

GOVERNMENT OF INDIA
MINISTRY OF TRIBAL AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO- 2037
TO BE ANSWERED ON- 13/03/2023

SIXTH SCHEDULED COUNCILS

2037. SHRI JAMYANG TSERING
NAMGYAL:

Will the Minister of TRIBAL AFFAIRS be pleased to state:

- (a) whether the Autonomous/ District/ Regional Hill Councils in the country plays a significant role in advancing the Governance and preservation of respective cultures, if so, details thereof, if not reason therefor;
- (b) the details of the status of Human Development Index, Per Capita Income, Infrastructures Development and Preservation of Cultures in both sixth Scheduled and Non Sixth Scheduled Councils' Status areas; and
- (c) the details of the Governmental records on assimilation and acculturation of both Sixth Scheduled and Non sixth Scheduled Council' status areas, if so, the details thereof and if not, the reason therefor?

ANSWER

MINISTER OF STATE FOR TRIBAL AFFAIRS
(SHRI BISHWESWAR TUDU)

(a) to (c): The provisions of Sixth Schedule under Article 244 (2) of the Constitution of India, as informed by the Ministry of Home Affairs applies to the administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram. It also provides for autonomous districts and autonomous regions in such areas for which notification is issued by the Governor of respective States. The powers of the District Councils and Regional Councils to make laws are given in para 3 of the Sixth Schedule.

The Government of Mizoram informed that the Autonomous District Councils play a significant role in advancing and preservation of their respective cultures i.e. Lai, Mara and Chakma cultures. The Lai, Mara and Chakma Autonomous District Council were also entrusted various subjects/departments such as Agriculture, Animal Husbandry & Veterinary, Art & Culture, Co-operation, Education, Disaster Management, Relief & Rehabilitation, Fisheries, Horticulture, Industries, Local Administration Department, Minor Irrigation, Public Works Department, Public Health Engineering, Rural Development, Social Welfare, Soil Conservation, Sports & Youth Services, Sericulture, Transport, Urban Development & Poverty Alleviation and Forest. The Government of Meghalaya informed that the District Councils play an

important role in the preservation of the indigenous cultures of the State. The role and functions of the District Councils is/are confined to those listed in Paragraph 3 of the Sixth Schedule which includes the appointment or succession of Chiefs or Headmen of an administrative area/ areas, the inheritance of property, marriage and divorce and social customs. The District Councils legislate and pass Bills on these subjects from time to time, which become law on the assent of the Governor. The Government of Tripura informed that Tripura Tribal Areas Autonomous District Council (TTAADC) plays an important role in governance and preservation of tribal culture. Tripura TTAADC was set up by an act of State legislature in the year 1979 and subsequently it was brought under Seventh Schedule of the Constitution of India with a view to fulfill the aspiration of the tribals to have autonomy to administer themselves in the majority tribal areas of the State. On 1st April 1985, the Council was brought under the provisions of the Sixth Schedule of the Constitution of India to entrust more responsibility and power as per the provisions of Article 244(2) by 49th Amendment of the Constitution. TTAADC is comprised of 28 elected members and 2 nominated members by the Governor of the State with a tenure of office for 5 years. 25 MDC seats reserved for STs and 3 MDC are reserved for other candidates. At grass-roots level there are 587 Village Committees functioning as primary units as institutions of Local Self-Governance which are similar to the Gram Panchayats of non-ADC areas. 14 departments of the State Government are allocating fund to TTAADC for taking developmental activities. District Councils are constituted and administered as per TTAADC (Constitution, Election and Conduct of Business) Rules, 1985 and TTAADC Administration Rule, 1988. The Government of Manipur informed that The Autonomous District Council in Manipur is set up under the Act "Manipur (Hill Areas) District Council Act, 1971" enacted by Parliament in the Twenty-Second Year of the Republic of India. The functions of District Council detailed in Section 29 of the Act has a little provision on role in advancing the governance and preservation of respective cultures namely, (a) appointment or succession of Chiefs, (b) inheritance of property, (c) marriage and divorce, and (d) social customs. There is no specific clause on assimilation and acculturation in The Manipur (Hill Areas) District Council Act, 1971, (Non-Sixth Scheduled Council) areas.

The Ministry of Home Affairs also informed that the Ministry only deals with legislative aspects of the Autonomous District Councils set up under Sixth Schedule in North-Eastern region and security related matter. Centralised data is not maintained on the status of Human Development Index, per capita income, infrastructure development and preservation of cultures in both sixth Schedule and Non Sixth Scheduled Councils' Status areas.

The preservation of culture by the District Councils is not included in the Paragraph 3 of the Sixth Schedule. Thus, the aspects of assimilation and acculturation of Sixth Schedule and Non Sixth Schedule areas is not within the ambit of the functions of the District Councils listed in Paragraph 3 of the Sixth Schedule, except in aspects as mentioned earlier.
