to customary law of inheritance which is patrilineal. There is, however, no law of primogeniture. All the sons inherit in equal shares, though the eldest son is often given a larger share than the others, because it is he who usually takes upon him the responsibility of maintaining the widowed mother and the unmarried sisters. The widow and the daughters do not inherit any landed property. If there is no male issue, then the property passes on to the

nearest male kinsman. When there is no male kinsman at all to inherit, the land reverts to the village community.

The father, as a matter of practice, often distributes his land among the sons before his death. He cannot make a gift of his land to his daughter or wife so as to bypass the patrilineal system of law. Management of the husband's land after his death, without claiming ownership by the widow is not, however, objected to. After her death, it goes to the customary heir.

#### *Rights acquired by transfer*

As regards right of transfer of individually owned lands, sale is generally frowned upon in the Khamti society. Even if both the seller and purchaser belong to the same village and the same tribe, it is not encouraged, as a rule. However, it is found that sometimes, a plot of land is given by its occupant to another person on receipt of the amount spent by the occupant for its development. This is not regarded by them as a sale, but as a sort of relinquishment in favour of another person on reimbursement of the development cost. But in reality it is a kind of sale in a roundabout way. Of course, the element of speculative price is eliminated in this form of transfer. Some leading Khamti persons emphatically asserted that the Khamtis never acquire any saleable interest in the land which they occupy for cultivation or residence. According to them, when a person relinquishes his land, whatever the amount he may have spent on it for development, it reverts to the village community without any obligation to compensate the relinquisher and that the village council is free to settle it with any new person of the village. Whatever be the interpretation, it, however, demonstrates clearly that there is a taboo on sale of land, and that there is a tendency to soften its rigour by the method of relinquishment on receipt of development cost.

Of the other forms of transfer, simple mortgage is not in vogue, but usufructuary mortgage is prevalent. The former may, in default of the mortgage money, ultimately involve a sale of the mortgaged land; hence it is not looked upon with favour. In case of usufructuary mortgage, the possession of the land and the enjoyment of the crop reduce the principal year by year, and ultimately the whole mortgage money gets repaid, and the mortgage stands redeemed. It may be noted that no interest is charged on loan, so that the possessory mortgage which works out its own redemption appeals to the people more than any other form of mortgage.

Lease by written agreement is not prevalent, but sub-letting in the form of share-cropping is quite common. The actual cultivator has to pay one-third of the gross produce to the owner of the land. Sometimes the landlord accepts a fixed quantity of crop every year.

Donation of land for public purpose is allowed and cannot be objected to by the prospective heirs. But if a gift is made to an individual so as to deprive the prospective heirs, it is deemed to violate the customary

law. A gift by a father to a daughter, for example, would be objected to, as the sons or the nearest kinsman would lose that part of the property which they would have otherwise inherited. Of course, when the prior consent of the prospective heirs is obtained to the making of a gift, it is considered to be perfectly valid.

### **Homestead land**

The village chief in consultation with the village council allots homestead land. Once a person builds a house on it, he is not ejectable and becomes its virtual owner. His rights over it are permanent and heritable, but not transferable. If he abandons the house for good, the land reverts to the chief, who, in consultation with the village council, re-allots it to another needy person.

### **Common fencing**

It is seen from the above that cultivated plots belong to the individuals and have well-defined boundaries. But all plots in a field are enclosed by a common fencing. Each individual has a responsibility to erect and maintain a part of the common fencing which generally touches his land. If his land does not touch the fencing, even then he must erect and maintain a portion, as decided by the village council, which should be in proportion to the area of land he cultivates. If he does not carry out this responsibility, he is liable to be punished with fine, and may even be debarred from cultivating his land in the field if he persists in his default. In such an extreme case of default, his land is allotted to someone else, who agrees to erect and maintain the fencing.

### **Common cultivation**

The common fencing around individually owned plots is a peculiarity of the Khamti cultivators. But there is another peculiarity which is not found among other tribes. This is the common cultivation of certain lands owned in common. All the villagers associate to cultivate such land jointly through all the processes, from ploughing to harvesting. Even the harvest is kept in a common granary. Income from such communal cultivation is utilised for carrying on public works of common interest, such as, maintaining the village temple, roads, tanks, irrigation and other developmental activities.

These two peculiarities of the Khamtis, namely, common fencing and communal cultivation of certain common lands, sometimes create an impression in the mind of a visitor that Khamti cultivation is all communal cultivation. It is not so. Individual cultivation is the basic feature and communal cultivation is confined to limited areas. It is, however, obvious that the sense of mutual co-operation is stronger among the Khamtis than among most other tribes and the society is much more close-knit and integrated.

**Common lands**

In addition to the commonly cultivated land, the Khamtis have other common lands such as common burial grounds, common play grounds, common village forests and common fisheries. In fact, all vacant lands are considered to be common lands, out of which individuals are allowed by the village council to cultivate according to need. On cultivation, the cleared portion becomes individually owned land.

**Salient features**

Salient features of the land system of the Khamtis can be stated thus:

1. The Khamti region is all plain land and only permanent cultivation prevails here. There is no jhum cultivation.

2. There is a paramount chief over a group of villages and also a village chief in every village. Both the chiefs are assisted by a council of elders.

3. The village chief, in consultation with the village council, allots new land to a permanent resident from the common village forest or common vacant land.

4. Once the land is used and occupied, the occupant acquires permanent and heritable rights, but no transferable (saleable) right in it.

5. If a man leaves the village for good, his land reverts to the village common land.

6. Inheritance is patrilineal. The sons inherit in equal shares. Widows and daughters do not get any share.

7. Usufructuary mortgage is prevalent, as also share-cropping. Gift with the consent of prospective heirs is allowed.

8. Common fencing around individually cultivated plots is a peculiarity of the Khamti agriculture.

9. Joint cultivation by the villagers prevails in certain common plots for the purpose of raising fund for common purposes.

10. As all lands are well-demarcated and there is no hilly terrain, they are ripe for survey and preparation of record of rights.