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Common Pool Resources in North East India: Governance and Challenges

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ABSTRACT

Common pool resource (CPR) governance in Northeast India has shown the persistence of customary systems that secure collective rights over forests, pastures, and water bodies, while linking CPR management with cultural identity. Despite constitutional protections in states such as Nagaland and Mizoram and the customary institutions in other regions of NER, these systems increasingly operate within contested legal grounds shaped by statutory law and development policies. The resulting friction exposes a fundamental contradiction between the cultural legitimacy of customary governance and the state's sovereignty claims, often driving economic growth and regulatory control over community rights. Reconciling this divide requires institutional pluralism that legally recognises customary institutions, embeds co-management mechanisms and fosters participatory platforms. Such integration would enable CPRs' governance frameworks that sustain balance while safeguarding community autonomy and cultural heritage.

Keywords: Common pool resources, forest, pastures, governance, customary institutions.

JEL codes: Q23, Q24, Q28, Q56, Q59

I

INTRODUCTION

Common pool resources (CPRs) refer to resources to which varying degrees of access exist for local communities, characterised by non-exclusivity but regulated rights of use which is generally determined by community affiliation or village residency Defining CPRs has been contentious, with debates centring on three key elements: ownership or control over access, the types of resources that can be considered "common," and the issue of subtractibility (Saha, 2021). Multiple and overlapping property rights and regulatory regimes often govern these resources. While "common property resources" are typically defined as 'private property for a group,' CPRs occupy an intermediate position between strictly defined common property and open access regimes, encompassing resources such as community pastures, forests, wastelands, village ponds, rivers, and certain categories of government forests (Chopra and Dasgupta, 2008).

The North Eastern Region (NER) of India is distinguished by its unique combination of historical context, geographical characteristics, and rich cultural diversity. The region is situated at the tri-junction of the Indo-Malayan, Indo-Chinese, and Indian biogeographical realms; it serves as a "melting pot" of diverse flora and fauna (Rawal *et al.,* 2013; Giri *et al.,* 2020). NEHR is abode to approximately 135 Indigenous communities, each characterised by its distinct socio-economic attributes, ethnic identities, and land tenure systems (Chatterjee *et al.,*

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2006; Dikshit and Dikshit, 2014). These tribal communities remain heavily dependent on CPRs, particularly forest resources, including non-timber forest products, as the foundation of their sustenance, with their traditional food systems closely tied to forest-based resources (Athawale and Singh, 2023). In addition to this, lakes, rivers and other water resources play a crucial role in supporting fisheries and irrigation systems. (Singh and Gupta, 2002; Das *et al.,* 2021; Laishram, 2021; Das and Kumar, 2022). The region's generous rainfall fosters biodiversity and functional diversity, accounting for an impressive 66.81 per cent forest cover covering 17.04 million hectares of its total geographical area (Tripathi *et al.*, 2016).

Measuring the extent of CPRs in India, particularly in the North East, remains extremely challenging due to diverse social institutions of access and the logistical difficulties of conducting surveys in remote, geographically isolated areas. The National Sample Survey Office (NSSO) conducted a survey that included data on CPRs as part of its 54th Round in 1998. Nationally, CPRs have historically played a central role in rural livelihoods. In pre-British India, a significant proportion of natural resources was under community control, which was freely available for collective use. However, with the expansion of state control, traditional management systems got weakened, leading to a marked decline in CPR availability (GoI, 1999; Beck and Ghosh, 2000). Despite this, CPRs continue to be vital for rural subsistence and income generation, particularly among the rural poor (Jodha, 1986).

The literature on CPRs has evolved significantly over the last four decades, spurred by global concerns about environmental degradation and resource depletion (Agrawal, 2003). Some scholars trace this debate to the Anthropocene[2] discourse, despite geologists' recent rejection of formally recognising this epoch as such (Crutzen, 2006; Zalasiewicz *et al.,* 2017; Ly, 2024). Hardin's seminal work "Tragedy of the Commons" (1968) framed CPR use as inherently prone to overexploitation under open access, proposing privatisation or strict state control as necessary remedies. This deterministic view was later challenged by Elinor Ostrom, whose groundbreaking "Governing the Commons" (1990) demonstrated that local communities can sustainably manage CPRs by developing institutional arrangements featuring clearly defined boundaries, collective-choice rules, monitoring, and graduated sanctions, through extensive fieldwork. Contemporary scholarship further extends Ostrom's principles into multi-level and polycentric governance frameworks (Ostrom, 2010), drawing on resilience theory, political ecology, and social–ecological systems research to address emerging challenges such as climate change, biodiversity loss, and the governance of digital commons. CPRs are not merely economic assets in NEHR but socio-cultural institutions tied to clan identity, traditional knowledge, and ecological stewardship. Recognising the centrality of CPRs to livelihoods, culture, and environmental sustainability, this study aims to outline the context and typologies

[2] Anthropocene defined as the profound impact of humankind on earth's systems.

of CPRs in North East India, examine the governance frameworks and customary institutions that regulate their use, and identify key challenges.

II

TYPES OF CPRs AND THEIR EXTENT AND IMPORTANCE IN NER

2.1 Community and Clan-Owned Forests in The North Eastern States of India

Northeast India is one of the most resource-rich regions in the country, accounting for nearly one-fourth of India's total forest cover (Forest Survey of India, 2023). These forests are not only ecologically significant but also central to the livelihoods of their predominantly rural population. In states such as Mizoram and Meghalaya, over 70 per cent of rural households depend on fuelwood as their primary cooking energy source (Census of India, 2011), illustrating the deep reliance on forest resources for subsistence. Beyond timber and fuelwood, the region's forests are a source of diverse non-timber forest products (NTFPs), including bamboo, medicinal plants, wild fruits, and edible shoots, which provide supplementary income and contribute to household food and nutritional security (Dattagupta and Gupta, 2016).

The extent and distribution of community and clan-owned forests in the North Eastern states of India during 2023 revealed marked inter-state variation. The total *Recorded Forest Area* (RFA) of the region is 1,47,127 sq. km, of which 93,212 sq. km (63.35%) is under community or clan ownership. This substantial proportion underscores the enduring influence of customary institutions and traditional forest management systems in the region.

State-level data indicated that Nagaland records complete **(**100%**)** community/clan ownership of its RFA, attributable to constitutionally protected customary laws and the administrative authority vested in village councils. Similarly, Manipur (88.09%)**,** Mizoram (83.88%)**,** Meghalaya (73.60%)**,** and Arunachal Pradesh (72.58%) report high proportions of community-managed forests, reflecting the predominance of indigenous governance frameworks in forest resource management. In contrast, Sikkim (25.95%)**,** Assam (18.71%)**,** and Tripura (12.25%) exhibit comparatively lower proportions of community- or clan-owned forests. These lower shares can be attributed to stronger state control, a higher prevalence of reserved and protected forests, and distinct historical trajectories of land tenure and forest administration (Table 1). The predominance of community-controlled forests NEHR plays a vital role in sustaining rural livelihoods, conserving biodiversity, and preserving traditional ecological knowledge. Within this framework, sacred groves also represent an important indigenous conservation practice, as they protect patches of biodiversity as cultural and spiritual landscapes. Although local communities are widely acknowledged as the rightful stewards of these forests, the weak or unclear tenurial rights, coupled with limited external support, challenge their efforts, thereby leaving the landscapes vulnerable to illegal logging and forest clearing (Poffenberger *et al.,* 2006).

TABLE 1. COMMUNITY AND CLAN-OWNED FORESTS IN NORTHEAST INDIA (APPROXIMATION BASED ON *UNCLASSED FORESTS, ISFR 2023)

State	Recorded Forest Area 2023 (sq. km)	Community/Clan Forests (sq. km)	Share of Community/Clan Forests in Recorded Forest Area (%)
Arunachal Pradesh	51,560	37,412	72.58%
Assam	26,832	5,020	18.71%
Manipur	17,418	15,346	88.09%
Meghalaya	11,751	8,653	73.60%
Mizoram	18,006	15,107	83.88%
Nagaland	9,374	9,374	100%
Sikkim	5,892	1,529	25.95%
Tripura	6,294	771	12.25%
Total Area (sq. km)	1,47,127	93,212	63.35%

*Source***:** Forest Survey of India, *India State of Forest Report 2023*,
Note: **Unclassed Forests are largely community/clan-owned in Northeast India*.

2.2 Grazing Lands: Common Pastures and Shifting Cultivation Fallows in Northeast India

In the West Garo Hills of Meghalaya, grazing resources are an integral component of the traditional *jhum* or shifting cultivation-based agro-silvi-pastoral system practised by the Garo indigenous communities. This integrated land use framework combines crop cultivation, livestock rearing, and forest resource utilisation under a community-governed regime. Land allocation is overseen by the *Nokma* or village chief, who assigns cultivation plots ranging from 0.2 to 1.25 hectares to individual households, with restrictions on sale or conversion to non-agricultural purposes (Pandey *et al*., 2022). Farmers mostly follow the *jhum* cultivation in the region. A defining feature of the *jhum* system is its cyclical land use pattern, alternating between cultivation and fallow phases. Following one to three years of mixed cropping, fields are rested to allow natural vegetation regeneration. These regenerating fallows serve as communal grazing lands, supplying diverse forage resources such as crop residues, weeds, wild grasses, herbaceous plants, shrubs, and understory vegetation for a range of livestock, including pigs, cattle, goats, poultry, and mithun. Livestock feeding strategies typically combine direct grazing on *jhum* plots and fallows with supplementation from crop by-products such as maize stover, rice bran, and banana pseudostems, along with free-range scavenging in village surroundings (Pandey *et al*., 2022).

Bamboo also plays a particularly significant role in these fallows. Its rhizomatous growth enables rapid regeneration following the controlled burning of *jhum*, yielding edible shoots, construction materials, and additional fodder. Regenerating fallows also supports wild edible plants, fodder trees, and non-timber forest products, thereby contributing to household food security and dietary diversity(Arunachalam and Arunachalam, 2002). The use of common pastures and fallows is regulated through customary governance systems, including village

councils and clan-based institutions. These systems determine access rights, seasonal usage, and management practices to prevent conflicts with cropping activities. In Nagaland, community-conserved areas (CCAs) and *jhum* landscapes are managed under customary tenure, with village councils and clans regulating access and protection. While most CCAs are owned or governed by clans or village councils through traditional norms, the state forest department has also promoted their expansion by supporting villages and tribal *hohos* that have historically conserved forest patches or agreed to restrict hunting and jhum cultivation, formalising such initiatives through Memoranda of Understanding with local communities. Customary rights are protected under Article 371 A of the Constitution of India (TERI, 2015; Edake *et al.,* 2019). However, these grazing resources face significant threats. Shortening fallow cycles, driven by population pressures, limits the time available for vegetation recovery, which reduces forage availability and undermines soil fertility. In addition, the conversion of *jhum* areas to monoculture plantations such as betel nut, cashew, tea, rubber, and oil palm, along with the expansion of permanent agriculture and infrastructure, has markedly reduced the extent of fallows. Such changes erode the ecological resilience of the system and threaten its long-term sustainability. Safeguarding these communal pastures and shifting cultivation fallows requires maintaining adequate fallow durations, strengthening traditional governance mechanisms, and integrating pasture improvement measures into community land management. These actions are essential for ensuring fodder security, sustaining livestock-based livelihoods, and preserving the cultural integrity and ecological balance of indigenous farming systems in NER (Pandey *et al*., 2022).

2.3 Water Bodies: Rivers, Ponds and Traditional Irrigation Systems in Northeast India

NER possesses a diverse range of water resources, including perennial rivers, seasonal streams, ponds, and traditional irrigation systems that are integral to sustaining livelihood in the region. The river networks, dominated by the Brahmaputra and Barak river basins along with numerous tributaries, provide not only irrigation but also fishery resources and fertile alluvial soils that support farming communities. Traditional water harvesting and irrigation systems are highly adapted to the region's hilly terrain and high rainfall. Among the most notable is the bamboo drip irrigation system of Meghalaya, which channels spring water through an intricate network of bamboo pipes, delivering a controlled flow directly to betel leaf, areca nut, and paddy fields (Maurya and Singh, 2021). Similarly, in Arunachal Pradesh, the *Apatani* paddy-cum-fish culture incorporates an elaborate system of earthen channels that divert river and stream water into terraced paddy fields, sustaining both rice and fish production. Similar traditional systems, such as *Cheo-oziihi* and *Zabo* in Nagaland, *Yetbung Linganag* and *Linkun* in Arunachal Pradesh, and *Dongs*, *Dungs* or *Jampois* in Assam, reflect the region's rich heritage of community-based water

management (Kumar and Madhukar, 2019; De, 2021; Ranjan *et al.*, 2022; Hazarika and Hazarika, 2023; Lairenjam *et al.*, 2025).

Community-managed ponds and tanks are another important component of water resource management. In Assam and Manipur, traditional ponds (*pukhuris* or *pukhri ashi*) serve multiple purposes, such as storing rainwater, providing irrigation during dry spells, and supporting aquaculture (Devi *et al.*, 2024**)**. These water bodies are often maintained collectively under customary village rules, ensuring equitable distribution and sustainable use. Many indigenous irrigation practices also involve diverting small hill streams (*jhoras* or *nullahs*) through temporary weirs and channels constructed from locally available materials, such as stones, bamboo, and wood. These systems are low-cost, rely on local knowledge, and are maintained through community labour. Such traditional water management systems are multifunctional, supporting agriculture, fisheries, livestock watering, and domestic needs. Water commons form another critical component of the region's natural resource base, sustaining both domestic and agricultural needs through generational knowledge and community-managed systems.

III

CONSTITUTIONAL & LEGAL PROVISIONS

3.1 The Sixth Schedule of the Indian Constitution Grants Autonomous District Councils Significant Control Over Land and Forest Resources

The Sixth Schedule of the Indian Constitution, enacted under Article 244(2), provides a special framework of autonomy for tribal areas in Assam, Meghalaya, Tripura, and Mizoram. Under this provision, Autonomous District Councils (ADCs) and Autonomous Regional Councils function as constitutionally recognised self-governing bodies with legislative, executive, judicial, and financial powers over matters central to tribal life, including the governance of land and forest resources (Sarkar, 2017; Sema, 2024).

These councils are empowered to enact laws regarding the allotment, use, and occupation of land, excluding reserved forests, for purposes such as agriculture, grazing, and settlement. They also regulate shifting cultivation, manage forests other than reserved forests, control water bodies for agricultural purposes, determine rights over mineral resources, regulate trade in forest products, and oversee community land tenure systems. The legal validity of these powers is reinforced by the fact that state laws apply only when they do not conflict with council legislation, and only when specifically extended by the Governor (Kumar, 2020).

By safeguarding customary tenure systems and embedding them within a constitutional framework, the Sixth Schedule ensures that control over land and natural resources remains firmly in the hands of tribal communities. This arrangement aligns traditional governance structures with formal legal authority,

enabling ADCs to mediate between ecological conservation, livelihood security, and cultural preservation. Functioning in many respects as *"states within a state"*, the ADCs exemplify a model of decentralised governance that preserves indigenous rights while providing constitutional legitimacy (Kumar, 2020).

3.2 Forest Rights Act, 2006, Recognises Community Rights Over Forests, though its Implementation in NE States is Varied and often Limited

The Forest Rights Act (FRA), 2006, was enacted as a landmark piece of legislation aimed at addressing the historical exclusion of forest-dwelling Scheduled Tribes and other traditional forest-dependent communities from legal ownership and management of forest resources. The Act recognises both Individual Forest Rights (IFRs), such as the right to occupy and cultivate forest land for subsistence and Community Forest Rights (CFRs), which encompass collective rights to access, use, manage, and conserve forests that have traditionally been protected by the community (Mohanty, 2015).

In the Northeastern states, however, the implementation of the FRA has been uneven and often limited. One significant factor is the prevalence of community-owned forests governed by customary land tenure systems, which in many cases already provide de facto rights to forest resources. This has created ambiguity over how the FRA should be applied in conjunction with existing traditional governance arrangements. Administrative challenges, including delays in claim verification, inadequate awareness among forest-dependent communities, and limited institutional capacity at the local level, have further constrained its rollout. Political resistance in states such as Nagaland and Mizoram, where customary laws and the provisions of the Sixth Schedule enjoy strong constitutional protection, has also slowed or prevented the full implementation of the FRA. Where the Act has been implemented, progress has been disproportionately weighted toward the recognition of individual claims, while community forest resource rights—central to collective forest management and long-term conservation—remain under-recognised. This imbalance undermines the FRA's core objective of empowering communities as custodians of their forests. Without stronger integration of the Act with local customary institutions, and without focused efforts on capacity building and community mobilisation, the FRA in the Northeast risks being a symbolic legal recognition that falls short of transforming forest governance on the ground (Mohanty, 2015).

3.3 Customary Laws and Community Institutions Governing Common Pool Resources in the North Eastern Region of India

Land ownership systems in NER are diverse and shaped by customary laws, constitutional provisions, and state-specific legislation. Customary law can be understood as the body of norms and practices through which an ethnic community regulates its social, cultural, and economic life. It is essentially the collective expression of a community's way of life, transmitted across generations and

legitimised through tradition (Sema, 2024). For instance, in Assam, land is classified into community-owned land, short-term leased land (*Aksonia patta*), and permanent *patta*, with community lands in tribal areas governed by customary institutions such as village development councils (Fernandes *et al.*, 2005). Across the region, village councils and clan institutions regulate access, organised through usufruct rights wherein land reverts to the community after cultivation (Fernandes and Bharali 2002). Although formal land laws promoting individual ownership increasingly overlap with customary systems, the latter remain central, as they link land to identity and collective welfare. Policy initiatives such as Mizoram's New Land Use Policy (2009) reflected transitions towards settled cultivation and cash crops, yet community governance continues to secure land administration across the NER (Bharali 2010). These diverse configurations of customary laws and community institutions which shape land and resource governance in the NER are synthesised and presented in Table 2.

In Meghalaya, the *Dorbar Shnong* functions as the primary village-level institution for governing CPRs among the *Khasi*, *Jaintia*, and *Garo* communities. Operating under customary laws and supported by the state's constitutional provisions under the Sixth Schedule, these councils manage community forests, water sources, and grazing lands while interfacing with statutory governance through the ADCs. A significant share of forests in the state remains under community ownership, with *Dorbar Shnong* responsible for regulating access, harvesting, and protection. Forests are typically categorised into sacred, protected, and village forests, with use rules reflecting both ecological priorities and cultural values. Extraction of timber, fuelwood, and non-timber forest products is permitted only under prescribed conditions, while sacred forests are strictly conserved. Enforcement relies on community monitoring, with violations addressed through fines or social sanctions rather than formal enforcement agencies (Oberlack et al., 2015). Water resource governance is another core domain of the *Dorbar Shnong*, which oversees springs, streams, and community water systems. Councils regulate household allocations, usage schedules, and infrastructure maintenance, often through collective labour, thereby ensuring equitable distribution and preventing over-extraction, particularly in villages lacking municipal supply (Mawlong and Safi, 2025). Grazing lands, though less formally regulated, also fall under their authority, with norms governing grazing periods, herd movement, and rotational use to prevent degradation. In many villages, non-residents require permission to access these pastures, reinforcing local control and stewardship over shared resources (Kharmylliem and Kipgen, 2018).

In Arunachal Pradesh, the *Kebang*, the traditional village council of the *Adi* community, serves as the central institution for the governance and conservation of community forests. Operating under customary law, it regulates access, enforces harvesting rules, and safeguards forest resources, with forests classified into *morang* (communal forests), *regpi*, and home gardens based on ecological and cultural

functions. The *Gaon Burha* (village headman), together with *Kebang* members, adjudicates disputes and ensures compliance with rules that regulate both the timing and quantity of resource extraction (Singh *et al.,* 2018). A distinctive feature of *Kebang* governance is the seasonal harvesting system, which permits the collection of products such as bamboo shoots, wild vegetables, and medicinal plants only during specified periods to allow regeneration, with violations sanctioned through fines (*Ajeng*) or social censure. The *Kebang* also oversees hunting regulations, protection of sacred groves, and community reforestation initiatives. While men are more engaged in decision-making, enforcement, and forest patrolling, women play a vital role in conservation through seed preservation, species domestication, and selective harvesting. Functioning within a hierarchical system from the *Dolung Kebang* (village-level) to the *Adi Bane Kebang* (tribe-level), this institution integrates forest management with wider community governance by deciding on shifting cultivation cycles, mobilising collective labour, and maintaining shared infrastructure. Despite structural changes introduced under the Panchayati Raj system in 1967, the *Kebang* remains the apex institution for regulating resource use and conserving forests, its authority sustained by reciprocity, adaptability, and collective responsibility toward the environment (Mibang, 2018; Singh *et al.,* 2018).

In Nagaland, Article 371A of the Constitution recognises the primacy of Naga customary law, stipulating that no Act of Parliament relating to religious or social practices of the Nagas, customary law and procedure, administration of civil and criminal justice, or ownership and transfer of land and its resources shall apply to the state unless the Legislative Assembly so decides (Wouters, 2017). Consequently, land and natural resources are governed predominantly under customary tenure systems, with ownership vested in clans, khels (sub-tribes), or entire villages rather than individuals. Nearly 90 per cent of the state's land remains under community or clan ownership, with only a marginal proportion directly administered by state authorities (Aier and Khumlo, 2015). Decision-making regarding land allocation and resource use rests with customary institutions, notably the Putu Menden (village councils) and clan elders, who regulate agricultural distribution, oversee shifting cultivation, manage forests, authorise settlement expansion, and adjudicate disputes. Their legitimacy is derived from unwritten customary laws transmitted orally across generations, reinforced by the principle of inalienability, which prohibits alienation of land to outsiders and ensures its retention within the clan or village (Aier and Khumlo, 2015).

Similarly, in Mizoram, Article 371G grants constitutional protection to Mizo customary laws, particularly in matters of land ownership and resource governance. Here, village councils play a central role in land distribution and management, especially in regulating shifting cultivation practices. As in Nagaland, customary law upholds collective ownership and ecological stewardship; however, tensions arise when community-based practices intersect with central legislation on forest

conservation and environmental regulation. These cases of Nagaland and Mizoram illustrate how constitutional recognition of customary law strengthens local autonomy and collective management of common resources, yet simultaneously produces recurring friction with national legal frameworks that prioritise state sovereignty and regulatory oversight (Erwin, 2025).

In Manipur, customary law historically governed land and natural resources through community ownership, ensuring equity, identity, and sustainable use. However, this system came into conflict with the state's approach, which prioritises individual land ownership, enforced through written records and legislation such as the Manipur Land Revenue and Land Reforms (MLR&LR) Act, 1960. The Act allows the state to declare community land as state property, resulting in the dispossession of tribal communities and the disruption of their customary governance systems. While customary law still sustains many tribal groups, urbanisation, ethnicity, and state interventions have gradually eroded communal landholding practices. Women remain excluded from decision-making under customary law, reflecting its limitations despite its emphasis on equity. The resulting tensions between state law and customary governance highlight the ongoing struggle of tribal communities to protect their rights over land and natural resources (Kamei, 2018).

The *Demajong* landscape of West Sikkim represents a culturally embedded Buddhist system of natural resource management, where sacred beliefs, rituals, and traditional institutions guide the conservation of forests, rivers, and lakes. Rooted in *Lamaist* traditions and practised by indigenous Lepcha and Limbu communities, this system integrates biophysical and human components through spiritual reverence for sacred landscapes such as *Khecheopalri* Lake and *Rathong* Chu, viewed as repositories of hidden treasures blessed by Guru Padmasambhava. Sacred groves, monasteries, and religious festivals (e.g., *Bumchu*) function as socio-cultural mechanisms for protecting biodiversity and regulating resource use (Ramakrishnan, 2003; Rai, 2007).

In Tripura, the customary governance of land and resources has evolved within the institutional framework of the Tripura Tribal Areas Autonomous District Council (TTAADC), established under the Sixth Schedule to protect tribal rights and autonomy. To strengthen participatory democracy, the TTAADC has instituted Village Committees at the grassroots level, functioning in a manner analogous to Panchayati Raj institutions but rooted in tribal contexts. These committees are designed to ensure consensus-oriented and participatory decision-making, thereby enhancing governance in tribal areas by integrating democratic principles into traditional structures (Malakar and Mahato, 2021). Customary norms also manifest in community-based practices such as the concept of *Asha Ban* among the *Jamatia*. Historically, *Asha Ban* originated as a defensive forest belt surrounding *Jamatia* villages, serving as a protective barrier against external threats. Over time, these forests were gradually integrated into local livelihoods by providing resources such as

fuelwood and materials for house construction. Crucially, extraction was strictly regulated by rules framed and enforced by the community to ensure sustainability and equitable access (Pant and Bagdogra, 2001).

TABLE 2. CUSTOMARY LAWS AND COMMUNITY INSTITUTIONS GOVERNING COMMON POOL RESOURCES IN THE NORTH EASTERN REGION OF INDIA

State	Core customary institutions	Ownership pattern for CPRs	Constitutional or statutory basis
Meghalaya	*Dorbar Shnong*, *Syiemship* and *Nokma*	Predominantly community-held forests and water sources, village and clan-level rights	Sixth Schedule with ADC powers on land, forests other than reserved forests, water, chiefs and justice
Arunachal Pradesh	*Kebang* village council among Adi and analogous councils among other tribes; *Gaon Burha*	Communal forests *morang*, *regpi* and household gardens with shared access norms	Recognised through state laws on village authorities; strong de facto customary authority
Nagaland	*Putu Menden* village councils, tribal councils, clan elders	Community or clan ownership, inalienability to outsiders	Article 371A protecting customary law and ownership of land and resources
Mizoram	Elected Village Councils rooted in customary law; legacy of chiefs Lal	Community tenure with council allocation of *jhum* plots and village lands	Article 371G; Sixth Schedule ADCs for specified areas and subjects
Manipur	Village chiefs and clan councils among hill tribes; plural systems	Mix of communal and private; trend toward individualisation under state law	MLR and LR Act 1960 and subsequent amendments; Hill Areas Committee under Article 371C
Sikkim	*Pipo*n headmen, monastic councils; *Lamaist* Buddhist institutions in *Demajong*	Customary communal control around sacred landscapes and monasteries	State laws alongside recognition of religious institutions; no special Article
Assam	Village councils and customary bodies within Sixth Schedule areas BTC, *Karbi Anglong, Dima Hasao*; community institutions among Bodo, Karbi, Mising	Community and clan-based tenure in Sixth Schedule districts with ADC regulation	Sixth Schedule ADCs with legislative powers on land, forests other than reserved forests, shifting cultivation
Tripura	*Hoda Akra* among *Jamatia* and village councils under TTAADC	Community and clan ownership with customary allocation and use rules	Sixth Schedule via TTAADC

Source: Author's compilation from various sources.

IV

CONCLUSION

This study curated the types of CPRs in NER of India, their socio-ecological significance and the role of customary laws and community institutions in their governance. Forests, pastures, and water bodies across the region continue to be managed by local institutions that are entrenched by the ethos of the tribals, along with their ecological stewardship. Despite the constitutional safeguards provided in

states such as Nagaland and Mizoram, and the persistence of traditional governance systems in Meghalaya, Arunachal Pradesh, Tripura, Sikkim, and Manipur, these customary institutions now operate within a rising environment of contested legal and policy frameworks. Customary regimes ensure collective ownership and link natural resource governance with cultural identity, yet state-led interventions and conservation-oriented legislation often disrupt these arrangements by promoting individualisation of land tenure, commodification of community-managed resources, and top-down regulatory authority. This contradiction reveals a structural tension. While the cultural and constitutional legitimacy of customary governance underpins sustainable use and participatory decision-making, statutory laws and development policies tend to privilege state sovereignty and economic growth. Addressing this friction requires a shift toward institutional pluralism, wherein customary institutions are formally integrated into the wider governance framework through legal recognition, co-management arrangements, and participatory decision-making platforms. Such an approach would harmonise statutory and customary regimes, strengthening rather than undermining community autonomy, while ensuring that conservation and development policies advance ecological sustainability and inclusive governance in the region.

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