

# Rethinking Traditional Landholding Systems and Their Constraints on Development

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**ABSTRACT:** The land is the identity, culture, and sustenance for the indigenous tribal communities in Northeast India. There are complexities in traditional landholding systems among different tribal groups. The Indigenous social groups of Zeliangrong also follow unique traditional practices, emphasising collective ownership over individual possession. This system undoubtedly preserves cultural values and social cohesion, however imposes significant constraints on economic progress. Communal landholding, coupled with practices like *jhum* (shifting) cultivation, limits individual agency and discourages long-term investment in land, resulting in low agricultural productivity and minimal economic returns. Large tracts of unused land remain barren for decades and centuries, while the population grapples with poverty, unemployment, and low per capita income. Therefore, this paper attempts to rethink landholding patterns and their constraints.

**KEYWORDS:** Identity, Collective Ownership, Zeliangrong, Constraints, Minimal Economic Return, Barren, Poverty

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## I. INTRODUCTION

Land is a beyond productive asset for tribal societies in Northeast India. It is a cultural cornerstone that anchors identity, kinship and governance. Numerous hill tribes have their customary landholding systems. This paper attempts to understand the complexities of traditional landholding systems and their constraints among the indigenous cognate tribes of Zeliangrong<sup>1</sup> (Zeme, Liangmai, & Rongmei) of Tamenglong district, Manipur. The district is generally hilly with rugged topography, and the forestland consists of 88 per cent of the total geographical area of the district<sup>2</sup>. Traditional landholding systems historically focused on community-based ownership rather than individual, with the entire village community holding rights over land (Piang, 2015a). In some tribal communities, the village owner or “Nampou” traditionally governed land use, granting equal access to all families within common lineages (Dimchuliu, 2012a). The Zeme tribe, for instance, considers land an essential asset in their predominantly subsistence-based economy (Newme & Scaria, 2024). They have historically practised diverse land management systems deeply influenced by their ancestors and the natural environment (Khor, 2022). The concept of land extends beyond mere ownership, encompassing collective governance and a deep interrelatedness with nature (Marchang, 2018a; Behera, 2019a). While fostering a profound sense of community and cultural continuity, this system limits individual agency and discourages investment in land, resulting in low agricultural productivity and minimal economic returns. The systems restrict access to modern economic opportunities, such as bank loans and development schemes, which require legal individual ownership. Despite constitutional protections, there persists an inadequate implementation of tribal land rights. Therefore, tribal communities often resist land reforms as there is no comprehensive land reform framework in hilly regions and also fear of losing ancestral lands and cultural identity, creating persistent tension between traditional practices and modernisation. Development projects in agriculture and infrastructure further complicate these dynamics, as they intersect with tribal land protection laws and spark debates over the balance between preservation and progress.

## II. METHODOLOGY

The study adopts qualitative research designs, exploring lived experiences, social norms, and cultural practices. It involves semi-structured, unstructured interviews, field observations, as well as focus group discussions, enabling a deeper understanding of land use patterns. An exploratory and descriptive research design is employed; the exploratory aspect helps understand various traditional landholding systems, while the

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<sup>1</sup>Zeliangrong is a nomenclature of the tribal groups found in the present-day three states of Northeast India, i.e. Assam, Manipur and Nagaland. The term “Zeliangrong” is the composite of the initials of cognate tribes’ names: Zeme, Liangmai, Rongmei & Inpui. These tribes share common ancestry, language roots, culture, and history.

<sup>2</sup> <https://tamenglong.nic.in/district-profile>

descriptive aspect captures detailed observations as to how these systems pose constraints to the development process. Tamenglong district of Manipur is the universe of the study, which currently consists of three subdivisions: Tamei, Tamenglong and Tousem. Three villages were selected from all the subdivisions. Rianglong (Lenglong) village from Tamei subdivision, Tharon (Thalon) village of Tamenglong subdivision and Namtiram village of Tousem subdivision. Purposive sampling was adopted; the respondents include traditional leaders, village leaders, landowners, CSOs, administrators, and residents.

### **III. LITERATURE REVIEW**

Several studies have explored the tribal traditional landholding system (TLS), providing critical insights for this study. For the indigenous tribes of Northeast India, land is fundamentally central to their existence as a community and serves as an identity (Behera, 2019b; Brahma, 2018). There are various land ownership systems prevalent among the tribes of Manipur (Singh & Singh, 2014; Machutmi, 2020). But these systems historically focused on community-based ownership rather than individual or tribal ownership, with the entire village community holding rights over land (Piang, 2015b). Das et al. (2022) pointed out that the traditional land-use systems, such as indigenous agricultural practices, watershed management, and sacred groves, are a vital part of their traditional ecological knowledge (TEK), and they play a critical role in natural resource management and sustainable development goals. They also utilise their land for various activities like fishing, hunting, shifting agriculture, and gathering wild forest products (Patil, 2012). In the agricultural sector, while shifting cultivation (*jhum*) remains a significant traditional land-use system, particularly in the hills, it often leads to a subsistence agricultural economy for many scheduled tribes (Sharma, 2024). This traditional method of agriculture, which depends on forest land as a common property resource, contributes to inadequate food grain production that cannot meet the needs of a rapidly growing population (Roy et al., 2017). The increasing population and a desire for an improved standard of living, coupled with high poverty incidence, necessitate a search for sustainable alternative agricultural methods (Tisdell & Roy, 1995). Traditional land holding systems, which historically centred around community ownership, are experiencing shifts towards privatisation and encountering difficulties in formal recognition (Dimchuliu, 2012b; Goyal, 2020). The system poses challenges to economic growth and overall development by impeding private investment, hindering the formalisation of land markets, and complicating the implementation of modern economic initiatives (Marchang, 2018b; Haokip1, n.d.; Fernandes, 2019). This collective ownership and customary practices create barriers to land transactions and access to credit, which are crucial for economic expansion and diversified livelihoods. This prevalent system slows down economic growth, limits individual land rights and the ability to use land as collateral for loans, which is essential for private investment and business expansion (Marchang, 2018c). It presents several obstacles to overall development, including agricultural productivity, social differentiation, and the integration of modern economic frameworks (Vakkayil, 2015; Norberg, 2014). There is a disconnect between the property rights system in tribal regions and the modern financial system, which impacts the development outcomes for tribal communities (Yumnam, 2015). Moreover, the need for more land than in the past due to the neo-liberal economy, coupled with insecurity of tenure, demands a reconsideration of land management and ownership (Fernandes, 2019). The Manipur Land Revenue and Land Reforms Act of 1960, which applies only to the valley areas, contributed to the distinct land management systems between the hills and the valley (Keishing, 2018). The Manipur (Village Authorities in Hill Areas) Village Authorities Act of 1956 recognised village authorities as statutory units of administration but did not alter the landholding system (Gonmei, 2012). Customary property rights systems are often undocumented, making it difficult for traditional authorities to provide tenure security and creating dilemmas for villagers (Dimchuliu, 2012c). This absence of documented land rights intensifies land conflict, and in the context of development interventions (Choudhury & Amang, 2021), Indigenous land rights have also faced challenges from government violations, particularly in the name of development and extractive industries, despite legislation like the Forest Rights Act of 2006 (FRA) (Sigamay, 2017).

### **IV. TRADITIONAL LANDHOLDING STRUCTURES IN TAMENGLONG**

Land is an integral part of the Zeliangrong people's identity, livelihood and culture as much as it is for other indigenous tribal groups. It is not only a physical asset, but also linked to their past (history), present and future eventually. The Tamenglong district of Manipur is a landlocked region, and the population is solely dependent on the land as the source and resource of life. Therefore, land is the utmost priority of the community, and it is often owned collectively, creating a sense of shared responsibility. Land is managed through customary laws, ensuring fairness and social solidarity. The loss of land equates to the loss of access to sustenance, cultural legacy, and a lifestyle, rendering its preservation essential for the survival, dignity and future of tribes. Consequent to the crucial nature of land, the traditional landholding system evolved organically to monitor land and its resources, especially in tribal hills and forested terrains. These systems were shaped by geography, kinship, and ancestors. Throughout the centuries, these indigenous practices formed a resilient framework for

managing land without formal documentation, totally relying on communal memory and consensus. The system plays a vital role in preserving cultural identity, social structure, and a sustainable way of life. Undoubtedly, TLS helps protect tribal communities from land alienation and displacement from external forces, including commercial exploitation and state-led development.

The traditional landholding system is common yet varied across tribes and villages. The Zeliangrong community broadly practices three types of land ownership systems: communal ownership, clan ownership, and individual ownership (Dimchuliu, 2012d). Another major land use pattern in the Tamenglong district of Manipur is categorised as settlement, agriculture, forest and scrub (Pamei, 1994). Communal land ownership exists in the majority of the villages; for instance, Riangleong (*Lenglong*) village of Tamei subdivision engages in communal ownership. In this village, the land is not allocated according to clan or bloodline. The village court (*Apaih*)<sup>3</sup> serves as the paramount authority, operating under its oversight, while the property is administered and regulated by the community and village council in conjunction with public mandate. Decisions regarding settlement area, cultivation, conservation and preservation of land are all managed by them. The settlement area (*Kalong*), residential plots (*Kaphung*), wet farming fields (*Taduilu*), and gardens (*Karengdam*)<sup>4</sup> were allocated for permanent ownership to the households of the village. The individuals possess the autonomy to individually determine the utilisation of the permanently entitled land, including the timing and manner of such use; however lack legal documentation. Under the Tousem subdivisions, land ownership practices in Namtiram village diverge from those of the preceding village. The *Apaih* serves as the supreme authority, governing the entire community land, especially the village forest (Rambau) is under their direction. Nevertheless, the land is partitioned as follows: The village territory comprises communal habitation and woodland areas, followed by clan land and individual parcels. The village land is communal; nonetheless, the approval of *Apaih* is requisite for any activities, such as tree felling or construction of a dwelling place. There are three principal clans in the village, each possessing land, which is allocated as follows: Land on the North-west for the Iziubouta Daimai (I.D.) clan, East for the Namtita Daimai (N.D.) clan, and South for the Pamai clan. They are the owners of their designated land (*Rampou*). These territories are predominantly utilised for shifting cultivation (*jhum*). The clan lacks absolute authority over their territory, as it is the *Apaih* who has the exclusive sovereignty over the village land determines the timing and location of cultivation every year; however, a land tax system (*Rampon*) exists for the clans. For instance, the *Apaih* resolved to undertake *jhum* farming on the land of the I.D. clan during the given year: every cultivator possessing a parcel of land (*Chalutah*)<sup>5</sup> is obligated to pay tax to the I.D. clan. Furthermore, an individual without land who wishes to cultivate seeks help from the owner of Chalutah is called (*Chalu-ngeh*)<sup>6</sup> and pay tax accordingly. The land tax, both from Chalutah and Chalu-ngeh, is usually collected in the presence of the village court, along with two or three witnesses, specifically appointed from the son-in-laws or brother-in-laws of I. D. clan's daughters and sisters (*Chameepui kinah*). In the Tamenglong subdivision, Tharon village has a similar landholding system, comprising four principal clans: Daimai, Dichongta, Moita, and Newmai, each possessing its allocated territory.

These customary laws existed long before written law. They originated from the daily lifestyle, beliefs and practices of ancestor communities and were passed down from one generation to the other. They are unwritten rules, yet they are locally recognised principles, norms, and rules strictly maintained by community institutions. In contrast, Indian statutory laws are formal, codified, aiming for uniformity and the protection of individuals' rights and are binding on all citizens. Despite the dominance of statutory laws, customary laws still hold an important place in modern times by providing communities with a sense of continuity and identity by preserving intergenerational traditions. In this light, traditional landholding systems are a crucial and delicate matter among the indigenous tribes. Therefore, in the past, the hill inhabitants advised against conducting a land survey. Moreover, the Manipur Village Authority Act of 1950 stipulates that a settlement with over 20 houses will be classified as a hill village. The statute has provisions for hill villages and elections, although it is entirely devoid of any mention of land. The land area is unspecified; only the number of homes was provided. What is the extent of the unmentioned size and boundary? The tribals of the hills, specifically the indigenous groups, are experiencing a critically ambiguous scenario. However, in the valley, the Manipur Land Reform Act, 1960 (MLR) has provided land titles to the valley, and therefore, today, there is no equivalent provision in the hills.

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<sup>3</sup>Apaih is a term used by the Liangmai tribe for the word 'village court'. The number of Apaih members differs from village to village; however, it usually ranges from 5-11 members (approx). The Apaih is not an elected body. They are the indigenous residents of the village; they comprise village elders (khangkiang), clan elders, ex officio, and former village leaders.

<sup>4</sup>Karengdam is a small parcel of land which is distributed to the households of the village, adjacent to the settlement area.

<sup>5</sup>Chalutah is a parcel of land for cultivation that the households owned permanently, irrespective of any clan land. Those lands belong to a particular clan; however, the Apaih with absolute authority had distributed the land to the villagers for cultivation. In the cycle of shifting cultivation, the households have the right to cultivate the same land decade after decade. This is prevalent in shifting cultivation.

<sup>6</sup>Chalu-ngeh is a practice wherein an individual has no parcel of land, yet is willing to cultivate; hence, the owner of Chalutah shares a certain portion of land for a particular year.

## V. CONSTRAINTS AND CHALLENGES

The traditional landholding system poses significant constraints on modern development. Customary land tenure lacks formal documentation. The communal or family-owned land passes down to the next generations with legal uncertainties, leading to tenure insecurity. Unclear ownership rights on land hinder long-term investment in agriculture, farming, financial assistance and infrastructure development. This lack of secure land tenure stifles economic growth and perpetuates poverty (World Bank, 2018). In the context of the Tamenglong district, not only does the traditional land holding system stand in the way of development, but Tamenglong, being topographically a hilly area with steep slopes, already renders agriculture challenging, especially shifting cultivation. The district has a few permanent agricultural practices (terrace and water cultivation) implemented in some pockets, and there is a scope in many more areas to practice permanent agriculture. Hence, the populace is advised to adopt a permanent form of agriculture and cease *jhum* cultivation as it is non-profitable. However, the locals are unwilling to give up and persist in continuing, as it represents a lifestyle rather than merely an economic activity. The arrival of November and December marks the season for jungle clearance for *jhum* cultivation, which marks the beginning of yearly shifting cultivation processes. The entire year's discourse centres around cultivation through activities such as felling of trees, burning, clearing, seeding, weeding, and harvesting. If a household is not engaging in *jhum* cultivation, it lacks a topic for discussion, resulting in a trivial conversation. Regardless of its non-profitability, relinquishing it proves to be exceedingly challenging. It simply constitutes a lifestyle. For instance, Dailong hamlet is in proximity to Tamenglong town by a distance of only 10km; they could have opted for commercial crops and activities; nonetheless, they continue to practice *jhum* cultivation.

Therefore, the primary constraints on development are the conventional landholding structure and traditional agricultural practices, which the population is unable to surmount. A significant number of populations are unaware of how the TLS poses great hindrances to economic development. While conducting a personal interview with the first IAS officer among the Zeliangrong community, an 80-year-old Mr L.P. Gonmei shared that he had long realised that there is no prospect for economic development unless a serious land reform is conducted in the hills. To bring awareness of the economic benefit of privatising the land, he introduced the Barak project, proposing a minor land reform for the specified locals by granting a parcel of permanent land. The intentions and plans were made known to the communities that the project area is designated, except for permanent cultivation. No shifting cultivation under any customary land laws should interfere at any point. Thus, all residents were allocated permanent land and allowed to plant preferred crops such as oranges, stinky beans (*yongchak*) and various fruits. As a result, a few villages that have adopted the same are performing exceptionally well economically.

The study shows that the state of economic stagnation and the issue of underdevelopment in the district are intrinsically linked to customary land ownership. Firstly, the land is communally owned or clan-based; individuals have no right to plan and invest on a long-term basis on a parcel of land. Secondly, the issue of land is intricate among the Zeliangrong families, as it has to do with the law of inheritance. For instance, the Gonmei family possesses a parcel of land; the youngest son is designated as the heir; however, the land is kept deserted. In contrast, the eldest son is industrious and prosperous, and while making use of that same land with fat returns, the youngest son is prompted to express jealousy by claiming, "This is my land, according to the law of inheritance." The entitled individual, who is mostly the youngest son among the Zeliangrong community, will assert their claim and expel the elder (st). Such cases are prevalent in the community, which jeopardises a family's economic growth in particular and societal development in general.

Landholding arrangements such as Tharon village, Namtiram village are exclusively appropriate for shifting cultivation alone. Shifting cultivation continues to rotate every year, which impedes the possibility of massive economic development. This is another noteworthy case to highlight on TLS; for instance, Mr. Khangwibou (Pseudonym) possesses a permanent parcel of land in one mountain but is unable to engage in permanent farming, such as orange and perennial items, due to the cyclical nature of the shifting agriculture technique. But he decided to do an orange farming with heavy investment. The plants bear many fruits and give a high return. However, as and when the *Apaih* decides to cultivate adjacent to Mr. Khangwibou's orange farm at any given year, the felling of trees and burning of the jungle near his farm would undoubtedly destroy his orange plants. Although an individual may possess financial resources and land, yet unable to establish permanent cultivation, because they lack purpose and prospects due to TLS and continual traditional agricultural practice.

## VI. DISCUSSION

In the absence of individual and private land ownership, there is a low chance for economic development in the district. Even if one possesses education and is trained in various departments such as veterinary, horticulture, and agriculture, one requires land, a bank loan, and a program to implement knowledge and ideas. An individual intending to pursue a horticulture program and visit the bank for financial assistance,



but the question is, where is your land located? Where are your legal documents? A resident, perhaps possesses lands, however, lacks documentation, thus will deny all beneficial opportunities and privileges. Despite these pressing challenges, the hill people's leadership is notably obstinate. All hill tribes in Manipur, particularly in the Tamenglong district, maintain communal land holdings based on clan affiliation. Economic progress and productivity are contingent upon land reform. Therefore, a proper landholding system must be introduced and must exist. Given the situation, Manipur tribal land reform is a challenging one. Consensus will be an onerous task to achieve among the entirety of Zeliangrong, let alone the whole hill tribes. However, individual property is crucial for economic development, which is why meticulous land surveys are essential for land reform. Individual land is necessary; otherwise, land disputes and conflicts will continue to arise among the brothers, clans, villages, and the community as a whole with the increasing population and modernity. There are elements of reluctance and a sense of threat towards land reforms from the tribals, but the Manipur administration also neglected to survey certain difficult areas. Genuine concerns were observed that the indigenous people fear the loss of land, which is not only their property but also their identity. Another fear is also, upon conducting a land survey and land reform, if individual ownership is established, the property owner possesses the autonomy to sell to any party under the Property Act during times of financial distress. Thus, land would be sold, and that is the critical apprehension of the population.

From an economic standpoint, it will be advantageous for the people, and it is virtually possible, though the territory will be at risk. As and when the land is surveyed and converted to private ownership, indigenous territory will be jeopardised. Nevertheless, if one possesses a profound love and attachment to the land, one will surely refrain from selling it or acting irresponsibly. If the land gets individualised, it will be challenging to manage. The bigger question can also be asked: What is the rationale behind retaining extensive unusable land? The answer is simple: the future generations will be jeopardised. As the problem and the solution lie on land, it can be contended that a 'distinct land law' may be instituted exclusively for the hills. The land legislation prohibits the sale of land to external parties. District councils must grant clearance for any sale to external parties if there is any such case. The land legislation of hills should include a provision prohibiting the sale of land to non-hillmen or salable only to the same villagers under any circumstances. The tribal land is designated for limited purposes such as the construction of residences, infrastructure, agriculture, etc. However, it must be utilised for economic activity. Without its permanent utilisation, productivity and incentives will be absent. Land law should be formulated uniquely for the hills, incorporating a provision that permits land sales exclusively to residents, prohibiting transactions with individuals from outside communities and strictly to non-tribals. Incorporating such a clause or section would facilitate the preservation of the land. Land legislation is crucial for economic production and advancement; otherwise, there will never be economic development.

While comparing and contrasting with the hills and valleys of Manipur, the valley areas employ a Patta system enabling x to sell it to y, y to z, and so on. (For example: Mr. X purchased the land and subsequently developed it. Upon his demise, his son can sell it to any party. The Indian government has instituted a provision prohibiting the sale of tribal territory to any party. However, the apprehension of the indigenous hill tribes is that a stringent provision must be established to safeguard the land. The necessity for clause addition to impose a significantly harsher and more restrictive framework on a village-to-village basis. Under the land legislation, each distinct parcel of land is to be designated a unique identifier. For example: (I have a farm, plot, and numerous lands. If I sell a parcel of land as the owner, from one village to another village, I will receive the land's value; my land rights will be forfeited to the buyer. However, if I sell it to my villager, all rights will remain unchanged. I shall continue to be the land owner (*Rampou*), but revenue/price/tax (*Rampon*) will be assigned to that individual, and the plot owner will stay unchanged. There exists an inherent challenge to bring any change, as the hill populace is highly sensitive regarding land reform and frowns upon surveying initiatives. Land survey is challenging, but a proper land survey is crucial, without which, it is unable to identify at the clan or individual level. Therefore, it is important at this juncture to conduct a proper land survey and introduce land reform that does not risk and threaten tribal land rights, also is sensitive to the sentiments of the tribals. The landholding system must be privatised or individualised, assuring the feeling of belongingness and ownership.

## **VII. CONCLUSION**

The Zeliangrong community in Tamenglong district, Manipur, practices traditional landholding systems. The system undoubtedly preserves tribal land, cultural identity, and social cohesiveness by collective ownership of land; however, it hinders economic development in numerous ways. According to the study, customary land ownership is inextricably linked to the district's present economic stagnation and underdevelopment. The absence of individual property rights and legal documentation impedes long-term investment, accessibility to financial aid, bank loans, and the adoption of more productive farming methods. Therefore, the study highlights the need for a sensible and sensitive land reform and a more reasonable

landholding system. While attempting to privatise and individualise land ownership to a certain degree, the system should respect tribal rights and sentiments. In this modern world, traditional landholding systems need to be carefully rethought, and a unique land law for the hills should be created that would permit private property ownership while preventing the sale of tribal lands to third parties. This strategy seeks to achieve a balance between promoting economic growth and defending tribal interests. But putting such reforms into practice is fraught with difficulties; the ingrained character of traditional practices, concerns about land alienation, and the difficulty of surveying and recording land ownership. Notwithstanding these obstacles, the study comes to the conclusion that land reform is essential to the productivity and economic development. The ultimate objective is to establish a framework that permits personal and economic success while upholding the fundamental rights and cultural identity of the Zeliangrong tribes.

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