

KAPIL SIKKA

**WHAT IS THE SIXTH
SCHEDULE, AND
CAN LADAKH BE
INCLUDED UNDER
IT?**

Ladakh has got the Union Territory status that it wanted, so why do its representatives now want to be brought under the ambit of a constitutional provision that allows for the creation of autonomous councils with some special powers? What is the Sixth Schedule, and can Ladakh be included under it?

BJP MP from Ladakh Jamyang Tsering Namgyal **demanded that the region be included in the Sixth Schedule** of the Constitution to safeguard land, employment, and cultural identity of the local population. Namgyal spoke in Parliament a day after Ladakh observed a shutdown to press for statehood.

Representatives of the region have raised the demand repeatedly since the constitutional changes in the erstwhile state of Jammu and Kashmir in 2019

ABOUT ME



- ✓ Mentoring, guiding and teaching UPSC students since 8 years
- ✓ Polity, Indian Economy, Essay, Internal Security & Post Independence India
- ✓ Teaching Political Science Optional



GS by Kapil Sikka (<https://t.me/kapillive>)



@kapilsikkaa



INTEGRATION VS ASSIMILATION DEBATE

What is the Sixth Schedule?

The Sixth Schedule under Article 244 provides for the formation of autonomous administrative divisions — Autonomous District Councils (ADCs) — that have some legislative, judicial, and administrative autonomy within a state.

What is the Sixth Schedule?

ADCs have up to 30 members with a term of five years, and can make laws, rules and regulations with regard to land, forest, water, agriculture, village councils, health, sanitation, village- and town-level policing, inheritance, marriage and divorce, social customs and mining, etc.

The Bodoland Territorial Council in Assam is an exception with more than 40 members and the right to make laws on 39 issues.

The Sixth Schedule applies to the Northeastern states of Assam, Meghalaya, Mizoram (three Councils each), and Tripura (one Council).

MEGHALAYA

- Khasi Hills Autonomous District Council
- Jaintia Hills Autonomous District Council
- Garo Hills Autonomous District Council

MIZORAM

- Chakma Autonomous District Council
- Lai Autonomous District Council

- Mara Autonomous District Council

TRIPURA

- Tripura Tribal Areas Autonomous District Council

ASSAM

- Dima Hasao Autonomous Council
- Karbi Anglong Autonomous Council
- Bodoland Territorial Council

Why does Ladakh want to be part of the Sixth Schedule?

- The UT has two Hill councils in Leh and Kargil, but neither is under the Sixth Schedule.
- Their powers are limited to collection of some local taxes such as parking fees and allotment and use of land vested by the Centre.

MP Namgyal urged the government in Lok Sabha to amend the Ladakh Hill Development Council Act, and define “what will be the role and responsibility of the central government, the UT administration and the Lieutenant Governor”.

What are the voices from the ground saying?

- A coalition of social, religious, and political representatives in Leh and Kargil has gone beyond the Sixth Schedule and demanded full statehood for Ladakh, besides protection of land and jobs for locals.
- The region observed a complete shutdown on to press these demands; a similar bandh had been observed

What are the voices from the ground saying?

In Kargil district, which is dominated by Shia Muslims, demands have been raised for the restoration of special status — also for a merger with the UT of J&K which has been provisioned a legislature

Can Ladakh be included in Sixth Schedule?

In September 2019, the National Commission for Scheduled Tribes recommended the inclusion of Ladakh under the Sixth Schedule, noting that the new UT was predominantly tribal (more than 97%), people from other parts of the country had been restricted from purchasing or acquiring land there, and its distinct cultural heritage needed preservation.

Can Ladakh be included in Sixth Schedule?

Notably, no region outside the Northeast has been included in the Sixth Schedule.

In fact, even in Manipur, which has predominantly tribal populations in some places, the autonomous councils are not included in the Sixth Schedule. Nagaland and Arunachal Pradesh, which are totally tribal, are also not in the Sixth Schedule.

“Ladakh’s inclusion in the Sixth Schedule would be difficult. The Constitution is very clear, Sixth Schedule is for the Northeast. For tribal areas in the rest of the country, there is the Fifth Schedule,” a Home Ministry official said.

However, it remains the prerogative of the government — it can, if it so decides, bring a Bill to amend the Constitution for this purpose.

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Meghalaya and the Sixth Schedule: Why the constitutional protection needs to be revisited

ISSUES

- Undermining Constitutional provisions like A-14, 16 , 21
- ILP and development issues



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