

Research Article

Gorkhas and their Land: Reclaiming Land Through Ethnicity in Darjeeling Himalaya

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Abstract

Among the various crises that have fuelled multiple ethnic movements in India, the crisis of 'land' is one of the most fundamental yet understudied domains in the study of ethnicity and nationalism. This article examines the intricate relationship between land and ethnicity through the case study of Gorkha's demand for 'Gorkhaland' in Darjeeling Hills, India. The scholarship on the ethnic study has largely failed to understand the significance of land as identity and belongingness among many indigenous communities and this has created a distorted understanding of the place, community, and identity. In this article, I argue that land claims have been one of the fundamental elements of ethnic politics among Gorkhas in Darjeeling Hills and their movement for homeland articulates a distinct attachment of Gorkha struggle for land in Darjeeling Hills. Through ethnographic fieldwork conducted in various parts of Darjeeling Hills, this article examines the complexity surrounding the notion of land and identity that has created fear and anxiety of not having land ownership. This article argues that the lack of landownership perpetuates ethnic politics in the Eastern Himalaya, but it has not yet gained attention in academia. Therefore, this article is an attempt to establish the centrality of land in a region like Darjeeling Hills where ethnicity has overshadowed other phenomena. It also shows how the state uses such material discourse of land ownership to manipulate not only ethnic politics for the homeland but also the implementation of various beneficiary schemes.

Keywords

Gorkhaland; *Parzapatta*; Forest Rights Act; National Register of Citizens; Darjeeling

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Introduction

It was Sunday morning; the Sun was out after long rainfall and most people were busy drying their clothes on the balcony, terraces, and rooftops of their homes. Birman Uncle¹, as usual, visited Uday Uncle's home - the place where I stayed for my fieldwork in one of the forest villages in Darjeeling Hills - for a cup of tea, but that day he looked disappointed as well as anxious. After hearing the news of NRC (National Register of Citizens) in Assam where lakhs of Gorkhas were expelled from the list of NRC, he is worried, not because those expelled Gorkhas in Assam will be in trouble, but he is worried because the same might happen with him and other Gorkhas in Darjeeling, too. In the meantime, Uday Uncle also reached his home by collecting fodder to his cattle and a conversation started between the two over a cup of tea.

Birman Uncle: Did you see, how Gorkhas in Assam are denied their citizenship right in the recently framed NRC?

Uday Uncle: Yes, but it (NRC) will not affect us.

Birman Uncle: How can you be so sure?

Uday Uncle: It is for Assam only and not for us.

Birman Uncle: No, it is for all states in India and if it applies to us, we will not be spared. On a sarcastic note, he continues: We will be sent to Nepal.

Uday Uncle: How can they send us? This is our land and we came to India with our land.

Birman Uncle: But, do you have any documents to prove that this is our land?

Uday Uncle: No! He was speechless for a moment.

Birman Uncle: So, how will you defend that this is our land?

Uday Uncle: This is the reason why we need Gorkhaland.

The conversation ended abruptly.

In July 2018, a new National Register of Citizens (NRC) was published and in December 2019, the amendment to the Citizenship Act (CAA) in India was passed, have foregrounded modifications to the principles underlying the definition of the nation and of political membership in India. (Vandenhelsken 2020: 1).

This created a huge uproar across India especially among minorities whose citizenship in India was questioned on the basis of their religious and ethnic affiliation - different from majoritarian Hindu and BJP's (Bharatiya Janata Party) political project of Hindutva - hence erupted protests which turned violent in many parts of the country. However, in Northeast India, the protest against such new citizenship laws took a different turn where the questions of indigeneity/tribal identity were at the core of political as well as academic debate (Roluahpuia 2020). It revolved around the issues of 'outsiders' or 'illegal immigrants' in many states of India's Northeast. In fact, the issue of illegal migrants in Northeast India, more particularly in Assam, was a long drawn-out political conflict in the region, but the BJP's decision to grant citizenship on the basis of religious identity in which only 'Muslim from Bangladesh' will be denied citizenship while bringing in 'Hindu from Bangladesh', has further triggered the protest in the region. Therefore, the protest against NRC and CAA (Citizenship Amendment Act) in the Northeast has reignited the indigenous claim over their land (Rajkhowa 2020) and resources in Northeast India by re-opening the debates on land, identity, and citizenship in India's 'troubled periphery' (Bhaumik 2014). However, the biggest fear and anxiety among many tribal communities is the methods of defining citizenship through documents. Most tribal communities in India have a tradition of maintaining a historical repository in oral narratives in contrast to documented archival based 'scientific histories' (Jean 1997) mostly developed during colonial rule.

In this debate of NRC and citizenship, the Gorkhas in Darjeeling are enmeshed within what Middleton (2013) called as the politics of 'anxious belongingness'. The majority of Hills residents (mostly in the tea garden, cinchona, forest, and other rural areas) does not possess any legal documentation of their land to prove that it belongs to them - although they have been demanding the statehood (i.e. Gorkhaland) in India for decades - therefore the demand for legal documentation to prove their citizenship

in India has created an atmosphere of fear among Hills residents. This politics of anxious belongingness by Gorkha in India has a long history and encompasses layer of factors that have shaped the political discourse of the region in both colonial and post-colonial periods. Among many factors such as ethnicity, language, and citizenship, I believe that it is the 'land' that plays a vital role in defining the sense of belongingness among Gorkha in India, however, it has failed to get scholarly attention. Much of the scholarly debates about the region rests on the questions of ethnic identity phenomenon with very little attention on the politics of the historically-framed land crisis. Therefore, the above-mentioned naïve conversation between Uday Uncle and Birman Uncle reflects the complexity of land and ethnic identity that has discursively shaped the politics of belongingness in Darjeeling Hills.

Based on ethnographic fieldwork conducted in various parts of Darjeeling Hills between 2018 to early 2019, this article will attempt to underscore the contestation of land ownership in Darjeeling Hills, which perhaps provides an avenue to decenter the narratives of a regional identity crisis from the framework of ethnicity. However, this is not to deny the significance of 'ethnicity' as the most powerful approach in the region to bargain with and/or to resist the state (Chettri 2017). It is an attempt to reconceptualize the significance of 'land' in the rhetoric of ethnic identity crisis. Rather than dwelling into historical crisis of land, I prefer to focus on contemporary politics of land ownership by highlighting conversations like those between Birman and Uday Uncle, and also on many others mentioned below. This article, therefore, examines the fragmentation within the demand for Gorkhaland over the issue of land rights. This fragmentation, I believe, is largely shaped by the politics of land ownership but has been manufactured differently by the state as well as by the regional political outfits to meet their vested interest.

Whose Darjeeling is it Anyways: The Tale of Two Friends

Jitman Limbu and Arman Tamang, both residents of Darjeeling Hills struggle to earn their livelihood in their own respective ways. Jitman owns a cloth shop in the market and he has recently purchased a small plot of land near Pandam Tea Estate, Darjeeling. He wants to build a home on his newly purchased land, but

lacks financial assistance. The ethnic development board started by the Chief minister of West Bengal, Mamata Banerjee, provides financial packages to construct a home through their respective ethnic boards such as Tamang Development Board, Limbu Development Board², Mayel Lyang Lepcha Development Board, and many others. Jitman also received help from Limbu Development Board to construct a home in his land, however, with a limited budget only. Arman has recently returned from Dubai where he had worked as a waiter in a restaurant. He too wants to buy land, but he wants to buy in Siliguri (a major city in North Bengal, some 80 km from Darjeeling town). Arman told Jitman "Why are you wasting your money in such 'valueless' land? Earn some more and invest in Siliguri. There is no future in Darjeeling Hills. Did you even get a legal document for this land?" However, Jitman wants to live his entire life in Darjeeling Hills only and replied to his friend: "This is our land even if we have paper (document) or not, and no one can remove us from our land?" Arman wanted to make his friend understand that "if you don't have a land document, it does not belong to you even if you live your entire life in the land." But, Jitman considers this as his 'ancestor land' and he believes that no one can take away this land from him.

Both Jitman and Arman belong to the Gorkha community, a Nepali-speaking population in India who (mostly from Darjeeling and its adjoining regions) demand a separate state, i.e. Gorkhaland, by carving out the northernmost part of West Bengal. Jitman was a hardliner during 2007 Gorkhaland agitation when Bimal Gurung formed a new party, Gorkha Jan Mukti Morcha (GJM), in 2007 by replacing Subash Ghisingh and launched a movement for separate statehood in Darjeeling Hills. Many believe that he got his housing scheme from the Limbu Development Board because of his connection with politicians. Arman is not interested in politics, and he left Darjeeling in 2014 with his friends to earn his livelihood in Dubai. The only reason he does not like to be in politics is because of his father's death, who was believed to be killed during the 1986 Gorkhaland movement spearheaded by the then-leader of the Gorkha National Liberation Front (GNLF) Subash Ghisingh.

Arman's father was a revolutionary of the GNLF during the Gorkhaland movement (1986) who was supposedly killed by CPIM (Communist Party of India - Marxist) cadres, as said by many

villagers of Pandam Tea Estate.³ Although both of them dream to have their own separate state, i.e. ‘Gorkhaland,’ where they will be the owner of their land and resources and their identity of being Indian will not be questioned. But, their struggle is different and so is their perception of the movement. Arman likes to stay in Siliguri as he believes that Darjeeling is just a tourist destination and there is nothing for locals unlike in Siliguri with better rail and air connection, good nursing homes, shopping malls, etc. But, Jitman does not like the dominance of Bengali in Siliguri and he considers Darjeeling as an ultimate home to Gorkhas in India. Jitman believes that it was his ancestor who had tilled the land and shaped the history of landscape in Darjeeling Hills. But, Arman believes that Siliguri is also a part of the Darjeeling district and it is not only Gorkhas (including Lepcha and Bhutia) who is the master of this land but also other communities (Bihari, Marwari, Bengali and others) who had historically shared the place. Thus, their conversation raised an important question about “Whose Darjeeling is it Anyways?” Arman often said: “even if Gorkhas in Darjeeling is in a dominant position, the deprivation of land ownership and other basic rights have always fuelled their struggle for a separate homeland.” But, Jitman thinks that “having a separate homeland for Gorkhas (Gorkhaland) will solve all these problems.”

This tale of two friends reflects the complex history of Darjeeling Hills where land contestation is at the heart of the British expansionist policy in the Himalayas.⁴ Both share a somewhat similar proposition that ‘land ownership’ is central to Gorkha’s identity in Darjeeling Hills, however, view it differently. Darjeeling Hills, as claimed by many scholars, were part of independent Sikkim later annexed by the Gorkhali Kingdom of present-day Nepal and then occupied by the British after the Anglo Gorkha War (1814-1816). Perhaps, the British intervention in Darjeeling Hills could be drawn from the pang of colonial anxiety in establishing their imperialism in larger Himalayan politics (McKay 2007). This certainly shaped the beginning of land contestation in the Hills where the transformation of land for commercial activities like tea plantations and modern forestry forced the British to take away land from the native population through various mechanisms. I have discussed in details about the land encroachment in Darjeeling Hills by the British (Tamang and Kipgen 2022) and I will not dwell into such historical context here, however, one of the central methods of acquiring native

land in many parts of South Asia is through the politics of ‘wasteland’ in which a vast tract of ‘unoccupied’ land was declared by the British as wasteland. A major portion of land in Darjeeling was declared as ‘wasteland’ and British colonial administrators successfully converted massive tracts of cultivable native and common land into the private property of European investors (Middleton 2018). Unlike in other parts of India, Darjeeling Hills have no colonial landholding systems such as Zamindari, Raiyati, or even Jungle Zamindari and this eased the British to convert a large tract of land into tea plantations.⁵

As well-known historical facts of the region argued that the expansion of tea and other commercial plantations in the region lead to massive clearance of the forests (O’Malley 1907; Dozey 2012) but at the same time, it also required a huge amount of labor to work for such industries. Indigenous Lepcha, cross-cultural traders Bhutia, initially escaped the job in tea plantations. The British depended on Hills tribes (such as the Rai, Limbu, Tamang, Gurung etc.) from neighboring Nepal who were under rigid Hindu caste domination and their traditional landholding system (mostly Kipat of Limbu) had been confiscated by Hindu Brahmin (Caplan 1970). The British wanted these ethnic groups to work as their ‘coolie’ in the newly established Hills station in Darjeeling Hills, however, Nepal refused to sanction labor migration to Darjeeling with the threat that the government will deny entry in future and cancel citizenship. Also, even though the British required their labor, they refused to recognize Nepali labors as their subjects (Middleton 2018). Under such trans-national politics of recognizing subjects and land in the eastern Himalayas, there developed significant informal labor recruitment known as the *sardari* system that completely changed the history of Darjeeling Hills. *Sardars* in tea gardens and *mandals* in forest areas were entrusted with the settlement of labor in the land given by the planters and foresters, hence, the distribution of land always worked in favor of those having good terms with such intermediaries. As a consequence, the majority of laborers in tea gardens were landless who survived on poorly constructed coolie quarters except those with good contact with their respective *sardar*. Similarly, in forest villages, the laborer was settled as a tenant and the majority of them did not possess any firm legal security over their land. Thus, this informality of labor recruitment during colonial times has had a great impact on contemporary community struggle for land

rights and territorial recognition in Darjeeling Hills.

By 1896, Darjeeling and its surroundings had 175 tea plantations owned by British firms that employed approximately 70,000 local workers, to grow a crop worth well over ten million pounds (Harris et al. 2016: 48). By 1887, cinchona plantations also expanded in the region with a total area of about 12,000 acres. As a consequence, the land in Darjeeling Hills towards the early 20th century was controlled either by private entrepreneurs who aimed in generating huge revenue from the Darjeeling economy or by some local elite who had a good relationship with the colonial officials. Individuals like Chebu Lama, a Sikkim born astrologer, owned a great portion of land in Darjeeling Hills and has leased it out or given it to relatives for private use (Tamang and Kipgen 2022: 7). Similarly, other individuals like S. W. Ladenla, who worked very closely with British officers, also owned a good amount of land in an urban Darjeeling town which are today controlled by his descendant.⁶

Notwithstanding, the beginning of the twentieth century also witnessed a rapid expansion of population in the Darjeeling district in which 1,34,000 out of a total 2,49,117 were classified as Nepali speakers (according to the 1901 census).⁷ This increase in Nepali populations gradually created space for the Nepali language to flourish in the Hills encompassing other ethnic communities within its linguistic milieu (Chalmers 2009). This shifted the discourse of land rights towards the Nepali's narratives of *Mato ra Jati* (Land and Community) in which community claims over land were designed around the marginalization of territory and ethnicity. Alongside these developments, the establishment of the Nepali Sahitya Sameelan in 1924 reinforced the cultural and literary foundation of Nepali identity and boosted the morale claim for the development of the community (Nep. *jati unnati*) in Darjeeling Hills. This strengthening of the Nepali community, while encompassing other communities within its fold, gradually laid the foundation for Nepali ethnic identity to assert their belongingness to the land. However, it was only in the post-colonial period that such assertion of land and identity crisis became more visible in Darjeeling Hills when the demand for separate statehood was raised in the 1980s. It is under such historical consensus that Jitman and Arman viewed Darjeeling as a home for Hills community, (mostly Gorkhas),⁸ where they should not need documents to prove their belongingness.

But, the reality is different, the deprivation of land ownership among the hill population advanced into regional politics of sub-nationalism in post-colonial India and the struggle for land ownership took multiple dimensions. The material discourse of land ownership continues to reinforce post-colonial ethno-politics in Darjeeling Himalaya and we will discuss how the nature of land ownership created fear among residents in Darjeeling Himalaya.

The Gorkhaland Movement and its Fragments in Post-colonial Darjeeling Hills

The decade of 1980s embarked on a political turmoil in the Hills, where the demand for the separate statehood by Nepali speaking 'Gorkha' population in India created a new historical juncture. Subash Ghising the leader of the Gorkha National Liberation Front (GNLF), raised the citizenship issues of Nepalis in India and launched a movement for the separate state 'Gorkhaland' in the Northern most district of West Bengal, India. The movement turned violent and many like Arman's father sacrificed their lives, fighting for their dreams of an ethnic homeland—the political *cause* of Gorkhaland. Subash Ghisingh set a new parameter to define the citizenship of Indian Nepalis by calling them 'Gorkhas' who are politically and territorially different from 'Nepalis' from Nepal and redefined the imagination of 'Gorkha and their land' (Besky 2017) in India. Arman and Jitman both consider themselves as Nepali speaking Gorkha in India whose ancestor land is Darjeeling.

The issue of eviction from land was fundamental in Ghisingh's demand for Gorkhaland. "In 1985, the Tea management company at Rangli Rangloit, Darjeeling issued eviction notice against those occupants of labour quarters who did not work in the garden despite their ancestor lived their entire life in the same quarters." (Lama 2008: 275). Similarly, in the decades of 1980s, thousands of Nepali speaking communities were forcible evicted from the state of Assam and Meghalaya in northeast parts of India. In both these cases, the right to land was at the core of their security of being native to the land and territory. Therefore, this emotive issue of land rights among Nepali speaking population in India, particularly in Darjeeling Hills, has provoked Ghisingh to called the movement for the separate state of Gorkhaland. In the memorandum to the then Prime Minister of India, Indira Gandhi, the GNLF's leader Subash

Ghisingh expressed his deep concern for the land and territory of Darjeeling Hills where the fate of Indian Gorkha depends upon. He writes,

This is the second time we remind you that the Indian Gorkhas after independence are Stateless and futureless all over India. Our future was murdered by the Indian Constitutions when our land and territory wrongly and blindly merged with West Bengal in 1956. It was a great mistake of the then Indian Government. As a result of it, Indian Gorkhas were politically tortured all over India. Now please correct the mistake of the then Indian Government and return our land and territory from West Bengal. (cited in Lama 1996: 12).

By centralising land as a fundamental to ethnic demand for homeland, Ghisingh expressed his concern about land ownership issues in Darjeeling Hills in one of his famous novels *Maney*, writing “...we should have our own yard of land to bury our dead body (*hami lai hamro lash gadna afnuai mato chahincha*)’ and rhetorically portrays the land crisis as a community’s identity crisis in the modern nation-state”. (Tamang and Kipgen 2022: 13). In the modern nation-state, a community’s land crisis is its identity crisis. Ghisingh emphatically re-created a public imaginary of ‘Gorkhaland’ as the only solution to the crisis of land and community identity among the Gorkha in India (Tamang 2021).

This development of ethno-nationalism, in which ethnic mobilization is intrinsically linked with the question of land control and ownership, has become popular rhetoric in consolidating regional political support since the 1980s. Ghisingh and his party GNLF emphasized such connection between land and ethnicity among Gorkhas in Darjeeling Hills by claiming: ‘community is bigger than party, the land is bigger than community’ (*party vanda jati thulo, jati vanda mato thulo*),⁹ as his political ideology. Subsequently, the centrality of ‘land’ as being bigger than community helped the Ghisingh and GNLF in encompassing the sentiment of hill people that quickly transformed into the ‘people’s movement’ (*jan andolan*) or the ‘struggle for land and community’ (*mato ra jati ko larai*) in post-colonial Darjeeling (Tamang and Kipgen 2022: 13). This invocation of land as fundamental to political claim-making in post-colonial Darjeeling Hills subsequently shaped the discourse of regional political development,

however, it failed to materialize the issue of land ownership in the Hills. As Graham argued: “... because land is sacred and must be looked after, the relation between people and land becomes the template for society and social relations. Therefore, all meaning comes from land.” (Graham 2008: 182). Thus, the central claim of the movement is the Gorkha’s attachment to land through which their identity and citizenship of being Indian are defined. Suffice to argue here that the ‘ethnicity’ (Gorkha) is a mechanism to claim ‘land’ in Darjeeling Hills where various other socio-cultural and linguistic factors intersect within its rhetoric.

The Gorkhaland movement of 1980s could not materialize the issue of land ownership as it settled with a semi-autonomous council (Darjeeling Gorkha Hills Council or DGHC) in 1988 and this further complicated the notion of land and identity in Darjeeling Hills. Many started criticizing Ghisingh and his party for betraying Gorkha’s demand for the homeland. After the 1990s, this political claim-making in Darjeeling Hills through collective Gorkha identity gradually diversified into the politics of indigenous recognition in India. Various smaller ethnic groups within larger Gorkha heritage started asserting their micro-ethnic identities in the race to achieve the state recognised Schedule Tribe (ST) status - accelerated by the global politics of declaring the decades for indigenous people in the 1990s (Tamang and Sitlhou 2018). As the relationship of indigenous communities with their land has been central to indigenous political claim-making (Jairath 2021), however, the notion of indigenous politics in Darjeeling Hills was diverted elsewhere (Tamang and Sitlhou 2018; Chettri 2017). The demand for recognition as Scheduled Tribe (ST) was at the heart of such politics and the demand for land ownership remains as a mere ethnic question.

Furthermore, the failure to bring a major portion of land (such as tea plantation, reserved forest, etc.) where the majority of the population of the Hills reside, under the jurisdiction of DGHC, convoluted the material discourse of land ownership in Darjeeling Hills. Consequently, the ethnic assertion through the demand for Gorkhaland remain dominant narratives in the region and individual land rights remain marginal in regional political discourse (Tamang and Kipgen 2022). A few communities such as Tamang and Limbu received ST status in the early 2000s, but it did not guarantee them their land rights. Subash Ghisingh raised the demand

for the Sixth Schedule to be implemented in Darjeeling Hills but it was met with strong criticism from the opposition. The Sixth Schedule is the constitutional arrangement to protect the tribal population with some form of autonomy to protect land and natural resources. Darjeeling Hills, with only about thirty-three percent of the tribal population, could not materialize the demand for the Sixth Schedule and it remains as a mere political agenda for GNLFF.

No regional political parties have wholeheartedly raised the demand for land rights until recently. Even during decades of Leftist rule in the state of Bengal in which various land reform policy was revised and land distribution to the poor, marginalized, and homeless began, there was not much effort to (re)formulate land reform policy in Darjeeling Hills. In fact, some Gorkha activists believed that lands in the plains of Siliguri (which Gorkha claimed to be theirs) were taken away by the state to rehabilitate refugees for Bangladesh for vote bank politics.¹⁰ Also, regional political parties like GNLFF did not express their interest wholeheartedly in solving individual land ownership issues in the Hills. This inefficiency of the regional political outfits to provide the Gorkha with their ownership to land invited severe criticism against the then ruling party GNLFF, and in 2007 the close aide of Subash Ghisingh, Mr. Bimal Gurung, formed a new party called Gorkha Jan Mukti Morcha (GJM) and subsequently launched the second Gorkhaland movement in the Hills. However, the resistance and criticism against the GNLFF-ruled DGHC did not express individual land rights issues out rightly, instead, reinstated ethnic demand for homeland (i.e. the demand for Gorkhaland). The narratives of 'Brave Gorkha' (*Bir Gorkhali*) once again became a dominant rhetoric in the Hills. Gurung himself, being a tea garden resident, failed to materialize land rights in Darjeeling Hills and used it only as a mechanism to sustain his political base. This development of the ethno-nationalist movement in Darjeeling Hills relinquished the question of land rights among rural poor and the elite-based political narratives of *Bir Gorkhali* continue to sustain the rhetoric of regional political development in the Hills. The state continues to nurture these ethnic sentiments by creating the autonomous council (DGHC was replaced with Gorkhaland Territorial Administration, GTA, in 2011) and strategically denied the community their land rights. Residents in tea gardens and forest villages remain one of the most marginalized among Hills dwellers and many legislations

such as the Forest Rights Act (FRA), Minimum Wages, Plantation Labor Act, etc. which aim to uplift marginalized communities, serve as a mere political tool for regional politicians as well as the state to sustain their support base (as discussed below).

Reframing Land Ownership, Reclaiming Rights: Debating Forest Rights Act and Parzapatta in Darjeeling Hills

The latest phase of the Gorkhaland movement in 2017, which underwent a 105 day lockdown in the Hills, also ended with the revival of the same old council GTA into GTA 2 with its leader Bimal Gurung replaced by another self-proclaimed Gorkha leader, Mr. Binay Tamang. This failure to achieve 'Gorkhaland' despite several attempts by different Gorkha's leaders in the last three decades has certainly questioned the nature of credibility of the leadership in negotiating with the center and the state government. Binay Tamang took a different approach for the development of the Hills - not by resisting the state, but through working closely with the state government (ruled by Mamata Banerjee from Trinamool Congress Party, TMCP). Consequently, he allied with TMCP, the party that is against the separation of West Bengal vis-à-vis the creation of separate state, Gorkhaland. To legitimize his loyalty towards the Gorkha community, Binay Tamang pushed forward the issue of individual landholding or *parzapatta* mostly for tea garden workers and forest villagers in Darjeeling Hills. This transition from ethnic homeland to individual landholding greatly reformulated the notion of land ownership and its competing claims in Darjeeling Hills. As land is the state subject, the government of West Bengal tactically reformulated the notion of *parzapatta* in tune with an already existing state government scheme called 'My Home, My Land' (Bengali: *Nigo Griha, Nijo Bhumi*, see The Darjeeling Chronicle 2018).

The rights to land - articulated through various mechanisms such as collective Gorkha identity, indigenous tribal status, demand for Sixth Schedule, etc., largely failed to guarantee the Gorkha's attachment with the land. In 2006, a historic Scheduled Tribes and Other Forest Dwellers (Recognition of Forest Rights) Act, was passed "...to recognised and vest the forest rights and occupation in forest land in forest-dwelling Scheduled Tribes and other traditional forest dwellers who have been residing in such forests for generations but whose rights could not be

recorded.” (Bhargav 2011), and this rejuvenated many marginalized forest dwellers to claim their attachment mostly with their land. Demand for the FRA, too, was raised in Darjeeling Hills by some forest rights activists but failed to materialize due to several reasons: first, the forest is one of the most neglected areas in Darjeeling political discourse as well as academic scholarship; second, there has been no concrete organization and/ or platform to represent forest rights in Darjeeling historically; and thirdly, due to less population density as compared to a tea plantation, the regional political outfits expressed less interest in the forest (Tamang 2021). Nonetheless, FRA became an important issue in the Hill’s politics when the state expanded the Sevoke-Rangpo Railway Project to connect Sikkim and West Bengal through fragile ecological terrain in the Eastern Himalayan corridor (Singh 2019). The railway project that aims to connect Sikkim with the rest of India needed a No Objection Certificate (NOC) to use forest land which was supposed to be issued by Gram Sabha. The Gram Sabhas have not been functioning in Darjeeling Hills because elections to the panchayat (local self-government of villages in rural India) have not been held since 2005. Himalayan Forest Villagers’ Organization (HFVO), the only forum for forest villagers in Darjeeling Hills, have submitted several memorandums to the GTA and the state government to implement FRA in the region and convert forest village into revenue village, but remain unsuccessful in conferring the issues of land rights among forest villagers.

For many indigenous communities, ‘land’ is environment in contrast to abstract narratives of ‘nature’ as environment (Jairath 2021). Likewise, in Darjeeling Hills, FRA encompasses rights to use the forest beyond mere land rights, but it soon turned into a contested site of reframing land policy. Several meetings were held between various stakeholders in Darjeeling Hills to discuss the issue of FRA in the region (Lahiri 2018) and the notion of *parzapatta* (land rights) was discussed, but with the intention to give environmental clearance to Sevoke-Rangpo Railway Project. This neoliberal agenda of development greatly reformulated the policy of land rights in the region and the state government and the regional administration-cum-political outfits reframed the notion of land among Gorkhas in Darjeeling Hills (Tamang 2021). The conferment of legal land ownership would in many ways legitimize the Gorkha’s claim on their land, however, the government designed

the notion of *parzapatta* or land rights by integrating it with the West Bengal land scheme called ‘My Home, My Land’. In fact, this scheme was launched by the Government of West Bengal on 18 October 2011 for providing land to each identified eligible beneficiary of the family, i.e. to all landless homesteads and agricultural laborers, village artisans, and fishermen in rural areas.¹¹ According to the scheme, land rights will be given to the head of the family and the housing department would even help partially in the construction of houses.¹² This scheme designed in Bengali nomenclature does not fit well in Darjeeling land rights demand and hence many suspected it as a government conspiracy to divert larger Gorkhaland demand into the mere beneficiary scheme (Tamang 2021).

Nonetheless, the state through local administration GTA propagated such scheme through local narratives of *parzapatta* and invited claims for such benefits in Darjeeling Hills. Many political parties as well as individuals criticized such act of West Bengal and considered it an attempt to encroach on the Gorkha’s land in Darjeeling. As one of the respondents during my fieldwork expressed: “the people in Darjeeling Hills are not landless or homeless and only lack proper legal title to their land but the Government intention through such scheme was to provide them only five decimal of land and take away the rest.” (personal communication in Ging Tea Garden Darjeeling, May 2018). Subsequently, the notion of *parzapatta* became a new political tool for both the state and regional political outfits to sustain their political hold in Darjeeling Hills and in fact, some parties from the plains - which had no base in Darjeeling Hills since Subash Ghisingh’s violent campaign for a Gorkhaland in 1986 - used such notion of *parzapatta* to make their inroads in the Hills. Mamata Banerjee led TMC while promising the distribution of *parzapatta* in Mirik (along with Mirik being converted to subdivision) and was successful in winning six out of nine seats in the Mirik civic pool (Tamang and Kipgen 2022: 15).

However, out of fear and anxiety of eviction, many tea garden workers submitted their claim form for the aforesaid scheme of *parzapatta*. In the case of forest villages, such politics of *parzapatta* took slightly different narratives when an attempt has been made to reduce FRA into a ‘mere *patta* distribution’ (Das 2019). In some parts of the Kalimpong district, the Forest Department through district administration and land reform started distributing land (Pattas)

as per Annexure II Rule 8 (h) of the FRA 2006, which provides titles for forest land under occupation. However, many forest rights activists claim that “these do not confer real forest rights and suspects it as a fake document to eyewash villagers to get environmental clearance.” (Interview with HFVO members, 24.02.2020). Interests determine such contestation between the state and activists over the FRA and development projects, but the essence of the act is largely ignored. The state and the local administration manipulated FRA into a mere land scheme and in some cases, the villagers were even asked to produce documentary proof to prove that: (1) you belong to Scheduled Tribe community, (2) you are dependent on forest land, (3) in case of other traditional forest dwellers, you have been a forest resident before 13.12.2005 for more than 75 years. (Rupasa 2020). This reinforced anxiety and fear among locals (like Birman Uncle and Jitman) who do not possess any such legal documents to prove their attachment with the land. Furthermore, the majoritarian political manifestation of citizenship in India resurrected such fear and anxiety among religious and ethnic minorities in India and opened up an avenue for further manipulation of land issues in Darjeeling Hills.

National Register of Citizens (NRC) in Darjeeling Hills: A Fear of Eviction or Evicting Fear?

...a document can be a fake; a document can be authentic, but unreliable, insofar as the information it provides can be either lies or mistakes; or a document can be authentic and reliable. In the first two cases the evidence is dismissed; in the latter, it is accepted, but only as evidence of something else. In other words, the evidence is not regarded as a historical document in itself, but as a transparent medium – as an open window that gives us direct access to reality. (Ginzburg 1991: 294).

The historical alienation of Gorkha’s from their land and their persisting claim through ethnic identity has resulted in a complex relationship between land ownership and identity in the Hills. Since the NRC and CAA demanded documents (mostly land documents) from certain stipulated timelines to prove their attachment with the land, the failure to obtain any legal documents by the majority of Hill’s residents has created an atmosphere of fear among Gorkhas

in Darjeeling Hills to prove their citizenship as being ‘Indian.’ Also, the past experience of the expulsion of Nepali from Bhutan and parts of North East India (Hutt 1997) has reinforced such fear of eviction in Gorkha’s psyche. As stated in the introduction, the expulsion of Gorkha from the list of NRC in Assam made people like Jitman, Uday Uncle, and many others in the Hills apprehensive about their land rights. However, many also believe that Darjeeling is their ‘ancestor land’ and often assert that ‘we came with our land (Darjeeling); hence we are not immigrants in India.’ Darjeeling Hills, which was occupied by the British through various treaties with Nepal, Sikkim, and Bhutan, often served as ‘a place of ancestor’ for Gorkha in India by superseding the Lepcha’s claim over Darjeeling “as part of their ancient Kingdom, *Mayel Lyang*” (Wenner 2015: 118, 123).

The Chief Minister of West Bengal, Mamata Banerjee, and her party TMCP has been one of the fiercest critics of the NRC and CAA and has reiterated time and again that such laws will not be implemented in the state. She has assured minorities including Gorkhas in West Bengal not to fear NRC and CAA as it will not affect them as long as her party remains in the power. Subsequently, many political leaders from the Hills who were loyal to TMCP demanded Inner Line Permit (ILP) for Darjeeling Hills in tune with ILP in Northeast India. They joined the countrywide tune of protest against the NRC and CAA even in Darjeeling Hills and the poster demanding the status of original inhabitants for the Gorkhas in India was pasted in walls of Darjeeling and Siliguri. This ILP, which was designed during colonial times to keep certain areas in Northeast India isolated from the mainland, was partially followed in Darjeeling Hills when the region was under the preview of various isolated policies such as schedule areas, backward tract, and partially excluded areas etc. Likewise, the GNLf raised their long-pending demands of Sixth Schedule status for Darjeeling Hills. Amid these NRC and CAA politics, the demand for Gorkhaland as a protector of Gorkha’s land, culture, identity, and citizenship in India slowly faded away from popular politics in the Hills. The wall of the Hills which was once painted with slogans like “We want Gorkhaland” and “Gorkhaland is our birth right” are slowly being replaced by “We want our land rights (parzapatta).” Recently, posters by Gorkha Nationalist in Kalimpong emphasized the significance of land ownership in protecting Gorkha identity in the Hills (Figure 1 and 2).



Figure 1: Wall Painted on Rohini Road Demanding Land Rights after the 2017 Gorkhland Movement. (Author 2017).

Nonetheless, the initial exclusion of more than one lakh Gorkhas from the list of NRC in Assam has triggered fear of eviction despite various political attempts to evict fear from Gorkha's psyche. The Gorkha in Darjeeling found it difficult to trust the state government of West Bengal due to their prior experience of land encroachment, ethnic discrimination, and regional disparity among Gorkhas in West Bengal (Subba 1992; Samanta 2000). One of the respondents expressed to me in the following words:

Today, the Government of West Bengal might say that Gorkha will not be affected by the NRC and CAA, but these are their political agenda only. The reality is different. If you go to the District Magistrate Office or Block Development Office to apply for a residential certificate, they will ask you to produce the proof of your residence in your land for three generations. How will you do that as most of the residents in Hills doesn't have legal land documents and even Lepchas (who are believed to be the original inhabitant) of this place might not be able to produce any such documents as they followed oral tradition until very recently. This will automatically prove us landless. (Personal communication in Bhutia Busty, Darjeeling December 2019)

Also, the Bharatiya Janta Party (BJP), which has been in power in the central government since 2014, has not yet fulfilled its promise to solve political issues of Gorkhas in Darjeeling despite supporting the BJP's Member of Parliament (MP) consecutively for three elections. Nevertheless, recently cases have been withdrawn against members of Gorkha community in Assam who have earlier been declared 'doubtful voters' under the new citizenship law.¹³ Although this came as a big relief to the Gorkha community in Assam, the fragility around the citizenship question of Gorkha in India has certainly created an anxiety of belongingness. Under such circumstances, the materialization of land ownership is the only form of security that the 'Gorkha' in Darjeeling as well as in other parts of India can depend upon to prove their attachment to the land. Thus, this centralization of 'land' as a site of belongingness, identity, and citizenship in the demand for an ethnic homeland has shaped the political discourse in Darjeeling Hills since colonial times and resurrects more vividly in post-colonial nationalist debates in India. This land contestation will, in fact, continue to shape the future of ethnic politics in Darjeeling Hills and no amount of 'autonomous council' will fulfil the ethnic aspiration for control over land, resources and territory in Darjeeling Himalayas unless it guarantees them security of their land and identity.

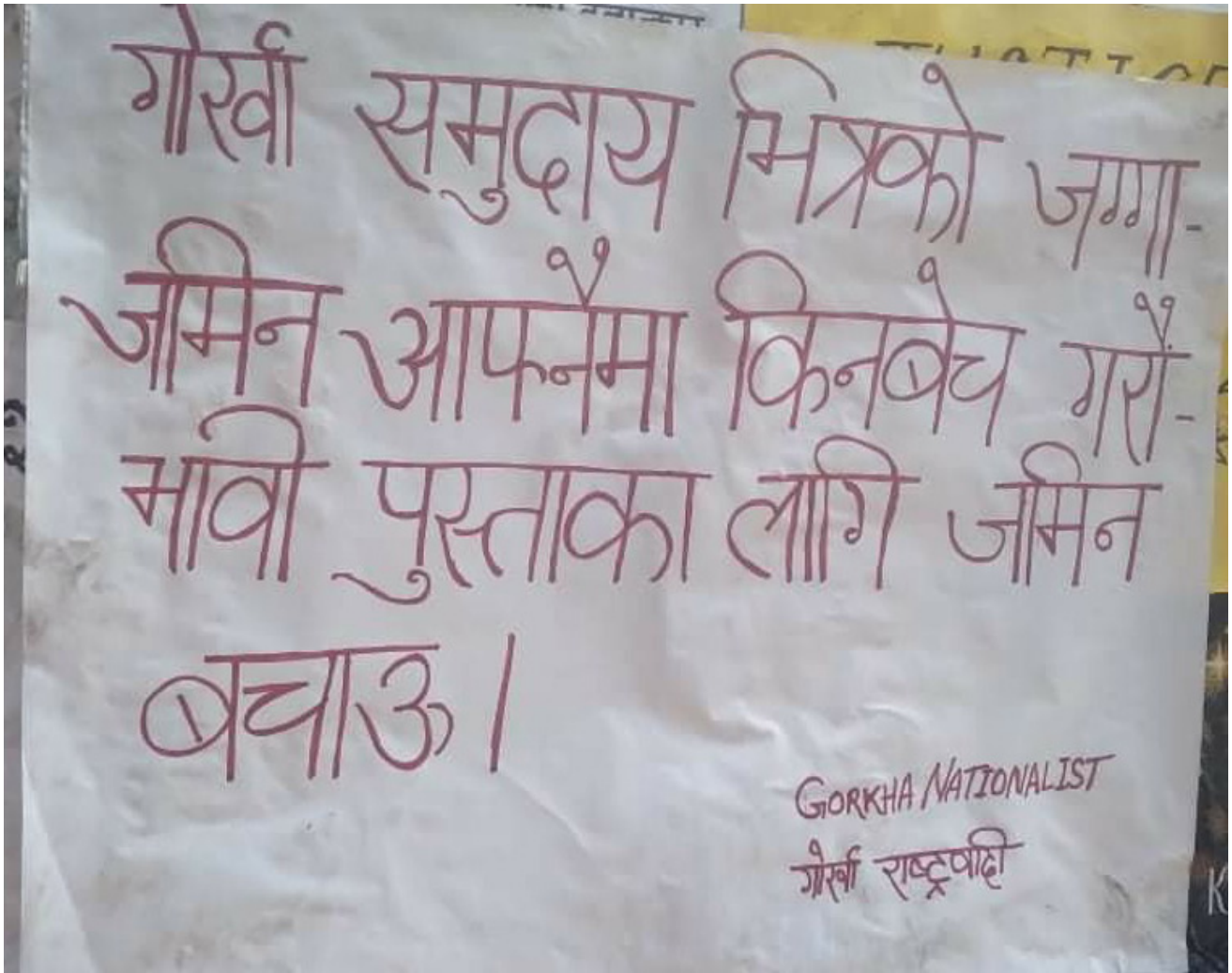


Figure 2: Poster in Kalimpong Town (2022). It reads: “Let the land be transferred within Gorkha Community only, let save our land for future generation”. Source: Facebook page of KTV Kalimpong (accessed on 17 March 2022).

Conclusion

By centralizing the land as a site of contestation, this paper tries to argue that the local deprivation of rights to control their land, resources, and territories fuelled ethnic demand for separation from West Bengal. In this ethnic struggle for homeland, the question of land ownership took a multifaceted dimension and is never straightforward. Land politics persistently determined identity politics in the region, but earlier attempts to study such an intricate relationship between land and identity failed to capture such dimension and put greater emphasis on ethnicity as a factor of the statehood movement. Likewise, in the neighboring state of Sikkim, the materialization of landownership or land property frames the language of belongingness

and exclusion (Vandenhelsken 2020). This centrality of land ownership in the ethnic claims for a homeland in many parts of South Asia has largely dominated the ethnic study in India, more particularly in Northeast India (Baruah 2013), and the history of Gorkhaland and Gorkha’s claim to their land needs major restructuring in terms of understanding its politics, rhetoric, and fragmentation—thereby linking the centrality of land ownership and its associated fears. Hence, more research on land property and identity politics would be of great interest as well as contribution to the larger Himalayan study.

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Endnotes

1. Pseudonyms have been used through this article to protect the identity of respondents.
2. The concept of Tribal Development Board for different ethnic groups in Darjeeling Hills was started by the state government in 2014. Many consider it as a conspiracy to divide the Gorkha community into different ethnic groups by luring members of such groups through a separate development board and monetary packages. The state ruling political party like Trinamool Congress by playing such ethnic card attempts to make their inroad in the hills which otherwise was largely absent since the Gorkhaland movement of 1986.
3. These kinds of narratives about the Gorkhaland movement of 1986 (popularly known as *chiyasi ko andolan*) are common across the many villages of Darjeeling Hills. The stories of inter-party conflicts between GNLFF and CPI(M) cadres are deeply rooted in every village of the Hills. For literary reference, see *Song of the Soils* (Translated from Faatsung).
4. The extended historical argument on land and identity contestation in Darjeeling Hills is discussed in details elsewhere (Tamang and Kipgen 2022). Therefore, this article does not intend to probe into details of historical arguments, rather, dwells into politics of land rights in Darjeeling Hills from a different dimension.
5. In fact, most of the Hills areas of the north-eastern frontier were exempted from the land settlement during the British period and governed with special regulation and minimal interference (Karlsson 2011, chapter 3). In Darjeeling Hills, even though it was kept under the excluded and isolated zone, the British took complete control over territory and declared a major portion of the Hills as reserved forest in the Forest Act of 1878.
6. Personal communication with a few urban-based residents in Darjeeling Hills who, even though they have constructed their own homes, do not possess any proper legal documents.
7. The increase in the Nepali-speaking population in Darjeeling was also accelerated by many other factors such as the recruitment of the Gorkha army in the Gorkha regiment during colonial rule. For ethnic claims for the Gorkha regiment and its impact on contemporary ethnic politics in Darjeeling Hills see Tamang 2018.
8. Gorkha in this context denotes a political term to define a community in Darjeeling Hills who claims themselves to be distinct from Nepalis of Nepal and demanded the separate state Gorkhaland as their homeland within the Indian Union.
9. The term *jati* in the context of Darjeeling social history is used to define a community composed of various *jat* (caste) and *janjati* (tribes). Therefore, Nepali is a *jati* with various *jat* and *janjati*. For more discussion see Chettri 2017.
10. Personal communication with one of the Gorkha leaders in Siliguri who wished to remain unnamed (dated 20th February 2019).
11. For details see <https://wb.gov.in/government-schemes-details-nijogriha.aspx>, accessed 10 June 2022. Also see the circular from the Director of Land Reform and Surveys and Ex-Officio Special Secretary, L&LR Department, Government of West Bengal, Memo No: 30/5739-75/C/12.
12. For ambiguities regarding the land rights at the local level, see *Patta Bitaranra Janta ma anyolta haru*, *Agradhot*, Vol. LXIV, no.5, June 2018.
13. See *The Hindu* <https://www.thehindu.com/news/national/other-states/assam-decision-a-relief-for-22000-gurkhas-facing-foreigner-test/article35742927.ece>, accessed on 25th August 2021.

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