Demand for 6th Schedule Status: Arunachal Pradesh

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Why in News

The recent revival of the demand for two **autonomous councils** in Arunachal Pradesh has led to the call for bringing the entire Arunachal Pradesh under the ambit of the **6th Schedule** or **Article 371 (A)** of the Constitution.

- Currently Arunachal Pradesh is **neither under 5<u>th</u> Schedule nor under 6th Schedule**. It is under the <u>**Inner Line Permit (ILP)**</u> system.
    - The **6th Schedule** is applied in **Assam, Meghalaya, Mizoram and Tripura.**
    - The **5th Schedule** areas are declared in the States of **Andhra Pradesh, Telangana, Chhattisgarh, Gujarat, Himachal Pradesh, Jharkhand, Madhya Pradesh, Maharashtra, Odisha and Rajasthan.**
- On the other hand, <u>**Article 371 A is applied in Nagaland**</u> which provides special status to Nagaland.

Key Points

- **6ᵗʰ Schedule:**
  - The 6ᵗʰ Schedule of the Constitution **provides for the administration of tribal areas in Assam, Meghalaya, Tripura and Mizoram** to **safeguard the rights of the tribal population** in these states. This special provision is provided under **Article 244(2)** and **Article 275(1)** of the Constitution.
    - The **tribes in the above states have not assimilated** much with the life and ways of the other people in these states. These areas still have the presence of **anthropological specimens.**
  - Based on the reports of the **Bordoloi Committee** formed by the Constituent Assembly, the 6ᵗʰ Schedule was formulated to provide **limited autonomy** to the **tribal regions of North-East.**
    - The committee report stated that there was a need for a system of administration that would allow tribal areas to become developed.
    - The report also called for the protection of these tribal areas from exploitation by the people in the plains and preserving their distinct social customs.

- **Administration in the 6th Schedule:**
  - The tribal areas in the 6th Schedule area have been constituted as **autonomous districts.** The autonomous districts have been given varying degrees of autonomy within the State Legislature.
    - There are **10 autonomous districts** – three in Assam, Meghalaya and Mizoram and one in Tripura.
    - Each autonomous district can also have a separate **regional 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 Autnomous District Council

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

  - The tribals have been given **freedom to exercise legislative and executive powers** through an **autonomous regional council** and **autonomous district councils (ADCs).**
  - The ADCs are empowered with **civil and judicial powers.** They can **also make laws on matters** like land, forests, fisheries, social security, etc. **with due approval from the governor.**
  - The **Acts passed by Parliament and state legislatures may or may not be levied in these regions** unless the President and the governor gives her or his approval, with or without modifications in the laws for the autonomous regions.
  - **Governor's Control:**
    - Despite various degrees of autonomy, the 6th Schedule area **does not fall outside the executive authority of the state concerned.**
    - The **governor is empowered** to organise and re-organise the autonomous districts. He can increase or decrease the areas of autonomous districts or change their names or define their boundaries and so on.
      > If there are different tribes in an autonomous district, **the governor can also divide the district into several autonomous regions.**

- **Composition of Autonomous Councils:**
    - Each autonomous district and regional council consists of **not more than 30 members,** of which **four are nominated by the governor** and the rest via elections. All of them **remain in power for a term of five years.**
    - However, the **Bodoland Territorial Council is an exception** as it can constitute up to 46 members.
- **Article 371 A:**

    The Acts of Parliament relating to the following matters **would not apply to Nagaland** unless decided by the State Legislative Assembly:
    - Religious or social practices of the Nagas.
    - Naga customary law and procedure.
    - Administration of civil and criminal justice involving decisions according to Naga customary law.
    - Ownership and transfer of land and its resources.

Source: TH