



Ladakh in Sixth Schedule: Listen to Local Demand

This editorial is based on [“Listen to Ladakh”](#) which was published in The Times of India on 06/02/2024. The article explores the underlying reasons behind the recent protests in Ladakh, which advocate for separate statehood and inclusion in the Sixth Schedule.

For Prelims: [Ladakh](#), [Sixth Schedule](#), [Silk Route](#), [Pangong and Tso Moriri](#), [Union Territory](#), [Autonomous District Councils \(ADCs\)](#)

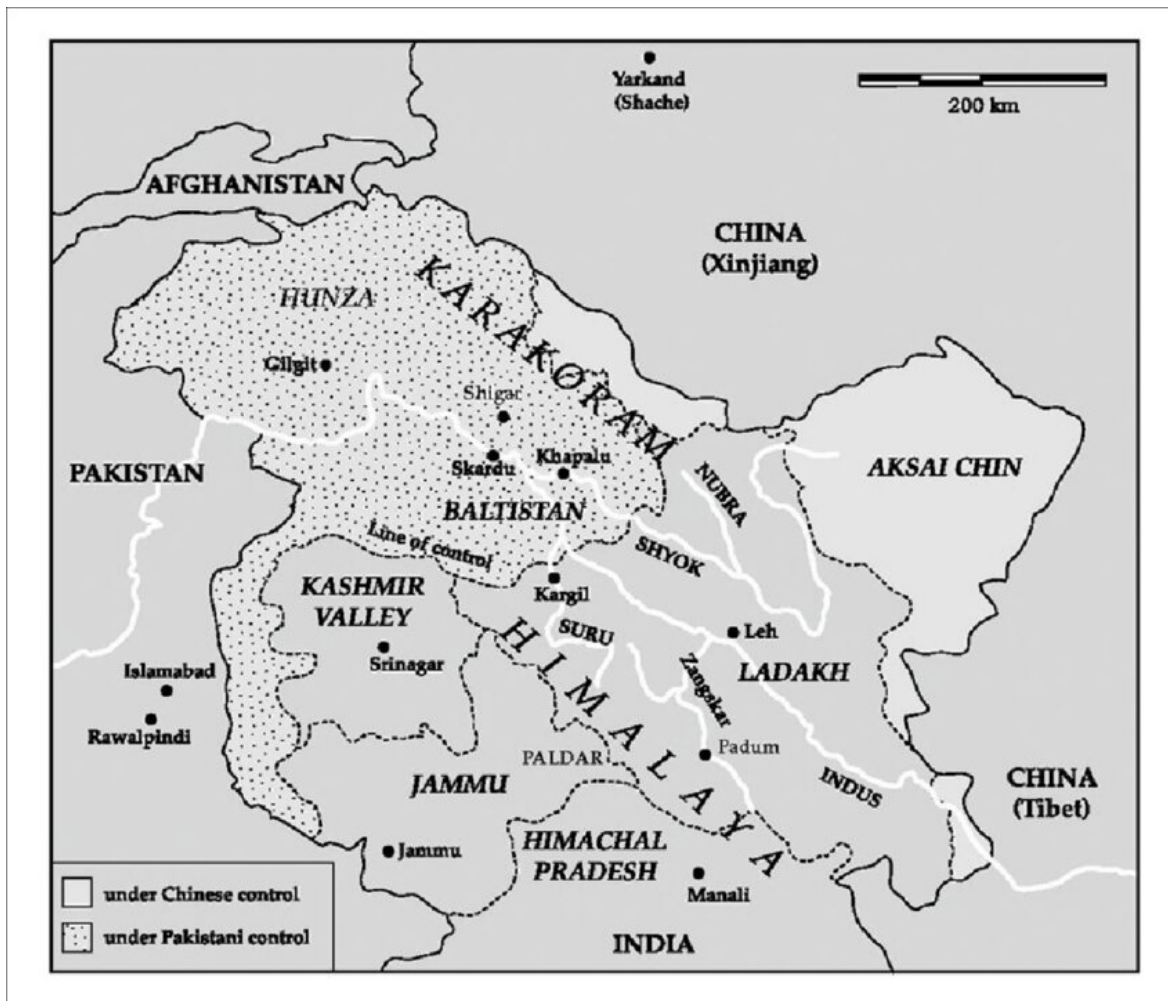
For Mains: Rationale Behind Ladakh's Demand for Inclusion in the Sixth Schedule, Arguments Against Inclusion of Ladakh in the Sixth Schedule

In recent times, [Ladakh](#) has seen significant protests regarding statehood and preserving its identity in the constitution. Protesters are calling for [Ladakh's statehood](#) to be reinstated after it was made a Union territory without a legislature in 2019. They also want Ladakh to be recognized as a tribal area under the [Sixth Schedule](#), along with job reservations for locals and parliamentary seats for both Leh and Kargil districts.

What Makes Ladakh Significant for India?

- **Geopolitical Importance:** Ladakh is also known as “the Land of Passes” (La-passes, dakh-land). Ladakh's strategic location at the crossroads of [South Asia](#), Central Asia, and East Asia gives it immense geopolitical significance.
- **Strategic Significance:** It serves as a buffer zone between India and its neighboring countries, including China and Pakistan. The ongoing border disputes with China and Pakistan in the Ladakh region underscore its importance in safeguarding India's territorial integrity and sovereignty.
 - The Indian Armed Forces maintain a strong presence in Ladakh to counter external threats and safeguard India's borders.
- **Tourism Potential:** Popularly known as the **Lama Land or Little Tibet**, Ladakh lies at altitudes ranging between about 9,000 feet and 25,170 feet. From trekking and mountaineering to Buddhist tours of various monasteries, Ladakh has it all.
- **Economic Importance:** Ladakh possesses vast untapped economic potential, particularly in sectors such as tourism, agriculture, and renewable energy.
 - The region's breathtaking landscapes, including the pristine lakes and majestic mountains of [Pangong and Tso Moriri](#), attract tourists seeking adventure and tranquility.
- **Environmental Significance:** Ladakh's fertile valleys and river basins offer opportunities for agricultural development, including organic farming and horticulture. Additionally, Ladakh's abundant sunlight and wind resources make it conducive for the development of solar and wind energy projects, contributing to India's [renewable energy](#) goals.
- **Cultural Significance:** The land of Ladakh enjoys the significance of being located at the ancient [Silk Route](#) which passes through these regions and played a very vital role in the development of culture, religion, philosophy, trade, and commerce in the past.

- The region is home to diverse ethnic communities, including the Ladakhi, Tibetan, and Balti people, each with their distinct traditions and customs.
 - The centuries-old monasteries of Hemis, Thiksey, and Diskit serve as spiritual and cultural centers, preserving ancient Buddhist teachings and practices.



What are the Arguments in Favour of Ladakh's Demand for Inclusion in the 6th Schedule?

- **Ensuring Representation:** Following the [reorganization of Jammu and Kashmir](#) in 2019, Ladakh was designated as a Union Territory without a legislative assembly. This change led to concerns about the loss of local autonomy and representation in decision-making processes.
 - This has led to comparisons with the earlier situation where Ladakh had four members in J&K's assembly and two in the legislative council.
 - When Ladakh was part of erstwhile Jammu and Kashmir, the [Ladakh Autonomous Hill Development Council \(LAHDC\)](#), an elected body that governed the region, enjoyed significant autonomy.
 - But with the region now under the direct rule of the central government, Ladakhi leaders say the **LAHDC has been reduced to footnotes**, leading to a feeling of political disempowerment.
 - Diminished representation now has led to fears that outsiders will decide for Ladakh.
- **Lack of Public Participation:** As part of the State of Jammu and Kashmir, Ladakh had enjoyed privileges of special status under [Article 370](#) and [Article 35A](#). The sentiment now is one of disempowerment, as the absence of safeguards for jobs, land, culture, and identity has led to growing insecurity. The lack of a legislative body means that **decision-making has shifted from public participation** to bureaucratic processes.
- **Ladakh's Fragile ecosystem:** Ladakh's fragile ecosystem, **characterized by high-altitude deserts, glaciers, and alpine meadows**, is a hotspot of biodiversity and serves as a crucial

habitat for rare and endangered species.

- Climate activists have flagged **concerns regarding mining** in the glacial ecology.
 - People in Ladakh fear that if there are industries, each industry will bring lakhs of people and this fragile ecosystem cannot support so many people.
 - Careful management of water resources within Ladakh is therefore vitally important, not only for the livelihoods of Ladakhis and the ecosystems of Ladakh but for the health of the whole river system,
- **Sensitive Borders:** The delicate situation in Ladakh is compounded by its borders with both China and Pakistan. The ongoing military standoff with the Chinese PLA in eastern Ladakh, combined with Pakistan's persistent efforts to stoke tensions in India's border areas, presents a significant security challenge.
 - Addressing the [China-Pakistan axis](#) necessitates strategic infrastructure development **supported by the local community.**
 - **Preservation of Cultural Identity:** Inclusion in the Sixth Schedule would provide legal safeguards to protect Ladakh's unique cultural heritage and traditional customs. The Sixth Schedule empowers tribal communities with a degree of autonomy in governance, enabling them to manage their own affairs and resources.
 - **Performance of Socio-Economic Development:** Critics argue that the performance of the Union Territory administration has been notably deficient in terms of generating employment opportunities for the young workforce.
 - Four years have passed since the establishment of the Union Territory, but the **absence of a public service commission** has created a sense of anger among the youths.
 - A glaring issue compounds this situation—the **lack of a comprehensive job policy** within the Union Territory.
 - The autonomy granted under the Sixth Schedule can facilitate the formulation and implementation of locally relevant development initiatives, leading to improved socio-economic outcomes.
 - **Strengthening of Democratic Institutions:** The establishment of autonomous councils under the Sixth Schedule would strengthen democratic institutions at the grassroots level, promoting inclusive governance and accountability.

What is the Sixth Schedule?

- **Article 244:** 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.
- **Current Status :** The Sixth Schedule contains special provisions for the administration of tribal areas in the four north-eastern states of Assam, Meghalaya, Tripura and Mizoram.

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

- **Autonomous Districts:** The tribal areas in these four states have been constituted as autonomous districts. The governor is empowered to organize and reorganize the autonomous districts.
- **District Council:** Each autonomous district has a district council consisting of 30 members, of whom four are nominated by the Governor and the remaining 26 are elected on the basis of adult franchise.
- **Powers of the Council:** The district and regional councils administer the areas under their jurisdiction.
 - They can make laws on certain specified matters like land, forests, canal water, shifting cultivation, village administration, the inheritance of property, marriage and divorce, social customs and so on. But all such laws require the assent of the Governor.
 - They can constitute village councils or courts for trial of suits and cases between the tribes. They hear appeals from them. The jurisdiction of the high court over these suits and cases is specified by the governor.
 - The district council can establish, construct or manage primary schools, dispensaries, markets, ferries, fisheries, roads and so on in the district.
 - They are empowered to assess and collect land revenue and to impose certain specified taxes

What are the Arguments Against Inclusion of Ladakh in the Sixth Schedule?

- **Legal and Administrative Hurdles:** The Ministry of Home Affairs has highlighted potential challenges in amending the Constitution to include Ladakh in the Sixth Schedule, stating that **such a move would require a constitutional amendment.**
 - According to the Ministry, the **Constitution explicitly reserves the Sixth Schedule for the Northeast region**, while tribal areas in other parts of the country are covered under the **Fifth Schedule.**
- **Potential Delays in Decision-Making:** Some may argue that including Ladakh in the Sixth Schedule **could add complexity to the region's governance structure**, potentially leading to

administrative challenges and delays in decision-making processes.

- **Inclusion Already Under Progress:** The central government informed a [parliamentary standing committee](#) recently that the objective for inclusion of tribal population under the sixth schedule is to ensure their overall socio-economic development, which the UT administration has already been taking care of and that **sufficient funds are being provided** to Ladakh to meet its overall developmental requirements.
- **Increased Reservations:** According to a recent report tabled in Rajya Sabha, the Ladakh administration **recently increased the reservation for the Scheduled Tribes in direct recruitment from 10% to 45%** which will significantly help the tribal population in their development.
- **Hindrance in Economic Development:** Being a Union Territory allows for focused investment in infrastructure development in Ladakh, including roads, airstrips, and communication networks. Critics argue that **inclusion in the Sixth Schedule could hinder Ladakh's economic development** by imposing restrictions on land use, resource exploitation, and investment opportunities.
- **Clear Chain of Command:** With Ladakh directly governed by a Lieutenant Governor appointed by the central government, there is a clear chain of command for security operations in the region. This facilitates effective coordination between the military, paramilitary forces, and local administration in responding to Chinese incursions.
 - Ladakh's status as a Union Territory reinforces India's sovereignty over the region, strengthening its diplomatic position in negotiations with China over border disputes.

What Should be the Way Forward?

- **Meaningful Dialogue:** The government should initiate meaningful dialogue with the stakeholders involved in the protests, including representatives from Ladakh's local communities, political leaders, and civil society organizations.
 - This dialogue should aim to understand the underlying grievances, aspirations, and concerns driving the demand for Sixth Schedule status.
- **Assessment of Feasibility:** A thorough assessment should be conducted to evaluate the feasibility and implications of granting Sixth Schedule status to Ladakh.
 - This assessment should consider legal, administrative, socio-economic, and cultural factors, as well as potential implications for governance, development, and security in the region.
- **Gain the Trust of the People:** To gain the trust of the people, government decisions and promises must be tangible and significant within a defined timeframe.
 - The process of addressing the demand for Sixth Schedule status in Ladakh should be iterative and responsive to evolving circumstances.
- **Enhance Local Governance:** The government should ensure enhanced efforts for inclusive local governance, greater autonomy, and targeted policy interventions to promote socio-economic development and cultural preservation in the region.
- **Sensitive Policymaking:** India's policymakers, while drafting their policies for Ladakh, should consider its geographic location, fragile environment, resource potentials and its people's aspirations. In such a strategic location, it is crucial to keep all these aspects in harmony to take advantage of it to its fullest.
- **Gradual and Phased Approach:** Given the complexity of the issue and the diverse interests involved, any decision on Ladakh's status under the Sixth Schedule should be taken through a gradual and phased approach.
 - This could involve pilot projects, experiments, or phased implementation strategies to test the feasibility and effectiveness of different options before full-scale implementation.

Conclusion:

The democratic representation in Ladakh should be a crucial component of India's security strategy. By ensuring that the people of Ladakh have a voice in decision-making processes, particularly those related to security and governance, the government can enhance local ownership and participation in efforts to safeguard the region's interests and address security challenges effectively.

Drishti Mains Question:

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Prelims

Q. Which of the following provisions of the Constitution of India have a bearing on Education? (2012)

1. Directive Principles of State Policy
2. Rural and Urban Local Bodies
3. Fifth Schedule
4. Sixth Schedule
5. Seventh Schedule

Select the correct answer using the codes given below:

- (a) 1 and 2 only
(b) 3, 4 and 5 only
(c) 1, 2 and 5 only
(d) 1, 2, 3, 4 and 5

Ans: D

Mains:

Q. Why are the tribals in India referred to as 'the Scheduled Tribes? Indicate the major provisions enshrined in the Constitution of India for their upliftment. (2016)