

**Speech of Hon'ble Governor on the occasion of inaugural ceremony of National Seminar on "Tribal Governance and Tribal Development" on September 4, 2015 at 10:45**

**I'm glad to be here to inaugurate the gala occasion of two-day National Seminar on Tribal Governance and Tribal Development with special reference to Jharkhand organized by the National University of Study and Research in Law, Ranchi in collaboration with United Nations Children's Fund (UNICEF) Jharkhand.**

**The State of Jharkhand is one of the nine states which are part of Schedule V to the Constitution of India. Also, the State is one of the three states, along with neighbouring States of Odisha and Chattisgarh identified as States with substantial tribal population and thereby constitute tribal habitat in exact sense of the term. The region, Chotanagpur, Kolhan and Santhal Pargana along with its adjacent terrains remained known as tribal hub since time immemorial. The Chotanagpur, as a region, has never been subjected to direct control of the Empire. The Chotanagpur Tenancy Act, 1908 and Santhal Pargana Tenancy Act**

**still remains land tenancy law for the State of Jharkhand.**

**Besides land governance, what still remains an area of potential research is customary legal regime in diverse tribal communities of Jharkhand. The way these communities preserve themselves through their customs- having the force of law- deserves appreciation of mainstream civilization till date. As a sui generis system, tribal governance illustrates simple yet effective means and methods of running statecraft through popular participation in the administration, resort to the corpus of customary laws as grand norm of the community, inexpensive yet expedient administration of justice delivery system, without prison to foster correctional service.**

**Like their system of governance, the mode of development for these communities stands poles apart while compared to the given mode of development for modern Westernized civilization around with lofty ideas of liberty-equality-fraternity in its mouthpiece but which fell short in delivery giving rise to prevalent disparity. Tribal mode of development, despite few**

limitations of its own, is but free from gap between its theory and practice. Albeit not always transcendental, tribal mode of development runs on the basis of inclusive policy while the mainstream civilization lacks popular participation of its subjects. Democracy, if at all, underlies in the tribal trajectory. WE, THE PEOPLE OF INDIA, ought to learn actual meaning of principles in the Preamble from tribal praxis. After all, as per the definition of law under Article 13 of the Constitution of India, customs do constitute a constitutional source of law for the civilization we live in despite our apparent modernity. Even recent laws of the land stems from the customary practices in a way or other, be the same personal laws vis-à-vis Marriage or diverse land laws prevalent in respective states and union territories of India. I do encourage live debate on these issues of concern for meeting contemporary issues and concern. At the threshold of globalization, we need to decipher plausible consequence of all available models of development to opt for our tryst with destiny ahead.

**The topics included in this two-day national seminar and the resource person who are here to address you in course of the deliberations goes to suggest that the outcome would be substantial and beneficial for one and all. I have noted comprehensive coverage of the themes in the technical to be held shortly. However, I suggest that the constitutional, legal and practical aspects of the schedule area governance and special role given to the Governor may also be included as a topic. The organizers may also think submission of a summary report about the final outcome of the seminar to the policy making institution so that academic input may help better governance. The West developed such exchange between theory and its practice. Here we need to develop the same for public good.**

**Indignity of tribal culture constitutes most precious part of our heritage. The same is precious not only in spiritual sense; but in economic sense of the term as well. For instance, traditional genetic resource, traditional medicinal knowledge and traditional cultural expression together do offer a corpus of**

**knowledge with profuse economic value in globalized world.**

**The states interaction with the tribal community should be based on mutual respect and appreciation. After all, though economically not that developed, many values still being practiced by the tribal societies are cherished and acclaimed even by the so called developed societies. We may also learn from the tribal customary practices as to how mankind can sustainably survive with the nature without causing irreversible environmental degradation. Good governance involving the people and keeping their needs in view will always pave the way to development.**

**Jai Hind!**

**Jai Jharkhand!**