Bureaucratising the Saralpara Dong: Customary Water Rights and Transboundary Tensions

AMAN GWJWN

‘If we make the bandh (river diversion) here, we will not need to take permission from the Bhutanese officials for repairing it every time. Because this is India’, Dhaneswar Basumatary, the Secretary of the Nwnwgwr Kumtagwra Ancholik Dong (Saralpara Dong) Committee, tells me, pointing to where we are standing at the moment. We walk less than 300 metres to where the current bandh is located, and stand there to talk for a few minutes. We are now apparently standing in Bhutan.

There is no demarcation in the vast expanse of sand, stone, boulders, and water that tells us exactly where India ends and Bhutan begins, but one just seems to have to know. Dhaneswar soon points to the nearby border patrol checkpost. ‘See, they are signalling for us to go back’, he says. We head back to the residential part of Saralpara village.

Bandh at Bhutan Border for diversion of Saralpara Dong

Saralpara village is a forest village (unlike a revenue village, a forest village exists within a notified forest and is under the jurisdiction of the Forest Department) comprising about 20 hamlets of varying population sizes. As indicated previously, it is located along the India-Bhutan border, in the Kokrajhar district of Assam’s Bodoland Territorial Region (BTR), an autonomous area under the Sixth Schedule of the Indian Constitution with a high concentration of indigenous communities. Different ethnic groups including indigenous and non-indigenous communities like Bodos, Rabhas, Gorkhas (Nepali speaking community), and Santhal and Oraon Adivasis make up the population of Saralpara.

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According to local narrative history, the Gorkhas were the first population to arrive and start settling in this area, supposedly beginning in the 1960s. Their settlement in the region was apparently a result of forceful evictions of Gorkhas from Bhutan due to a failed movement for distinct ethnic Gorkha rights and an enforcement of the dominant Drukpa practices by the

Diversions for Dongo sub-channels into different villages

Kingdom of Bhutan. Other communities are supposed to have arrived here a little later, in about 1985, when land in these areas were being made available free of cost for them by student group leaders and separatist forces, possibly as part of the movement for a separate state for the plains tribals of Assam.

Before Bodo, Rabha and Adivasi groups settled in Saralpara, there was little to no cultivation in the area. Gorkhas largely depended on areca nut trees for their livelihood, for which rains were sufficient. However, when Bodos, Rabhas, and Adivasis moved here around the 1980s, they began paddy cultivation for which considerable water was required. The nature of the soil in this area is often described by locals as sandy and stony, making both groundwater storage and its retrieval for usage difficult.

Given the availability of the nearby Saralbhanga river, the traditional diversion-based irrigation system of the Bodos, called the Jamphai or Dongo system, was adopted in Saralpara.

In this system, there is typically one diversion point or check dam, called the bandh/bandw, that is made on a suitable portion of the river, which is connected to a canal called the dong/dongo or jamphai. This dongo then branches out into smaller canals (that are also called dongo) that run beside people's houses and fields in each hamlet. People then divert water from these smaller canals into their fields to irrigate their crops, and also use the running water for drinking, cooking, and cleaning.

The dongo system is prevalent across many parts of Assam, and in some cases, the main bandh that diverts water from a river may be a concretised and permanent structure that does not require much repair and maintenance work. However, in the case of the Saralpara dongo, the bandh is made merely of compacted sand and rocks and requires repair work often, especially during the monsoons, when rains are heavy and the bandh is more prone to erosion and breakage.

It usually needs repair work at least seven or eight times, and sometimes even up to 15 times a year. The exercise of repairing the bandh is one in which at least one member from every household in the village that uses the dongo water for irrigation is required to take part in. In Saralpara, this can mean about 450-500 individuals, although some prefer to pay the 200-rupee absentee fee to use their day in other ways, and hence the numbers don't quite reach the village's full capacity.

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As the Saralpara bandh is technically located across the border in Bhutan, there are some rules about the extent of human entry into their territory.

According to Dhaneswar and other members of the dongo Committee, there was an agreement between their committee and Bhutan as long ago as when their bandh was first constructed in the 1980s, that they could go up to about 2000 feet into Bhutan territory to repair their dongo every year. This agreement served the water users of Saralpara well for a considerably long period of time, even after militant-triggered ethnic violence between Bodo and Adivasi communities in the area in 1996 and 2014 led to prolonged displacements of their populations and left many of their systems like the dongo in disarray for many years at a stretch.

However, it was during the COVID-19 pandemic in 2020 that the border arrangement with regard to Saralpara's water supply faced a jolt for the first time. In July, when the rains had started getting heavier as per usual, the villagers of Saralpara got ready in the hundreds to go repair their bandh. When they arrived at their bandh however, they were shocked to find that the border guards of Bhutan patrolling near the river would not permit them to work on repairing their bandh. They were asked for a written and signed statement from someone with considerable authority in the government on the Indian side. As most of the residents of Saralpara were absolutely dependent on the dongo for all their water needs, obtaining this statement was crucial to them. Due to the presence of civil society organisations working in the area to support livelihoods affected by ethnic conflict in the past, as well as the competent leadership of the dongo committee, the residents of Saralpara fortunately managed to receive the support they required. This support took the form of a letter from a local Member of the Legislative Assembly (MLA), as well as coordination with both the district commissioner of Kokrajhar and his equivalent (called a dzongda) in the Sarpang district of Bhutan from where the Saralbhanga river originates.

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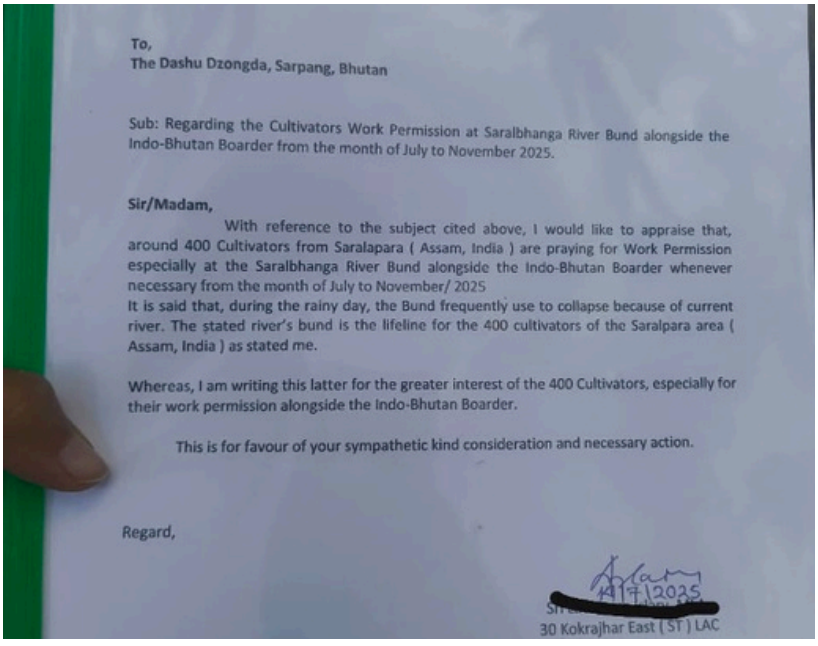
With this arrangement, the water users of Saralpara were allowed to repair their bandh amid COVID19 restrictions in 2020. However, ever since that time, Bhutan has made it a mandatory requirement for the residents of Saralpara to obtain fresh permission for bandh repair work every time. Instead of needing an Indian official's permission every time, they have set up a system where the Dongo committee's leadership can directly contact the Dzongda of Sarpang for permission and submit a permission letter signed by them, but put a limit on how many people are allowed to do



To,
The Dashu Dzongda, Sarpang, Bhutan

Sub: Regarding the Cultivators Work Permission at Saralbhanga River Bund alongside the Indo-Bhutan Boarder from the month of July to November 2025.

Sir/Madam,

With reference to the subject cited above, I would like to appraise that, around 400 Cultivators from Saralapara (Assam, India) are praying for Work Permission especially at the Saralbhanga River Bund alongside the Indo-Bhutan Boarder whenever necessary from the month of July to November/ 2025
It is said that, during the rainy day, the Bund frequently use to collapse because of current river. The stated river's bund is the lifeline for the 400 cultivators of the Saralpara area (Assam, India) as stated me.

Whereas, I am writing this latter for the greater interest of the 400 Cultivators, especially for their work permission alongside the Indo-Bhutan Boarder.

This is for favour of your sympathetic kind consideration and necessary action.

Regard,

[redacted]
30 Kokrajhar East (ST) LAC

A permission request letter from the local MLA to a Bhutanese official regarding Bandh repair work in Saralpar

the repair work at a given time. They also require a written list of names of each of the people who come to do the repair work.

Dhaneswar Basumatary exclaims that it is a hassle for them to do this every time. He points out that even the Dzongda of Sarpang himself acknowledges their inconvenience and has suggested that, instead of having to seek his permission every time, they should construct a bandh at a slightly lower point in the river, where it is still Indian territory. While Dhaneshwar and a few other villagers think this is a sound suggestion and have located a point for this new diversion, many other villagers are opposed to this because they fear that having a lower diversion point will mean a weaker velocity of water, which might cause water scarcity for the hamlets downstream of each sub-channel of the dongo, especially in the winter months. For now, they see seeking permission for their water as a minor inconvenience in comparison to the security that the bandh they already have provides for their largely agrarian livelihood.

Yet, Dhaneswar is convinced that the new bandh is the only solution, and what they have to eventually do is to convince the other villagers of it soon. Although they don't spell it out, what the Dzongda, Dhaneswar, and the others who support the decision for having the bandh at a new point on Indian territory are expressing is the need for autonomy with regards to one's water resources, and in refusing to seek permission for what is one of the most basic, essential and universal resources for all living beings, what they are asserting is a certain demand for human dignity which bureaucratic processes tend to take away. However, the fact that they see the only solution to this as a containment of international territorial boundaries points to a certain loss of faith in transboundary systems and their possibility to work for them.

The tension between those advocating for a new bandh on Indian soil and those fearing the risk to their water supply perhaps highlights a broader dilemma in transboundary resource management. While relocating the diversion point could restore administrative autonomy, it also risks undermining the very water security it seeks to protect. This raises critical questions for policymakers: How can bureaucratic systems accommodate customary water practices without eroding the autonomy and dignity of border communities? What frameworks might preserve both the efficiency of traditional resource management and the security concerns of nation-states? And perhaps most importantly, when formal permission systems replace long-standing informal arrangements, what benefits are gained in administrative clarity and what is lost in community resilience and self-determination?

(The views expressed in the article are those of the author and do not reflect in any way his affiliation to any organisation or institution)

Aman Gwjwn
aman@watcon.org

Aman Gujwn is a research intern, she completed both her B.A. (Honours) and Diploma in Advanced Studies and Research (DipASR) with the Department of Sociology and Anthropology at Ashoka University, Haryana. Her recent academic work has focused on food systems, geographical indications, and cultural identity in Bodoland, Assam. More broadly, her research interests lie at the intersection of environmental and social studies.

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