

Socio-legal frameworks and Digital Legal Education to Empower Tribal Women in Assam – A Study

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ABSTRACT

The socio-economic and legal growth of tribal women in Assam is a complicated subject impacted by historical neglect, geographical isolation, and the emerging digital ecosystem of Northeast India. This study argues that digital legal education is a critical instrument for harmonizing the constitutional rights of Scheduled Tribe (ST) members with their daily circumstances. The effort stresses not just the technology features but also a true dedication to tradition, a respect for linguistic variety, and a knowledge of the structural constraints encountered by the tea plantation industry and isolated tribal people. The ultimate objective is to develop a citizen-centric judicial system by merging information and communication technology with legal education and the courts. This coincides with Article 39A of the Indian Constitution, which calls for equal access to justice and free legal help for vulnerable communities. The inclusive approach intends not only to empower tribal women but also to solve the larger socio-economic challenges they confront in Assam, hence supporting their progress in both socio-economic and legal aspects.

KEYWORDS: Geographical isolation, tribal women, legal growth, Article 39A, technology

INTRODUCTION

A complicated and varied legal system administers the indigenous people of Assam, primarily under the Sixth Schedule of the Indian Constitution. This framework is vital for providing protections to indigenous inhabitants, but also offers obstacles in attaining gender equality. In the framework of empowering tribal women, there is a growing dependency between digital legal education and traditional socio-legal protections. Women from the Dimasa, Bodo, and Karbi groups face specific customary obstacles, and this work investigates the procedures of the Sixth Schedule, the duties of legal service authorities, and these issues. Additionally, it delves into game-changing programs like Tele-Law and community-based legal literacy projects that target indigenous women in an effort to raise their familiarity with their legal rights and protections. These initiatives seek to improve their social standing and legal proficiency in a complicated legal and cultural environment.

1.1 Objective of the Study

The research provides an in-depth review of the socio-legal infrastructure's influence on empowering tribal women in Assam via digital legal literacy. It highlights the crucial importance of constitutional law—particularly the Sixth Schedule—and its relationship with tribal customary rules. The study delineates a variety of obstacles that women encounter in rural areas, such as socio-cultural inhibitions and inadequate infrastructure that limit their access to technology. Moreover, the study analyzes the utilization of digital

platforms to disseminate legal information concerning domestic violence and property rights, thereby confronting the substantial obstacles that tribal women face in their pursuit of justice. In order to improve the efficacy of legal empowerment, the study suggests that digital legal education be integrated with community-based legal aid initiatives to cultivate a more supportive environment for the assertion of rights and the access to justice.

1.2 Research Methodology

Research is regarded as a methodical analysis of a topic, comprising particular activities made by the researcher along with the logic behind those efforts. A clear knowledge of the study topic is crucial for good research. In this doctrinal study, the approaches adopted involve documentary analysis and literature reviews. The researcher examined a varied array of sources, which included books, academic journals and numerous websites, to produce the conclusions of this research study.

SOCIO-LEGAL FRAMEWORK FOR AUTONOMY AND SIXTH SCHEDULE AREAS

Article 244(2) of the Indian Constitution's Sixth Schedule offers a fundamental basis for tribal self-governance and the preservation of different cultural identities, notably in the northeastern Indian states of Assam, Meghalaya, Mizoram, and Tripura. This schedule contrasts with the Fifth Schedule, which lays harsher constraints on the autonomy of tribal territories in other parts of India. By creating Regional Councils and Autonomous District Councils (ADCs), the Sixth Schedule basically establishes "states within states". These councils serve as independent institutions equipped with extensive legislative, administrative, and judicial powers. This system permits indigenous tribes to govern in line with their traditions while being linked with the Indian Union.

The Sixth Schedule in Assam concentrates on three main areas, i.e; the North Cachar Hills District (Dima Hasao), Karbi Anglong District, and the Bodoland Territorial Region (BTR). It offers extensive authority to the councils in charge, enabling them to oversee crucial areas like as land utilization, forest governance, village administration, and inheritance of property. However, these councils' power is subject to the permission of the Governor, who functions as a crucial mediator between the state government and the autonomous councils.

The judicial power provided to Autonomous District Councils (ADCs) profoundly effects the lives of indigenous women. To administer justice consistent with local culture, these councils may form village and district courts that handle civil and criminal matters based on customary law. This configuration leads to a "dual legal system," where traditional patriarchal standards may clash with constitutional rights to equality. The writers of the Constitution attempted to safeguard democratic procedures, acknowledging that local populations in Northeast India had been self-governing previous to colonial authority, as acknowledged in the Sixth Schedule. However, a fundamental hurdle to the legal empowerment of women is their continued absence from official decision-making positions within these councils, maintaining gender inequity in legal affairs.

2.1 Legislative and Executive Overlaps

The Sixth Schedule's socio-legal framework is distinguished by a high level of administrative complexity. ADCs are basically local governments with the power to oversee

rural roads, health facilities, and elementary schools. Despite this, overlapping responsibilities in areas like education and natural resource management sometimes cause tension between ADC agencies and state government departments. These administrative hold-ups often prevent native women from accessing necessary social programs and legal assistance. Additionally, while local panchayats in other parts of India were given more authority by the 73rd and 74th Amendments to the Constitution, councils under the Sixth Schedule are given even more authority, but they frequently lack the financial independence required to carry out extensive welfare initiatives for women and marginalized groups.

Customary Law and the Rights of Tribal Women

The status of tribal women in Assam reflects a complex interplay between egalitarian ideals of tribal society and the restrictive framework of customary law. Historically, many tribal communities in Assam upheld egalitarian values, allowing women to play vital roles in household economies and community leadership. However, colonial interventions, such as state appropriation of forests and revenue reforms, disrupted these traditions and diminished women's autonomy. In the present context, most tribal societies in Assam are classified as patrilineal, wherein descent and inheritance are through the male line, significantly contrasting with the matrilineal systems of neighboring Meghalaya, like the Khasi and Garo, which, despite their matrilineal structure, still exhibit patriarchal elements in social power dynamics. A key factor contributing to the socio-economic vulnerabilities faced by tribal women in Assam is the lack of secure land and property rights, which is crucial for their economic stability and empowerment.

Customary laws governing property distribution and transfer among different tribes in Assam show significant variation, typically favoring male heirs. For instance, the Bodo tribe, which is the largest tribal group in the region, adheres to a patrilineal inheritance system that grants property rights primarily to sons. Although women are respected members of the family unit, their rights to ancestral land tend to be ambiguous or altogether absent under traditional laws. This trend of excluding daughters from inheriting paternal property is similarly observed in the Karbi and Dimasa communities, where customary practices predominantly uphold male inheritance rights.

The Dimasa customary law exemplifies gendered asset division, where maternal property—including items like ornaments, looms, and baskets—is inherited by daughters, while paternal property, which consists of the house, land, and livestock, is allocated to sons. In contrast, the Karbi society's land was historically viewed as communal and managed through shifting cultivation practices (jhum). However, with the shift towards permanent cultivation, private property rights have emerged, often to the detriment of women. This transition has been further intensified by modernization and the encroachment of nearby cultures, resulting in reduced women's involvement in land management.

3.2 Judicial Pivot Toward Gender Equality

The Supreme Court of India has addressed the critical tension between customary law and constitutional rights in its ruling on *Ram Charan & Ors. v. Sukhram & Ors.* (2025). The Court determined that customary law cannot supersede the constitutional guarantee of equality as outlined in Article 14. It explicitly affirmed the right of tribal women to receive an equal share of ancestral property, grounding its decision in fundamental principles of justice, equity, and good conscience. This judgement marks a transformative shift in the legal framework surrounding women's inheritance rights, such that when customs do not

explicitly mention women's rights, it is incumbent upon the opposing party to demonstrate a custom that outrightly denies these rights. Nevertheless, the challenge remains in effectively implementing this landmark decision, particularly in the remote hill districts of Assam, necessitating the establishment of strong digital legal education systems to ensure women are adequately informed of their newly recognized entitlements.

3.3 Gender-Based Violence and the Private Sphere Barrier

Violence against tribal women is a significant and ongoing issue, deeply entrenched in the cultural understanding that views the home as a private domain, often beyond the reach of legal accountability. This societal norm contributes to the significant underreporting of such crimes, which remains a major concern despite the implementation of protective legal frameworks, including the Protection of Women from Domestic Violence Act (PWDVA) of 2005. The existing laws aim to provide safeguards; however, they have not been effective in altering the grim statistics regarding violence and crime rates against women in these tribal regions, highlighting the need for more robust interventions and societal changes to address the pervasive nature of this violence.

1. Determinants of Low Reporting

The underreporting of violence among tribal women can be attributed to several interrelated factors, including fear of reprisals, a sense of apathy from institutions that are supposed to provide protection, and pervasive distrust in the formal justice system. This situation is exacerbated by heightened vulnerabilities to sexual and domestic violence that these women experience, driven not only by their gender but also by their identity as indigenous individuals. Additionally, existing societal stereotypes and multiple forms of discrimination further complicate their plight, making them more susceptible to violence and less likely to seek help or report incidents.

(a) **Institutional Apathy:** Police apathy and a lack of gender sensitivity often discourage survivors from pursuing legal recourse.

(b) **Cultural Pressure:** In many indigenous societies, village or tribal councils are dominated by men who may prioritize "community harmony" over the rights of an individual woman.

(c) **Legal Illiteracy:** A significant portion of the population remains unaware of the prevailing legal system and their constitutional rights to seek justice.

(d) **Economic Dependency:** Limited access to land and insecure informal work reduces a woman's bargaining power and her ability to leave an abusive situation.

2. The Witch Hunting Phenomenon

Women in the tribal blocks of Assam, especially in regions plagued by conflict such as Sonitpur and various parts of the Bodoland Territorial Region (BTR), are subjected to the grievous practice of witch hunting. This form of gender-based violence is frequently tied to underlying issues such as land disputes or social conflicts, wherein women are targeted under the pretense of superstition, leading to the dispossession of their property or status. To combat this issue, the Assam Witch Hunting (Prohibition, Prevention and Protection) Act was enacted in 2018. However, the success of this legislation heavily relies on the level of legal awareness within communities and the active participation of digital literacy initiatives aimed at dismantling the myths that perpetuate these violent acts. The intersection of legal frameworks and grassroots engagement is critical in ensuring protection for vulnerable women in these affected areas.

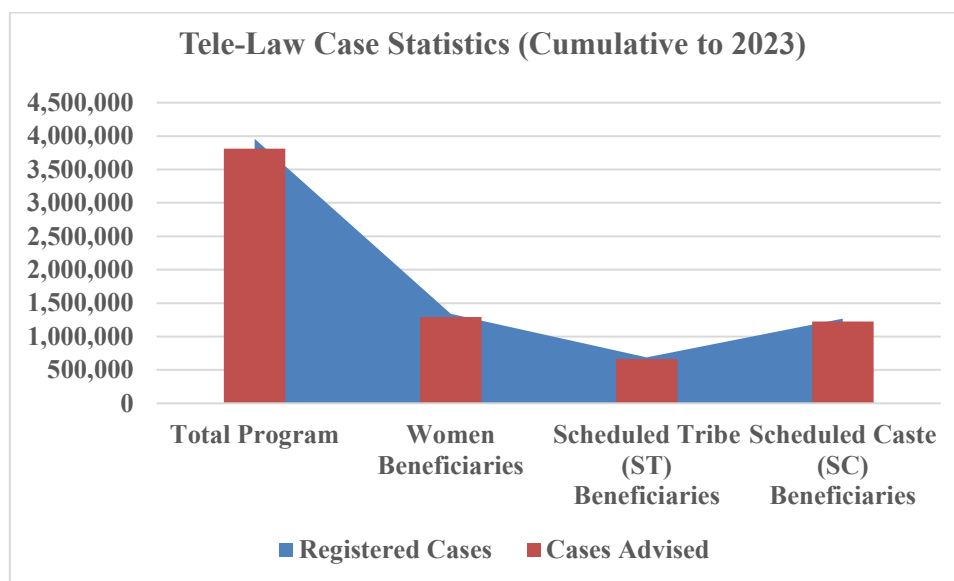
4.1 Digital Legal Education: The Tele-Law Paradigm

The Tele-Law initiative represents a notable advancement in the socio-legal framework of Assam by integrating legal aid services into the mainstream. Utilizing Information and Communication Technology (ICT), this initiative aims to offer legal advice specifically to marginalized communities. This service is facilitated through a network of Common Service Centers, thereby enhancing accessibility and support for those in need of legal assistance. The Tele-Law scheme is an initiative that connects citizens, especially marginalized groups like tribal women in remote areas, with expert lawyers through video conferencing and telephone services at Common Service Centers (CSCs). This initiative effectively addresses the barriers of cost and travel associated with accessing legal services, as seen in remote hill districts such as Karbi Anglong and Dima Hasao. A crucial element of the Tele-Law model is the involvement of Para-Legal Volunteers (PLVs), who are primarily women identified from local communities by NALSA (National Legal Services Authority) and the Department of Justice. These PLVs serve as intermediaries, helping to identify potential beneficiaries of the program, explaining how to use the digital system, and facilitating consultations with the lawyers available on the panel. As of 2023, the Tele-Law program has successfully registered over 1.3 million cases from women throughout India, with tribal populations constituting roughly 686,633 of these cases, highlighting its significant impact in increasing access to legal aid for marginalized communities.

4.2 Impact in Aspirational Districts

Assam is home to multiple "Aspirational Districts," which are notably marked by their underdeveloped infrastructure and health services. To address these issues, the Tele-Law program has been extended to these districts. This program recognizes legal aid as a crucial component, referred to as the "fourth pillar" of empowerment, which works in conjunction with education, health, and financial inclusion. The integration of legal aid aims to enhance overall development and support the inhabitants of these districts in attaining better living conditions and opportunities.

Tele-Law Case Statistics (Cumulative to 2023)	Registered Cases	Cases Advised
Total Program	39,60,136	38,13,139
Women Beneficiaries	13,38,278	12,90,750
Scheduled Tribe (ST) Beneficiaries	6,86,633	6,65,551
Scheduled Caste (SC) Beneficiaries	12,67,322	12,24,375



The impact of Information and Communication Technology (ICT) on the judicial system's effectiveness in rural Assam has led to notable enhancements in legal access for local populations. ICT tools facilitate greater outreach and legal service delivery, improving overall efficiency. However, persistent challenges such as the digital divide, inadequate infrastructure including unreliable electricity and internet access, and systemic barriers continue to restrain the full utilization of these digital resources. Recent initiatives, such as the introduction of mobile applications and the reengineering of implementation workflows, aim to mitigate these hindrances by enabling users to engage directly with legal consultations through their smartphones, thereby striving for a more accessible judicial process.

4.3 Educational and Research Initiatives

The Centre's mandate focuses on nation-building by ensuring justice for tribal women and children in Northeast India. Its core activities entail documenting tribal customary laws to prevent misinterpretation by male-dominated village councils. It also initiates awareness programs that educate tribal women on accessing their rights within both customary and civil law frameworks. Employing a comprehensive approach, the Centre examines tribal issues through the lens of constitutional equality. It publishes research in its journal, *Tribal Law, Policy and Justice*, and organizes lectures, like the upcoming session on "Indigeneity: A Social Construct with Political Potential." These initiatives lay the groundwork for policy reforms to merge traditional autonomy with contemporary gender standards. The Tribal Research Institute (TRI) Assam significantly contributes by running awareness programs on health, reproductive rights, and legal literacy. TRI seminars have highlighted the issues faced by plain tribal women and their roles in environmental protection while stressing that gender equality relies on fostering educational opportunities for girls and enhancing female representation in decision-making within tribal institutions.

4.4 Civil Society and Digital Literacy Initiatives

Non-governmental organizations (NGOs) play a crucial role in legal change at the grassroots level, particularly in Assam where the North East Network (NEN) and the Digital Empowerment Foundation (DEF) have established innovative programs that

combine digital literacy with legal empowerment. NEN's Gramin Mahila Kendras (Village Women's Centers) foster women's leadership across various districts like Darrang and Kamrup, providing safe spaces for discussions on violence and discrimination faced by women. The Project Dosti initiative targets youth in marginalized rural communities, offering a 12-month certificate course in essential skills, laying the groundwork for women's future access to online legal resources. NEN also promotes legal awareness through collaborations with District Social Welfare Offices, particularly focusing on the PWDVA 2005 in tribal areas. Furthermore, the Saneki Weaves initiative supports survivors of violence by linking them to livelihood options through weaving, which is vital for achieving economic independence necessary for pursuing legal justice. Meanwhile, DEF has developed a network of "Soochnapreneurs" who empower rural women by providing access to government rights and schemes using digital tools. The Digital Didi Project aims to combat stigma around menstruation and enhance reproductive health knowledge while decreasing school dropout rates, thereby empowering women's participation in legal and political matters. Additionally, the digital training of homemakers in Self-Help Groups (SHGs) allows for remote access to essential services like pension applications and legal aid, improving overall access to justice.

4.5 Socio-Economic Foundations of Legal Empowerment

The empowerment of tribal women in Assam is fundamentally connected to their involvement in the rural economy, particularly in weaving and artisan crafts, notably among the Bodo and Karbi tribes. These activities are significant for social investments, which are theorized to influence changing social commitments. The establishment of Self-Help Groups (SHGs), supported by the Ministry of Tribal Affairs (MoTA), has notably advanced the empowerment of these women by offering them financial authority through group savings and credit access, political representation as a platform for leadership training, and social independence through collective action against domestic violence and land issues. In Bunmaja, Bodo women enjoy significant autonomy in family decision-making, although they still lack access to modern technologies and political roles. To enhance their economic power, the shift from traditional farming and weaving practices to more commercialized activities is essential. Furthermore, secure land rights for women are emphasized as crucial for household resilience, with international frameworks like CEDAW advocating for equal treatment in land reforms. This involves addressing the cultural challenges that restrict women's rights while also integrating modern legal protections. Ultimately, while the legal framework in Assam acknowledges tribal autonomy, it necessitates enhanced digital and gender-sensitive reforms to effectively empower women.

CONCLUSION AND SUGGESTIONS

In the realm of socio-legal and digital matters within the region, the proposed strategies aim to bolster legal justice and empower tribal women through a series of significant actions.

(a) Primarily, there is a strong recommendation to harmonize customary and statutory laws, ensuring their conformity with Constitutional Article 14. The Supreme Court has established that individuals upholding discriminatory traditional practices bear the onus of proving their legitimacy.

(b) Secondly, it is vital to cultivate digital legal knowledge tailored to local contexts. This entails creating educational content in Bodo, Mising, and Karbi languages, complemented by online learning resources and multimedia tutorials addressing crucial subjects like property inheritance and safeguards against domestic violence. This approach is designed to make legal information accessible to those who do not speak Assamese.

(c) Lastly, an expansion of the network of female Para-Legal Volunteers (PLVs) is deemed essential. This involves increasing the recruitment of tribal women and equipping them with smartphones and solar chargers to improve their communication capabilities in isolated hill areas. The recommendations also highlight the necessity of upgrading digital infrastructure in "Aspirational Districts," such as Karbi Anglong. This includes advocating for government financial backing to establish high-speed internet access points at Common Service Centers (CSCs) to enable remote legal consultations through the Tele-Law initiative.

In addition, the importance of supporting women's economic independence is underscored. This involves connecting livelihood projects like SIRISH and Saneki Weaves with legal aid services, recognizing that women with greater economic power are more inclined to assert their legal entitlements. Taken together, these proposals advocate for a synthesis of traditional tribal self-governance with contemporary digital legal systems. The ultimate objective is to elevate women in Assam from experiencing injustices rooted in tradition to achieving empowerment through constitutional rights. The overarching aim is to cultivate a socio-legal environment that champions the preservation of cultural heritage while simultaneously advancing gender equality through technological integration and equitable treatment.

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