

Livelihood and Stigma: Survival of Denotified Tribes of Dharampura, Delhi under the Shadow of the Habitual Offenders Act

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Abstract

India's Denotified Tribes (DNTs) represent one of the most historically persecuted and systematically marginalised communities in the country. Criminalised by the Britishers under the Criminal Tribes Act of 1871, these communities lost their traditional livelihoods, were subjected to forced settlement, and were branded as 'hereditary criminals'. Although the CTA was repealed in 1949, its institutional logic was perpetuated through the Habitual Offenders Act(s) enacted by various states. This paper uses mixed-methods research amalgamating doctrinal legal analysis with ethnographic field narratives from the Dharampura settlement in Najafgarh, Delhi to examine how the structural conditions created by colonial and post-colonial legislation have produced acute livelihood precarity among DNTs. The analysis includes application of theoretical frameworks of Erving Goffman, Michel Foucault, Paul Farmer, and Albert K. Cohen to analyse the interlocking themes that emerge from the field narratives - livelihood displacement and precarity, criminalisation and police surveillance, gender constraints and educational exclusion, and intergenerational poverty compounded by gaps in affirmative action. The paper concludes with policy recommendations for legal reform, census enumeration of DNTs, and targeted livelihood interventions.

Keywords: Criminal Tribes Act, Denotified Tribes, Habitual Offenders Act, Livelihood Precarity, Structural Violence

Introduction

India's Denotified Tribes, Semi-Nomadic Tribes, and Nomadic Tribes collectively constitute approximately ten percent of the country's population (Renke Commission, 2008), yet they remain among the most invisible and structurally excluded communities in the post-colonial state's development. Seventy-six years after Independence, these communities continue to be governed, in significant parts of the country, by legislation that is functionally indistinguishable from the colonial-era laws and criminalised their very existence. The persistence of this legislative framework is not a historical accident; it reflects the power of institutional stigma and the state has not